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Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2018/0250(COD) Procedure completed
Internal Security Fund 2021?2027 Repealing Regulation (EU) No 513/2014	2011/0368(COD)
Subject 7.30.09 Public security	
Legislative priorities Multiannual Financial Framework 2021-2027	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs		04/09/2019
		 HOHLMEIER Monika Shadow rapporteur  RUIZ DEVESA Domènec  CHASTEL Olivier  FRANZ Romeo  JAKI Patryk  KOFOD Peter	
	Former committee responsible		
	 Civil Liberties, Justice and Home Affairs		09/07/2018
		 HOHLMEIER Monika	
	Former committee for opinion		
	 Budgets		28/06/2018
		 PAET Urmas	
Council of the European Union European Commission	Commission DG Migration and Home Affairs	Commissioner AVRAMOPOULOS Dimitris	

Key events			
13/06/2018	Legislative proposal published	COM(2018)0472	Summary
02/07/2018	Committee referral announced in Parliament, 1st reading		
19/02/2019	Vote in committee, 1st reading		
28/02/2019	Committee report tabled for plenary, 1st reading	A8-0115/2019	Summary
12/03/2019	Debate in Parliament		
13/03/2019	Results of vote in Parliament		
13/03/2019	Decision by Parliament, 1st reading	T8-0177/2019	Summary
24/09/2019	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
09/10/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
01/03/2021	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations		
17/06/2021	Council position published	06488/2021	
24/06/2021	Committee referral announced in Parliament, 2nd reading		
29/06/2021	Vote in committee, 2nd reading		
30/06/2021	Committee recommendation tabled for plenary, 2nd reading	A9-0221/2021	
06/07/2021	Decision by Parliament, 2nd reading	T9-0324/2021	Summary
07/07/2021	Final act signed		
15/07/2021	Final act published in Official Journal		

Technical information	
Procedure reference	2018/0250(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation (EU) No 513/2014 2011/0368(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 084; Treaty on the Functioning of the EU TFEU 087-p2; Treaty on the Functioning of the EU TFEU 082-p1
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions

Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/01286

Documentation gateway					
Legislative proposal		COM(2018)0472	13/06/2018	EC	Summary
Document attached to the procedure		SWD(2018)0347	13/06/2018	EC	
Document attached to the procedure		SWD(2018)0348	13/06/2018	EC	
Economic and Social Committee: opinion, report		CES2917/2018	17/10/2018	ESC	
Committee draft report		PE630.441	12/11/2018	EP	
Committee opinion	BUDG	PE626.955	22/11/2018	EP	
Amendments tabled in committee		PE631.974	11/12/2018	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0115/2019	28/02/2019	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0177/2019	13/03/2019	EP	Summary
Commission response to text adopted in plenary		SP(2019)393	30/04/2019	EC	
Council position		06488/1/2021	17/06/2021	CSL	
Committee draft report		PE693.651	18/06/2021	EP	
Commission communication on Council's position		COM(2021)0330	21/06/2021	EC	
Committee recommendation tabled for plenary, 2nd reading		A9-0221/2021	30/06/2021	EP	
Text adopted by Parliament, 2nd reading		T9-0324/2021	06/07/2021	EP	Summary
Draft final act		00058/2021/LEX	07/07/2021	CSL	

Final act
<p>Regulation 2021/1149 OJ L 251 15.07.2021, p. 0094</p> <p>Final legislative act with provisions for delegated acts</p>

Internal Security Fund 2021?2027

PURPOSE: to establish the internal security fund for the period 2021-2027.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: over recent years, security threats have intensified and diversified in Europe. Terrorism, serious and organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, among others, continue to challenge the internal security of the Union. The challenges the Union is facing, notably from international terrorism, cannot be managed by individual Member States alone and without the financial and technical support of the EU. Security has an inherently cross-border dimension and therefore a strong, coordinated Union response is required. Financial support provided under this Regulation shall contribute in particular to strengthening national and Union capabilities in the security area.

The Commission proposes to multiply EU funding for internal security by factor of 1.8 compared to the current period (2014-2020), so as to

ensure a high level of security within the Union while strengthening the role of decentralised agencies in this area.

The new internal security fund builds on the investments and achievements of its predecessor instruments: (i) the security and safeguarding liberties programme; (ii) the instrument for police cooperation, preventing and combating crime and crisis management ([ISF-P](#)) and (iii) the drugs component of the [Justice](#) programme.

CONTENT: the proposal for a Regulation - presented for a Union of 27 Member States - seeks to establish the internal security fund for the period 2021-2027.

The proposed scope builds largely on the current Regulation for the Internal Security Fund-Police, while taking into account new policy developments, such as the European security agenda, the fight against terrorism, serious and organised crime and cybercrime, and the new interoperability agenda.

Objectives: the new enhanced fund shall contribute to a high level of security in the Union, in particular by tackling terrorism and radicalisation, serious organised crime and cybercrime and by assisting and protecting victims of crime.

Its specific objectives shall be to:

- increase the exchange of information among and within the Union law enforcement and other competent authorities and other relevant Union bodies as well as with third countries and international organisations;
- intensify cross-border joint operations among and within the Union law enforcement and other competent authorities in relation to serious and organised crime with a cross-border dimension;
- support effort at strengthening the capabilities in relation to combating and preventing crime including terrorism in particular through increased cooperation between public authorities, civil society and private partners across the Member States.

Actions funded shall be implemented in full respect for fundamental rights and human dignity. Actions limited to maintaining public order at national level shall not be eligible.

Member State support: the allocation of the funding to the programmes of the Member States shall be based on a distribution key of three criteria: (i) the gross domestic product; (ii) size of the territory and; (iii) population of the state. It is proposed to weigh the different criteria as follows: 45% to inverse proportion to the gross domestic product, 40% to proportion to the size of population and 15% to proportion to the size of the territory of the Member State.

The remaining 40 % of the overall financial envelope shall be managed through the thematic facility, which shall periodically provide funding for projects with real European added value or to meet urgent needs and emergency funding to Member States.

Coordination between EU policies: the enhanced ISF shall be coherent with and complementary to other Union financial programmes, notably the cohesion policy funds and Horizon Europe, as well as the Integrated Border Management Fund and the Asylum and Migration Fund.

Furthermore, work under the internal security fund shall be consistent with that of the European Union Agency for Law Enforcement Cooperation (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). The Commission proposes to allocate an amount of EUR 1.12 billion (in current prices) to EU agencies in the field of security. The proposed Regulation does not cover the funding for these agencies.

Proposed budget: the Commissions [proposal](#) for the next multiannual financial framework includes EUR 2.5 billion (in current prices) to the internal security fund for the period 2021-2027.

The financial envelope shall be used as follows:

- EUR 1.5 billion allocated to Member States to enable them to build long-term resilience in the field of security;
- EUR 1 billion allocated to the thematic mechanism to address unforeseen security challenges and to enable a rapid response to emergency situations.

Internal Security Fund 2021-2027

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Monika HOHLMEIER (EPP, DE) on the proposal for a regulation of the European Parliament and of the Council establishing the Internal Security Fund (ISF).

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

Subject matter

This Regulation seeks to establish the Internal Security Fund for the period from 1 January 2021 to 31 December 2027.

Objectives

Its objectives are to:

- contribute to ensuring a high level of security in the Union in particular by preventing and combating terrorism and violent extremism, including radicalisation, serious and organised crime, cybercrime, as well as by assisting and protecting victims of crime;
- support preparedness for and management of security-related incidents;
- improve and facilitate the exchange of relevant and accurate information among and within law enforcement and judicial authorities of the Member States, other competent authorities of the Member States and other relevant Union bodies, in particular Europol and Eurojust, and, where relevant, with third countries and international organisations;
- improve and intensify cross-border coordination and cooperation;
- develop a common intelligence culture by supporting contacts and mutual trust, understanding and learning, the dissemination of know-how and best practices among the intelligence services of the Member States and with Europol, notably through joint training and the exchange of

experts.

Operations funded shall be implemented in full compliance with fundamental rights and human dignity and the values. The funding shall be interrupted and recovered in case of clear and substantiated evidence that the actions contribute to violation of such rights. Special attention shall be given when implementing operations relating to vulnerable persons, in particular children and unaccompanied minors.

Implementation measures

The Fund shall focus on the following implementation measures:

- ensure a uniform application of the Union acquis on security, supporting the exchange of relevant information, including through the implementation of recommendations from quality control and evaluation mechanisms, such as the Schengen evaluation mechanism and other quality control and evaluation mechanisms;
- set up and maintain security-relevant Union IT systems and communication networks;
- exploit synergies by pooling resources and knowledge among Member States and other relevant actors, including civil society through, for instance, the creation of joint centres of excellence;
- improve cooperation and coordination among the intelligence services of the Member States and between these services and law enforcement authorities through contacts, networking, mutual trust, understanding and learning, exchange and dissemination of know-how, experience and best practices, in particular with regard to support for police investigations and threat assessment.

Funding

The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 209 725 000 in 2018 prices (EUR 2 500 000 000 in current prices). It shall be broken down as follows: (i) EUR 1 325 835 000 in 2018 prices (EUR 1 500 000 000 in current prices) shall be allocated to the programmes implemented under shared management; (ii) EUR 883 890 in 2018 prices (EUR 1 000 000 000 in current prices) shall be allocated to the thematic facility.

Co-financing rates

The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for technical assistance at the initiative of the Member States.

Information, communication and publicity

The recipient of Union funding shall promote the actions and their results by providing coherent, effective and meaningful information to multiple relevant audiences, including media and the public in the relevant language. To ensure the visibility of Union funding, recipients of Union funding shall make reference to its origin when communicating the action. To that end, recipients shall ensure that any communication to the media and the general public displays the Unions emblem and mentions explicitly the Unions financial support.

The Commission shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list regularly.

Emergency assistance

The Commission may decide to provide financial assistance from the Fund to address urgent and specific needs in the event of a duly justified emergency situation. Where necessary for the implementation of the action, emergency assistance may cover expenditure that was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.

Evaluation

By 31 December 2024, the Commission shall present a mid-term evaluation of this Regulation in order to examine the effectiveness, efficiency, relevance and coherence of the Fund. By 31 January 2030, it shall carry out a retrospective evaluation of this Regulation. These evaluations shall be made publicly available and submitted to the Parliament without delay to ensure full transparency. The Commission shall ensure that the evaluations do not include information the dissemination of which may create a risk for the safety or privacy of individuals or jeopardise security operations.

Internal Security Fund 2021-2027

The European Parliament adopted by 481 votes to 142, with 49 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing the Internal Security Fund (ISF).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission's proposal as follows:

Subject matter

This Regulation seeks to establish the Internal Security Fund for the period from 1 January 2021 to 31 December 2027. While national security remains solely a competence of the Member States, protecting it requires cooperation and coordination at Union level.

Objectives

Its objectives are to:

- contribute to ensuring a high level of security in the Union in particular by preventing and combating terrorism and violent extremism, including radicalisation, serious and organised crime, cybercrime, as well as by assisting and protecting victims of crime;
- support preparedness for and management of security-related incidents;
- improve and facilitate the exchange of relevant and accurate information among and within law enforcement and judicial authorities of the Member States, other competent authorities of the Member States and other relevant Union bodies, in particular Europol and Eurojust, and,

where relevant, with third countries and international organisations;

- improve and intensify cross-border coordination and cooperation;

- develop a common intelligence culture by supporting contacts and mutual trust, understanding and learning, the dissemination of know-how and best practices among the intelligence services of the Member States and with Europol, notably through joint training and the exchange of experts.

Operations funded shall be implemented in full compliance with fundamental rights and human dignity and the values. The funding shall be interrupted and recovered in case of clear and substantiated evidence that the actions contribute to violation of such rights. Special attention shall be given when implementing operations relating to vulnerable persons, in particular children and unaccompanied minors.

Implementation measures

The Fund shall contribute to achieving the specific objectives by focusing on the following implementation measures:

- ensuring uniform application of the Union acquis on security, supporting the exchange of relevant information;

- setting up security-relevant Union IT systems and communication networks;

- increasing relevant law enforcement operations between Member States, including, where appropriate, with other relevant actors, in particular facilitating and improving the use of joint investigation teams, joint patrols, hot pursuits, discreet surveillance and other operational cooperation mechanisms, with special emphasis on cross-border operations;

- increasing coordination and cooperation of law enforcement and other competent authorities within and between Member States and with other relevant actors, for example through networks of specialised national units, Union networks and cooperation structures, Union centres;

- increasing training, exercises and mutual learning of law enforcement authorities;

- promoting measures and best practices for the early identification, protection and support of witnesses, informants and victims of crime, and

- detecting, assessing and addressing vulnerabilities in critical infrastructures and IT equipment that are widely available on the market.

Funding

The financial envelope for the implementation of the Fund for the period 2021-2027 shall be EUR 2 209 725 000 in 2018 prices (EUR 2 500 000 000 in current prices). It shall be broken down as follows: (i) EUR 1 325 835 000 in 2018 prices (EUR 1 500 000 000 in current prices) shall be allocated to the programmes implemented under shared management; (ii) EUR 883 890 in 2018 prices (EUR 1 000 000 000 in current prices) shall be allocated to the thematic facility.

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The Commission shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list regularly.

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Evaluation

By 31 December 2024, the Commission shall present a mid-term evaluation of this Regulation in order to examine the effectiveness, efficiency, relevance and coherence of the Fund. By 31 January 2030, it shall carry out a retrospective evaluation of this Regulation. These evaluations shall be made publicly available and submitted to the Parliament without delay to ensure full transparency. The Commission shall ensure that the evaluations do not include information the dissemination of which may create a risk for the safety or privacy of individuals or jeopardise security operations.

Internal Security Fund 2021-2027

The European Parliament adopted a legislative resolution approving the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council establishing the Internal Security Fund.

The proposed regulation establishes the Internal Security Fund (ISF) under Heading 5 (Security and Defence) of the Multiannual Financial Framework (MFF) 2021-2027.

Funds objectives

The Fund aims to increase the level of security in the EU, in particular by preventing and combating terrorism, radicalisation, serious organised crime and cybercrime, by assisting and protecting victims of crime, and by preparing for, protecting against and effectively managing security incidents, risks and crises.

Support under the Fund should complement national, regional and local interventions and should focus on providing EU added value in achieving the Fund's objective.

Actions limited to the maintenance of public order at national level and actions for military or defence purposes will not be eligible.

The Fund should be implemented under direct or indirect shared management. The actions financed should be implemented in strict compliance with fundamental rights and human dignity.

Budget

The financial envelope for the implementation of the Fund for the period 1 January 2021 to 31 December 2027 is set at EUR 1 931 000 000 in current prices, of which: (a) EUR 1 352 000 000 should be allocated to Member States' programmes and (b) EUR 579 000 000 should be allocated to the thematic mechanism.

A Member State should submit payment claims covering at least 10% of its initial programme allocation to be eligible for an additional allocation under its programme at the mid-term review in 2024.

Minimum percentages

Member States should allocate at least 10% of their programme resources to each of the specific objectives relating to information exchange and operational cooperation.

Member States may deviate from the minimum funding percentages in their programmes in duly justified cases.

Thematic Facility

In order to respond to urgent needs as well as to changes in EU policy and priorities, part of the funding should be allocated periodically, through a thematic facility to specific actions, EU actions and emergency assistance.

Funding from the thematic facility should be used to support actions in or related to third countries, within the framework of the Funds aim, in particular to help combat and prevent crime, amongst others, including drugs trafficking, trafficking in human beings and combatting cross-border criminal smuggling networks.

The Commission should report on the use and distribution of the thematic mechanism by component, including support for actions in or in relation to third countries under Union actions.

Where, on the basis of the information presented to it, the European Parliament makes recommendations for actions to be supported under the thematic mechanism, the Commission should endeavour to take these recommendations into account.

Equipment procurement and operational support

The percentage of a Member State's programme allocation that can be used for the purchase of equipment is set at 35%. The percentage of the allocation that may go to operating support was increased to 20%.

Work programmes

The Commission should adopt the work programmes by means of implementing acts (review procedure).