

Basic information	
<b>2011/0368(COD)</b>  COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Internal Security Fund: instrument for financial support for police cooperation, preventing and combating crime, and crisis management 2014-2020	
Repealing Decision 2007/125/JAI <a href="#">2005/0035(CNS)</a> Repealed by <a href="#">2018/0250(COD)</a> See also <a href="#">2011/0367(COD)</a> See also <a href="#">2013/0064(COD)</a> See also <a href="#">2013/2505(RSP)</a>	
<b>Subject</b>  7.30.05 Police cooperation 7.30.09 Public security 7.30.30 Action to combat crime	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs	IACOLINO Salvatore (PPE)	05/12/2011
		Shadow rapporteur  FAJON Tanja (S&D)  ALFANO Sonia (ALDE)  TAVARES Rui (Verts/ALE)  KIRKHOPE Timothy (ECR)  VERGIAT Marie-Christine (GUE/NGL)	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets	RIQUET Dominique (PPE)	15/02/2012
Council of the European Union	Council configuration	Meetings	Date
	Foreign Affairs	3309	2014-04-14
	Justice and Home Affairs (JHA)	3135	2011-12-13
European Commission	Commission DG	Commissioner	

## Key events

Date	Event	Reference	Summary
15/11/2011	Legislative proposal published	COM(2011)0753 	<a href="#">Summary</a>
13/12/2011	Debate in Council		<a href="#">Summary</a>
15/12/2011	Committee referral announced in Parliament, 1st reading		
09/01/2014	Vote in committee, 1st reading		
14/01/2014	Committee report tabled for plenary, 1st reading	A7-0026/2014	<a href="#">Summary</a>
12/03/2014	Debate in Parliament		
13/03/2014	Decision by Parliament, 1st reading	T7-0242/2014	<a href="#">Summary</a>
13/03/2014	Results of vote in Parliament		
14/04/2014	Act adopted by Council after Parliament's 1st reading		
16/04/2014	Final act signed		
16/04/2014	End of procedure in Parliament		
20/05/2014	Final act published in Official Journal		

## Technical information

Procedure reference	2011/0368(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Decision 2007/125/JAI <a href="#">2005/0035(CNS)</a> Repealed by <a href="#">2018/0250(COD)</a> See also <a href="#">2011/0367(COD)</a> See also <a href="#">2013/0064(COD)</a> See also <a href="#">2013/2505(RSP)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 082-p1 Treaty on the Functioning of the EU TFEU 087-p2 Treaty on the Functioning of the EU TFEU 084
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/07985

## Documentation gateway

European Parliament				
Document type	Committee	Reference	Date	Summary

Committee draft report		PE491.240	27/06/2012	
Committee opinion	BUDG	PE492.554	17/09/2012	
Amendments tabled in committee		PE494.833	20/09/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0026/2014	14/01/2014	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0242/2014	13/03/2014	Summary

#### Council of the EU

Document type	Reference	Date	Summary
Draft final act	00135/2013/LEX	16/04/2014	

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2011)0753 	15/11/2011	Summary
Document attached to the procedure	SEC(2011)1358 	15/11/2011	
Document attached to the procedure	SEC(2011)1359 	15/11/2011	
Commission response to text adopted in plenary	SP(2014)455	10/06/2014	
Follow-up document	COM(2018)0464 	12/06/2018	Summary
Follow-up document	SWD(2018)0341 	12/06/2018	

#### National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0753	01/03/2012	
Contribution	IT_SENATE	COM(2011)0753	09/03/2012	

#### Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

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

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

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

**LEGISLATIVE ACT:** Regulation (EU) N° 513/2014 of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA.

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

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

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

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

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

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

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

The **following operational objectives** will contribute to the general objectives :

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

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

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

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

- **EUR 662 million** for the national programmes of Member States;
- **EUR 342 million** for Union actions, emergency assistance and technical assistance at the initiative of the Commission.

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

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

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

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

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

**Union actions:** financing will also be provided for:

- **EU action:** transnational actions or actions of particular interest to the Union, supporting preparatory, and monitoring activities;
- **emergency assistance** as provided in the Regulation (particularly any security-related incident or newly emerging threat which has or may have a significant adverse impact on the security of people in one or more Member States);
- **technical assistance**, up to EUR 800 000 annually.

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

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

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

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

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

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

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

2011/0368(COD) - 12/06/2018 - Follow-up document

In accordance with Regulation (EU) No 514/2014 of the European Parliament and of the Council, the Commission presents the results of the interim evaluation of the Asylum, Migration and Integration Fund and the Internal Security Fund.

The report covers:

Regulation (EU) No 514/2014 (horizontal provisions) as well as:

- this Specific Regulation No 513/2014 establishing as part of the Internal Security Fund the instrument for police cooperation, preventing and combating crime and crisis management (ISF-P);
- the [Specific Regulation \(EU\) No 515/2014](#) establishing as part of the Internal Security Fund the instrument for external borders and visa (ISF-BV); and
- the [Specific Regulation \(EU\) No 516/2014](#) establishing the Asylum, Migration and Integration Fund (AMIF).

The evaluation covers the period between 1 January 2014 and 30 June 2017 and reports on all national programmes, Union actions and emergency assistance financed under the funds.

This summary concerns **Internal Security Fund-Police (ISF-P)**.

ISF-P aims to ensure a high level of security in the EU through supporting the fight against crime and managing risks and crises effectively. The Fund has two specific objectives: (i) crime prevention and (ii) managing risks and crises.

**Budget:** the total resources for the ISF-P's implementation over the period 2014-2020 were **initially estimated at EUR 1 004 million**, but were **increased** through a top-up of EUR 70 million to support Member States in implementing the [Passenger Name Record Directive](#) and another top-up of EUR 22 million for developing information exchange. Under shared management, Member States have allocated 73 % (EUR 549 million) to the crime prevention objective and 22 % (EUR 169 million) to the objective of managing crises and risk while the remaining 5 % (EUR 36 million) is for technical assistance. A total amount of EUR 122.5 million was allocated for Union actions and EUR 6.5 million for emergency assistance in the annual work programmes 2014-2016.

**Relevance:** the fund's original rationale and objectives are still relevant in the aftermath of the migratory and security crisis. The **flexibility** offered by the Fund, consisting of transfers of funding between different objectives, helped to address the changing needs. However Member States would appreciate even more flexibility from the number of national objectives being reduced.

**Effectiveness:** the Fund has been mainly effective and has contributed to **improving security in the EU**, with cooperation through the exchange of information on cross-border crime, the establishment of transnational networks and projects, and the participation of Member States in joint investigation teams. In terms of results, actions taken disrupted organised crime through: (i) seizures of cash (over EUR 1.6 billion); (ii) the taking down of websites; (iii) arrests; (iv) seizures of stolen goods (over EUR 90 million in value); and (v) seizures of drugs such as heroin and cocaine (over 4 million).

Although the number of ISF-P funded projects at national and EU level is relatively low, evidence suggests that the Fund has contributed to **boosting Member States' capabilities** to develop comprehensive threat and risk assessments. Several Union-level actions have been funded in the area of early warning and cooperation on crisis prevention: e.g. the ATLAS network, which aims to strengthen the preparedness of special intervention units.

The report notes that in spite of the funding available under ISF-P, **limited progress** has been achieved by the Member States in terms of (i) strengthening capability to protect critical infrastructure, (ii) the protection of victims, (iii) developing training schemes and exchange programmes; (iv) cooperation with third countries and international organisations.

**Coherence:** the fund's coherence and complementarity with other EU financing instruments were ensured during the design, programming and implementation stages. However, there appears to be some **room for improvement** in relation to EU agencies and to internal coherence as there is little awareness among beneficiaries about the actions and projects carried out within the ISF framework

**EU added value:** the report states that the fund has ensured EU added value in terms of improving cross-border cooperation, the exchange of knowledge and best practices, trust among Member States' law enforcement authorities and the application of key EU policies. It has also

- enabled high-volume investments, especially in IT systems, training and specialised equipment;
- enabled the broadening of the types of knowledge exchange and law enforcement training;
- contributed to the harmonisation of EU level research on crime prevention, as well as enabled increased investments and focused on long-term measures

The report notes that by establishing the **shared management mode** in ISF-P (initially 60 % of the total programme and over 70 % after the top-ups), ISF-P had a better geographical reach across all Member States than its predecessor [ISEC programme](#) and [CIPS programme](#), though Union actions are still characterised with the same geographical imbalance that existed in the previous funds.

The report goes on to make a number of **general remarks about all three funds**. Overall and in the limits of available data, the evaluation indicated that the results of the funds were achieved at **reasonable costs** in terms of both human and financial resources. With regard to ISF, the report notes that the scope of ISF might need to be **adapted further** in the future to cater for the new policy initiatives to strengthen operational cooperation and exchange of information.

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

The European Parliament adopted by 451 votes to 85, with 34 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management.

Parliament adopted its position at first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement negotiated between the European Parliament and the Council. They modify the proposal as follows:

**Purpose and scope: synergies**, consistency and complementarity should be sought with other relevant financial instruments of the Union, such as the Civil Protection Mechanism, Horizon 2020, the Health for Growth Programme, the solidarity fund and external aid instruments.

**Objectives**: amongst other things, the instrument should contribute to crime prevention, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with **EUROPOL** or other relevant EU bodies, and with relevant third-countries and international organisations.

The achievement of the specific objectives should be evaluated **using common indicators**, as set out in Annex II and programme-specific indicators included in national programmes.

The Instrument should contribute to promoting and developing the following operational objectives:

- training schemes, including regarding technical and professional skills and knowledge of obligations relating to respect of human rights and fundamental freedoms;
- measures, safeguards, mechanisms and best practices for early identification, protection and support of witnesses and victims of crime, including victims of terrorism, and in particular for child witnesses and victims, especially those who are unaccompanied or otherwise in need of guardianship.

Within these objectives, the Instrument should also support actions in relation to and in **third countries**, and in particular the following: (i) actions improving police cooperation and coordination between law enforcement authorities, (ii) the exchange of experience and good practice; (iii) contingency planning and interoperability; (iv) exchange, training and education of staff and experts of relevant authorities, including language training; (v) threat assessments.

**Fundamental rights**: actions funded under this instrument should be implemented in full compliance with **fundamental rights and human dignity**, and in particular, with the provisions of the Charter of Fundamental Rights of the European Union, European data protection rules and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

**Eligible actions under National Programmes**: the Instrument should support actions in Member States, *inter alia*: actions improving police cooperation and coordination between law enforcement authorities, including with and between relevant EU bodies, in particular **EUROPOL** and **Eurojust**; projects promoting public-private partnerships; maintenance of Union and national IT systems contributing to the achievement of the objectives of the Regulation.

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

**Global resources and implementation**: Members wanted to privilege national actions and specified that the global resources shall be used as follows:

- **EUR 662 million** for the national programmes of Member States;
- **EUR 342 million** for Union actions, emergency assistance and technical assistance at the initiative of the Commission.

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

**Indicators**: in order to measure the achievements of the Fund, common indicators should be established in relation to each specific objective of the Instrument. A new Annex has been introduced in this respect (outlining in particular actions taken to strengthen the coordination and cooperation between law enforcement authorities of the Member States and with third countries or the number of projects financed by the instrument in order to improve the exchange of information between law enforcement authorities).

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

2011/0368(COD) - 14/01/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Salvatore IACOLINO (PPE, IT) on the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management.

The committee recommended that Parliament's position adopted in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

**Purpose and scope:** Members stressed that **synergies**, consistency and complementarity shall be sought with other relevant financial instruments of the Union, such as the Civil Protection Mechanism, Horizon 2020, the Health for Growth Programme, the solidarity fund and external aid instruments.

**Objectives:** amongst other things, the instrument shall contribute to crime prevention, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with EUROPOL or other relevant EU bodies, and with relevant third-countries and international organisations.

The achievement of the specific objectives shall be evaluated **using common indicators**, as set out in Annex II and programme-specific indicators included in national programmes.

The Instrument shall contribute to promoting and developing the following operational objectives:

- training schemes, including regarding technical and professional skills and knowledge of obligations relating to respect of human rights and fundamental freedoms;
- measures, safeguards, mechanisms and best practices for early identification, protection and support of witnesses and victims of crime, including victims of terrorism, and in particular for child witnesses and victims, especially those who are unaccompanied or otherwise in need of guardianship.

Within these objectives, the Instrument shall also support actions in relation to and in **third countries**, and in particular the following: (i) actions improving police cooperation and coordination between law enforcement authorities, (ii) the exchange of experience and good practice; (iii) contingency planning and interoperability; (iv) exchange, training and education of staff and experts of relevant authorities, including language training; (v) threat assessments.

Members stated that actions funded under this instrument shall be implemented in full compliance with **fundamental rights and human dignity**, and in particular, with the provisions of the Charter of Fundamental Rights of the European Union, European data protection rules and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

**Eligible actions under National Programmes:** the Instrument shall support actions in Member States, *inter alia*: actions improving police cooperation and coordination between law enforcement authorities, including with and between relevant EU bodies, in particular EUROPOL and Eurojust; projects promoting public-private partnerships; maintenance of Union and national IT systems contributing to the achievement of the objectives of the Regulation.

**Global resources and implementation:** Members wanted to privilege national actions and specified that the global resources shall be used as follows:

- **EUR 662 million** for the national programmes of Member States;
- **EUR 342 million** for Union actions, emergency assistance and technical assistance at the initiative of the Commission.

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

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

2011/0368(COD) - 15/11/2011 - Legislative proposal

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

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**BACKGROUND:** the policies related to the Area of Freedom, Security and Justice have been steadily growing in importance over the last years. These policies are at the heart of the European project to create an area without internal borders where Union citizens and third-country nationals may enter, circulate, live and work.

In the field of Internal Security, key documents such as the [Commission's Communication on the Internal Security Strategy](#) have provided clear guidance on the direction of activities in the years to come.

Internal security is an area where the Union will be facing important challenges. Terrorism and organised crime, drug trafficking, corruption, cyber crime, trafficking in human beings and arms will continue to pose serious threats. Aggregate levels of crime are anticipated to remain stable but the nature of crime is expected to change with criminals using new technologies to commit crimes. Cross-border and organised crime can be expected to increase and become more sophisticated and international in nature. To tackle all these future challenges, enhanced actions at Union level are

essential to succeed in protecting the citizens from increasingly trans-national threats and support the operational work carried out by Member States' competent authorities, including through adequate Union funding.

Against this background, the Commission in its proposal on the [next multi-annual financial framework for the period 2014-2020](#), suggested to set up an Internal Security Fund, as part of a **simplified two-Fund structure** for future expenditure in the home affairs area which also includes an [Asylum and Migration Fund](#).

**IMPACT ASSESSMENT:** in accordance with the greater emphasis placed on evaluation as a tool to inform policy making, this proposal is informed by evaluation results, stakeholder consultation and impact assessment.

Work on the preparation of the future financial instruments for home affairs started in 2010 and continued into 2011. It was completed in July 2011 and brought together available evaluation results for the existing financial instruments and informed the problems, objectives and policy options, including their likely impact, examined in the impact assessment.

On the basis of this [study](#), the Commission drafted an **impact assessment report**. The main conclusion may be summarised as follows:

- to **broaden the scope of action for Union funding in the field of internal security**, including as regards its external dimension,
- to work towards more **simplification of delivery mechanisms and greater flexibility**, notably to respond to emergencies.

In the area of internal security, stakeholders considered that the broad thematic priorities have already been fixed by the 2009 Stockholm Programme and the 2010 Internal Security Strategy. A future **funding mechanism** should therefore be defined comprehensively, comprising law enforcement, border guards and customs communities. The need to make greater use of relevant Union agencies, such as Europol and Frontex was also considered important. There was broad support to reduce the number of financial instruments to a **two-Fund structure** on the condition that this leads to simplification. Stakeholders also agreed on the need for a flexible emergency response mechanism.

**LEGAL BASIS:** Articles 82(1), 84 and 87(2) of the Treaty on the Functioning of the European Union (TFEU)

The creation of the Internal Security Fund requires the adoption of **two legislative instruments which jointly constitute the Fund**. This overall structure was chosen in light of the Treaty obligations. It is not legally possible to draw up one single comprehensive legislative proposal for an Internal Security Fund, despite the coherence of the policy objectives to be addressed.

The Internal Security Fund is therefore created as a comprehensive financial framework which is composed of **two separate acts**, setting up the different components of the Fund and laying down the objectives, the eligible actions and the envelopes of each component:

- This Regulation setting up, as part of the Fund, the component for police co-operation, preventing and combating crime, and crisis management;
- A [Regulation](#) setting up, as part of the Fund, the border management and common visa policy component.

**CONTENT:** under this proposal, the Commission proposes to establish the instrument for financial support for police cooperation, preventing and combating crime, and crisis management.

Jointly with the Regulation establishing, as part of the Internal Security Fund, the [instrument for financial support for external borders and visa](#), this Regulation establishes for the period from 1 January 2014 to 31 December 2020 the Internal Security Fund.

**General objective:** the general objective of the Instrument shall be to contribute to ensuring a high level of security in the European Union. Within the general objective, the Instrument shall contribute to the following specific objectives:

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

To achieve these objectives, the Instrument shall contribute to the following **operational objectives** by promoting and developing:

1. preventing and fighting against cross-border, serious and organised crime;
2. raising the levels of security for citizens and business in cyberspace;
3. preventing terrorism and addressing radicalisation and recruitment;
4. raising capabilities to protect critical infrastructure in all economic sectors; and
5. increasing Europe's resilience to crisis and disaster.

These strategic priorities, which are laid down in more detail in the annex to this Regulation, have to be taken into account by Member States when drafting their **multi-annual national programmes**. They can be amended at any time in a simplified procedure through delegated act in the event of newly emerging risks or threats. Moreover, to provide additional incentives, the EU co-financing rate for national measures implementing any of these Union strategic priorities can be increased up to 90%, in accordance with the Horizontal Regulation,

instead of 75%.

For each of these objectives, key indicators are defined.

**Eligible actions:** Member States operational capacities, such as joint cross-border operations, exchange of best practices, testing and validating of new methodologies and technologies (to close the gap to Union funded security research), the acquisition of technical equipment and infrastructures, training and exchange of staff, analytical activities such as risk and threat assessments as well as networking.

Emergency assistance and actions in or in relation to third-countries: specific provisions are introduced in this regulation and in the Horizontal Regulation to enable the Union to take rapid and effective actions in the event of any security-related incident or newly emerging threat which has or may have a significant adverse impact on the security of people in one or more Member States (emergency situation). Such emergency assistance is always decided upon by the Commission but can also be proposed by Member States, Union Agencies, International Organisations or the Article 71 committee (COSI) represented by the Member State holding the Presidency of the Council. Emergency assistance is not limited to the Union and may also include measures in or in relation to third countries. Generally the list of actions in or in relation to third-countries eligible under this Regulation focuses on short-term operational actions having a direct impact on the Union's internal security, such as:

- joint cross-border operations,
- the acquisition of technical equipment,
- exchange and training measures,
- threat and risk assessments,
- funding support to awareness-raising and communication activities.

Actions in third-countries are primarily implemented by the Commission through direct or indirect management in accordance with the Financial Regulation. Such actions shall not be directly development oriented and shall complement, as appropriate, the financial assistance provided through the Union's external aid instruments, which remain the main source of funding to help third-countries build their relevant capacities. In implementing such actions, full coherence will be sought with the principles and general objectives of the Union's external action and foreign policy related to the country or region in question. Complementarity will be ensured through enhanced coordination with the European External Action Service and relevant Commission services.

**Implementation and use of relevant EU agencies:** to use more effectively the competence and expertise of relevant Union agencies in the home affairs field, the Commission also envisages to make use of the possibility offered by the Financial Regulation<sup>7</sup> to entrust, within the resources available under this regulation, the implementation of specific tasks to such agencies in the framework of their missions and in complementary with their work programmes. For the tasks covered by this Instrument this concerns in particular the European Police Office (Europol), e.g. for the organisation of joint investigation teams or a Prüm helpdesk function, and the European Training College (Cepol), e.g. for the development and implementation of European Training schemes, common thematic curricula and modules including for staff from law enforcement authorities from appropriate third-countries.

**Distribution of available resources:** the total amount for this Instrument for the period 2014-2020 consists of two parts:

the Union budget (EUR 1 128 million in current prices);

the – not yet known – contributions by the countries associated with the implementation, application and development of the Schengen acquis (Norway, Iceland, Switzerland, Liechtenstein), which shall participate in this Instrument. From the Member States, Denmark will not participate in this Regulation and Ireland and the UK may opt-in to it, in accordance with their respective Protocols.

The total amount of EUR 1 128 million is evenly divided (50/50 ratio): Member States will obtain an indicative amount of EUR 564 million (in current prices) for their national programmes (shared management) and for Union actions, emergency assistance and technical assistance, the Commission will implement the same indicative amount under direct and indirect management.

The criteria chosen for the allocation of available funds to Member States relate to the main goods that Member States have to protect: their population, their territory, persons and cargo processed through their air and seaports and European critical infrastructure designated in accordance with Union law. As, in this context, account has also been taken of Member States' different financial capacities, their Gross Domestic Product (in inverse proportion) has been added as a fifth allocation criteria.

**BUDGETARY IMPLICATION:** the Commission's proposal for the [next multi-annual framework](#) includes a proposal of **EUR 4 648 million** (in current prices) for the Internal Security Fund for the period 2014-2020. Within this global envelope, the resources indicatively available for the implementation of this Specific Regulation amount to **EUR 1 128 million**. Indicatively, 50% of this amount (EUR 564 million) should be used for national programmes of Member States while the other 50% (EUR 564 million) should be centrally managed to fund Union actions, emergency actions and technical assistance.

**DELEGATED ACTS:** in order to supplement or amend provisions in this Instrument regarding the **definition of strategic Union priorities**, 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 which should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

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

The Council held a **first exchange of views** on the Commission proposals in the justice and home affairs area in the context of the multiannual financial framework (2014-2020):

- a regulation laying down general provisions on the Asylum and Migration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management;
- two regulations establishing, as part of the Internal Security Fund, the instrument for financial support for – external borders and visas; police cooperation, preventing and combating crime and crisis management;
- a regulation establishing the [Asylum and Migration Fund](#).

On the justice side, the Council discussed the two proposals for regulations establishing the [Justice programme](#) and the [Rights and Citizenship programme](#).