

# Procedure file

Basic information			
NLE - Non-legislative enactments	<a href="#">2016/0322(NLE)</a>	Procedure completed	
EU/Norway Agreement: supplementary rules in relation to the instrument for financial support for external borders and visa			
Subject 6.40.01 Relations with EEA/EFTA countries 7.10.04 External borders crossing and controls, visas			
Geographical area Norway			
Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties, Justice and Home Affairs		05/12/2016
		PPE <a href="#">ZDECHOVSKÝ Tomáš</a>	
		Shadow rapporteur	
		S&D <a href="#">MAMIKINS Andrejs</a>	
		ALDE <a href="#">DEPREZ Gérard</a>	
		Verts/ALE <a href="#">JOLY Eva</a>	
		EFDD <a href="#">VON STORCH Beatrix</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs	The committee decided not to give an opinion.	
	<b>BUDG</b> Budgets	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Economic and Financial Affairs ECOFIN</a>	<a href="#">3549</a>	16/06/2017
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">3508</a>	09/12/2016
European Commission	Commission DG	Commissioner	
	<a href="#">Migration and Home Affairs</a>	AVRAMOPOULOS Dimitris	

Key events			
14/10/2016	Preparatory document	<a href="#">COM(2016)0658</a>	Summary
16/11/2016	Legislative proposal published	<a href="#">13710/2016</a>	Summary
16/01/2017	Committee referral announced in Parliament, 1st reading/single reading		
25/04/2017	Vote in committee, 1st reading/single reading		
27/04/2017	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0174/2017</a>	Summary
16/05/2017	Results of vote in Parliament		
16/05/2017	Decision by Parliament, 1st	<a href="#">T8-0203/2017</a>	Summary

	reading/single reading		
16/06/2017	Act adopted by Council after consultation of Parliament		
16/06/2017	End of procedure in Parliament		
12/07/2017	Final act published in Official Journal		

### Technical information

Procedure reference	2016/0322(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the EU TFEU 077-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/08219

### Documentation gateway

Document attached to the procedure	<a href="#">COM(2016)0659</a>	14/10/2016	EC	
Preparatory document	<a href="#">COM(2016)0658</a>	14/10/2016	EC	Summary
Legislative proposal	<a href="#">13710/2016</a>	16/11/2016	CSL	Summary
Document attached to the procedure	<a href="#">13711/2016</a>	18/11/2016	CSL	
Committee draft report	<a href="#">PE601.132</a>	14/03/2017	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0174/2017</a>	27/04/2017	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0203/2017</a>	16/05/2017	EP	Summary

### Final act

[Decision 2017/1249](#)  
[OJ L 179 12.07.2017, p. 0001](#) Summary

## 2016/0322(NLE) - 14/10/2016 Preparatory document

**PURPOSE:** to conclude an Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020.

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** [Regulation \(EU\) No 515/2014](#) of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa became applicable as of 1 January 2014. Furthermore, Regulation (EU) No 514/2014 of the European Parliament and of the Council laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management also became applicable on the same date.

Under this Regulation, the provisions of the Regulation (EU) No 514/2014 apply to the instrument for financial support for external borders and visa as part of the Internal Security Fund (the ISF-Borders and Visa).

The purpose of the ISF-Borders and Visa is to establish a solidarity mechanism binding the participating states by the same European rules on the control of external borders in each other's interests and on each other's behalf. The ISF-Borders and Visa will serve to accomplish a key

objective of the Schengen acquis, namely to share responsibility for an 'efficient, high and uniform level of control at the external borders'. It is thus a development of the Schengen acquis.

Article 5(7) of Regulation (EU) No 515/2014 provides that the countries associated with the implementation, application and development of the Schengen acquis participate in the instrument in accordance with its provisions and that arrangements are to be concluded on their financial contributions and the supplementary rules necessary for such participation, including provisions ensuring the protection of the Union's financial interests and the power of audit of the Court of Auditors, as the respective Association Agreements do not provide for such rules.

The aim of the draft Agreement with Norway is to establish the arrangements of this participation and to enable the Commission to assume ultimate responsibility for implementation of the budget of the instrument in this associated country and determine this country's contribution to the Union budget in respect of this instrument.

CONTENT: under this proposal, it is proposed that the Council adopt the Decision in which it is called upon to conclude, on behalf of the European Union, the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020.

Rules for the participation of Norway in the ISF-Borders and Visas: the Agreement provides for a number of technical provisions to establish the framework for participation. The funds allocated to Norway under the ISF-Borders and Visa shall be used in accordance with the principle of sound financial management.

Protection of the financial interests of the Union against fraud is also stressed.

Budgetary control: provisions are laid down as regards budgetary and financial controls. Member States shall be subject to horizontal obligations (e.g. the competence of the Court of Auditors and of the European Anti-Fraud Office (OLAF)) derived either directly from the Treaty or from secondary Union legislation. Moreover, the Court of Auditors and OLAF shall be granted suitable access to carry out controls.

Financial contributions from Norway to the ISF: provisions are also provided to guarantee the payments of the contribution from Norway to the ISF for the implementation of EU actions and its mid-term review and other specific actions.

For the years 2016 to 2018, Norway shall make annual payments to the budget of the ISF-Borders and Visa in the order of EUR 19 777 712.

Territorial application: Regulation (EU) No 515/2014 constitutes a development of the Schengen acquis. In this regard, the present Agreement with Norway also builds on the Schengen acquis.

Denmark shall not take part in the adoption of this decision and will not be bound by it or be subject to its application. The same goes for the United Kingdom and Ireland.

## 2016/0322(NLE) - 16/11/2016 Legislative proposal

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PURPOSE: to conclude an Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Agreement between the European Union and Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 was signed by the Commission, subject to its conclusion at a later date.

[Regulation \(EU\) No 515/2014](#) of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visas, provides that the countries associated with the implementation, application and development of the Schengen acquis are to participate in the instrument in accordance with its provisions and that arrangements are to be concluded on their financial contributions and the supplementary rules necessary for such participation, including provisions ensuring the protection of the Unions financial interests and the powers of audit of the Court of Auditors.

CONTENT: the draft Council decision is aimed at approving, on behalf of the Union, the Agreement between the European Union and Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020.

Regulation (EU) No 515/2014 constitutes a development of the Schengen acquis within the Association Agreement with Norway.

Denmark shall not take part in the adoption of this decision and will not be bound by it or be subject to its application. The same goes for the United Kingdom and Ireland.

For further details on the content of the Agreement, please refer to the Commissions initial proposal dated 14.10.2016.

## 2016/0322(NLE) - 27/04/2017 Committee report tabled for plenary, 1st reading/single reading

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The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Tomáš ZDECHOVSKÝ (EPP, CZ) on the draft Council decision on the conclusion on behalf of the Union of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020.

The committee recommended the European Parliament to give its consent to the conclusion of the Agreement.

As a reminder, the main aim of the ISF Borders and Visa is to ensure a high level of security in the Union while facilitating legitimate travel through a uniform and high level of control of the external border and the effective processing of Schengen visas. The funding of around EUR

2.8 billion up to 2020 - mostly via national programmes - is to be used inter alia for building infrastructure needed at border crossing points and for border surveillance, funding the IT systems required by the European Border Surveillance System (EUROSUR), as well as for actions to facilitate efficient management of migration flows, processing of visa applications and consular co-operation.

Therefore, the committee, which supports the proposal, called on the European Parliament to give its consent to the conclusion of such an Agreement.

## 2016/0322(NLE) - 16/05/2017 Text adopted by Parliament, 1st reading/single reading

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The European Parliament adopted by 561 votes to 33, with 77 abstentions, a resolution on the draft Council decision on the conclusion on behalf of the Union of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020.

The European Parliament gave its consent to the conclusion of the Agreement.

As a reminder, the main aim of the ISF Borders and Visa is to ensure a high level of security in the Union while facilitating legitimate travel through a uniform and high level of control of the external border and the effective processing of Schengen visas.

The funding of around EUR 2.8 billion up to 2020 - mostly via national programmes - is to be used inter alia for building infrastructure needed at border crossing points and for border surveillance, funding the IT systems required by the European Border Surveillance System (EUROSUR), as well as for actions to facilitate efficient management of migration flows, processing of visa applications and consular co-operation.

## 2016/0322(NLE) - 16/06/2017 Final act

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**PURPOSE:** to approve the conclusion, on behalf of the Union, of the agreement between the European Union and Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020.

**NON-LEGISLATIVE ACT:** Council Decision (EU) 2017/1249 on the conclusion on behalf of the Union of the Agreement between the European Union and the Kingdom of Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020.

**BACKGROUND:** [Regulation \(EU\) No 515/2014](#) of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa provides that: the countries associated with the implementation, application and development of the Schengen acquis are to participate in the instrument in accordance with its provisions and that arrangements are to be concluded on their financial contributions and the supplementary rules necessary for such participation.

The agreement between the European Union and Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020 was signed by the Commission on 8 December 2016, subject to its conclusion at a later date.

The agreement must now be approved.

**CONTENT:** the Council decided to approve, on behalf of the Union, the agreement between the European Union and Norway on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund, for the period 2014 to 2020.

According to the agreement, Norway's contribution to the EU budget for this instrument shall be EUR 19 777 712 per year for the period 2016-2018. Norway's contributions for the years 2019 and 2020 shall be calculated on the basis of its gross domestic product (GDP), as a percentage of the GDP of all States participating in the ISF-Borders and Visas.

The agreement contains provisions on, inter alia: (i) respect for the principle of non-conflict of interest; (ii) the protection of the financial interests of the Union against fraud; (iii) on-the-spot checks and inspections carried out by the Commission (OLAF); (iv) public procurement; (v) the designation of the responsible authority for the management and control of expenditures under the ISF; and (vi) the implementation report.

The United Kingdom and Ireland are not bound by the Decision. Denmark shall decide within six months of the Council's decision whether it transposes it into national law.

**ENTRY INTO FORCE:** 16.6.2017.