

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

Recitals linked to Cluster I, II and III (marked in blue)

- version of 4 June 2020 -

Lines in **dark green** are provisionally closed.

Lines in **light green** are provisionally closed, pending agreement on parts of them related to issues outside this cluster.

Parts in **grey** are not discussed under this cluster, either because they are not part of the Council's partial mandate for negotiations or because they are part of another cluster. In both cases, they will be discussed at a later stage.

Parts in **yellow** are not agreed yet but an agreement could be reached at technical level.

Parts in **red** are not agreed and should be discussed during the Trilogue.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
1.	Proposal for a REGULATION OF	Position of the European	Proposal for a REGULATION OF		

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 partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Neighbourhood, Development and International Cooperation Instrument	Parliament adopted at first reading on 27 March 2019 with a view to the adoption of Proposal for a Regulation (EU) .../... of the European Parliament and of the Council establishing the Neighbourhood, Development and International Cooperation Instrument	THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Neighbourhood, Development and International Cooperation Instrument		
2.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		
3.	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209, 212 and 322(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209, 212 and 322(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 209, 212 and 322(1) thereof,		
4.	Having regard to the proposal from the	Having regard to the proposal from the	Having regard to the proposal from the		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	European Commission,	European Commission,	European Commission,		
5.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,		
6.	Having regard to the opinion of the European Economic and Social Committee ¹ ,	Having regard to the opinion of the European Economic and Social Committee ¹ , Court of Auditors ³ ,	Having regard to the opinion of the European Economic and Social Committee ¹ ,		
7.	Having regard to the opinion of the Committee of the Regions ² ,	Having regard to the opinion of the Committee of the Regions ² , European Economic and Social Committee ¹ ,	Having regard to the opinion of the Committee of the Regions ² ,		
8.	Having regard to the opinion of the Court of Auditors ³ ,	Having regard to the opinion of the Court of Auditors ³ , Committee of the Regions ² ,	Having regard to the opinion of the Court of Auditors ³ ,		

¹ *OJ C 110, 22.3.2019, p. 163.*

² *OJ C 86, 7.3.2019, p. 295.*

³ *OJ C 45, 4.2.2019, p. 1.*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
9.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure ⁴ ,	Acting in accordance with the ordinary legislative procedure,		
10.	Whereas:	Whereas:	Whereas:		
11.	(1) The general objective of the Programme "Neighbourhood, Development and International Cooperation Instrument" (the 'Instrument') should be to uphold and promote the Union's values and interests worldwide in order to pursue the objectives and principles of the Union's external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union.	(1) The general objective of the Programme "Neighbourhood, Development and International Cooperation Instrument" (the 'Instrument') should be to uphold and promote provide the financial framework to support the upholding and promotion of the Union's values, and principles and fundamental interests worldwide in order to pursue accordance with the objectives and principles of the Union's external	(1) The general objective of the Programme "[Neighbourhood,] Development and International Cooperation Instrument" (the 'Instrument') should be to uphold and promote the Union's values and interests worldwide in order to pursue the objectives and principles of the Union's external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union.	(1) The general objective of the Programme "[Neighbourhood,] Development and International Cooperation Instrument" (the 'Instrument') should be to uphold and promote the Union's values, and principles and fundamental interests worldwide in order to pursue the objectives and principles of the Union's external action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union.	<i>Provisionally agreed</i>

⁴ *Position of the European Parliament of 27 March 2019*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		action, as laid down in Article 3(5), Articles 8 and 21 of the Treaty on European Union (TEU).			
12.	(2) In accordance with Article 21 of the Treaty on European Union, the Union shall pursue consistency between the different areas of its external action and between these and its other policies, as well as it shall work for a high degree of cooperation in all fields of international relations. The wide array of actions enabled by this Regulation should contribute to the objectives set out in that Article of the Treaty.	(2) In accordance with Article 21 of the Treaty on European Union <i>TEU</i> , the Union shall pursue consistency between the different areas of its external action and between these and its other policies, as well as it shall work for a high degree of cooperation in all fields of international relations. The wide array of actions enabled by this Regulation should contribute to the objectives set out in that Article of the Treaty <i>TEU</i> .	(2) In accordance with Article 21 of the Treaty on European Union, the Union shall pursue consistency between the different areas of its external action and between these and its other policies, as well as it shall work for a high degree of cooperation in all fields of international relations. The wide array of actions enabled by this Regulation should contribute to the objectives set out in that Article of the Treaty.	(2) In accordance with Article 21 of the Treaty on European Union, the Union shall pursue consistency between the different areas of its external action and between these and its other policies, as well as it shall work for a high degree of cooperation in all fields of international relations. The wide array of actions enabled by this Regulation should contribute to the objectives set out in that Article of the Treaty.	<i>Provisionally agreed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
12. bis		<p><i>(2a) In accordance with Article 21 TEU, the application of this Regulation is to be guided by the principles of the Union's external action, namely democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, equality and solidarity, and respect for the principles of the United Nations Charter and international law. This Regulation is intended to contribute to achieving the objectives of the Union's external action, including the Union's policies relating to human</i></p>		<p><i>(2a) Union action should promote respect for and be rooted in international human rights law, including the Universal Declaration on Human Rights, and in international humanitarian law and should be guided by the universality and indivisibility of human rights.</i></p>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>rights and the objectives outlined in the EU Strategic Framework and Action Plan on Human Rights and Democracy. Union action should favour adherence to the Universal Declaration on Human Rights.</i>			
13.	(3) In accordance with Article 8 of the Treaty on European Union, the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation. This Regulation should	(3) In accordance with Article 8 of the Treaty on European Union TEU , the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation. This Regulation	(3) In accordance with Article 8 of the Treaty on European Union, the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation. This Regulation	(3) In accordance with Article 8 of the Treaty on European Union, the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation. This Regulation should contribute to such objective.	<i>Provisionally agreed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	contribute to such objective.	should contribute to such objective.	should contribute to such objective.		
13. bis		<i>(3a) In accordance with Article 167 of the Treaty on the Functioning of the European Union (TFEU), The Union and the Member States should foster cooperation with third countries and the competent international organisations in the sphere of culture. This Regulation should contribute to the objectives set out in that Article.</i>			<i>Provisionally agreed</i>
14.	(4) The primary objective of Union's development cooperation policy, as laid down in Article 208 of the Treaty on the Functioning of the European Union is the reduction and, in	(4) The primary objective of Union's development cooperation policy, as laid down in Article 208 of the Treaty on the Functioning of the European Union TFEU is the reduction and, in the	(4) The primary objective of Union's development cooperation policy, as laid down in Article 208 of the Treaty on the Functioning of the European Union is the reduction and, in the	(4) The primary objective of Union's development cooperation policy, as laid down in Article 208 of the Treaty on the Functioning of the European Union is the reduction and, in the long term, the eradication of poverty. The Union's development cooperation	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the long term, the eradication of poverty. The Union's development cooperation policy also contributes to the objectives of the Union's external action, in particular to foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty, as set out in Article 21(2)(d) of the Treaty on European Union.	long term, the eradication of poverty. The Union's development cooperation policy also contributes to the objectives of the Union's external action, in particular to foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty, as set out in Article 21(2)(d) of the Treaty on European Union <i>TEU, and to preserve lasting peace, prevent conflicts and strengthen international security, as set out in point (c) of Article 21(2) TEU.</i>	long term, the eradication of poverty. The Union's development cooperation policy also contributes to the objectives of the Union's external action, in particular to foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty, as set out in Article 21(2)(d) of the Treaty on European Union.	policy also contributes to the objectives of the Union's external action, in particular to foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty, as set out in Article 21(2)(d) of the Treaty on European Union .	
15.	(5) The Union shall ensure policy	(5) The Union shall ensure policy	(5) The Union shall ensure policy	(5) The Union shall ensure policy coherence	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	coherence for development as required by Article 208 of the Treaty on the Functioning of the European Union. The Union should take account of the objectives of development cooperation in the policies that are likely to affect developing countries, which will be a crucial element of the strategy to achieve the Sustainable Development Goals defined in the 2030 Agenda for Sustainable Development ('2030 Agenda') adopted by the United Nations in September 2015 ⁵ .	coherence for development as required by Article 208 of the Treaty on the Functioning of the European Union the Functioning of the European Union <i>TFEU</i> . The Union should take account of the objectives of development cooperation in the policies that are likely to affect developing countries, which will be a crucial element of the strategy to achieve the Sustainable Development Goals defined in the 2030 Agenda for Sustainable Development ('2030 Agenda') adopted by the United Nations in September 2015 ⁵ . Ensuring policy	coherence for development as required by Article 208 of the Treaty on the Functioning of the European Union. The Union should take account of the objectives of development cooperation in the policies that are likely to affect developing countries, which will be a crucial element of the strategy to achieve the Sustainable Development Goals defined in the 2030 Agenda for Sustainable Development ('2030 Agenda') adopted by the United Nations in September 2015 ⁵ . Ensuring policy coherence for	for development as required by Article 208 of the Treaty on the Functioning of the European Union. The Union should take account of the objectives of development cooperation in the policies that are likely to affect developing countries, which will be a crucial element of the strategy to achieve the Sustainable Development Goals defined in the 2030 Agenda for Sustainable Development ('2030 Agenda') adopted by the United Nations in September 2015 ⁵ . Ensuring policy coherence for sustainable development, as embedded in the 2030 Agenda, requires taking into account the impact of	EP's second amendment added in line 33bis.

⁵ "Transforming our world: the 2030 Agenda for Sustainable Development", adopted at the United Nations Sustainable Development Summit on 25 September 2015 (A/RES/70/1).

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	Ensuring policy coherence for sustainable development, as embedded in the 2030 Agenda, requires taking into account the impact of all policies on sustainable development at all levels — nationally, within the Union, in other countries and at global level.	coherence for sustainable development, as embedded in the 2030 Agenda, requires taking into account the impact of all policies on sustainable development at all levels — nationally, within the Union, in other countries and at global level. <i>Union and Member States development cooperation policies should complement and reinforce each other.</i>	sustainable development, as embedded in the 2030 Agenda, requires taking into account the impact of all policies on sustainable development at all levels nationally, within the Union, in other countries and at global level.	all policies on sustainable development at all levels nationally, within the Union, in other countries and at global level.	
15 bis				<i>(5 bis) This Regulation should contribute to preserving lasting peace, preventing conflicts and strengthening international security, as set out in point (c) of Article 21(2) TEU.</i>	<i>Provisionally closed</i>
16.	(6) This Instrument provides for actions in support of those	(6) This Instrument provides for actions in support of those	(6) This Instrument provides for actions in support of those	(6) This Instrument provides for actions in support of those	<i>Provisionally closed</i>

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	objectives and of the external action policies and builds on the actions previously supported under Regulation (EU) No 233/2014 ⁶ ; the 11th European Development Fund (EDF)'s Internal Agreement ⁷ and Implementing Regulation ⁸ ; Regulation (EU) No 232/2014 ⁹ ; Regulation (EU) No	objectives and of the external action policies and builds on the actions previously supported under Regulation (EU) No 233/2014 ⁶ ; the 11th European Development Fund (EDF)'s Internal Agreement ⁷ and Implementing Regulation ⁸ ; Regulation (EU) No 232/2014 ⁹ ; Regulation (EU) No 230/2014 ¹⁰ ; Regulation (EU) No 235/2014 ¹¹ ;	objectives and of the external action policies and builds on the actions previously supported under Regulation (EU) No 233/2014 ⁶ ; the 11th European Development Fund (EDF)'s Internal Agreement ⁷ and Implementing Regulation ⁸ ; /Regulation (EU) No 232/2014 ⁹ ;/ Regulation (EU) No 230/2014 ¹⁰ ; Regulation (EU) No	objectives and of the external action policies and builds on the actions previously supported under Regulation (EU) No 233/2014 ⁶ ; the 11th European Development Fund (EDF)'s Internal Agreement ⁷ and Implementing Regulation ⁸ ; /Regulation (EU) No 232/2014 ⁹ ;/ Regulation (EU) No 230/2014 ¹⁰ ; Regulation (EU) No 234/2014 ¹² ; Regulation (Euratom) No 237/2014 ¹³ ;	

⁶ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44.)

⁷ Internal agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L210/1, 6.8.2013).

⁸ Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (OJ L 58/1, 3.3.2015).

⁹ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27.)

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	230/2014 ¹⁰ ; Regulation (EU) No 235/2014 ¹¹ ; Regulation (EU) No 234/2014 ¹² ; Regulation (Euratom) No 237/2014 ¹³ ; Regulation (EU) No 236/2014 ¹⁴ ; Decision No 466/2014/EU; Regulation (EC, Euratom) No 480/2009 ¹⁵ and	Regulation (EU) No 234/2014 ¹² ; Regulation (Euratom) No 237/2014 ¹³ ; Regulation (EU) No 236/2014 ¹⁴ ; Decision No 466/2014/EU; Regulation (EC, Euratom) No 480/2009 ¹⁵ and Regulation (EU) 2017/1601 ¹⁶ .	235/2014 ¹¹ ; Regulation (EU) No 234/2014 ¹² ; Regulation (Euratom) No 237/2014 ¹³ ; Regulation (EU) No 236/2014 ¹⁴ ; Decision No 466/2014/EU; Regulation (EC, Euratom) No 480/2009 ¹⁵ and Regulation (EU) 2017/1601 ¹⁶ .	Regulation (EU) No 236/2014 ¹⁴ ; Decision No 466/2014/EU; Regulation (EC, Euratom) No 480/2009 ¹⁵ and Regulation (EU) 2017/1601 ¹⁶ .	

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- ¹⁰ Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (OJ L 77, 15.3.2014, p. 1.)
- ¹¹ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide (OJ L 77, 15.3.2014, p. 85.)
- ¹² Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014 establishing a Partnership Instrument for cooperation with third countries (OJ L 77, 15.3.2014, p. 77.)
- ¹³ Council Regulation (Euratom) No 237/2014 of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77, 15.3.2014, p. 109)
- ¹⁴ Regulation (EU) 236/2014 of the European Parliament and of the Council laying down common rules and procedures for the implementation of the Union's instruments for financing external action (OJ L 77, 15.3.2014, p. 95)
- ¹⁵ Council Regulation (EC, Euratom) No 480/2009 of 25 May 2009 establishing a Guarantee Fund for external actions (OJ L 145, 10.6.2009, p. 10)

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	Regulation (EU) 2017/1601 ¹⁶ .				
17.	(7) The global context for action is the pursuit of a rules-based global order, with multilateralism as its key principle and the United Nations at its core. The 2030 Agenda, together with the Paris Agreement on Climate Change ¹⁷ and the Addis Ababa Action Agenda ¹⁸ is the international community's response to global challenges and trends in relation to sustainable development. With	(7) The global context for action is the pursuit of a rules-based rules-and values-based global order, with multilateralism as its key principle and the United Nations at its core. The 2030 Agenda, together with the Paris Agreement on Climate Change ¹⁷ (<i>'the Paris Agreement'</i>) and the Addis Ababa Action Agenda ¹⁸ is the international community's response to global challenges and trends in relation to sustainable	(7) The global context for action is the pursuit of a rules-based global order, with multilateralism as its key principle and the United Nations at its core. The 2030 Agenda, together with the Paris Agreement on Climate Change ¹⁷ and the Addis Ababa Action Agenda ¹⁸ is the international community's response to global challenges and trends in relation to sustainable development. With the Sustainable Development Goals at its core, the 2030	(7) The global context for action is the pursuit of a rules- and values-based global order, with multilateralism as its key principle and the United Nations at its core. The 2030 Agenda, together with the Paris Agreement on Climate Change ¹⁷ and the Addis Ababa Action Agenda ¹⁸ is the international community's response to global challenges and trends in relation to sustainable development. With the Sustainable Development Goals at its core, the 2030 Agenda is a transformative framework to eradicate poverty and	<i>Provisionally closed</i>

¹⁶ Regulation (EU) 2017/1601 of the European Parliament and of the Council of 26 September 2017 establishing the European Fund for Sustainable Development (EFSD), the EFSD Guarantee and the EFSD Guarantee Fund.

¹⁷ Signed in New York on 22 April 2016.

¹⁸ "Addis Ababa Action Agenda of the Third International Conference on Financing for Development", adopted on 16 June 2015 and endorsed by the United Nations General Assembly on 27 July 2015 (A/RES/69/313).

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	the Sustainable Development Goals at its core, the 2030 Agenda is a transformative framework to eradicate poverty and achieve sustainable development globally. It is universal in scope, providing a comprehensive shared framework for action that applies to the Union, to its Member States and to its partners. It balances the economic, social and environmental dimensions of sustainable development, recognising the essential interlinkages between its goals and targets. The	development. With the Sustainable Development Goals at its core, the 2030 Agenda is a transformative framework to eradicate poverty, and achieve sustainable development globally <i>and promote peaceful, just and inclusive societies, while tackling climate change and working to preserve oceans and forests.</i> It is universal in scope, providing a comprehensive shared framework for action that applies to the Union, to its Member States and to its partners. It balances the economic, social, <i>cultural, educational</i> and environmental dimensions of sustainable	Agenda is a transformative framework to eradicate poverty and achieve sustainable development globally. It is universal in scope, providing a comprehensive shared framework for action that applies to the Union, to its Member States and to its partners. It balances the economic, social and environmental dimensions of sustainable development, recognising the essential interlinkages between its goals and targets. The 2030 Agenda aims to leave no one behind. The implementation of the 2030 Agenda will be closely coordinated with the Union's other relevant international	achieve sustainable development globally. It is universal in scope, providing a comprehensive shared framework for action that applies to the Union, to its Member States and to its partners. It balances the economic, social and environmental dimensions of sustainable development, recognising the essential interlinkages between its goals and targets. The 2030 Agenda aims to leave no one behind <i>and seeks to reach the furthest behind first.</i> The implementation of the 2030 Agenda will be closely coordinated with the Union's other relevant international commitments. Actions undertaken by this Regulation should <i>be guided by the principles and objectives set out in the 2030 Agenda, the</i>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>2030 Agenda aims to leave no one behind. The implementation of the 2030 Agenda will be closely coordinated with the Union's other relevant international commitments. Actions undertaken by this Regulation should pay particular attention to interlinkages between Sustainable Development Goals and to integrated actions that can create co-benefits and meet multiple objectives in a coherent way.</p>	<p>development, recognising the essential interlinkages between its goals and targets. The 2030 Agenda aims to leave no one behind <i>and seeks to reach the furthest behind first.</i> The implementation of the 2030 Agenda will be closely coordinated with the Union's other relevant international commitments. Actions undertaken by this Regulation should pay <i>be guided by the principles and objectives set out in the 2030 Agenda, the Paris Agreement and the Addis Ababa Action Agenda and should contribute to achieving the Sustainable Development Goals,</i> paying particular</p>	<p>commitments. Actions undertaken by this Regulation should pay particular attention to interlinkages between Sustainable Development Goals and to integrated actions that can create co-benefits and meet multiple objectives in a coherent way.</p>	<p><i>Paris Agreement and the Addis Ababa Action Agenda and should contribute to achieving the Sustainable Development Goals. Particular attention should be paid to interlinkages between Sustainable Development Goals and to integrated actions that can create co-benefits and meet multiple objectives in a coherent way without undermining other objectives.</i></p>	

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		attention to interlinkages between Sustainable Development Goals <i>them</i> and to integrated actions that can create co-benefits and meet multiple objectives in a coherent way <i>without undermining other objectives.</i>			
18.	(8) The implementation of this Regulation should be guided by the five priorities established in the Global Strategy for the European Union's Foreign and Security Policy (the 'Global Strategy') ¹⁹ , presented on 19 June 2016, which represents the Union's vision and the framework for	(8) The implementation application of this Regulation should be guided by based on the five priorities established in the Global Strategy for the European Union's Foreign and Security Policy (the 'Global Strategy') ¹⁹ , presented on 19 June 2016, which represents the Union's vision and the framework for united	(8) The implementation of this Regulation should be guided by the five priorities established in the Global Strategy for the European Union's Foreign and Security Policy (the 'Global Strategy') ¹⁹ , presented on 19 June 2016 and endorsed by the Council in its Conclusions of 17 October 2016 ²⁰ , which represents the	The {1} of this Regulation should be guided by the five priorities established in the Global Strategy for the European Union's Foreign and Security Policy (the 'Global Strategy') endorsed by the Council in its Conclusions of 17 October 2016 , which represents the Union's vision and the framework for united and responsible external engagement in	<i>Provisionally closed pending agreement on line 27 and governance</i> {1} EP: implementation application CL: implementation {4} Colegislators agree to place language on nuclear safety

²⁰ *Council Conclusions on the Global Strategy for the European Union's Foreign and Security Policy of 17 October 2016 (13202/16).*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	united and responsible external engagement in partnership with others, to advance its values and interests. The Union should enhance partnerships, promote policy dialogue and collective responses to challenges of global concern. Its action should support the Union's interests and values in all its aspects, including preserving peace, preventing conflicts, strengthening international security, fighting root causes of irregular migration and assisting populations, countries and regions confronting	and responsible external engagement in partnership with others, to advance its values and interests. The Union should enhance partnerships, promote policy dialogue and collective responses to challenges of global concern. Its action should support the Union's <i>fundamental</i> interests, <i>principles</i> and values in all its aspects, including <i>promoting democracy and human rights, contributing to the eradication of poverty</i> , preserving peace, preventing conflicts <i>conflict prevention, mediation and post-conflict reconstruction including women at all stages, ensuring nuclear safety,</i>	Union's vision and the framework for united and responsible external engagement in partnership with others, to advance its values and interests. The Union should enhance partnerships, promote policy dialogue and collective responses to challenges of global concern. Its action should support the Union's interests and values in all its aspects, including preserving peace, preventing conflicts, strengthening international security, <i>inclusive governance</i> , fighting root causes of irregular migration, <i>forced displacement</i> and assisting populations, countries and regions confronting natural or	partnership with others, to advance its values and interests. The Union should enhance partnerships, promote policy dialogue and collective responses to challenges of global concern. Its action should support the Union's <i>fundamental</i> interests, <i>principles</i> and values in all its aspects {4} In doing so, the Union should <i>use an integrated approach and</i> comply with, and promote, the principles of respect for high social, <i>labour</i> and environmental standards, <i>including with regard to climate change</i> , for the rule of law, for international law <i>including in respect of humanitarian and international human rights law</i> .	elsewhere in the recitals. Text to be aligned with the wording in the enacting provisions and annexes

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	natural or man-made disasters, supporting trade policy, economic diplomacy and economic cooperation, promoting digital solutions and technologies, and fostering the international dimension of Union's policies. In promoting its interests, the Union should comply with, and promote, the principles of respect for high social and environmental standards, for the rule of law, for international law and for human rights.	strengthening international security, fighting addressing root causes of irregular migration and forced displacement and assisting populations, countries and regions confronting confronted with natural or man-made disasters, bringing about the conditions to create an international legal framework for the protection of persons displaced due to climate change, fostering inclusive quality education, supporting a fair, sustainable and rules- and value-based trade policy as a tool for development and to bring improvements to the rule of law and	man-made disasters, supporting trade policy, economic diplomacy and economic cooperation, promoting digital solutions and technologies, and fostering the international dimension of the Union's policies. In promoting its interests, the Union should use an integrated approach and comply with, and promote, the principles of respect for high social and environmental standards, for the rule of law, for international law and for human rights.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>human rights, economic and cultural</i> diplomacy and economic cooperation, promoting <i>innovation</i>, digital solutions and technologies, <i>protecting cultural heritage especially in conflict areas, addressing global public health threats</i> and fostering the international dimension of Union's policies. In promoting its <i>fundamental</i> interests, <i>principles and values</i>, the Union should comply with, and promote, the principles of respect for high social, <i>labour</i> and environmental standards <i>including with regard to climate change</i>, for the rule of law, for international</p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		law, and for including in respect of humanitarian and international human rights law.			
19.	(9) The new European Consensus on Development ('the Consensus') ²¹ , signed on 7 June 2017, provides the framework for a common approach to development cooperation by the Union and its Member States to implement the 2030 Agenda and the Addis Ababa Action Agenda. Eradicating poverty, tackling discrimination and inequalities, leaving no one behind and strengthening resilience are at the	(9) The new application of this Regulation should also be based on the European Consensus on Development ('the Consensus') ²¹ , signed on 7 June 2017, which provides the framework for a common approach to development cooperation by the Union and its Member States to implement the 2030 Agenda and the Addis Ababa Action Agenda. Eradicating poverty, tackling discrimination and inequalities, leaving	(9) The new European Consensus on Development ('the Consensus') ²¹ , signed on 7 8 June 2017, provides the framework for a common approach to development cooperation by the Union and its Member States to implement the 2030 Agenda and the Addis Ababa Action Agenda. Eradicating poverty, tackling discrimination and inequalities, leaving no one behind and strengthening resilience are at the	(9) The {1} of this Regulation should also be guided by the European Consensus on Development ('the Consensus') ²¹ of 8 June 2017 provides the framework for a common approach to development cooperation by the Union and its Member States to implement the 2030 Agenda and the Addis Ababa Action Agenda. Eradicating poverty, tackling discrimination and inequalities, leaving no one behind, protecting the environment and fighting climate change, and strengthening resilience are at the heart	<i>Provisionally closed pending agreement on governance</i> {1} EP: application CL: implementation

²¹ "The New European Consensus on Development 'Our World, our Dignity, Our Future'", Joint statement by the Council and the Representatives of the governments of the Member States meeting within the Council, the European Parliament and the European Commission, 8 June 2017.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	heart of development cooperation policy.	no one behind, <i>protecting the environment and fighting climate change</i> , and strengthening resilience are at the heart of development cooperation policy <i>should underpin the application of this Regulation.</i>	heart of development cooperation policy.	of development cooperation policy and <i>should underpin the {1} of this Regulation.</i>	
19. bis		<i>(9a) In addition to the UN 2030 Agenda, the Paris Agreement on Climate Change the Addis Ababa Action Agenda, the EU Global Strategy, and the European Consensus on Development and the European Neighbourhood Policy, which constitute the primary policy framework, the following documents and their future revisions should also</i>		{1}	<i>Follow-up at technical level for inclusion of a list to be specified at a later stage. Not necessarily linked only to EU documents.</i> {1} <i>EP:</i> <i>(9a) In addition to the UN 2030 Agenda, the Paris Agreement on Climate Change the Addis Ababa Action Agenda, the EU Global Strategy, and the European Consensus on Development and the European Neighbourhood Policy, which constitute the primary policy</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>guide the application of this Regulation:</i></p> <ul style="list-style-type: none"> - <i>the EU Strategic Framework and Action Plan on Human Rights and Democracy;</i> - <i>the EU Human Rights guidelines;</i> - <i>the EU Integrated Approach to External Conflicts and Crises and the EU's comprehensive approach to external conflicts and crises of 2013;</i> - <i>the Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on</i> 			<p><i>framework, the following documents and their future revisions should also guide the application of this Regulation:</i></p> <ul style="list-style-type: none"> - <i>the EU Strategic Framework and Action Plan on Human Rights and Democracy;</i> - <i>the EU Human Rights guidelines;</i> - <i>the EU Integrated Approach to External Conflicts and Crises and the EU's comprehensive approach to external conflicts and crises of 2013;</i> - <i>the Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security;</i> - <i>the Union Programme for the Prevention of Violent Conflicts;</i> - <i>the Council conclusions of 20 June 2011 on conflict prevention;</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p>women, peace and security;</p> <ul style="list-style-type: none"> - the Union Programme for the Prevention of Violent Conflicts; - the Council conclusions of 20 June 2011 on conflict prevention; - the Concept on Strengthening EU Mediation and Dialogue Capacities; - the EU-wide Strategic Framework to support Security Sector Reform (SSR); - the EU strategy against illicit firearms, small arms and light weapons (SALW) and their ammunition; 			<ul style="list-style-type: none"> - the Concept on Strengthening EU Mediation and Dialogue Capacities; - the EU-wide Strategic Framework to support Security Sector Reform (SSR); - the EU strategy against illicit firearms, small arms and light weapons (SALW) and their ammunition; - the EU Concept for Support to Disarmament, Demobilisation and Reintegration (DDR); - the Council conclusions of 19 November 2007 on a EU response to situations of fragility and the conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council, also dated 19 November 2007, on security and development; - the European Council Declaration of 25 March

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<ul style="list-style-type: none"> - <i>the EU Concept for Support to Disarmament, Demobilisation and Reintegration (DDR);</i> - <i>the Council conclusions of 19 November 2007 on a EU response to situations of fragility and the conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council, also dated 19 November 2007, on security and development;</i> - <i>the European Council Declaration of 25 March 2004 on Combating</i> 			<p><i>2004 on Combating Terrorism, the European Union Counter-Terrorism Strategy, of 30 November 2005 and the Council conclusions of 23 May 2011 on enhancing the links between internal and external aspects of counter-terrorism;</i></p> <ul style="list-style-type: none"> - <i>the OECD guidelines for multinational enterprises;</i> - <i>the UN guiding principles on business and human rights;</i> - <i>the UN New Urban Agenda;</i> - <i>the UN Convention on the Rights of Persons with Disabilities;</i> - <i>the Refugee Convention;</i> - <i>the Convention on the Elimination of All Forms of Discrimination against Women,</i> - <i>the Council of Europe Istanbul Convention</i> - <i>the outcomes of the Beijing Platform for Action and the Programme</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>Terrorism, the European Union Counter-Terrorism Strategy, of 30 November 2005 and the Council conclusions of 23 May 2011 on enhancing the links between internal and external aspects of counter-terrorism;</i></p> <ul style="list-style-type: none"> <i>– the OECD guidelines for multinational enterprises;</i> <i>– the UN guiding principles on business and human rights;</i> <i>– the UN New Urban Agenda;</i> <i>– the UN Convention on the Rights of Persons with Disabilities;</i> 			<p><i>of Action of the International Conference on Population and Development (ICPD);</i></p> <ul style="list-style-type: none"> <i>– the UNCTAD Roadmap towards Sustainable Sovereign Debt Workouts (April 2015);</i> <i>– the Guiding Principles on Foreign Debt and Human Rights drawn up by the Office of the UN High Commissioner for Human Rights;</i> <i>– the Global Compact on Refugees;</i> <i>– the Global Compact on Safe, Orderly and Regular Migration, adopted in Marrakech on December 10th 2018;</i> <i>– the United Nations Convention on the Rights of the Child.</i> <ul style="list-style-type: none"> <i>○ the Kimberley Process,</i> <i>○ the Sustainability Compact,</i> <i>○ Regulation (EU) No 978/2012 of the</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<ul style="list-style-type: none"> - <i>the Refugee Convention;</i> - <i>the Convention on the Elimination of All Forms of Discrimination against Women,</i> - <i>the outcomes of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD);</i> - <i>the UNCTAD Roadmap towards Sustainable Sovereign Debt Workouts (April 2015);</i> - <i>the Guiding Principles on Foreign Debt and</i> 			<p><i>European Parliament and the Council²² (GSP Regulation)</i></p> <p>-</p> <p>CL: No text</p>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>Human Rights drawn up by the Office of the UN High Commissioner for Human Rights;</i></p> <ul style="list-style-type: none"> <i>- the Global Compact on Refugees;</i> <i>- the Global Compact on Safe, Orderly and Regular Migration, adopted in Marrakech on December 10th 2018;</i> <i>- the United Nations Convention on the Rights of the Child.</i> 			
20.	(10) In order to implement the new international framework established by the 2030 Agenda, the Global Strategy and	(10) In order to implement the new international framework established by the 2030 Agenda, the Global Strategy and	(10) In order to implement the new international framework established by the 2030 Agenda, the Global Strategy and the Consensus;	(10) This Regulation should aim at increasing the coherence and ensuring the effectiveness of the Union's external action <i>thus improving</i> the implementation of the	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the Consensus, this Regulation should aim at increasing the coherence and ensuring the effectiveness of the Union's external action by concentrating its efforts through a streamlined instrument to improve the implementation of the different external action policies.	the Consensus, this Regulation should aim at increasing the coherence and ensuring the effectiveness of the Union's external action by concentrating its efforts through a streamlined instrument to improve the implementation of the different external action policies.	† This Regulation should aim at increasing the coherence and ensuring the effectiveness of the Union's external action by concentrating its efforts through a streamlined instrument to improve thus improving the implementation of the different external action policies.	different external action policies.	
21.	(11) In accordance with the Global Strategy and the Sendai Framework for Disaster Risk Reduction (2015-2030) as adopted on 18 March 2015 ²³ , recognition should be given to the need to move away from	(11) In accordance with the Global Strategy and the Sendai Framework for Disaster Risk Reduction (2015-2030) as adopted on 18 March 2015 ²³ , recognition should be given to the need to move away from	(11) In accordance with the Global Strategy, the Consensus and the Sendai Framework for Disaster Risk Reduction (2015-2030) as adopted on 18 March 2015 ²³ , recognition should be given to the need to	(11) In accordance with the Global Strategy, the Consensus and the Sendai Framework for Disaster Risk Reduction (2015-2030) as adopted on 18 March 2015 ²³ , recognition should be given to the need to move away from crisis response and containment to a more	<i>Provisionally closed</i>

²³ "Sendai Framework for Disaster Risk Reduction", adopted on 18 March 2015 and endorsed by the United Nations General Assembly on 3 June 2015 (A/RES/69/283).

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>crisis response and containment to a more structural, long-term approach that more effectively addresses situations of fragility, natural and man-made disasters, and protracted crises. Greater emphasis and collective approaches are required on risk reduction, prevention, mitigation and preparedness; and further efforts are required to enhance swift response and a durable recovery. This Regulation should therefore contribute to strengthening resilience and linking humanitarian aid and development</p>	<p>crisis response and containment to a more structural, preventive long-term approach that more effectively addresses situations of fragility, natural and man-made disasters, and protracted crises. Greater emphasis and collective approaches are required on risk reduction, prevention, mitigation and preparedness; and further efforts are required to enhance swift response and a durable recovery. This Regulation should therefore contribute to strengthening resilience and linking humanitarian aid and development action particularly through rapid response actions as well as relevant geographic and thematic</p>	<p>move away from crisis response and containment to a more structural, long-term approach that more effectively addresses situations of fragility, natural and man-made disasters, and protracted crises. Greater emphasis and collective approaches are required on risk reduction, prevention, mitigation and preparedness; and further efforts are required to enhance swift response and a durable recovery. This Regulation should therefore contribute to strengthening resilience and linking humanitarian aid and development action through rapid response actions.</p>	<p>structural, long-term approach that more effectively addresses situations of fragility, natural and man-made disasters, and protracted crises. Greater emphasis and collective approaches are required on risk reduction, prevention, mitigation and preparedness; and further efforts are required to enhance swift response and a durable recovery. This Regulation should therefore contribute to strengthening resilience and linking humanitarian aid and development action particularly through rapid response actions as well as relevant geographic and thematic programmes, while ensuring respect of humanitarian principles.</p>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	action through rapid response actions.	<i>programmes, while ensuring the appropriate predictability, transparency and accountability, as well as coherence, consistency and complementarity with humanitarian aid and full compliance with international humanitarian law and without hindering the delivery of humanitarian aid according to the principles of humanity, neutrality, impartiality and independence in emergency and post-emergency contexts.</i>			
22.	(12) In line with the international commitments of the Union on development effectiveness as adopted in Busan in	(12) In line with the international commitments of the Union on development effectiveness as adopted in Busan in	(12) In line with the international commitments of the Union on development effectiveness as adopted in Busan in 2011 and renewed at	(12) In line with the international commitments of the Union on development effectiveness as adopted in Busan in 2011 and renewed at the Nairobi	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	2011 and renewed at the Nairobi High Level Forum in 2016 and recalled in the Consensus, the Union's development cooperation should apply the development effectiveness principles, namely ownership of development priorities by developing countries, a focus on results, inclusive development partnerships as well as transparency and accountability.	2011 and renewed at the Nairobi High Level Forum in 2016 and recalled in the Consensus, the Union's <i>Union, in the context of its official development cooperation assistance and across all aid modalities,</i> should apply the development effectiveness principles, namely ownership of development priorities by developing countries, a focus on results, inclusive development partnerships as well as <i>mutual</i> transparency and accountability, <i>in addition to the principles of alignment and harmonisation.</i>	the Nairobi High Level Forum in 2016 and recalled in the Consensus, the Union's development cooperation should apply the development effectiveness principles, namely ownership of development priorities by developing countries, a focus on results, inclusive development partnerships as well as transparency and <i>mutual</i> accountability.	High Level Forum in 2016 and recalled in the Consensus, the Union's <i>Union, in the context of its official development cooperation assistance and across all aid modalities</i> should apply the development effectiveness principles, namely ownership of development priorities by developing countries, a focus on results, inclusive development partnerships as well as transparency and <i>mutual</i> accountability <i>as well as alignment and harmonisation.</i>	
23.	(13) Pursuant to the Sustainable	(13) Pursuant to the Sustainable	(13) Pursuant to the Sustainable		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	Development Goals, this Regulation should contribute to reinforced monitoring and reporting with a focus on results, covering outputs, outcomes and impacts in partner countries benefiting from the Union's external financial assistance. In particular, as agreed in the Consensus, actions under this Regulation are expected to contribute 20% of the Official Development Assistance funded under this Regulation to social inclusion and human development, including gender equality and	Development Goals, this Regulation should contribute to reinforced monitoring and reporting with a focus on results, covering outputs, outcomes and impacts in partner countries benefiting from the Union's external financial assistance. In particular, as agreed in the Consensus, actions under this Regulation are expected to should contribute at least 20 % of the Official Development Assistance funded under this Regulation to social inclusion and human development, including with a focus on basic social services, such as health, education, nutrition, water, sanitation and	Development Goals, this Regulation should contribute to reinforced monitoring and reporting with a focus on results, covering outputs, outcomes and impacts in partner countries benefiting from the Union's external financial assistance. In particular, as agreed in the Consensus, actions under this Regulation are expected to contribute 20% of the Official Development Assistance funded under this Regulation to social inclusion and human development, including gender equality and women's empowerment.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	women's empowerment.	<i>hygiene, and social protection, particularly to the most marginalised, taking into account gender equality, and women's empowerment and children's rights as horizontal issues.</i>			
24.	(14) Whenever possible and appropriate, the results of the Union's external action should be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.	(14) Whenever possible and appropriate, <i>In order to improve effective accountability and transparency of the Union budget, the Commission should set up clear monitoring and evaluation mechanisms to ensure effective assessment of progress towards the achievement of this Regulation's objectives.</i> The results of the Union's external action should	(14) Whenever possible and appropriate, the results of the Union's external action should be monitored, <i>evaluated</i> and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.	(14) <i>The Commission should set up ensure clear monitoring and evaluation mechanisms are in place in order to provide improve effective accountability and transparency in implementing the Union budget, and in order to ensure effective assessment of progress towards the achievement of this Regulation's objectives. Whenever possible and appropriate, the results of the Union's external action should be monitored and evaluated</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p>be monitored and assessed on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.</p> <p><i>The Commission should regularly monitor its actions and review progress, making the results publicly available, in particular in the form of an annual report to the European Parliament and the Council.</i></p>		<p><i>and assessed</i> on the basis of pre-defined, transparent, country-specific and measurable indicators, adapted to the specificities and objectives of the Instrument and preferably based on the results framework of the partner country.</p>	
24. bis			<p><i>(14 bis) The Commission should regularly monitor actions financed under this Regulation and review progress</i></p>	<p><i>(14 bis) The Commission should regularly monitor actions financed under this Regulation and review progress made towards expected results,</i></p>	<p><i>Provisionally closed</i></p>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>made towards expected results, covering outputs and outcomes. Wherever possible, existing results frameworks should be used. The indicators used to measure progress should be in line with the Sustainable Development Goals and be clear, relevant and have robust methodologies. The data for the indicators should be readily available and of a good quality. The values of the indicators on 1 January 2021 should be used as a basis for assessing the extent to which the objectives of this Regulation have been achieved and will feed into the annual reports as well as the mid-term and</i></p>	<p><i>covering outputs and outcomes. Wherever possible, existing results frameworks should be used. The indicators used to measure progress should be in line with the Sustainable Development Goals and be clear, relevant and have robust methodologies. The data for the indicators should be readily available and of a good quality. The values of the indicators on 1 January 2021 should be used as a basis for assessing the extent to which the objectives of this Regulation have been achieved and will feed into the annual reports as well as the mid-term and final evaluations of the Regulation. The Commission should also make appropriate use of independent external evaluations.</i></p>	

Line	Commission proposal	EP position	Council partial negotiating mandate	Possible compromise	Comments
			<i>final evaluations of the Regulation. The Commission should also evaluate the impact and effectiveness of its sectoral policies, indicative programmes and specific actions, where appropriate by means of independent external evaluations.</i>	<i>In this regard, the Commission should ensure, where relevant, appropriate involvement of the European Parliament, the Council as well as other stakeholders, including civil society organisations.</i>	
24. ter			<i>(14 ter) The Commission should send its evaluation reports to the European Parliament, to the Council and to the Member States through the relevant committee. Evaluations may be discussed in that committee at the request of Member States. The results should feed back into programme design</i>	{1}	To be discussed in the governance discussion

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate and resource allocation.</i>	<i>Possible compromise</i>	<i>Comments</i>
25.	(15) This Regulation should contribute to the collective Union objective of providing 0.7% of Gross National Income as Official Development Assistance within the timeframe of the 2030 Agenda. In that regard, at least 92% of the funding under this Regulation should contribute to actions designed in such a way that they fulfil the criteria for Official Development Assistance as established by the Development Assistance Committee of the Organisation for Economic	(15) This Regulation should contribute to the collective Union objective of providing 0,7% of Gross National Income as Official Development Assistance within the timeframe of the 2030 Agenda. <i>That commitment should be based on a clear roadmap for the Union and its Member States to set out deadlines and modalities for its achievement.</i> In that regard, at least 92% 95 % of the funding under this Regulation should contribute to actions designed in such a way that they fulfil the criteria for Official Development Assistance as established by the	(15) This Regulation should contribute to the collective Union objective of providing 0.7% of Gross National Income as Official Development Assistance within the timeframe of the 2030 Agenda. In that regard, at least 92% of the funding under this Regulation should contribute to actions designed in such a way that they fulfil the criteria for Official Development Assistance as established by the Development Assistance Committee of the Organisation for Economic Cooperation and Development.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	Cooperation and Development.	Development Assistance Committee of the Organisation for Economic Cooperation and Development.			
26.	(16) In order to ensure resources are provided to where the need is greatest, especially to the Least Developed Countries and the countries in situation of fragility and conflict, this Regulation should contribute to the collective target of reaching 0.20% of the Union Gross National Income towards Least Developed Countries within the timeframe of the 2030 Agenda.	(16) In order to ensure resources are provided to where the need is greatest, especially to the Least Developed Countries and the countries in situation of fragility and conflict, this Regulation should contribute to the collective target of reaching 0,20 % of the Union Gross National Income towards Least Developed Countries within the timeframe of the 2030 Agenda. <i>This commitment should be based on a clear roadmap for the EU and its Member States to set out</i>	(16) In order to ensure resources are provided to where the need is greatest, especially to the Least Developed Countries and the countries in situation of fragility and conflict, this Regulation should contribute to the <i>EU</i> collective target of reaching <i>0.15-0.20%</i> of the Union Gross National Income towards <i>as Official Development Assistance to Least Developed Countries in the short term, and to reach 0.20% of Gross National Income as Official Development</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>deadlines and modalities for its achievement.</i>	<i>Assistance</i> within the timeframe of the 2030 Agenda.		
26. bis		<i>(16a) In line with existing commitments in the EU Gender Action Plan II, at least 85 % of Official Development Assistance funded programmes, geographic and thematic, should have gender equality as a principal or a significant objective, as defined by the OECD DAC. A mandatory review of the spending should ensure that a significant part of these programmes have gender equality and women's and girls' rights and empowerment as a principal objective.</i>	<i>(16 bis) As agreed in the Consensus, actions under this Regulation are expected to contribute at least 20% of the Official Development Assistance funded under this Regulation to social inclusion and human development objectives.</i>		
26. ter		<i>(16b) This regulation should give particular</i>		<i>(16b) This regulation should support children</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>attention to children and youth as contributors to the realisation of Agenda 2030. The Union's external action under this Regulation should give particular attention to their needs and empowerment and will contribute to the realisation of their potential as key agents of change by investing in human development and social inclusion.</i>		<i>and youth as key agents of change and as contributors to the realisation of Agenda 2030, giving particular attention to their needs and empowerment.</i>	
26. quater		<i>(16c) The inhabitants of the countries of Sub-Saharan Africa are mainly adolescents and young people. Each country should decide on its demographic policy. However, the demographic dynamic should be tackled in a global</i>			<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>way in order to ensure that current and future generations will be able to achieve their full potential in a sustainable way.</i>			
27.	(17) This Regulation should reflect the need to focus on strategic priorities, both geographically – the European Neighbourhood and Africa, as well as countries that are fragile and most in need, but also thematically – security, migration, climate change and human rights.	(17) This Regulation should reflect the need to focus on strategic priorities, both geographically – the European Neighbourhood and Africa, as well as countries that are fragile and most in need, particularly Least Developed Countries , but also thematically – sustainable development, poverty eradication, democracy and human rights, the rule of law, good governance , security, safe, orderly and regular migration, the	(17) This Regulation should reflect the need to focus on strategic priorities, both geographically [the European Neighbourhood] and Africa, as well as countries that are fragile and most in need, but also thematically security, migration, climate change and environment, and human rights.	(17) This Regulation should reflect the need to focus on strategic priorities, both geographically [the European Neighbourhood] and Africa, as well as countries that are fragile and most in need {1} , but also thematically sustainable development, human rights, democracy and the rule of law , security, migration, climate change and environment, and global public health .	COM to revert with proposal that includes other country categories .as agreed in Article 11. {1} EP: particularly Least Developed Countries CL: This Regulation should reflect the need to focus on strategic priorities, both geographically - [the European Neighbourhood] and Africa, as well as countries that are fragile and most in need in particular Least Developed Countries, low income countries, countries in crisis, post-crisis, fragile and vulnerable situations,

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>reduction of inequalities, gender equality, addressing environmental degradation and climate change and human rights global public health threats.</i>			<i>including small islands developing states and landlocked developing countries. In addition, this regulation should address the specific challenges of Middle Income Countries and in particular countries that graduate from lower income status. This regulation should also focus on strategic priorities thematically - sustainable development, human rights, democracy and the rule of law, security, migration, climate change and environment, and global public health.</i>
27. bis		<i>(17a) This Regulation should contribute to creating State and societal resilience in the area of global public health by addressing global public health threats, strengthening health</i>	<i>(17 bis) The financial envelopes foreseen for the [Neighbourhood] and Sub-Saharan Africa geographic programmes should only be increased, given the particular</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>systems, achieving universal health coverage, preventing and combatting communicable diseases and helping to secure affordable medicines and vaccines for all.</i>	<i>priority the Union gives to these regions.</i>		
28.	(18) This Regulation should support the implementation of the European Neighbourhood Policy, as reviewed in 2015, and the implementation of regional cooperation frameworks, such as cross-border cooperation and the external aspects of relevant macro-regional and sea basin strategies and policies. Those initiatives offer political frameworks for deepening relations with and	(18) <i>The special relationship developed with the Union’s neighbouring countries, in accordance with Article 8 TEU, should be preserved and enhanced through the application of this Regulation. This Regulation should contribute to reinforcing States’ and societies’ resilience in the Union’s neighbourhood, following the engagement taken in</i>	(18) [DELETED,] and the implementation of regional cooperation frameworks, such as cross-border cooperation, <i>transnational and maritime cooperation as well as</i> the external aspects of relevant macro-regional and sea basin strategies and policies. Those initiatives offer political frameworks for deepening relations with and among partner countries, based on the principles of mutual accountability, shared		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	among partner countries, based on the principles of mutual accountability, shared ownership and responsibility.	<i>the Global Strategy. It</i> should support the implementation of the European Neighbourhood Policy, as reviewed in 2015, and the implementation of regional cooperation frameworks, such as cross-border cooperation and the external aspects of relevant macro-regional and sea basin strategies and policies <i>in the eastern and southern neighbourhood, including the Northern Dimension and the Black Sea regional cooperation.</i> Those initiatives offer <i>supplementary</i> political frameworks for deepening relations with and among partner countries, based on	ownership and responsibility.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		the principles of mutual accountability, shared ownership and responsibility.			
29.	(19) The European Neighbourhood Policy, as reviewed in 2015 ²⁴ , aims at the stabilisation of neighbouring countries and strengthening resilience, particularly by boosting economic development, as the Union's main political priorities. In order to attain its objective, the reviewed European Neighbourhood Policy has been focusing on four priority areas: good	(19) The European Neighbourhood Policy, as reviewed in 2015 ²⁴ , aims at <i>the deepening of democracy, promotion of human rights and upholding of the rule of law</i> , the stabilisation of neighbouring countries and strengthening resilience, particularly by boosting <i>promoting political, economic development and social reforms</i> , as the Union's main political priorities. In order to	(19) <i>[DELETED.]</i>		

²⁴ Joint communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "Review of the European Neighbourhood policy", 18 November 2015.

EP position: ~~Joint communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "Review of the European Neighbourhood policy", 18 November 2015.~~

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	governance, democracy, the rule of law and human rights, with a particular focus in engaging further with civil society; economic development; security; migration and mobility, including tackling the root causes of irregular migration and forced displacement. Differentiation and enhanced mutual ownership are the hallmark of the European Neighbourhood Policy, recognising different levels of engagement, and reflecting the interests of each country concerning the nature and focus	attain its objective, the implementation of the reviewed European Neighbourhood Policy has been focusing on four through this Regulation should focus on the following priority areas: good governance, democracy, the rule of law and human rights, with a particular focus in engaging further with civil society; economic socio-economic development, including the fight against youth unemployment, as well as education and environmental sustainability; security; migration and mobility, including tackling the root causes of			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	of its partnership with the Union.	<p>irregular migration and forced displacement <i>and supporting populations, countries and regions confronted with enhanced migratory pressure. This Regulation should support the implementation of the Union's association agreements and deep and comprehensive free trade agreements with countries in the neighbourhood.</i></p> <p>Differentiation and enhanced mutual ownership are the hallmark of the European Neighbourhood Policy, recognising different levels of engagement, and reflecting the interests of each country concerning the nature</p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p>and focus of its partnership with the Union. <i>The performance-based approach is one of the key tenets of the European Neighbourhood Policy. In the case of a serious or persistent degradation of democracy in one of the partner countries, support should be suspended.</i></p> <p><i>Neighbourhood funding is a key lever in addressing common challenges, such as irregular migration and climate change, as well as in spreading prosperity, security and stability through economic development and better governance.</i></p> <p><i>The visibility of Union assistance in</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>the neighbourhood area should be enhanced.</i>			
30.	(20) This Regulation should support the implementation of a modernised association agreement with countries of the Africa, Caribbean and Pacific (ACP) Group of States and allow the EU and its ACP partners to develop further strong alliances on key global challenges. In particular, this Regulation should support the continuation of the established cooperation between the Union and the African Union in line with the Joint Africa-EU Strategy and build on the	(20) This Regulation should support the implementation of a modernised association agreement with countries of the Africa, Caribbean and Pacific (ACP) Group of States and allow the EU and its ACP partners to develop further strong alliances on key and shared global challenges. In particular, this Regulation should support the continuation of the established cooperation between the Union and the African Union in line with the Joint Africa-EU Strategy, including the engagement from	(20) [This Regulation should support the implementation of a modernised association agreement with countries of the Africa, Caribbean and Pacific (ACP) Group of States and allow the EU and its ACP partners to develop further strong alliances on key global challenges.] In particular, this Regulation should support the continuation of the established cooperation between the Union and the African Union in line with the Joint Africa-EU Strategy and build on the future EU-ACP agreement after 2020, including through a	(20) [This Regulation should support the implementation of a modernised association agreement with countries of the Africa, Caribbean and Pacific (ACP) Group of States and allow the EU and its ACP partners to develop further strong alliances on key global challenges.] In particular, this Regulation should support the continuation of the established cooperation between the Union and the African Union in line with the Joint Africa-EU Strategy and build on the future EU-ACP agreement after 2020, including through a continental approach towards Africa, and a mutually beneficial partnership of equals	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	future EU-ACP agreement after 2020, including through a continental approach towards Africa.	<i>Africa and the Union to promote children's rights as well as the empowerment of Europe's and Africa's youth, and build on the future EU-ACP agreement after 2020, including through a continental approach towards Africa, and a mutually beneficial partnership of equals between the EU and Africa.</i>	continental approach towards Africa.	<i>between the EU and Africa.</i>	
				<i>(20 bis) The Union should also seek to further develop relations and build partnerships with third countries in Asia and the Americas.</i>	<i>Provisionally closed</i>
30. bis		<i>(20a) This Regulation should also contribute to the trade-related aspects of the Union's external relations, such as cooperation with third countries</i>		<i>(20a) This Regulation should also contribute to the trade-related aspects of the Union's external relations including supply-chain due diligence in order to ensure consistency and</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>on supply chain due diligence for tin, tantalum and gold, the Kimberley Process, the Sustainability Compact, the implementation of commitments under Regulation (EU) No 978/2012 of the European Parliament and the Council²⁵ (GSP Regulation), cooperation under the Forest Law Enforcement, Governance and Trade (FLEGT) and Aid for Trade initiatives in order to ensure consistency and mutual support between Union trade policy and development goals and actions.</i></p>		<p><i>mutual support between Union trade policy and development goals and actions.</i></p>	

²⁵ *Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>(20 bis) The Union should seek to further develop relations and build partnerships with third countries, including in Asia and the Americas.</i>		<i>Provisionally closed</i> <i>Moved to line 30.</i>
31.	(21) The Union should seek the most efficient use of available resources in order to optimise the impact of its external action. That should be achieved through coherence and complementarity among the Union's external financing instruments, notably the Instrument for Pre-Accession III ²⁶ , the Humanitarian	(21) The Union should seek the most efficient use of available resources in order to optimise the impact of its external action. That should be achieved through coherence, consistency and complementarity among the Union's external financing instruments, notably the Instrument for Pre-Accession III ²⁶ , the Humanitarian Aid Instrument ²⁷ , the	(21) The Union should seek the most efficient use of available resources in order to optimise the impact of its external action. That should be achieved through coherence, consistency and complementarity among the Union's external financing instruments, notably the Instrument for Pre-Accession III ²⁶ , the Humanitarian Aid Instrument ²⁷ , the	(21) The Union should seek the most efficient use of available resources in order to optimise the impact of its external action. That should be achieved through coherence, consistency and complementarity among the Union's external financing instruments, notably the Instrument for Pre-Accession Assistance III ²⁶ , the Humanitarian Aid Instrument ²⁷ , the Decision on Overseas Countries and	<i>Provisionally closed</i>

²⁶ COM (2018) 465 final Proposal for a Regulation of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (IPA III)

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	Aid Instrument ²⁷ , the Decision on Overseas Countries and Territories ²⁸ , the European Instrument for Nuclear Safety to complement the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty ²⁹ , the common foreign and security policy and the newly proposed European Peace Facility ³⁰ which is financed outside the Union budget, as	Decision on Overseas Countries and Territories ^{28,28} , the European Instrument for Nuclear Safety to complement the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty ²⁹ , the common foreign and security policy and the newly proposed European Peace Facility ³⁰ which is financed outside the Union budget, as well as the creation of synergies with other	Decision on Overseas Countries and Territories ²⁸ , the European Instrument for Nuclear Safety to complement the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty ²⁹ , the common foreign and security policy <i>including, where relevant, the Common Security and Defence Policy</i> , and [the newly proposed European Peace Facility ³⁰ which is	Territories ²⁸ , the European Instrument for Nuclear Safety to complement the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty ²⁹ , the common foreign and security policy <i>including, where relevant, the Common Security and Defence Policy</i> , and [the European Peace Facility ³⁰ which is financed outside the Union budget], as well as the creation of synergies with other Union policies and Programmes. This	

²⁷ Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid (OJ L 163, 2.7.1996, p. 1).

²⁸ COM(2018) 461 final Proposal for a Council Decision on the Association of the Overseas Countries and Territories with the European Union including relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other ('Overseas Association Decision').

²⁹ COM(2018) 462 final Proposal for a Council Regulation establishing a European Instrument for Nuclear Safety complementing the Neighbourhood, Development and International Cooperation Instrument on the basis of the Euratom Treaty.

³⁰ C(2018) 3800 final Proposal of the High Representative of the Union for Foreign Affairs and Security Policy to the Council for a Council Decision establishing a European Peace Facility.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	well as the creation of synergies with other Union policies and Programmes. This includes coherence and complementarity with macro-financial assistance, where relevant. In order to maximise the impact of combined interventions to achieve a common objective, this Regulation should allow for the combination of funding with other Union Programmes, as long as the contributions do not cover the same costs.	Union policies and Programmes, <i>including Trust Funds as well as policies and programmes of the EU Member States.</i> This includes coherence and complementarity with macro-financial assistance, where relevant. In order to maximise the impact of combined interventions to achieve a common objective, this Regulation should allow for the combination of funding with other Union Programmes, as long as the contributions do not cover the same costs.	financed outside the Union budget], as well as the creation of synergies with other Union policies and Programmes. This includes coherence and complementarity with macro-financial assistance, where relevant. In order to maximise the impact of combined interventions to achieve a common objective, this Regulation should allow for the combination of funding with other Union Programmes, as long as the contributions do not cover the same costs.	includes coherence and complementarity with macro-financial assistance, where relevant. In order to maximise the impact of combined interventions to achieve a common objective, this Regulation should allow for the combination of funding with other Union Programmes, as long as the contributions do not cover the same costs.	
32.	(22) Funding from this Regulation should be used to finance actions	(22) Funding from this Regulation should be used to finance actions under the	<i>(22) Building on its success, this Regulation should enable the Union to</i>	<i>(22) Building on its success, this Regulation should enable the Union to further strengthen the</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	under the international dimension of Erasmus, the implementation of which should be done according to the Erasmus Regulation ³¹ .	international dimension of Erasmus and Creative Europe , the implementation of which should be done according to Regulation (EU) .../... of the European Parliament and of the Council ('the Erasmus Regulation') ³¹ and Regulation (EU) .../... of the European Parliament and of the Council ('the Creative Europe Regulation') ³² .	further strengthen the external dimension of the Erasmus programme. Funding from this Regulation should be used to finance actions under the international dimension of Erasmus, the implementation use of which should be done according to the Erasmus Regulation ³¹ and in accordance with the programming document adopted under this Regulation. Programming under this Regulation should fully enhance the potential of Erasmus programme.	external dimension of the Erasmus programme. Funding from this Regulation should be used to finance actions under the international dimension of Erasmus, the implementation of which should be done according to the Erasmus Regulation ³¹ and in accordance with the programming document adopted under this Regulation. Programming under this Regulation should fully enhance the potential of Erasmus programme.	
32. bis		(22a) The international			<i>Provisionally closed</i>

³¹ COM (2018) 367 final Proposal for a Regulation of the European Parliament and of the Council establishing 'Erasmus': the Union programme for education, training, youth and sport and repealing Regulation (EU) 1288/2013.

³² **COM(2018)0366 Proposal for a Regulation of the European Parliament and of the Council establishing the Creative Europe programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013.**

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>dimension of the Erasmus Plus Programme should be boosted aiming at increasing opportunities for mobility and cooperation for individuals and organisations from less developed countries of the world - supporting capacity-building in third countries, skills' development, people-to-people exchanges, while offering a greater number of opportunities for cooperation and mobility with developed and emerging countries.</i>			
				<i>(22)Funding from this Regulation should be used to finance actions under the international dimension of Creative Europe in order to</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
				<i>contribute to foster international cultural relations, and recognise the role of culture in promoting European values.</i>	
32. ter		<i>(22b) Considering the relevance of addressing education and culture in line with the 2030 Agenda for Sustainable Development and the EU strategy for international cultural relations, this Regulation should contribute to ensure inclusive and equitable quality education, promote life-long learning opportunities for all, foster international cultural relations, and recognise the role of culture in promoting European values through dedicated and</i>			<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>targeted actions designed to have a clear impact on the Union's role on the global scene.</i>			
33.	(23) The main approach for actions financed under this Regulation should be through geographic programmes, in order to maximise the impact of the Union's assistance and bring Union's action closer to partner countries and populations. This general approach should be complemented by thematic programmes and by rapid response actions, where relevant.	(23) The main approach for actions financed under this Regulation should be through geographic programmes, in order to maximise the impact of the Union's assistance and bring Union's action closer to partner countries and populations, This general approach while supporting thematic priorities such as human rights, civil society and sustainability. The objectives under the geographic and thematic programmes should be consistent and coherent with each other and should be	(23) The main approach for actions financed under this Regulation should be through geographic programmes, in order to maximise the impact of the Union's assistance and bring Union's action closer to partner countries and populations. This general approach should be complemented by thematic programmes and by rapid response actions, where relevant.	(23) The main approach for actions financed under this Regulation should be through geographic programmes, in order to maximise the impact of the Union's assistance and bring Union's action closer to partner countries and populations. This general approach should be complemented by thematic programmes and by rapid response actions, where relevant whilst ensuring the consistency and coherence of all programmes and actions {1}.	<i>Provisionally closed pending agreement on governance</i> {1} EP: <i>In order to take account of the specificities of each programme, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the provisions of this Regulation by setting out the Union's strategy, the priority areas, detailed objectives, the expected results, specific performance indicators and the specific financial allocation for each programme. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p>complemented by thematic programmes and by rapid response actions, where relevant. <i>Effective complementarity between the geographic, thematic and rapid response programmes and actions should be ensured. In order to take account of the specificities of each programme, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement the provisions of this Regulation by setting out the Union's strategy, the priority areas, detailed objectives, the expected results,</i></p>			<p><i>that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³⁴. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</i></p> <p>CL: No text</p>

³⁴ OJ L 123, 12.5.2016, p. 1.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>specific performance indicators and the specific financial allocation for each programme. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³³. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents</i></p>			

³³ OJ L 123, 12.5.2016, p. 1.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</i>			
33. bis			<i>(23 bis) The EU and its Member States should be united in diversity and working better together, using a variety of experiences and approaches, bearing in mind their comparative advantages. Therefore, the Union should foster inclusiveness and collaboration with Member States seeking to maximise added value and taking into account experience and</i>	<i>(23 bis) The Union's and Member States' development cooperation policies should complement and reinforce each other. The EU and its Member States should be united in diversity and working better together, using a variety of experiences and approaches, bearing in mind their comparative advantages. Therefore, the Union should foster inclusiveness and collaboration with Member States seeking to maximise added value</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>capacities, thus reinforcing shared interests, values and common goals. In this regard, the Union and its Member States should also seek to promote the exchange of best practices, knowledge sharing and capacity-building amongst them.</i>	<i>and taking into account experience and capacities, thus reinforcing shared interests, values and common goals. In this regard, the Union and its Member States should also seek to promote the exchange of best practices, knowledge sharing and capacity-building amongst them.</i>	
34.	(24) In line with the Consensus, the Union and its Member States should enhance joint programming to increase their collective impact by bringing together their resources and capacities. Joint programming should build on the partner countries' engagement, appropriation and ownership. The	(24) In line with the Consensus, the Union and its Member States should enhance joint programming to increase their collective impact by bringing together their resources and capacities. Joint programming should build on the partner countries' engagement, appropriation and ownership. The Union and its Member States	(24) In line with the Consensus, the Union and its Member States should enhance joint programming to increase their collective impact by bringing together their resources and capacities. <i>Joint Programming should be promoted and strengthened, while being kept voluntary, flexible, inclusive, and tailored to the country context, and</i>	(24) In line with the Consensus, the Union and its Member States should enhance joint programming to increase their collective impact by bringing together their resources and capacities. <i>Joint Programming should be promoted and strengthened, while being kept voluntary, flexible, inclusive, and tailored to the country context, and allow for the replacement of EU and Member States' programming</i>	<i>Provisionally closed pending agreement on governance</i> {1} EP: implementation <i>application</i> CL: implementation {2} EP: <i>application</i> N.B. Takes note of concept of joint implementation CL: <i>implementation</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	Union and its Member States should seek to support partner countries through joint implementation, whenever appropriate.	should seek to support partner countries through joint implementation implementation <i>application</i> , whenever appropriate. <i>Joint application should be inclusive and open to all Union partners who agree and can contribute to a common vision, including Member States' agencies and their development financial institutions, local authorities, the private sector, civil society and academia.</i>	<i>allow for the replacement of EU and Member States' programming documents with EU Joint Programming documents.</i> Joint programming should build on the partner countries' engagement, appropriation and ownership. The Union and its Member States should seek to support partner countries through joint implementation, whenever appropriate.	<i>documents with EU Joint Programming documents.</i> Joint programming should build on the partner countries' engagement, appropriation and ownership. The Union and its Member States should seek to support partner countries through joint {1}, whenever appropriate. <i>Joint {2} should be inclusive and open to all Union partners who agree and can contribute to a common vision, including Member States' agencies and their development financial institutions, local authorities, the private sector, civil society and academia.</i>	
				<i>(24 bis) The criteria used to establish partners' needs in the programming approach should be consistent with</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
				<i>the transparency principles laid down in this Regulation.</i>	
34. bis		<i>(24a) In the case of a serious or persistent degradation of democracy, human rights and rule of law in one of the partner countries, support may, by means of a delegated act, be partially or fully suspended. The Commission should take due account of relevant European Parliament resolutions in its decision-making.</i>			
34. ter		<i>(24b) This Regulation should reconfirm nuclear safety as an important part of the Union external action and facilitate the objectives of cooperation specified in Regulation (EU)</i>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>.../... of the European Parliament and of the Council³⁵ ('Regulation EINS'). Therefore, in the event where a partner country persistently fails to respect the basic nuclear safety standards, such as provisions of the relevant international Conventions within the Framework of the IAEA, the Espoo and Aarhus Conventions and their subsequent amendments, the Treaty on the Non-Proliferation of Nuclear Weapons and the additional Protocols thereto, the commitments to implementation of stress tests and related measures, and the objectives of</i></p>			

³⁵ *Regulation (EU) .../... of the European Parliament and of the Council of... on... (OJ...)*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>cooperation specified in Regulation EINS, assistance under this Regulation for the country concerned should be reconsidered and may be suspended or partly suspended.</i>			
35.	(25) Whilst democracy and human rights, including gender equality and women's empowerment should be reflected throughout the implementation of this Regulation, Union assistance under the thematic programmes for human rights and democracy and civil society organisations should have a specific complementary and additional role by	(25) Whilst democracy and human rights and <i>fundamental freedoms</i> , including <i>the protection of children, minorities, persons with disabilities and LGBTI persons, as well as</i> gender equality, and women's <i>women and girls'</i> empowerment should be <i>consistently</i> reflected <i>and mainstreamed</i> throughout the implementation <i>application</i> of this Regulation, Union	(25) Whilst democracy and human rights, including gender equality and women's empowerment should be reflected throughout the implementation of this Regulation, Union assistance under the thematic programmes for human rights and democracy and civil society organisations should have a specific complementary and additional role by virtue of its global nature and its independence of action from the	(25) <i>Under this Regulation, the Union should address human rights and democratisation issues at all levels.</i> Whilst democracy and human rights, including gender equality and women's empowerment should be reflected <i>and mainstreamed</i> throughout the implementation of this Regulation, Union assistance under the thematic programmes for human rights and democracy and civil society organisations {1} should have a specific complementary and	<i>Provisionally closed pending agreement on local authorities</i> {1} EP: <i>and local authorities</i> CL: no text

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	virtue of its global nature and its independence of action from the consent of the governments and public authorities of the third countries concerned.	assistance under the thematic programmes for human rights and democracy and civil society organisations - local authorities should have a specific complementary and additional role by virtue of its global nature and its independence of action from the consent of the governments and public authorities of the third countries concerned. In doing so, the Union should pay particular attention to countries and urgency situations where human rights and fundamental freedoms are most at risk and where disrespect for those rights and freedoms is particularly	consent of the governments and public authorities of the third countries concerned. This role should allow for cooperation and partnership with civil society, especially on sensitive human rights and democracy issues.	additional role by virtue of its global nature and its independence of action from the consent of the governments and public authorities of the third countries concerned. This role should allow for cooperation and partnership with civil society, especially on sensitive human rights and democracy issues. The Union should pay particular attention to countries and urgency situations where human rights and fundamental freedoms are most at risk and where disrespect for those rights and freedoms is particularly pronounced and systematic, in a flexible manner.	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>pronounced and systematic, as well as to situations where space for civil society is at stake. The Union's assistance under this Regulation should be designed in such a way as to allow for support to, and cooperation and partnership with civil society on sensitive and human rights and democracy issues, providing the flexibility and requisite reactivity to respond to changing circumstances, needs of beneficiaries, or periods of crisis, and when necessary, contributing to capacity building of civil society. In such cases, the political priorities should be to promote respect for international law and</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>to provide means of action to local civil society and other relevant human rights stakeholders in order to contribute to work that is carried out in very difficult circumstances. This Regulation should offer also the possibility for civil society organisations to receive small grants in a fast and efficient manner when necessary, in particular in the most difficult situations, such as those of fragility, crisis, and inter-community tensions.</i>			
35. bis		<i>(25a) In accordance with Articles 2, 3 and 21 TEU and Article 8 TFEU, the implementation of this Regulation should be guided by</i>		<i>(25 a) The {1} of this Regulation should be guided by the principles of gender equality, women and girls' empowerment, and should seek to protect</i>	{1} EP: <i>application</i> CL: <i>implementation</i> {2} To be discussed under SRHR discussions:

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>the principles of gender equality, women and girls' empowerment, and should seek to protect and promote women's rights in line with the Gender Action Plan II, the Council Conclusions on Women Peace and Security of 10 December 2018, the Council of Europe Istanbul Convention and Goal 5 of the 2030 Agenda for Sustainable Development.</i>		<i>and promote women's rights. The Union should support organisations which are working on {2} combating gender-based violence and discrimination.</i>	<p>EP: <i>promoting sexual and reproductive health and rights and on</i></p> <p>CL: no text</p> <p>CL notes this recital should be taken into account when the gender target is discussed</p>
			<i>(25 bis) EU Election Observation Missions should contribute to increase transparency and confidence in electoral processes, and provide an informed assessment of elections as well as recommendations for their further</i>	<i>(25 bis) EU Election Observation Missions should contribute to increase transparency and confidence in electoral processes, and provide an informed assessment of elections as well as recommendations for their further</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>improvement, in the context of Union cooperation and political dialogue with partner countries.</i>	<i>improvement, in the context of Union cooperation and political dialogue with partner countries.</i>	
35. ter		<i>(25b) This Regulation should address and mainstream the promotion of women's rights and gender equality globally, including by supporting organisations which are working on promoting sexual and reproductive health and rights (access to quality and accessible information, education and services) and combating gender-based violence and discrimination, as well as recognising and addressing the close links between the issues of peace, security, development</i>			<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>and gender equality. This work should be coherent with, and promote the implementation of relevant international and European principles and conventions.</i>			
			<i>(25 ter) As reaffirmed in the Council Conclusions of 26 November 2018 on the implementation of the EU Gender Action Plan II (GAP II) in 2017³⁶: Strengthening gender equality and women's empowerment in EU external action, increased efforts to reach the five minimum standards of performance indicated by the GAP II should lead to a gender-sensitive and</i>		To be discussed in relation with line 35 bis

³⁶ *Council Conclusions of 26 November 2018 on the implementation of the EU Gender Action Plan II (GAP II) in 2017*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>transformative approach in all EU external action and international cooperation. At least 85% of new actions implemented under this Regulation should score G1 or G2 on the Gender Equality Policy Marker of the OECD Development Assistance Committee (G-marker), and at least 5% of those actions should have gender equality and women's empowerment as a principal objective.</i>		
35. quater			<i>(25 quater) This Regulation recognizes that demographic growth and demographic shifts can have significant impact on development gains and economic</i>	<i>(25 quater) This Regulation recognises that demographic growth and demographic shifts can have significant impact on development gains and economic progress. In order to ensure that current and</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>progress. It should support partners' efforts towards an integrated approach that minimises the challenges related to population growth and maximises the benefits of a demographic dividend, while respecting, protecting and fulfilling human rights as well as gender equality.</i>	<i>future generations will be able to achieve their full potential in a sustainable way, this Regulation should support partners' efforts towards an integrated approach that minimises the challenges related to population growth and maximises the benefits of a demographic dividend, while respecting each country's right to decide on its demographic policy and while respecting, protecting and fulfilling human rights as well as gender equality.</i>	
36.	(26) Civil society organisations should embrace a wide range of actors with different roles and mandates which includes all non-State, not-for-profit structures, non-partisan and non-violent, through	(26) Civil society organisations should embrace a wide range of actors with different multiple roles and mandates which includes all non-State, not-for-profit structures, non-partisan and non-violent structures ,	(26) Civil society organisations should embrace a wide range of actors with different roles and mandates which includes all non-State, not-for-profit structures, non-partisan independent and non-violent, through which people	(26) Civil society organisations should embrace a wide range of actors with different multiple roles and mandates which includes all non-State, not-for-profit structures, non-partisan independent and non-violent structures , through which people	<i>Provisionally closed pending agreement on governance and budgetary provisions</i> {1} EP: " implementation application " CL: "implementation"

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations.</p>	<p>through which people organise to pursue shared objectives and ideals, whether political, cultural, social, or religious, environmental, economic or holding authorities to account. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations. Other bodies or actors not specifically excluded by this Regulation should be able to be financed when it is necessary to achieve the objectives of this Regulation.</p>	<p>organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations. This Regulation should provide EU support to civil society organisations in order to pursue the values, interests and objectives of the Union.</p>	<p>organise to pursue shared objectives and ideals, whether political, cultural, religious, environmental, social or economic. Operating from the local to the national, regional and international levels, they comprise urban and rural, formal and informal organisations. This Regulation should provide EU support to civil society organisations in order to pursue the values, interests and objectives of the Union. Civil society organisations should be duly consulted and have timely access to relevant information allowing them to be adequately involved and play a meaningful role during the design, {1} and associated monitoring processes of programmes. {2}</p>	<p>Will revert to {2} in context of discussions on budgetary provisions.</p> <p>{2}</p> <p>EP: Other bodies or actors not specifically excluded by this Regulation should be able to be financed when it is necessary to achieve the objectives of this Regulation.</p> <p>CL: No text</p>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
				<p><i>(26bis) Local authorities embrace a large variety of sub-national levels and branches of government, including municipalities, communities, districts, counties, provinces, regions and their associations. In line with the European Consensus on development, the Union should foster close consultation and association of local authorities, as well as their participation in contributing to sustainable development and to the implementation of the sustainable development goals at local level, in particular regarding democracy, the rule of law, fundamental freedoms and human rights, social justice and as providers of basic social services. The</i></p>	<p>Part of local authorities discussion. Agreed in principle in cluster 2.</p> <p>CL general caveat: acceptable if EP agrees not to set a dedicated thematic LA programme.</p> <p>EP general caveat: the compromises and modifications on LAs made at technical level are seen as working towards a possible compromise at political level. For this, the EP maintains its position of envisioning a dedicated CSO-LAs programme</p>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
				<i>Union should recognise the multiple roles played by local authorities as promoters of a territorial approach to local development, including decentralisation processes, participation, and accountability. The Union should further enhance its support for local authorities' capacity building in order to strengthen their voice in the sustainable development process and advance political, social and economic dialogue, as well as promote decentralised cooperation.</i>	
36. bis		<i>(26a) In line with the Consensus for Development, the Union and its Member States should foster the participation of civil society organisations (CSOs) and local</i>		<i>(26a) This Regulation should foster the participation of civil society organisations in contributing to sustainable development and to the implementation of the SDGs inter alia in the</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>authorities (LAs) in contributing to sustainable development and to the implementation of the SDGs, inter alia in the sectors of democracy, the rule of law, fundamental freedoms and human rights, social justice and as providers of basic social services to populations most in need. They should recognise the multiple roles played by CSOs and LAs, the latter as promoters of a territorial approach to development, including decentralisation processes, participation, oversight and accountability. The Union and its Member States should promote an</i></p>		<p><i>areas of democracy, the rule of law, fundamental freedoms and human rights, social justice and basic social services.</i></p>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>operating space and enabling environment for CSOs, and further enhance their support for CSOs' and LAs' capacity building in order to strengthen their voice in the sustainable development process and advance political, social and economic dialogue, including through civil society facilities programmes.</i>			
			<i>(26 bis) Under this Regulation, the Union should address human rights and democratisation issues, including in partnership with civil society, at global, regional, national and local levels.</i>		<i>Provisionally closed</i> Covered in line 35
36. ter		<i>(26b) The Union should support civil society organisations</i>			<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>and promote their greater strategic involvement in all external instruments and programmes, including geographical programmes and the rapid response actions under this Regulation, in keeping with the Council conclusions of 15 October 2012 on 'The roots of democracy and sustainable development: Europe's engagement with civil society in external relations'.</i>			
			<i>(26 ter) This Regulation should consider digital solutions and technologies as powerful enablers for sustainable development and inclusive growth, and</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>should contribute to further promoting digitalisation.</i>		
37.	(27) This Regulation lays down a financial envelope for this Instrument, which is to constitute the prime reference amount, within the meaning of point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ³⁷ , for the European Parliament and the	(27) This Regulation lays down a financial envelope for this Instrument, which is to constitute the prime reference amount, within the meaning of point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ³⁷ , for the European Parliament and the Council during the annual budgetary procedure.	(27) This Regulation lays down a financial envelope for this Instrument, which is to constitute the prime reference amount, within the meaning of point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management ³⁷³⁷ , for the European Parliament and the Council during the annual budgetary procedure.		

³⁷ OJ C 373, 20.12.2013, p. 1.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	Council during the annual budgetary procedure.				
38.	(28) Reflecting the importance of tackling climate change in line with the Union commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Regulation should contribute to mainstream climate action in the Union policies and to the achievement of an overall target of [25 %] of the Union budget expenditures supporting climate objectives. Actions under this Regulation are expected to contribute [25%] of its overall financial	(28) Reflecting the importance of tackling climate change, protecting the environment and fight biodiversity loss , in line with the Union commitments to implement the Paris Agreement, the Convention on Biological Diversity and the United Nations Sustainable Development Goals, this Regulation should contribute to mainstream climate and environmental action in the Union policies and to the achievement of an the overall target of 25% of the Union budget expenditures supporting climate objectives and	(28) Reflecting the importance of tackling climate change in line with the Union commitments to implement the Paris Agreement and the United Nations Sustainable Development Goals, this Regulation should contribute to mainstream climate action in the Union policies and to the achievement of an overall target of [25%] of the Union budget expenditures supporting climate objectives. Actions under this Regulation are expected to contribute [DELETED] of its overall financial envelope to climate		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>envelope to climate objectives. Relevant actions will be identified during the implementation of this Regulation, and the overall contribution from this Regulation should be part of relevant evaluations and review processes.</p>	<p><i>support actions with clean and identifiable co-benefits across sectors.</i> Actions under this Regulation are expected to contribute 25% 45 % of its overall financial envelope to climate objectives, <i>environmental management and protection, biodiversity and combatting desertification, of which 30 % of the overall financial envelope should be dedicated to climate change mitigation and adaptation.</i> Relevant actions will be identified during the implementation <i>application</i> of this Regulation, and the overall contribution from this Regulation should be part of</p>	<p>objectives. Relevant actions will be identified during the implementation of this Regulation, and the overall contribution from this Regulation should be part of relevant <i>monitoring,</i> evaluations and review processes.</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p>relevant evaluations and review processes.</p> <p><i>Union action in this area should favour the adherence to the Paris Agreement and to the Rio Conventions, and not contribute to environmental degradation or cause harm to the environment or climate. Actions and measures contributing to meeting the target on climate shall put special emphasis on support for adaptation to climate change in poor, highly vulnerable countries, and should take into consideration the relation between climate, peace and security, women's empowerment and</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>the fight against poverty. This Regulation should contribute to the sustainable management of natural resources and promote sustainable and secure mining, forest management and agriculture.</i>			
38. bis			<i>(28 bis) Funding allocated in the context of this Regulation should be coherent with the long term temperature goal set out in the Paris Agreement of holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C.</i>		
38. ter			<i>(28 ter) The funding allocated in the context of this</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>Regulation should be subject to the OECD methodology (Rio markers) to track the expenditure related to environmental management and protection, climate action, desertification and biodiversity.</i>		
38. quater			<i>(28 quater) Particular attention should be given to actions that create co-benefits and meet multiple objectives, including for climate, biodiversity and the environment.</i>		
39.	(29) It is essential to further step up cooperation on migration with partner countries, reaping the benefits of well-managed and regular migration and effectively addressing irregular	(29) It is essential to further step up Cooperation on migration with partner countries, reaping the benefits of well-managed and regular <i>can lead to mutually benefiting from orderly, safe and responsible</i> migration	(29) It is essential to further step up cooperation on migration with partner countries <i>while respecting competences of the Member States,</i> reaping the benefits of well-managed and regular migration and		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>migration. Such cooperation should contribute to ensuring access to international protection, addressing the root causes of irregular migration, enhancing border management and pursuing efforts in the fight against irregular migration, trafficking in human beings and migrant smuggling, and working on returns, readmission and reintegration where relevant, on the basis of mutual accountability and full respect of humanitarian and human rights obligations. Therefore, third countries' effective cooperation with the</p>	<p>and <i>to</i> effectively addressing irregular migration <i>and forced displacement</i>. Such cooperation should contribute to <i>facilitating safe and legal pathways for migration and asylum</i>, ensuring access to international protection, addressing the root causes of irregular migration <i>and forced displacement</i>, <i>engaging with diasporas</i>, enhancing border management and pursuing efforts in the fight against <i>addressing</i> irregular migration, trafficking in human beings and migrant smuggling, and working on <i>safe, dignified and sustainable</i> returns, readmission and reintegration where</p>	<p>effectively addressing irregular migration. Such cooperation should contribute to ensuring access to international protection, addressing the root causes of irregular migration <i>and forced displacement</i>, enhancing border management and pursuing efforts in the fight against <i>to prevent</i> irregular migration, <i>and forced displacement, fighting against</i> trafficking in human beings and migrant smuggling, and working on returns, readmission and reintegration where relevant, on the basis of mutual accountability and full respect of humanitarian and human rights</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>Union in this area should be an integral element in the general principles of this Regulation. An increased coherence between migration and development cooperation policies is important to ensure that development assistance supports partner countries to manage migration more effectively. This Regulation should contribute to a coordinated, holistic and structured approach to migration, maximising the synergies and applying the necessary leverage.</p>	<p>relevant, <i>in a conflict-sensitive manner</i>, on the basis of mutual accountability, <i>and in full respect of humanitarian and human rights obligations:</i> Therefore, third countries' effective cooperation with the <i>under international and</i> Union in this area should be an integral element in the general principles of this Regulation. An increased <i>law</i>. Coherence between migration and development cooperation policies is important to ensure that development assistance supports partner countries to <i>manage fight poverty and inequality, promote rights and freedoms, as well as</i></p>	<p>obligations. Therefore, third countries' effective cooperation with the Union in this area should be an integral element in the general principles of this Regulation. An increased coherence between migration and, development cooperation <i>and other external</i> policies is important to ensure that development <i>the Union's external</i> assistance supports partner countries to manage migration more effectively. This Regulation should contribute to a coordinated, holistic and structured approach to migration, maximising the synergies and applying the necessary leverage.</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>contribute to an orderly, safe and responsible migration more effectively management.</i> This Regulation should contribute to a coordinated, holistic and structured approach to migration, maximising the synergies and applying the necessary leverage <i>the positive impact of migration and mobility on development.</i>			
40.	(30) This Regulation should enable the Union to respond to challenges, needs and opportunities related to migration, in complementarity with Union migration policy. To contribute to that end, and without	(30) This Regulation should enable the Union to respond to challenges, needs and opportunities related to migration, in complementarity with Union migration policy <i>and development policies.</i> To contribute to that	(30) This Regulation should enable the Union to, <i>in cooperation with Member States, to comprehensively</i> respond to challenges, needs and opportunities related to migration, in <i>and forced displacement</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	prejudice to unforeseen circumstances, 10% of its financial envelope is expected to be dedicated to addressing the root causes of irregular migration and forced displacement and to supporting migration management and governance including the protection of refugees and migrants' rights within the objectives of this Regulation.	end, <i>in order to maximise the contribution of migration to development</i> , and without prejudice to unforeseen <i>circumstances new emerging challenges or new needs, a maximum of 10 % of its financial envelope is expected to be dedicated to addressing the root causes of irregular migration and forced displacement and to supporting strengthened engagement to facilitate safe, orderly, regular and responsible migration management and the implementation of planned and well-managed migration policies and governance, including</i>	<i>in coherence and complementarity with Union migration policy. To contribute to that end, and without prejudice to unforeseen circumstances, at least 10% of its the financial envelope is expected to of this Regulation should be dedicated particularly to actions supporting management and governance of migration and forced displacement, within the objectives of this Regulation. In addition this target should also include actions to addressing the root causes of irregular migration and forced displacement and to supporting migration management and governance including</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p>the protection of refugees and migrants' rights <i>based on international and Union law</i> within the objectives of this Regulation. <i>This Regulation should also contribute to addressing the brain-drain phenomenon and to help support the needs of displaced people and host communities, in particular through the provision of access to basic services and livelihoods opportunities.</i></p>	<p>the protection of refugees and migrants' rights within the objectives of this Regulation. <i>when they directly target specific challenges, related to migration and forced displacement. Migration-related actions under this Regulation, as needed through its geographic and thematic programmes and rapid response actions should build on the experience gained during the implementation of the European Agenda on Migration and the Multiannual Financial Framework 2014-2020, in particular the European Union Emergency Trust Fund for stability and addressing root</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>causes of irregular migration and displaced persons in Africa, to build comprehensive partnerships. EU support should take into account the development benefits of regular migration and contribute to the effective implementation of EU agreements and dialogues on migration with third countries by encouraging cooperation through a flexible incitative approach. A facility should enable to address ongoing and emerging migration challenges within this Regulation using all appropriate components through flexible funding while respecting its</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>financial envelopes and relying on their flexible implementation. These actions should be implemented in full respect of international law, including international human rights and refugee law, EU and national competences. The Commission should develop and use a robust and transparent tracking system to measure such expenditure and to report on it.</i></p>		
40. bis		<p><i>(30a) Information and communication technologies (ICT) and services are proven enablers of sustainable development and inclusive growth. They can be key to improving citizens'</i></p>		<p><i>(30a) This Regulation should consider digital solutions and information and communication technologies as powerful enablers for sustainable development and inclusive growth, and should contribute to</i></p>	<p><i>Provisionally closed</i></p>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>lives even in the poorest countries, in particular by empowering women and girls, enhancing democratic governance and transparency, and boosting productivity and job creation. Nevertheless, connectivity and affordability remain a problem both across and within regions, since there are large variations between high and lower income countries and between cities and rural areas. This regulation should therefore help the Union to further mainstream digitalisation into the Union development policies.</i></p>		<p><i>further promoting digitalisation.</i></p>	
40. ter		<p><i>(30b) The 2030 Agenda for</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>Sustainable Development, adopted by a Resolution of the United Nations General Assembly on 25 September 2015, underlined the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG) 16 and in order to achieve other development policy outcomes. SDG 16.a specifically requests to ‘Strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, to prevent violence</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>and combat terrorism and crime’.</i>			
40. quater		<i>(30c) In the High Level Meeting Communiqué of 19 February 2016, the Development Assistance Committee of the Organisation for Economic Cooperation and Development updated the reporting directives on Official Development Assistance in the field of peace and security. The financing of the actions undertaken in accordance with this Regulation constitutes Official Development Assistance when it fulfils the criteria set out in those reporting directives or any subsequent reporting directives, upon which the</i>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>Development Assistance Committee is able to agree.</i>			
40. quin-ques		<i>(30d) The capacity building in support of development and security for development should be used in exceptional cases only, where the objectives of the Regulation cannot be met by other development cooperation activities. Giving support to security sector actors in third countries, including, under exceptional circumstances, the military, in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and</i>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>development. Good governance, effective democratic control and civilian oversight of the security system, including of the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.</i>			
40. sexies		<i>(30e) This Regulation should build on the conclusions of the evaluation by the Commission requested for June 2020, including a wide-ranging, multi-stakeholder public consultation, assessing the</i>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>coherence of capacity building in support of development and security for development within the security-development nexus funded by the Union and its Member States with the Global Strategy and the UN Sustainable Development Goals.</i>			
40. septies		<i>(30f) The Union should also promote a conflict-sensitive and gender-sensitive approach in all actions and programmes under this Regulation, with the aim of avoiding negative impacts and maximising positive ones.</i>		<i>(30f) The Union should also promote a conflict-sensitive and gender-sensitive approach in all actions and programmes under this Regulation.</i>	<i>Provisionally closed</i> To be aligned with recital on gender
41.	(31) Horizontal financial rules adopted by the European Parliament and the Council on	(31) Horizontal financial rules adopted by the European Parliament and the Council on the	(31) Horizontal financial rules adopted by the European Parliament and the Council on the basis of		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the basis of Article 322 of the Treaty on the Functioning of the European Union should apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, financial assistance, budget support, trust funds, financial instruments and budgetary guarantees, and provide for checks	basis of Article 322 of the Treaty on the Functioning of the European Union <i>TFEU</i> should apply to this Regulation. These rules are laid down in <i>Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council</i> ³⁸ (“the Financial Regulation”) and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, financial assistance, budget support, trust	Article 322 of the Treaty on the Functioning of the European Union should apply to this Regulation. These rules are laid down in the Financial Regulation and determine in particular the procedure for establishing and implementing the budget through grants, procurement, prizes, indirect implementation, financial assistance, budget support, trust funds, financial instruments and budgetary guarantees, and provide for checks on the responsibility of financial actors. [Rules		

³⁸ *Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in Member States and third countries, as the respect for the rule of law is essential for sound financial management and effective EU funding.	funds, financial instruments and budgetary guarantees, and provide for checks on the responsibility of financial actors. Rules adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in Member States and third countries, as the respect for the rule of law is essential for sound financial management and effective EU funding.	adopted on the basis of Article 322 TFEU also concern the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in Member States and third countries, as the respect for the rule of law is essential for sound financial management and effective EU funding.]		
42.	(32) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability	(32) The types of financing and the methods of implementation application under this Regulation should be chosen on the basis of partner's needs ,	(32) The types of financing and the methods of implementation under this Regulation should be chosen on the basis of their ability to achieve the specific		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	to achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.	<i>preferences and specific context, their relevance, sustainability and ability to comply with the development effectiveness principles, achieve the specific objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation. The role of the European Endowment for Democracy (EED) as</i>	objectives of the actions and to deliver results, taking into account, in particular, the costs of controls, the administrative burden, and the expected risk of non-compliance. This should include consideration of the use of lump sums, flat rates and unit costs, as well as financing not linked to costs as referred to in Article 125(1) of the Financial Regulation.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>a foundation mandated through the European institutions for the support of democracy, civil society and human rights worldwide should be strengthened and increased under this Regulation. The EED should be given the administrative flexibility and the financial opportunities to disburse targeted grants to civil society actors in the European Neighbourhood standing for the implementation of the European Neighbourhood Policy, in particular where it concerns the development of democracy, human</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>rights, free elections and the rule of law.</i>			
43.	(33) The new European Fund for Sustainable Development Plus ('EFSD+'), building on its successful predecessor, the EFSD ³⁹ , should constitute an integrated financial package supplying financing capacity in the form of grants, budgetary guarantees and financial instruments worldwide. The EFSD+ should support the External Investment Plan and combine blending and budgetary guarantee operations covered by the External Action	(33) The new European Fund for Sustainable Development Plus ('EFSD+'), building on its successful predecessor, the EFSD ³⁹ , should constitute an integrated financial package supplying financing capacity in the form of grants, budgetary guarantees and financial instruments worldwide. The EFSD+ should support the External Investment Plan and combine blending and budgetary guarantee operations covered by the External Action Guarantee, including	(33) The new European Fund for Sustainable Development Plus ('EFSD+'), building on its successful predecessor, the EFSD ³⁹ , should constitute an integrated financial package supplying financing capacity in the form of grants, budgetary guarantees and financial instruments worldwide. The EFSD+ should support <i>become one of the pillars of</i> the External Investment Plan (<i>EIP</i>) and <i>should be complemented by pillar 2 and 3 of the EIP. The EFSD+</i>		

³⁹ Regulation (EU) 2017/1601 of the European Parliament and of the Council of 26 September 2017 establishing the European Fund for Sustainable Development (EFSD), the EFSD Guarantee and the EFSD Guarantee Fund.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>Guarantee, including those covering sovereign risks associated with lending operations, previously carried out under the external lending mandate to the European Investment Bank. Given its role under the Treaties and its experience over the last decades in supporting Union policies, the European Investment Bank should remain a natural partner for the Commission for the implementation of operations under the External Action Guarantee.</p>	<p>those covering sovereign risks associated with lending operations, previously carried out under the external lending mandate to the European Investment Bank. Given its role under the Treaties and its experience over the last decades in supporting Union policies, the European Investment Bank should remain a natural partner for the Commission for the implementation application of operations under the External Action Guarantee. Other Multilateral Development Banks (MDBs) or EU National Development Banks (NDBs) also have</p>	<p>should combine blending and budgetary guarantee operations covered by the External Action Guarantee, including those covering sovereign risks associated with lending operations, previously carried out under the external lending mandate to the European Investment Bank (EIB). Given its role under the Treaties and its experience over the last decades in supporting Union policies, the European Investment Bank should remain a natural partner for the Commission for the implementation of operations under the External Action Guarantee. Programming should lead to an appropriate</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>skills and capital which can add significant value to the impact of Union development policy and their participation under the EFSD+ should therefore also be strongly promoted through this Regulation.</i></p>	<p><i>balance between blending and budgetary guarantee operations with the purpose of maximising development impact. The EFSD+ should be composed of regional investment platforms within the areas covered by this Regulation and, should also cover, where relevant, the areas under Regulation [IPA III]. Its implementation should be supported by a strategic board. The EFSD+ should be implemented through an open and collaborative investment architecture to ensure an optimal use of the sectoral and geographic expertise of eligible</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate counterparts and maximise its development impact. In order to ensure an independent, impartial, inclusive and transparent risk management of the EFSD+, a technical assessment group, open to experts from the EIB, other eligible counterparts and interested Member States, organised and led by the Commission should be established. The conclusions of analysis done by the technical assessment group should be shared in a timely manner with all Member States, with due regard to confidentiality issues. The Commission and all selected eligible counterparts,</i>	<i>Possible compromise</i>	<i>Comments</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate including the EIB, after consulting and taking into account the advice of the technical risk assessment group, should conclude and sign guarantee agreements and should present the key elements of these agreements to the strategic board.</i>	<i>Possible compromise</i>	<i>Comments</i>
43. bis			<i>(33 bis) Given its role under the Treaties and its experience over the last decades in supporting Union policies, the EIB should remain a natural partner for the Commission for the implementation of operations under the External Action Guarantee. The EIB and the Commission should enhance their cooperation and coordination</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>throughout the implementation of the External Action Guarantee under the EFSD+, including during the programming process and in the field. To this end, the EIB should implement dedicated investment windows for an indicative volume of [EUR 30 000 million] of the External Action Guarantee for the entire Multiannual Financial Framework, which should constitute the dedicated mandates required by the EIB to operate outside the EU. These dedicated windows should support the provision of a comprehensive risk cover for operations with sovereign and non-</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>commercial sub-sovereign counterparts and for operations with commercial sub-sovereign counterparts as well as political risk cover for private sector operations aiming at the promotion of the internationalisation of partner countries' economies, including through inward foreign direct investments, as well as other Union thematic priorities in support of the objectives of this Regulation and in line with the Sustainable Development Goals, including, but not limited to European Union Development Finance Institutions and European Union private sector entities.</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>The EU guarantee shall only cover the political risk of the private sector operations. Sub-sovereign operations shall be considered commercial unless otherwise duly justified by the EIB</i></p> <p><i>The dedicated part of the External Action Guarantee supporting sovereign and non-commercial sub-sovereign operations may be non-remunerated due to its nature and policy objectives, and should be exclusive except for operations in countries where the EIB decides not to or cannot work. The amounts for each of the dedicated windows should be substantiated and confirmed as a result</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate of the programming process at the beginning of the Multiannual Financial Framework and during the reviews of programming. The objectives, priorities and amounts for each of the dedicated windows and their implementation should ensure full policy alignment with the EU's priorities and comply with the present Regulation and the relevant multi-annual indicative programmes, including its geographic and thematic priorities. The implementation of the operations under these dedicated windows should be in line with the EIB's</i>	<i>Possible compromise</i>	<i>Comments</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate rules, policies and procedures, including EIB internal governance rules. The risk assessment and remuneration methodology under EFSD+ should be consistently applied to all investment windows, including those dedicated to the EIB, in order to ensure a level playing field.</i>	<i>Possible compromise</i>	<i>Comments</i>
44.	(34) The EFSD+ should aim at supporting investments as a means of contributing to the achievement of the Sustainable Development Goals by fostering sustainable and inclusive economic and social development and promoting the socio-	(34) The EFSD+ should aim at supporting investments as a means of contributing to the achievement of the Sustainable Development Goals by fostering sustainable and inclusive economic, cultural and social development and promoting the socio-economic resilience in	(34) The EFSD+ should aim at supporting investments as a means of contributing to the achievement of the Sustainable Development Goals by fostering sustainable and inclusive economic and social development and promoting the socio-economic resilience in partner countries with		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	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 causes of irregular migration, in accordance with the relevant indicative programming documents. Special attention should be given to countries identified as experiencing	partner countries with a particular focus on the eradication of poverty, <i>preventing conflict and the promotion of peaceful, just and inclusive societies</i> , sustainable and inclusive growth <i>economic progress, tackling climate change through mitigation and adaptation, environmental degradation</i> , the creation of decent jobs <i>in compliance with relevant ILO standards and economic opportunities, in particular for women, young and vulnerable people. Emphasis should be placed on providing inclusive and equitable quality education, and the</i>	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 in line with the Paris Agreement 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		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	fragility or conflict, Least Developed Countries and heavily indebted poor countries.	<i>development of skills and entrepreneurship by strengthening educational and cultural structures, including for children in humanitarian emergencies and situations of forced displacement. It should also aim at supporting a stable investment environment, industrialisation, socioeconomic sectors, cooperatives, social enterprises, micro, small and medium-sized enterprises as well as addressing strengthening democracy the rule of law and human rights, the lack of which often constitute the specific socioeconomic root</i>	accordance with the relevant indicative programming documents. <i>The implementation of the EFSD+ should comply with the objectives, principles and policy framework of this Regulation and, where relevant, Regulation [IPA III] in particular the applicable internationally agreed guidelines, principles and conventions on investment, 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 Principles for</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		causes of irregular migration and forced displacement , in accordance with the relevant indicative programming documents. Special attention should be given to countries identified as experiencing fragility or conflict, Least Developed Countries and heavily indebted poor countries. A special focus should be placed also to improve the delivery of essential public basic services, food security, and to improve the quality of life of rapidly growing urban populations, including through adequate, safe and affordable housing. The EFSD+ should encourage for-	Responsible Investment in Agriculture and Food Systems, International Labour Organization conventions, international human rights law and the development effectiveness principles as set out in the Busan Partnership for 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. Special attention should be given to countries identified as experiencing fragility		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>profit/non-profit partnerships as a means of guiding private sector investments towards sustainable development and poverty eradication. The strategic involvement of civil society organisations and of Union Delegations in partner countries should also be promoted at all stages of the project cycle, to help finding tailor-made solutions for promoting the socioeconomic development of communities, job creation, and new business opportunities. Investments should be based on conflict analysis, focus on the root causes of</i></p>	<p>or conflict, Least Developed Countries, <i>small island developing states, landlocked developing countries</i> and heavily indebted poor countries.</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>conflict, fragility and instability, maximising the potential for fostering peace and minimising the risks of exacerbating conflicts.</i>			
45.	(35) The EFSD+ should maximise additionality of funding, address market failures and sub-optimal investment situations, deliver innovative products and ‘crowd-in’ private sector funds. Involvement of the private sector in the Union’s cooperation with partner countries through the EFSD+ should yield measurable and additional development impact without distorting the market and	(35) The EFSD+ should maximise additionality of funding, address market failures and sub-optimal investment situations, deliver innovative products and ‘crowd-in’ private sector funds <i>to optimise the contribution of private finance to local sustainable development.</i> Involvement of the private sector in the Union’s cooperation with partner countries through the EFSD+ should yield measurable and	(35) The EFSD+ should maximise additionality of funding, address market failures and sub-optimal investment situations, <i>support local public entities in scaling up and financing autonomously their investment,</i> deliver innovative products and ‘crowd-in’ private sector funds. Involvement of the private sector <i>including micro, small and medium-sized enterprises,</i> in the Union’s cooperation with		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>should be cost-effective based on mutual accountability and risk and cost sharing. The EFSD+ should operate as a ‘one-stop-shop’, receiving financing proposals from financial institutions and public or private investors and delivering a wide range of financial support to eligible investments.</p>	<p>additional development impact <i>in full respect of the environment and local communities’ rights and livelihoods and</i> without distorting the <i>local</i> market and <i>unfairly competing with local economic actors. It</i> should be cost-effective based on mutual accountability and risk and cost sharing. The EFSD+, <i>while based on adequate accountability and transparency criteria,</i> should operate as a ‘one-stop-shop’, receiving financing proposals from financial institutions and public or private investors and delivering a wide range of financial support to eligible investments.</p>	<p>partner countries through the EFSD+ should yield measurable and additional development impact without distorting the market and should be cost-effective based on mutual accountability and risk and cost sharing. The EFSD+ should operate as a ‘one-stop-shop’, receiving financing proposals from financial institutions and public or private investors and delivering a wide range of financial support to eligible investments. <i>The leveraging effect of EFSD+ should be evaluated measuring the mobilisation of additional funding for sustainable development by using</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<i>EFSD+ financial support. The leverage effect should be measured according to the definition laid down in Article 2(38) of the Financial Regulation and international rules and practices for measuring the amounts mobilised from the private sector by official development finance interventions, such as the OECD-DAC methodologies.</i>		
45. bis		<i>(35a) An EU guarantee for the sovereign investments operations in the public sector shall form part of the EFSD+. That EU guarantee shall not be extended to sovereign investment operations that involve on-lending to</i>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>the private sector or lending to, or for the benefit of, sub-sovereign entities that can access sub-sovereign financing without sovereign guarantees. In order to assist capacity planning by the EIB, a minimum guaranteed volume of such sovereign investments operations shall be allocated to the EIB.</i>			
46.	(36) An External Action Guarantee should be established building on the existing EFSD Guarantee and the Guarantee Fund for external actions. The External Action Guarantee should support the EFSD+ operations covered by budgetary	(36) An External Action Guarantee should be established building on the existing EFSD Guarantee and the Guarantee Fund for external actions. The External Action Guarantee should support the EFSD+ operations covered by budgetary guarantees, macro-financial	(36) An External Action Guarantee should be established building on the existing EFSD Guarantee and the Guarantee Fund for external actions. The External Action Guarantee should support the EFSD+ operations covered by budgetary guarantees, macro-financial		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>guarantees, macro-financial assistance and loans to third countries on the basis of Council Decision 77/270/Euratom⁴⁰. These operations should be supported by appropriations under this Regulation, together with those under Regulation (EU) No .../... (IPA III) and Regulation (EU) No .../... (EINS), which should also cover the provisioning and liabilities arising from macro-financial assistance loans and loans to third countries referred to in Article 10(2) of Regulation</p>	<p>assistance and loans to third countries on the basis of Council Decision 77/270/Euratom⁴⁰. These operations should be supported by appropriations under this Regulation, together with those under Regulation (EU) No .../... of the European Parliament and of the Council⁴¹ ('IPA III Regulation') and Regulation EINS, which should also cover the provisioning and liabilities arising from macro-financial assistance loans and loans to third countries referred to in Article 10(2) of Regulation EINS, respectively. When</p>	<p>assistance and loans to third countries on the basis of Council Decision 77/270/Euratom⁴⁰. These operations should be supported by appropriations under this Regulation, together with those under Regulation (EU) No .../... (IPA III) and Regulation (EU) No .../... (EINS), which should also cover the provisioning and liabilities arising from macro-financial assistance loans and loans to third countries referred to in Article 10(2) of Regulation EINS, respectively. When funding EFSD+ operations, priority should be given to</p>		

⁴⁰ Council decision 77/270/EURATOM of 29 March 1977 empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations (OJ L 88, 6.4.1977, p. 9).

⁴¹ *Regulation (EU) .../... of the European Parliament and of the Council of ... on ... (OJ...).*

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	EINS, respectively. When funding EFSD+ operations, priority should be given to those which have a high impact on job creation and whose cost-benefit ratio enhances the sustainability of investment. The operations supported with the External Action Guarantee should be accompanied by an in-depth <i>ex ante</i> assessment of environmental, financial and social aspects, as appropriate and in line with the better regulation requirements. The External Action Guarantee should not be used to provide essential public services,	funding EFSD+ operations, priority should be given to those which have a high impact on <i>decent job creation and livelihoods</i> and whose cost-benefit ratio enhances the sustainability of investment <i>and which provide the highest guarantees of sustainability and long-term development impact throughout local ownership</i> . The operations supported with the External Action Guarantee should be accompanied by an in-depth <i>ex ante</i> assessment of environmental, financial and social aspects, as appropriate <i>and including the impact on human</i>	those which <i>ensure additionality and achieve the highest development impact, including those which</i> have a high impact on job creation and whose cost-benefit ratio enhances the sustainability of investment. The operations supported with the External Action Guarantee should be accompanied by an in-depth <i>ex ante</i> assessment of environmental, financial and social aspects, as appropriate and in line with the better regulation requirements. The External Action Guarantee should not be used to provide essential public services, which		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	which remains a government responsibility.	<i>rights and livelihoods of affected communities and the impact on inequalities and the identification of ways to address those inequalities</i> in line with the better regulation requirements <i>and taking due account of the principle of free and prior informed consent (FPIC) of affected communities in land-related investments</i> . The External Action Guarantee should not be used to provide essential public services, which remains a government responsibility. <i>Ex-post impact assessments should also happen to measure the development impact</i>	remains a government responsibility.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>of the EFSD+ operations.</i>			
47.	(37) In order to provide for flexibility, increase the attractiveness for the private sector and maximise the impact of the investments a derogation from the rules related to the methods of implementation of the Union budget, as laid down in the Financial Regulation, should be provided as regards the eligible counterparts. Those eligible counterparts could also be bodies which are not entrusted with the implementation of a public-private partnership and could also be bodies governed by the	(37) In order to provide for flexibility, increase the attractiveness for the private sector, <i>promote fair competition</i> and maximise the impact of the investments a derogation from the rules related to the methods of implementation of the Union budget, as laid down in the Financial Regulation, should be provided as regards the eligible counterparts. Those eligible counterparts could also be bodies which are not entrusted with the implementation of a public-private partnership and could also be bodies governed by the	(37) In order to provide for flexibility, increase the attractiveness for the private sector and maximise the impact of the investments a derogation from the rules related to the methods of implementation of the Union budget, as laid down in the Financial Regulation, should be provided as regards the eligible counterparts. Those eligible counterparts could also be bodies which are not entrusted with the implementation of a public-private partnership and could also be bodies governed by the private law of a partner country.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	private law of a partner country.	private law of a partner country.			
48.	(38) In order to increase the impact of the External Action Guarantee, Member States and contracting parties to the Agreement on the European Economic Area should have the possibility of providing contributions in the form of cash or a guarantee. Contribution in the form of a guarantee should not exceed 50% of the amount of operations guaranteed by the Union. The financial liabilities arising from this guarantee should not be provisioned and the liquidity cushion should be provided	(38) In order to increase the impact of the External Action Guarantee, Member States and contracting parties to the Agreement on the European Economic Area should have the possibility of providing contributions in the form of cash or a guarantee. Contribution in the form of a guarantee should not exceed 50 % of the amount of operations guaranteed by the Union. The financial liabilities arising from this guarantee should not be provisioned and the liquidity cushion should be provided by the common provisioning fund.	(38) In order to increase the impact of the External Action Guarantee, Member States and contracting parties to the Agreement on the European Economic Area should have the possibility of providing contributions in the form of cash or a guarantee. Contribution in the form of a guarantee should not exceed 50% of the amount of operations guaranteed by the Union. The financial liabilities arising from this guarantee should not be provisioned and the liquidity cushion should be provided by the common provisioning fund.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	by the common provisioning fund.				
49.	(39) External actions are often implemented in a highly volatile environment requiring continuous and rapid adaptation to the evolving needs of Union partners and to global challenges to human rights, democracy and good governance, security and stability, climate change and environment, oceans, and the migration crisis and its root causes. Reconciling the principle of predictability with the need to react rapidly to new needs consequently means adapting the financial	(39) External actions are often implemented applied in a highly volatile environment requiring continuous and rapid adaptation to the evolving needs of Union partners and to global challenges to human rights and fundamental freedoms , democracy and good governance, security and stability, climate change and environment, oceans, and the migration, erisis and including its root causes such as poverty and inequality, and the impact of the increasing number of displaced persons, especially on developing countries. Reconciling the principle of	(39) External actions are often implemented in a highly volatile environment requiring continuous and rapid adaptation to the evolving needs of Union partners and to global challenges to human rights, democracy and good governance, security and stability, climate change and environment, oceans, and the migration erisis crises and its their root causes. Reconciling the principle of predictability with the need to react rapidly to new needs consequently means adapting the financial implementation of the programmes. To increase the ability of		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	implementation of the programmes. To increase the ability of the EU to respond to unforeseen needs, building on the successful experience of the European Development Fund (EDF), an amount should be left unallocated as an emerging challenges and priorities cushion. It should be mobilised in accordance with the procedures established in this Regulation.	predictability with the need to react rapidly to new needs consequently means adapting the financial implementation application of the programmes. To increase the ability of the EU to respond to unforeseen needs not covered by programmes and programming documents , building on the successful experience of the European Development Fund (EDF), an a pre-defined amount should be left unallocated as an emerging challenges and priorities cushion. It should be mobilised in duly justified cases in accordance with the procedures	the EU to respond to unforeseen needs, building on the successful experience of the European Development Fund (EDF), an a significant amount should be left unallocated as an emerging challenges and priorities cushion. It should be mobilised in accordance with the procedures established in this Regulation.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		established in this Regulation.			
50.	(40) Therefore, while respecting the principle that the Union budget is set annually, this Regulation should preserve the possibility to apply the flexibilities already allowed by the Financial Regulation for other policies, namely carryovers and re-commitments of funds, to ensure efficient use of the Union funds both for Union citizens and the partner countries, thus maximising the Union funds available for the Union's external action interventions.	(40) Therefore, while respecting the principle that the Union budget is set annually, this Regulation should preserve the possibility to apply the flexibilities already allowed by the Financial Regulation for other policies, namely carryovers and re-commitments of funds, to ensure efficient use of the Union funds both for Union citizens and the partner countries, thus maximising the Union funds available for the Union's external action interventions.	(40) Therefore, while respecting the principle that the Union budget is set annually, this Regulation should preserve the possibility to apply the flexibilities already allowed by the Financial Regulation for other policies, [namely carryovers and re-commitments of funds, to ensure efficient use of the Union funds both for Union citizens and the partner countries], thus maximising the Union funds available for the Union's external action interventions.		
50. bis			<i>(40 bis) Capacity building of military</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
			<p><i>actors in third countries should be undertaken as part of the Union's development cooperation policy when it mainly pursues objectives in the field of development and as part of the Union's CFSP when it mainly pursues objectives in the field of peace and security, in compliance with Article 40 of the Treaty on European Union. This Regulation respects the application of the procedures and the extent of the powers of the institutions under the Union's development cooperation policy and the Union's CFSP.</i></p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
51.	(41) Pursuant to Article 83 of Council Decision .../... (OCTs), persons and entities established in overseas countries and territories should be eligible for funding under this Regulation, subject to its rules and objectives and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked. Moreover, cooperation between the partner countries and the overseas countries and territories as well as the Union outermost regions under Article 349 of the Treaty on the	(41) Pursuant to Article 83 of Council Decision .../... (OCTs), persons and entities established in overseas countries and territories should be eligible for funding under this Regulation, subject to its rules and objectives and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked. Moreover, cooperation between the partner countries and the overseas countries and territories as well as the Union outermost regions under Article 349 of the Treaty on the Functioning of the European Union TFEU should be	(41) <i>The [Council Decision on the Overseas Association, including Greenland .../... (EU) lays down the financial envelope for the Association of the OCTs with the Union]. This financial envelope is the main source of funding for OCTs. [Pursuant to Article 83 of Council Decision .../... (OCTs)], persons and entities established in overseas countries and territories should be eligible for funding under this Regulation, subject to its rules and objectives and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked. Moreover, cooperation between the partner</i>	(41) <i>The [Council Decision on the Overseas Association, including Greenland .../... (EU)] lays down the financial envelope for the Association of the OCTs with the Union. This financial envelope is the main source of funding for OCTs. [Pursuant to Article 83 of Council Decision .../... (OCTs)], persons and entities established in overseas countries and territories should be eligible for funding under this Regulation, subject to its rules and objectives and possible arrangements applicable to the Member State to which the relevant overseas country or territory is linked. Moreover, cooperation between the partner countries and the overseas countries and territories as well as the Union</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	Functioning of the European Union should be encouraged in areas of common interest.	encouraged in areas of common interest.	countries and the overseas countries and territories as well as the Union outermost regions under Article 349 of the Treaty on the Functioning of the European Union should be encouraged in areas of common interest.	outermost regions under Article 349 of the Treaty on the Functioning of the European Union should be encouraged in areas of common interest.	
52.	(42) In order to enhance partner countries' ownership of their development processes and the sustainability of external aid, the Union should, where relevant, favour the use of partner countries' own institutions and of partner countries' systems and procedures for all aspects of the project cycle for cooperation.	(42) In order to enhance partner countries' democratic ownership of their development processes and the sustainability of external aid, the Union should, where relevant, favour the use of partner countries' own institutions, resources, expertise and of partner countries' systems and procedures for all aspects of the project cycle for cooperation	(42) In order to enhance partner countries' ownership of their development processes and the sustainability of external aid, the Union should, where relevant, favour the use of partner countries' own institutions and of partner countries' systems and procedures for all aspects of the project cycle for cooperation.	(42) In order to enhance partner countries' ownership of their development processes and the sustainability of external aid, the Union should, where relevant, favour the use of partner countries' own institutions, capacities, expertise and of partner countries' systems and procedures for all aspects of the project cycle for cooperation while ensuring the full involvement of local governments and civil society. The Union	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>while ensuring local resources and expertise and the full involvement of local governments and civil society. The Union should also provide training programmes on how to apply for Union funding to local authorities' civil servants and civil society organisations with the aim of helping them to enhance the eligibility and efficiency of their projects. These programmes should be carried out in the countries concerned, be available in the language of the country and complement any distance learning programmes also established, in order to ensure a targeted</i></p>		<p><i>should make available information and training on how to apply for Union funding to potential beneficiaries of Union funding.</i></p>	

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>training responding to the needs of that country.</i>			
				<i>(42 bis) Communication fosters democratic debate, reinforces institutional control and scrutiny over Union funding, and contributes to boosting the credibility of the Union. The Union and the beneficiaries of Union funding should enhance the visibility of the Union's action, and communicate adequately on the added value of Union's support. In this regard, in accordance with the Financial Regulation, agreements concluded with recipients of Union funding should contain obligations ensuring appropriate visibility and the Commission should act in an appropriate and timely manner when</i>	<i>Provisionally closed</i>

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
				<i>these obligations are not met.</i>	
53.	(43) Annual or multi-annual action plans and measures referred to in Article 19 constitute work programmes under the Financial Regulation. Annual or multi-annual action plans consist of a set of measures grouped into one document.	(43) Annual or multi-annual action plans and measures referred to in Article 19 constitute work programmes under the Financial Regulation. Annual or multi-annual action plans consist of a set of measures grouped into one document.	(43) Annual or multi-annual action plans and measures referred to in Article 19 constitute work programmes under the Financial Regulation. Annual or multi-annual action plans consist of a set of measures grouped into one document.		
54.	(44) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament	(44) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament	(44) In accordance with the Regulation <i>(EU, Euratom) No 2018/1046 of the European Parliament and of the Council⁴⁷</i> <i>(the "Financial</i>		

⁴⁷ ***Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).***

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	and of the Council ⁴² , Council Regulation (EC, Euratom) No 2988/95 ⁴³ , Council Regulation (Euratom, EC) No 2185/96 ⁴⁴ and Council Regulation (EU) 2017/1939 ⁴⁵ , the financial interests of the Union are to be protected through effective and proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the	and of the Council ⁴² Council Regulation (EC, Euratom) No 2988/95 ⁴³ , Council Regulation (Euratom, EC) No 2185/96 ⁴⁴ and Council Regulation (EU) 2017/1939 ⁴⁵ , the financial interests of the Union are to be protected through effective and proportionate measures, including the prevention, detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or	Regulation''), Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ⁴² , Council Regulation (EC , Euratom, <i>EC</i>) No 2988/95 ⁴³ , Council Regulation (Euratom, EC) No 2185/96 ⁴⁴⁴⁴ and Council Regulation (EU) 2017/1939 ⁴⁵ , the financial interests of the Union are to be protected through effective and proportionate measures, including the prevention,		

⁴² Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p.1)

⁴³ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.95, p.1).

⁴⁴ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p.2)

⁴⁵ OJ L 283, 31.10.2017, p.1.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of	incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96 the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the	detection, correction and investigation of irregularities, including fraud, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, the imposition of administrative sanctions. In particular, in accordance with Regulation (EU, Euratom) No 883/2013 and Regulation (Euratom, EC) No 2185/96, the European Anti-Fraud Office (OLAF) may carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union, as provided for in Directive (EU) 2017/1371 ⁴⁶ of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests and grant	European Public Prosecutor's Office may investigate and prosecute fraud and other criminal offences affecting the financial interests of the Union, as provided for in Directive (EU) 2017/1371 ⁴⁶ of the European Parliament and of the Council. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial interests and grant the necessary rights and access to the Commission, OLAF and the European Court of Auditors, and to ensure that any	activity affecting the financial interests of the Union. In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (<i>"the EPPO"</i>) may investigate and prosecute fraud and other criminal offences affecting <i>against the Union's</i> financial interests of the Union , as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council ⁴⁶ . In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the Union's financial		

⁴⁶ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ 198, 28.7.2017, p.29)

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	the necessary rights and access to the Commission, OLAF and the European Court of Auditors, and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights; for this reason, agreements with third countries and territories and with international organisations, and any contract or agreement resulting from the implementation of this Regulation should contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot checks	third parties involved in the implementation of Union funds grant equivalent rights; for this reason, agreements with third countries and territories and with international organisations, and any contract or agreement resulting from the implementation of this Regulation should contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot checks and inspections, according to their respective competences and ensuring that any third parties involved in the implementation of Union funding grant equivalent rights.	interests-and, to grant the necessary rights and access to the Commission, OLAF, the EPPO in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939 , and the European Court of Auditors (ECA); and to ensure that any third parties involved in the implementation of Union funds grant equivalent rights;. For this reason, agreements with third countries and territories and with international organisations, and any contract or agreement resulting from the implementation of this Regulation, should contain provisions expressly empowering		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	and inspections, according to their respective competences and ensuring that any third parties involved in the implementation of Union funding grant equivalent rights.		the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot checks and inspections, according to their respective competences and ensuring that any third parties involved in the implementation of Union funding grant equivalent rights.		
54. bis		<i>(44a) In order to contribute to the international fight against tax fraud, tax evasion, fraud, corruption and money laundering all financing through this Regulation should be provided in a completely transparent manner. Furthermore, the eligible counterparts should not support any activities carried out for illegal</i>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>purposes nor participate in any financing or investment operation through a vehicle located in a non-cooperative jurisdiction or in a tax haven.</i></p> <p><i>Counterparts should also refrain from making any use of tax avoidance or aggressive tax planning schemes.</i></p>			
55.	<p>(45) In order to ensure uniform conditions for the implementation of the relevant provisions of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No</p>	<p>(45) In order to ensure uniform conditions for the implementation of the relevant provisions of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No</p> <p>182/2011⁴⁸ of the</p>	<p>(45) In order to ensure uniform conditions for the implementation of the relevant provisions of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011⁴⁸ of the European Parliament and of the Council.</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	182/2011 ⁴⁸ of the European Parliament and of the Council.	European Parliament and of the Council.			
56.	(46) In order to supplement or amend non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the provisioning rates laid down in Article 26(3), the areas of cooperation and intervention listed in Annexes II, III and IV, the priority areas	(46) In order to supplement or non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of setting out the Union's strategy, the priority areas, detailed objectives, the expected results, specific performance indicators and the specific financial allocation and cooperation modalities for each geographic and	(46) In order to supplement or amend non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the provisioning rates laid down in Article 26(3), the areas of cooperation and intervention listed in Annexes II, III and IV, the priority areas of the EFSD+ operations		

⁴⁸ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).
EP position: ~~Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p.13).~~

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	of the EFSD+ operations listed in Annex V, the governance of the EFSD+ in Annex VI, to review or complement the indicators in Annex VII where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.	<i>thematic programme, as well as for action plans and measures not based on programming documents establishing a human rights operational framework, establishing a risk management framework, deciding on the needs not covered by programmes or programming documents, deciding on the suspension of assistance, establishing the performance-based approach framework, establishing the provisioning rates, establishing a monitoring and evaluation framework and extending the scope of actions to</i>	listed in Annex V, the governance of the EFSD+ in Annex VI, to review or complement the indicators in Annex VII where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>countries and territories not covered by this Regulation. In order to</i> amend non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union <i>TFEU</i> should be delegated to the Commission in respect of the provisioning rates laid down in Article 26(3); <i>to</i> the areas of cooperation and intervention listed in Annexes II, III and IV, the priority areas of the EFSD+ operations <i>and the investment windows</i> listed in Annex V, the governance of the EFSD+ in Annex VI, <i>to review or</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		complement <i>as well as</i> the indicators <i>listed</i> in Annex VII where considered necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework.			
57.	(47) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016 ⁴⁹ , there is a need to evaluate this Programme on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative	(47) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016 ⁴⁹ , there is a need to evaluate this Programme on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, in particular	(47) Pursuant to paragraph 22 and 23 of the Inter-institutional agreement for Better Law-Making of 13 April 2016 ⁴⁹ , there is a need to evaluate this Programme on the basis of information collected through specific monitoring requirements, while avoiding overregulation and administrative burdens, in particular		

⁴⁹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016; OJ L 123, 12.5.2016, p. 1–14.

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	<p>burdens, in particular on Member States. These requirements, where appropriate, can include measurable indicators, as a basis for evaluating the effects of the Programme on the ground. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure</p>	<p>on Member States. These requirements, where appropriate, can <i>should</i> include measurable indicators, as a basis for evaluating the effects of the Programme on the ground. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level <i>with relevant stakeholders such as civil society and experts</i>, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in</p>	<p>on Member States. These requirements, where appropriate, can <i>should</i> include measurable indicators, as a basis for evaluating the effects of the Programme on the ground. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council</p>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.	receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.		
58.	(48) The references to Union instruments in Article 9 of Council Decision 2010/427/EU ⁵⁰ , which are replaced	(48) The references to Union instruments in Article 9 of Council Decision 2010/427/EU ⁵⁰ , which are replaced by <i>Due to the broad nature</i>	(48) The references to Union instruments in Article 9 of Council Decision 2010/427/EU ⁵⁰ , which are replaced by this Regulation, should be		

⁵⁰ Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

~~***EP position:*** Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).~~

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
	by this Regulation, should be read as references to this Regulation and the Commission should ensure that this Regulation is implemented in accordance with the role of the EEAS as provided in that Decision.	and scope of this Regulation, should be read as references to <i>and to ensure coherence between the principles, objectives and spending under both this Regulation and the other external financing instruments, such as Regulation EINS , or Instruments which are intrinsically linked to external policies, such as the IPA III Regulation, a horizontal steering group composed of all relevant Commission and EEAS services and chaired by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) or a</i>	read as references to this Regulation and the Commission should ensure that this Regulation is implemented in accordance with the role of the EEAS as provided in that Decision.		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>representative of that office should ensure that be responsible for the steering, coordinating and managing of the policies, programmes, objectives and actions under this Regulation is implemented in accordance with the role of in order to ensure consistency, efficiency, transparency and accountability of Union external financing. The VP/HR should ensure overall political coordination of the Union's external action. For all actions, including rapid response actions and exceptional assistance measures, and throughout the whole cycle of</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<p><i>programming, planning and application of the instrument, the High Representative and the EEAS as provided in that Decision should work with the relevant members and services of the Commission, identified on the basis of the nature and objectives of the action foreseen, building upon their expertise. All proposals for decisions should be prepared by following the Commission's procedures and should be submitted to the Commission for adoption.</i></p>			
58. bis		<p><i>(48a) The application of this Regulation should, where relevant, be complementary to,</i></p>			

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
		<i>and should be consistent with, measures adopted by the Union in pursuit of the Common Foreign and Security Policy objectives within the framework of Chapter Two of Title V TEU and measures adopted within the framework of Part Five TFEU.</i>			
59.	(49) The envisaged actions as provided for hereunder should strictly follow the conditions and procedures set out by the restrictive measures of the Union,	(49) The envisaged actions as provided for hereunder should strictly follow the conditions and procedures set out by the restrictive measures of the Union,	(49) The envisaged actions as provided for hereunder should strictly follow the conditions and procedures set out by the restrictive measures of the Union, <i>as well as the Union's decisions and regulations on transfer controls, on products having dual use, and on products used for capital punishment and torture;</i>		

<i>Line</i>	<i>Commission proposal</i>	<i>EP position</i>	<i>Council partial negotiating mandate</i>	<i>Possible compromise</i>	<i>Comments</i>
59. bis		<p><i>(49a) The European Parliament should be fully involved in the design, programming, monitoring and evaluation phases of the instruments in order to guarantee political control and democratic scrutiny and accountability of Union funding in the field of external action. An enhanced dialogue between the institutions should be established in order to ensure that the European Parliament is in a position to exercise political control during the application of this Regulation in a systematic and smooth manner thereby enhancing both efficiency and legitimacy,</i></p>			
