Procedure file

Basic information

NLE - Non-legislative enactments	2017/0088(NLE)	Procedure completed
EU/Iceland 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 Iceland		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		31/08/2017
		ECR VISTISEN Anders	
		Shadow rapporteur	
		epp CSÁKY Pál	
		S&D SIPPEL Birgit	
		DEPREZ Gérard	
		VALERO Bodil	
		ENF BAY Nicolas	
	Committee for opinion	Rapporteur for opinion	Appointed
	AFET Foreign Affairs	The committee decided not to give an opinion.	
	BUDG Budgets	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Environment	3627	25/06/2018
	Agriculture and Fisheries	3547	12/06/2017
European Commission	Commission DG	Commissioner	
	Migration and Home Affairs	AVRAMOPOULOS Dimitris	

Key events

08/05/2017	Preparatory document	COM(2017)0199	Summary
06/06/2017	Legislative proposal published	09228/2017	Summary
15/03/2018	Committee referral announced in Parliament		
24/05/2018	Vote in committee		
30/05/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0196/2018	Summary
13/06/2018	Results of vote in Parliament		
13/06/2018	Decision by Parliament	T8-0251/2018	Summary
25/06/2018	Act adopted by Council after consultation of Parliament		
25/06/2018	End of procedure in Parliament		
04/07/2018	Final act published in Official Journal		

Technical information

Procedure reference	2017/0088(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/8/09904

Documentation gateway

Document attached to the procedure		COM(2017)0207	08/05/2017	EC	
Preparatory document		COM(2017)0199	08/05/2017	EC	Summary
Legislative proposal		09228/2017	06/06/2017	CSL	Summary
Document attached to the procedure		09253/2017	06/06/2017	CSL	
Committee draft report		PE620.792	25/04/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0196/2018	30/05/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0251/2018	13/06/2018	EP	Summary

Final act

Decision 2018/948
OJ L 167 04.07.2018, p. 0001 Summary

EU/Iceland Agreement: supplementary rules in relation to the instrument for financial support for external borders and visa

PURPOSE: to conclude an Agreement between the European Union and Iceland 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 entered into force on 21 May 2014 and became applicable as of 1 January 2014.

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 entered into force on 21 May 2014 and became applicable as of 1 January 2014.

Under Regulation (EU) No 515/2014, 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').

This Fund aims 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.

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.

This is the purpose of this Agreement with Iceland.

CONTENT: with this proposed Council decision, the Council is called upon to approve, on behalf of the EU, the Agreement between the European Union and Iceland 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 aim of the draft Agreement with Iceland is to establish the arrangements for the participation of Iceland in the ISF ? Borders and Visa 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.

Protection of the EU?s financial interests: as regards budgetary and financial controls, the Member States are 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. These obligations must be extended to the associated country by means of the draft Agreement.

In order to protect the Union's financial interests against fraud and other irregularities, Regulation (EU) No 514/2014 provides that cooperation agreements with third countries will expressly empower the Commission, the Court of Auditors and OLAF to conduct such audits, on-the-spot controls and inspections.

Territorial provisions: Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application. It will decide, within six months after the Council has adopted the proposal, whether it will implement the proposed Decision into its national law.

The United Kingdom and Ireland are not participating in the adoption of this Decision.

EU/Iceland Agreement: supplementary rules in relation to the instrument for financial support for external borders and visa

PURPOSE: to conclude, on behalf of the European Union, the Agreement between the European Union and Iceland 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 Iceland 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, subject to its conclusion at a later date.

Article 5(7) of Regulation (EU) No 515/2014 of the European Parliament and of the Council provides that the countries associated with the implementation, application and development of the Schengen acquis, among which Iceland, participate in the instrument in accordance with its provisions and that arrangements should be concluded to specify financial contributions by those countries and 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.

CONTENT: the draft Council decision seeks the approval on behalf of the Union of the Agreement between the European Union and Iceland laying down 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 aim of the draft Agreement with Iceland is to establish the arrangements referred to in Article 5(7) of Regulation (EU) No 515/2014 and to enable the Commission to assume ultimate responsibility for implementation of the budget of the instrument in this associated country and determine its contribution to the Union budget in respect of this instrument.

For the years 2016 to 2018, Iceland shall make annual payments of EUR 563 999 to the budget of the ISF Borders and Visa. The contributions of Iceland for the years 2019 and 2020 shall be calculated in accordance with its respective Gross Domestic Product (GDP) as a percentage of the GDP of all States participating in the ISF Borders and Visa.

The proposed decision is a development of the provisions of the Schengen acquis. The United Kingdom and Ireland shall not participate in the adoption of the Decision and shall not be bound by it or subject to its application.

Denmark shall not participate in the adoption of the Decision and shall not be bound by it or subject to its application. It shall decide within six months after the Council has adopted this proposal whether it will implement the proposed decision in its national law.

EU/Iceland Agreement: supplementary rules in relation to the instrument for financial support for external borders and visa

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Anders Primdahl VISTISEN (ECR, DK) on the draft Council decision on the conclusion on behalf of the European Union of the Agreement between the European Union and Iceland 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 that the European Parliament give its consent to the conclusion of the agreement.

As a reminder, the ISF Borders and Visas establishes 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.

This proposal - the draft Agreement with Iceland- is to establish exactly those arrangements, namely to enable the Commission to assume responsibility for the implementation of the budget of the instrument in this associated country and to determine Icelands contribution to the Union budget in respect of this instrument (around 563 999 EUR per year for 2016, 2017 and 2018, while Icelands contribution for 2019 and 2020 will be determined in 2019).

The rapporteur considers that the proposal 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 in order, to ensure, on one hand, a uniform and high level of control and protection of the external borders, including by the tackling of illegal immigration and, on the other hand, the smooth crossing of the external borders, in compliance with the Unions commitment to fundamental freedoms and human right.

EU/Iceland Agreement: supplementary rules in relation to the instrument for financial support for external borders and visa

The European Parliament adopted by 579 votes to 39, with 76 abstentions, a legislative resolution on the draft Council decision on the conclusion on behalf of the European Union of the Agreement between the European Union and Iceland 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.

Parliament gave its consent to the conclusion of the agreement.

The ISF Borders and Visas shall set up 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 purpose of this proposal - the draft agreement with Iceland - is to enable the Commission to assume responsibility for the implementation of the budget of the instrument in this associated country and to determine Icelands contribution to the Union budget in respect of this instrument (around EUR 563 999 per year for 2016, 2017 and 2018, while Icelands contribution for 2019 and 2020 will be determined in 2019).

EU/Iceland Agreement: supplementary rules in relation to the instrument for financial support for external borders and visa

PURPOSE: to conclude, on behalf of the European Union, the Agreement between the European Union and Iceland 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) 2018/948 on the conclusion on behalf of the European Union of the Agreement between the European Union and Iceland 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.

CONTENT: the Council decided to approve, on behalf of the EU, the Agreement between the European Union and Iceland on supplementary rules in relation to the instrument for financial support for external borders and visa under the Internal Security Fund for the period 2014-2020.

Regulation (EU) No 515/2014 of the European Parliament and of the Council establishing, within the framework of the Internal Security Fund, the instrument for financial support for external borders and visas provides that countries associated with the implementation, application and development of the Schengen acquis are to participate in this instrument. To this end, agreements shall be concluded to specify financial contributions and the supplementary rules necessary for such participation.

The agreement with Iceland was signed on 2 March 2018, subject to its conclusion at a later date. Its purpose is to establish the arrangements for that country's participation in the ISF - Borders and Visas Fund and to enable the Commission to assume ultimate responsibility for the implementation of the instrument's budget and to determine that country's contribution to the Union budget in respect of this instrument.

According to the Agreement, Iceland's contribution to the Union budget for this instrument is EUR 563 999 per year for the period 2016-2018. The contributions of Iceland for the years 2019 and 2020 shall be calculated in accordance with its respective Gross Domestic Product (GDP) as a percentage of the GDP of all States participating in the ISF Borders and Visa.

The funds allocated to Iceland under the ISF - Borders and Visas shall be used in accordance with the principle of sound financial management and respect for the principle prohibiting conflicts of interest.

The agreement contains provisions concerning in particular: (i) the protection of the Union's financial interests against fraud; (iii) on-the-spot checks and inspections carried out by the Commission (OLAF); (iv) public procurement; (v) the designation of the authority responsible for the management and control of expenditure under the ISF; (vi) the eligibility of expenditure; (vii) the implementation report.

The United Kingdom and Ireland are not bound by the Decision. Denmark shall decide within six months from the Council decision whether it shall implement it in its national law.

ENTRY INTO FORCE: 5.7.2018.