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⁽¹⁾ Text with EEA relevance.

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2021/1017

of 15 April 2021

amending Annex I to Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Annexes II and III to Regulation (EU) No 1307/2013 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 ⁽¹⁾, and in particular Article 58(7) thereof,

Having regard to Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payment to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 ⁽²⁾, and in particular Articles 6(3) and 7(3) thereof,

Whereas:

- (1) In accordance with Article 11(1) of Regulation (EU) No 1307/2013, Member States are to reduce the amount of direct payments to be granted to a farmer for a given calendar year, pursuant to Chapter 1 of Title III of that Regulation, by at least 5 % for the part of the amount exceeding EUR 150 000. In accordance with Article 7(2) of that Regulation, the estimated product of that reduction is to be made available as additional support for measures under rural development.
- (2) In accordance with Article 11(6), fourth subparagraph, of Regulation (EU) No 1307/2013, the Member States notified the Commission by 19 February 2021 of their decision with regard to the reduction of the amount of direct payments and the resulting estimated product of reduction for calendar year 2021. The notifications of Bulgaria, Czechia, Denmark, Estonia, Ireland, Greece, Spain, Italy, Latvia, Hungary, the Netherlands, Poland, Portugal, Slovakia and Finland indicated an estimate bigger than zero.
- (3) In accordance with Article 14(1), seventh subparagraph, of Regulation (EU) No 1307/2013, Czechia, Denmark, Germany, Greece, France, Latvia and the Netherlands notified the Commission of their decision to make available as additional support financed under the European Agricultural Fund for Rural Development (EAFRD) in financial year 2022 a certain percentage of their annual national ceilings for calendar year 2021.
- (4) In accordance with Article 14(2), seventh subparagraph, of Regulation (EU) No 1307/2013, Croatia, Luxembourg, Hungary, Malta, Poland, Portugal and Slovakia notified the Commission of their decision to make available as direct payments for calendar year 2021 a certain amount of their 2022 EAFRD allocation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 487.

⁽²⁾ OJ L 347, 20.12.2013, p. 608.

- (5) It is therefore necessary to adapt Annexes II and III to Regulation (EU) No 1307/2013 so that the annual national ceilings and the annual net ceilings for direct payments reflect the decisions taken by Bulgaria, Czechia, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Latvia, Luxembourg, Hungary, Malta, the Netherlands, Poland, Portugal, Slovakia and Finland. It is also necessary to adapt Annex I to Regulation (EU) No 1305/2013 so that the annual breakdown by Member State of the Union support for rural development equally reflects those decisions.
- (6) Annex I to Regulation (EU) No 1305/2013 and Annexes II and III to Regulation (EU) No 1307/2013 should therefore be amended accordingly.
- (7) As the amendments made by this Regulation to Regulation (EU) No 1307/2013 affect the application of that Regulation for the year 2021, in particular as regards the timely establishment of budgetary ceilings applicable to certain direct support schemes, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union* and those amendments should apply from 1 January 2021,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 1305/2013 is amended in accordance with Annex I to this Regulation.

Article 2

Annexes II and III to Regulation (EU) No 1307/2013 are amended in accordance with Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Article 2 shall apply from 1 January 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 April 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

In Part Two of Annex I to Regulation (EU) No 1305/2013, the column for 2022 is replaced by the following:

	'2022
Belgium	82 800 894
Bulgaria	284 028 644
Czechia	267 027 708
Denmark	136 972 060
Germany	1 387 301 738
Estonia	88 031 648
Ireland	311 641 628
Greece	651 537 600
Spain	1 081 564 825
France	2 008 001 070
Croatia	276 679 401
Italy	1 355 921 375
Cyprus	23 770 514
Latvia	142 745 173
Lithuania	195 495 162
Luxembourg	11 626 644
Hungary	384 539 149
Malta	19 334 497
Netherlands	129 378 369
Austria	520 024 752
Poland	1 004 725 539
Portugal	455 640 620
Romania	967 049 892
Slovenia	110 170 192
Slovakia	234 975 909
Finland	354 551 956
Sweden	211 889 741
Total EU-27	12 697 426 700
Technical assistance	30 272 220
Total	12 727 698 920'

ANNEX II

Annexes II and III to Regulation (EU) No 1307/2013 are amended as follows:

(1) in Annex II, the column for calendar year 2021 is replaced by the following:

Calendar year	'2021
Belgium	494 926
Bulgaria	788 626
Czechia	848 107
Denmark	802 001
Germany	4 620 753
Estonia	190 715
Ireland	1 186 282
Greece	1 797 077
Spain	4 800 590
France	6 736 440
Croatia	364 968
Italy	3 628 529
Cyprus	47 648
Latvia	314 055
Lithuania	569 965
Luxembourg	33 432
Hungary	1 305 715
Malta	5 244
Netherlands	661 382
Austria	677 582
Poland	3 360 049
Portugal	680 873
Romania	1 891 805
Slovenia	131 530
Slovakia	417 082
Finland	515 713
Sweden	685 676'

(2) in Annex III, the column for calendar year 2021 is replaced by the following:

Calendar year	'2021
Belgium	494,9
Bulgaria	789,3
Czechia	847,1
Denmark	801,3
Germany	4 620,8

Estonia	190,7
Ireland	1 186,3
Greece	1 981,1
Spain	4 859,1
France	6 736,4
Croatia	365,0
Italy	3 622,5
Cyprus	47,6
Latvia	313,8
Lithuania	570,0
Luxembourg	33,4
Hungary	1 275,5
Malta	5,2
Netherlands	661,3
Austria	677,6
Poland	3 345,3
Portugal	681,0
Romania	1 891,8
Slovenia	131,5
Slovakia	415,3
Finland	515,7
Sweden	685,7'

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1018**of 22 June 2021****amending the implementing technical standards laid down in Implementing Regulation (EU) 2021/637 as regards the disclosure of indicators of global systemic importance, and repealing Implementing Regulation (EU) No 1030/2014****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾ and in particular Article 434a thereof,

Whereas:

- (1) Article 441 of Regulation (EU) No 575/2013 requires global systemically important institutions (G-SIIs) to disclose, on an annual basis, the values of the indicators used for determining their score in accordance with the identification methodology referred to in Article 131 of Directive 2013/36/EU of the European Parliament and of the Council ⁽²⁾. Commission Implementing Regulation (EU) No 1030/2014 ⁽³⁾, which was adopted on the basis of Article 441(2) of Regulation (EU) No 575/2013, sets out the uniform formats and dates for the disclosure of the values used to identify G-SIIs. Article 441(2) of Regulation (EU) No 575/2013 was repealed by Regulation (EU) 2019/876 of the European Parliament and of the Council ⁽⁴⁾.
- (2) Article 131 of Directive 2013/36/EU lays down the criteria for the identification of G-SIIs. Commission Delegated Regulation (EU) No 1222/2014 ⁽⁵⁾ specifies the methodology for that identification and defines subcategories of G-SIIs. Delegated Regulation (EU) No 1222/2014 was amended by Commission Delegated Regulation (EU) 2021/539 ⁽⁶⁾ to take into account the revised international standards on the identification of G-SIIs as adopted by the Basel Committee on Banking Supervision (BCBS) in July 2018 ⁽⁷⁾. Those revised international standards, and in particular the requirement to use a uniform format for the information on the values of the indicators used for determining the score of G-SIIs referred to in Article 441 of Regulation (EU) No 575/2013, should be reflected in Commission Implementing Regulation (EU) 2021/637 ⁽⁸⁾.
- (3) Implementing Regulation (EU) 2021/637 should therefore be amended accordingly.

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

⁽³⁾ Commission Implementing Regulation (EU) No 1030/2014 of 29 September 2014 laying down implementing technical standards with regard to the uniform formats and date for the disclosure of the values used to identify global systemically important institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 284, 30.9.2014, p. 14).

⁽⁴⁾ Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (OJ L 150, 7.6.2019, p. 1).

⁽⁵⁾ Commission Delegated Regulation (EU) No 1222/2014 of 8 October 2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (OJ L 330, 15.11.2014, p. 27).

⁽⁶⁾ Commission Delegated Regulation (EU) 2021/539 of 11 February 2021 amending Delegated Regulation (EU) No 1222/2014 supplementing Directive 2013/36/EU of the European Parliament and of the Council with regard to regulatory technical standards for the specification of the methodology for the identification of global systemically important institutions and for the definition of subcategories of global systemically important institutions (OJ L 108, 29.3.2021, p. 10).

⁽⁷⁾ The Basel Framework – SCO40: Global systemically important banks.

⁽⁸⁾ Commission Implementing Regulation (EU) 2021/637 of 15 March 2021 laying down implementing technical standards with regard to public disclosures by institutions of the information referred to in Titles II and III of Part Eight of Regulation (EU) No 575/2013 of the European Parliament and of the Council and repealing Commission Implementing Regulation (EU) No 1423/2013, Commission Delegated Regulation (EU) 2015/1555, Commission Implementing Regulation (EU) 2016/200 and Commission Delegated Regulation (EU) 2017/2295 (OJ L 136, 21.4.2021, p. 1).

- (4) Regulation (EU) 2019/876 also introduced Article 434a in Regulation (EU) No 575/2013, which empowers the Commission to adopt implementing technical standards to specify uniform disclosure formats for information necessary to assess the risk profiles of institutions and their degree of compliance with the requirements laid down in Parts One to Seven of Regulation (EU) No 575/2013. Implementing Regulation (EU) 2021/637 was adopted on the basis of that Article 434a and introduces new requirements instead of those laid down in Implementing Regulation (EU) No 1030/2014. It is therefore appropriate to repeal Implementing Regulation (EU) No 1030/2014.
- (5) In order to ensure a seamless transfer from Implementing Regulation (EU) No 1030/2014 to Implementing Regulation (EU) 2021/637, the date of application of this Regulation should be the same as the date of application of Implementing Regulation (EU) 2021/637 that is 28 June 2021. For the same reason, the date of entry into force of this Regulation should be the same as the day of its publication in the *Official Journal of the European Union*, preceding the date of application that is 28 June 2021.
- (6) The BCBS published the consolidated Basel Framework in December 2019, including the updated Pillar 3 disclosure requirements ⁽⁹⁾, which were mostly introduced in Regulation (EU) No 575/2013 by Regulation (EU) 2019/876. In order to implement those amendments, a consistent and complete Pillar 3 disclosure framework was established through Implementing Regulation (EU) 2021/637. Therefore, when G-SIIs disclose the information on the values of the indicators used for determining their score they should use a Pillar 3 report consistent with this Regulation.
- (7) This Regulation is based on the draft implementing technical standards submitted to the Commission by the European Banking Authority.
- (8) The European Banking Authority has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽¹⁰⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) 2021/637

In Implementing Regulation (EU) 2021/637, the following Article 6a is inserted:

‘Article 6a

Disclosure of indicators of global systemic importance

1. G-SIIs shall disclose the information on the values of the indicators used for determining their score referred to in Article 441 of Regulation (EU) No 575/2013 by using the uniform disclosure format referred to in Article 434a of Regulation (EU) No 575/2013 which shall be used for the collection of the indicator values by relevant authorities as set out in Article 3(2) of Commission Delegated Regulation (EU) No 1222/2014, with the exception of any ancillary data and memorandum items collected in accordance with that Article.
2. G-SIIs shall disclose the information referred to in paragraph 1 in their year-end Pillar 3 report. G-SIIs shall redisclose the information referred to in paragraph 1 in their first Pillar 3 report following the final submission of the values of the indicators to the relevant authorities, where the submitted figures are different from the figures disclosed in the year-end Pillar 3 report.’

⁽⁹⁾ Basel Committee on Banking Supervision of the Bank for International Settlements, DIS Disclosure requirements, December 2019.

⁽¹⁰⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

*Article 2***Repeal of Implementing Regulation (EU) No 1030/2014**

Implementing Regulation (EU) No 1030/2014 is repealed.

*Article 3***Entry into force**

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from 28 June 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2021/1019

of 22 June 2021

on the financial contributions to be paid by the parties to the European Development Fund to finance that Fund, including the second instalment for 2021

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies ⁽¹⁾, and in particular Article 7(2) in conjunction with Article 14(3) thereof,

Having regard to Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323 ⁽²⁾, and in particular Article 19(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with the procedure laid down in Articles 19 to 22 of Regulation (EU) 2018/1877, the Commission is to present a proposal by 15 June 2021 setting out the amount of the second instalment of the contribution for 2021 and a revised annual amount of the contribution for 2021, where the amount deviates from actual needs.
- (2) In accordance with Article 46 of Regulation (EU) 2018/1877, on 6 April 2021 the European Investment Bank (EIB) sent the Commission its updated estimates of commitments and payments under the instruments it manages.
- (3) Pursuant to Article 20(1) of Regulation (EU) 2018/1877, calls for contributions are to first use up the amounts laid down for previous European Development Funds. Therefore a call for funds pursuant to Regulation (EU) 2018/1877 should be made for the Commission and for the EIB.
- (4) Pursuant to Article 152 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ⁽³⁾ ('the Withdrawal Agreement'), the United Kingdom of Great Britain and Northern Ireland (the 'United Kingdom') is to remain party to the European Development Fund (EDF) until the closure of the 11th EDF and all previous unclosed EDFs. However, pursuant to Article 153 of the Withdrawal Agreement, the United Kingdom's share in decommitted funds from projects under the 11th EDF, where those funds have been decommitted after 31 December 2020, or previous EDFs is not to be reused.
- (5) Council Decision (EU) 2020/1708 ⁽⁴⁾ sets the annual amount of the Member States' EDF contributions for 2021 at EUR 3 700 000 000 for the Commission, and at EUR 300 000 000 for the EIB.

⁽¹⁾ OJ L 210, 6.8.2013, p. 1.

⁽²⁾ OJ L 307, 3.12.2018, p. 1.

⁽³⁾ OJ L 29, 31.1.2020, p. 7.

⁽⁴⁾ Council Decision (EU) 2020/1708 of 13 November 2020 on the financial contributions to be paid by Member States to finance the European Development Fund, including the ceiling for 2022, the annual amount for 2021, the first instalment for 2021 and an indicative and non-binding forecast for the expected annual amounts of contributions for the years 2023 and 2024 (OJ L 385, 17.11.2020, p. 13).

- (6) In order to allow for the prompt application of the measures provided for in this Decision, this Decision should enter into force on the date of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS DECISION:

Article 1

Parties to the European Development Fund shall pay the individual EDF contributions to the Commission and the European Investment Bank, as the second instalment for 2021, in accordance with the Annex.

Article 2

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at Luxembourg, 22 June 2021.

For the Council
The President
A. P. ZACARIAS

ANNEX

MEMBER STATES & UK	Key 11th EDF %	2nd instalment 2021 (EUR)		Total
		EIB	Commission	
		11th EDF	11th EDF	
BELGIUM	3,24927	4 224 051,00	38 991 240,00	43 215 291,00
BULGARIA	0,21853	284 089,00	2 622 360,00	2 906 449,00
CZECHIA	0,79745	1 036 685,00	9 569 400,00	10 606 085,00
DENMARK	1,98045	2 574 585,00	23 765 400,00	26 339 985,00
GERMANY	20,57980	26 753 740,00	246 957 600,00	273 711 340,00
ESTONIA	0,08635	112 255,00	1 036 200,00	1 148 455,00
IRELAND	0,94006	1 222 078,00	11 280 720,00	12 502 798,00
GREECE	1,50735	1 959 555,00	18 088 200,00	20 047 755,00
SPAIN	7,93248	10 312 224,00	95 189 760,00	105 501 984,00
FRANCE	17,81269	23 156 497,00	213 752 280,00	236 908 777,00
CROATIA	0,22518	292 734,00	2 702 160,00	2 994 894,00
ITALY	12,53009	16 289 117,00	150 361 080,00	166 650 197,00
CYPRUS	0,11162	145 106,00	1 339 440,00	1 484 546,00
LATVIA	0,11612	150 956,00	1 393 440,00	1 544 396,00
LITHUANIA	0,18077	235 001,00	2 169 240,00	2 404 241,00
LUXEMBOURG	0,25509	331 617,00	3 061 080,00	3 392 697,00
HUNGARY	0,61456	798 928,00	7 374 720,00	8 173 648,00
MALTA	0,03801	49 413,00	456 120,00	505 533,00
NETHERLANDS	4,77678	6 209 814,00	57 321 360,00	63 531 174,00
AUSTRIA	2,39757	3 116 841,00	28 770 840,00	31 887 681,00
POLAND	2,00734	2 609 542,00	24 088 080,00	26 697 622,00
PORTUGAL	1,19679	1 555 827,00	14 361 480,00	15 917 307,00
ROMANIA	0,71815	933 595,00	8 617 800,00	9 551 395,00
SLOVENIA	0,22452	291 876,00	2 694 240,00	2 986 116,00
SLOVAKIA	0,37616	489 008,00	4 513 920,00	5 002 928,00
FINLAND	1,50909	1 961 817,00	18 109 080,00	20 070 897,00
SWEDEN	2,93911	3 820 843,00	35 269 320,00	39 090 163,00
UNITED KINGDOM	14,67862	19 082 206,00	176 143 440,00	195 225 646,00
TOTAL EU-27 & UK	100,00	130 000 000,00	1 200 000 000,00	1 330 000 000,00

DECISION (EU) 2021/1020 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 8 June 2021****on the mobilisation of the European Globalisation Adjustment Fund following an application from Belgium – EGF/2020/005 BE/Belgium Swissport**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 ⁽¹⁾, and in particular Article 15(4) thereof,

Having regard to the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources ⁽²⁾, and in particular point 9 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) aims to provide support for workers made redundant and self-employed persons whose activity has ceased as a result of major structural changes in world trade patterns due to globalisation, as a result of a continuation of the global financial and economic crisis, or as a result of a new global financial and economic crisis, and to assist them with their reintegration into the labour market.
- (2) The EGF is not to exceed a maximum annual amount of EUR 186 million (2018 prices), as laid down in Article 8(1) of Council Regulation (EU, Euratom) 2020/2093 ⁽³⁾.
- (3) On 22 December 2020, Belgium submitted an application to mobilise the EGF, in respect of redundancies in Swissport in Belgium. It was supplemented by additional information provided in accordance with Article 8(3) of Regulation (EU) No 1309/2013. That application complies with the requirements for determining a financial contribution from the EGF as laid down in Article 13 of Regulation (EU) No 1309/2013.
- (4) The EGF should, therefore, be mobilised in order to provide a financial contribution of EUR 3 719 224 in respect of the application submitted by Belgium.
- (5) In order to minimise the time taken to mobilise the EGF, this decision should apply from the date of its adoption,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2021, the European Globalisation Adjustment Fund shall be mobilised to provide the amount of EUR 3 719 224 in commitment and payment appropriations.

⁽¹⁾ OJ L 347, 20.12.2013, p. 855.

⁽²⁾ OJ L 433I, 22.12.2020, p. 28.

⁽³⁾ Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027 (OJ L 433I, 22.12.2020, p. 11).

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*. It shall apply from 8 June 2021.

Done at Strasbourg, 8 June 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. P. ZACARIAS

DECISION (EU) 2021/1021 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 8 June 2021****on the mobilisation of the European Globalisation Adjustment Fund following an application from
Germany – EGF/2020/003 DE/Germany GMH Guss**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 ⁽¹⁾, and in particular Article 15(4) thereof,

Having regard to the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources ⁽²⁾, and in particular point 9 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) aims to provide support for workers made redundant and self-employed persons whose activity has ceased as a result of major structural changes in world trade patterns due to globalisation, as a result of a continuation of the global financial and economic crisis, or as a result of a new global financial and economic crisis, and to assist them with their reintegration into the labour market.
- (2) The EGF is not to exceed a maximum annual amount of EUR 186 million (2018 prices), as laid down in Article 8(1) of Council Regulation (EU, Euratom) 2020/2093 ⁽³⁾.
- (3) On 15 December 2020, Germany submitted an application to mobilise the EGF, in respect of redundancies in GMH Guss GmbH in Germany. It was supplemented by additional information provided in accordance with Article 8(3) of Regulation (EU) No 1309/2013. That application complies with the requirements for determining a financial contribution from the EGF as laid down in Article 13 of Regulation (EU) No 1309/2013.
- (4) The EGF should, therefore, be mobilised in order to provide a financial contribution of EUR 1 081 706 in respect of the application submitted by Germany.
- (5) In order to minimise the time taken to mobilise the EGF, this decision should apply from the date of its adoption,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2021, the European Globalisation Adjustment Fund shall be mobilised to provide the amount of EUR 1 081 706 in commitment and payment appropriations.

⁽¹⁾ OJ L 347, 20.12.2013, p. 855.

⁽²⁾ OJ L 433I, 22.12.2020, p. 28.

⁽³⁾ Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027 (OJ L 433I, 22.12.2020, p. 11).

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*. It shall apply from 8 June 2021.

Done at Strasbourg, 8 June 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. P. ZACARIAS

DECISION (EU) 2021/1022 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 8 June 2021****on the mobilisation of the European Globalisation Adjustment Fund following an application from the Netherlands – EGF/2020/004 NL/KLM**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 ⁽¹⁾, and in particular Article 15(4) thereof,

Having regard to the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources ⁽²⁾, and in particular point 9 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) aims to provide support for workers made redundant and self-employed persons whose activity has ceased as a result of major structural changes in world trade patterns due to globalisation, as a result of a continuation of the global financial and economic crisis, or as a result of a new global financial and economic crisis, and to assist them with their reintegration into the labour market.
- (2) The EGF is not to exceed a maximum annual amount of EUR 186 million (2018 prices), as laid down in Article 8(1) of Council Regulation (EU, Euratom) 2020/2093 ⁽³⁾.
- (3) On 22 December 2020, the Netherlands submitted an application to mobilise the EGF, in respect of redundancies in KLM Royal Dutch Airlines in the Netherlands. It was supplemented by additional information provided in accordance with Article 8(3) of Regulation (EU) No 1309/2013. That application complies with the requirements for determining a financial contribution from the EGF as laid down in Article 13 of Regulation (EU) No 1309/2013.
- (4) The EGF should, therefore, be mobilised in order to provide a financial contribution of EUR 5 019 218 in respect of the application submitted by the Netherlands.
- (5) In order to minimise the time taken to mobilise the EGF, this decision should apply from the date of its adoption,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2021, the European Globalisation Adjustment Fund shall be mobilised to provide the amount of EUR 5 019 218 in commitment and payment appropriations.

⁽¹⁾ OJ L 347, 20.12.2013, p. 855.

⁽²⁾ OJ L 433I, 22.12.2020, p. 28.

⁽³⁾ Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027 (OJ L 433I, 22.12.2020, p. 11).

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*. It shall apply from 8 June 2021.

Done at Strasbourg, 8 June 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. P. ZACARIAS

DECISION (EU) 2021/1023 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 8 June 2021****on the mobilisation of the European Globalisation Adjustment Fund following an application from Finland – EGF/2020/007 FI/Finnair**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 ⁽¹⁾, and in particular Article 15(4) thereof,

Having regard to the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources ⁽²⁾, and in particular point 9 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) aims to provide support for workers made redundant and self-employed persons whose activity has ceased as a result of major structural changes in world trade patterns due to globalisation, as a result of a continuation of the global financial and economic crisis, or as a result of a new global financial and economic crisis, and to assist them with their reintegration into the labour market.
- (2) The EGF is not to exceed a maximum annual amount of EUR 186 million (2018 prices), as laid down in Article 8(1) of Council Regulation (EU, Euratom) 2020/2093 ⁽³⁾.
- (3) On 30 December 2020, Finland submitted an application to mobilise the EGF, in respect of redundancies in Finnair Oyj and one subcontractor in Finland. It was supplemented by additional information provided in accordance with Article 8(3) of Regulation (EU) No 1309/2013. That application complies with the requirements for determining a financial contribution from the EGF as laid down in Article 13 of Regulation (EU) No 1309/2013.
- (4) The EGF should, therefore, be mobilised in order to provide a financial contribution of EUR 1 752 360 in respect of the application submitted by Finland.
- (5) In order to minimise the time taken to mobilise the EGF, this decision should apply from the date of its adoption,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2021, the European Globalisation Adjustment Fund shall be mobilised to provide the amount of EUR 1 752 360 in commitment and payment appropriations.

⁽¹⁾ OJ L 347, 20.12.2013, p. 855.

⁽²⁾ OJ L 433 I, 22.12.2020, p. 28.

⁽³⁾ Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027 (OJ L 433 I, 22.12.2020, p. 11).

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*. It shall apply from 8 June 2021.

Done at Strasbourg, 8 June 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. P. ZACARIAS

COUNCIL DECISION (EU) 2021/1024**of 18 June 2021****amending Decision 2009/908/EU, laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to European Council Decision 2009/881/EU of 1 December 2009 on the exercise of the Presidency of the Council ⁽¹⁾, and in particular Article 4 thereof,

Whereas,

- (1) By Decision 2009/908/EU ⁽²⁾ the Council laid down measures for the implementation of European Council Decision 2009/881/EU. The preparatory bodies which are not chaired by the six-monthly Presidency are listed in Annex III of Decision 2009/908/EU, as provided for in Article 2, third subparagraph, of European Council Decision 2009/881/EU.
- (2) According to Annex III to Decision 2009/908/EU, the Working Party on Legal Data Processing is listed among the preparatory bodies of the Council that are chaired by the General Secretariat of the Council.
- (3) In light of the experience of and the type of tasks carried out by the Working Party on Legal Data Processing, that working party should be chaired by the six-monthly Presidency.
- (4) Decision 2009/908/EU should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Annex III of Decision 2009/908/EU, the text ‘Working Party on Legal Data Processing’ is deleted.

Article 2

This Decision shall enter into force on the date of its adoption.

It shall apply from 1 July 2021.

It shall be published in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 315, 2.12.2009, p. 50.

⁽²⁾ Council Decision 2009/908/EU of 1 December 2009, laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council (OJ L 322, 9.12.2009, p. 28).

Done at Luxembourg, 18 June 2021.

For the Council
The President
J. LEÃO

COUNCIL DECISION (CFSP) 2021/1025**of 21 June 2021****amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 11 May 2017 the Council adopted Decision (CFSP) 2017/809 ⁽¹⁾, which provides for a 36-month implementation period from the date of conclusion of the financing agreement referred to in Article 3(3) of that Decision, for the projects referred to in Article 1 thereof.
- (2) On 16 June 2020 the Council adopted Decision (CFSP) 2020/795 ⁽²⁾, amending Decision (CFSP) 2017/809 by extending its implementation period until 10 August 2021.
- (3) On 26 March 2021, the United Nations (UN) Office for Disarmament Affairs (UNODA), which is responsible for the technical implementation of the projects referred to in Article 1 of Decision (CFSP) 2017/809, requested a further eight-month extension of the implementation period of that Decision. The requested extension would allow UNODA to continue delivering assistance to the UN Member States implementing UN Security Council Resolution 1540 (2004) ('UNSCR 1540'), to contribute further to an ongoing comprehensive review, to continue delivering assistance to the Committee of the UN Security Council established by UNSCR 1540 until the end of its current mandate on 28 April 2022, and to mitigate the losses resulting from projects that remain undelivered due to the COVID-19 pandemic.
- (4) The continuation of the projects referred to in Article 1 of Decision (CFSP) 2017/809 does not have any implication as regards financial resources until 25 April 2022.
- (5) Decision (CFSP) 2017/809 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 5(2) of Decision (CFSP) 2017/809 is replaced by the following:

- ‘2. This Decision shall expire on 25 April 2022.’.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ Council Decision (CFSP) 2017/809 of 11 May 2017 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery (OJ L 121, 12.5.2017, p. 39).

⁽²⁾ Council Decision (CFSP) 2020/795 of 16 June 2020 amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery (OJ L 193, 17.6.2020, p. 14).

Done at Luxembourg, 21 June 2021.

For the Council

The President

J. BORRELL FONTELLES

COUNCIL DECISION (CFSP) 2021/1026**of 21 June 2021****in support of the Cyber Security and Resilience and Information Assurance Programme of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 12 December 2003 the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction ('the EU Strategy'), Chapter III of which contains a list of measures to combat such proliferation.
- (2) The EU Strategy underlines the crucial role of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC) and of the Organisation for the Prohibition of Chemical Weapons (OPCW) in creating a world free of chemical weapons. The objectives of the EU Strategy are complementary to those pursued by the OPCW in the context of its responsibility for the implementation of the CWC.
- (3) On 22 November 2004 the Council adopted Joint Action 2004/797/CFSP ⁽¹⁾ on support for OPCW activities. That Joint Action was followed on its expiry by Council Joint Action 2005/913/CFSP ⁽²⁾, which in turn was followed by Council Joint Action 2007/185/CFSP ⁽³⁾.

Joint Action 2007/185/CFSP was followed by Council Decisions 2009/569/CFSP ⁽⁴⁾, 2012/166/CFSP ⁽⁵⁾, 2013/726/CFSP ⁽⁶⁾, (CFSP) 2015/259 ⁽⁷⁾, (CFSP) 2017/2302 ⁽⁸⁾, (CFSP) 2017/2303 ⁽⁹⁾ and (CFSP) 2019/538 ⁽¹⁰⁾.

⁽¹⁾ Council Joint Action 2004/797/CFSP of 22 November 2004 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 349, 25.11.2004, p. 63).

⁽²⁾ Council Joint Action 2005/913/CFSP of 12 December 2005 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 331, 17.12.2005, p. 34).

⁽³⁾ Council Joint Action 2007/185/CFSP of 19 March 2007 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 85, 27.3.2007, p. 10).

⁽⁴⁾ Council Decision 2009/569/CFSP of 27 July 2009 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 197, 29.7.2009, p. 96).

⁽⁵⁾ Council Decision 2012/166/CFSP of 23 March 2012 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 87, 24.3.2012, p. 49).

⁽⁶⁾ Council Decision 2013/726/CFSP of 9 December 2013 in support of the UNSCR 2118 (2013) and OPCW Executive Council EC-M-33/Dec 1, in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 329, 10.12.2013, p. 41).

⁽⁷⁾ Council Decision (CFSP) 2015/259 of 17 February 2015 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 43, 18.2.2015, p. 14).

⁽⁸⁾ Council Decision (CFSP) 2017/2302 of 12 December 2017 in support of the OPCW activities to assist clean-up operations at the former chemical weapons storage site in Libya in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 329, 13.12.2017, p. 49).

⁽⁹⁾ Council Decision (CFSP) 2017/2303 of 12 December 2017 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons, in the framework of the implementation of the EU Strategy against proliferation of weapons of mass destruction (OJ L 329, 13.12.2017, p. 55).

⁽¹⁰⁾ Council Decision (CFSP) 2019/538 of 1 April 2019 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 93, 2.4.2019, p. 3).

- (4) The continuation of such intensive and targeted assistance from the Union to the OPCW is necessary in the context of the active implementation of Chapter III of the EU Strategy.
- (5) There is a need for further Union support for the Cyber Security and Resilience and Information Assurance Programme of the OPCW, which aims to enhance the capacity of the OPCW to maintain appropriate levels of cyber security and resilience in addressing current and emerging challenges related to cyber security,

HAS ADOPTED THIS DECISION:

Article 1

1. For the purpose of giving immediate and practical application to certain elements of the EU Strategy, the Union shall support a project of the OPCW with the following objectives:
 - upgrading ICT infrastructure in line with the OPCW's institutional business continuity framework, with a strong focus on resilience, and
 - ensuring privileged access governance, as well as physical, logical and cryptographic information management and separation for all strategic and mission networks of the OPCW.
2. In the context of paragraph 1, the Union-supported activities of the project of the OPCW, which are in compliance with the measures set out in Chapter III of the EU Strategy, shall be the following:
 - operationalisation of an enabling environment for ongoing cyber security and resilience efforts within multi-site OPCW operations,
 - designing of customised solutions for on-premises and cloud-based system integration and configuration with OPCW ICT systems and privileged access management (PAM) solutions, and
 - initiation and testing of PAM solutions.
3. A detailed description of the Union-supported activities of the OPCW referred to in paragraph 2 is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy ('the HR') shall be responsible for the implementation of this Decision.
2. Technical implementation of the project referred to in Article 1 shall be carried out by the OPCW Technical Secretariat ('the Technical Secretariat'). It shall perform that task under the responsibility and the control of the HR. For that purpose, the HR shall enter into the necessary arrangements with the Technical Secretariat.

Article 3

1. The financial reference amount for the implementation of the project referred to in Article 1 shall be EUR 2 151 823.
2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 2. For that purpose, it shall conclude the necessary agreement with the Technical Secretariat. That agreement shall stipulate that the Technical Secretariat is to ensure visibility of the Union contribution, commensurate with its size, and specify measures to facilitate the development of synergies and to avoid the duplication of activities.

4. The Commission shall endeavour to conclude the agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

Article 4

The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the Technical Secretariat. The HR reports shall form the basis for the evaluation carried out by the Council. The Commission shall provide information on the financial aspects of the project referred to in Article 1.

Article 5

1. This Decision shall enter into force on the date of its adoption.
2. This Decision shall expire 24 months after the date of conclusion of the agreement referred to in Article 3(3). However, it shall expire six months after its entry into force if that agreement has not been concluded by that time.

Done at Luxembourg, 21 June 2021.

For the Council

The President

J. BORRELL FONTELLES

ANNEX

PROJECT DOCUMENT

1. Background

The OPCW is required to maintain infrastructure that permits information sovereignty in a manner commensurate with privileged access classifications, appropriate handling routines and existing threats whilst remaining capable of defending against emerging risks. The OPCW continues to consistently face serious and emerging risks in relation to cyber-security and cyber-resilience. The OPCW is a target of highly skilled, resourced and motivated actors. These actors continue to attack the confidentiality and integrity of the OPCW's information and infrastructure assets on a frequent basis. To respond to the concerns that recent cyber-attacks, current political considerations, and COVID-19 crisis underlined, and taking into account the unique requirements posed by the nature of the work of the OPCW to deliver on the mandate of the CWC, it is clear that essential investment in technical capabilities is necessary.

Under the OPCW's Special Fund for CyberSecurity, Business Continuity, and Physical Infrastructure Security, the OPCW has designed its Cyber Security and Resilience and Information Assurance Programme (OPCW Programme) with 47 activities to address cyber security challenges that have been experienced in recent times. The OPCW Programme is aligned to best practice as promoted by entities such as the European Union Agency for Cyber Security (ENISA) or using concepts related to the European Directive on Security of Network and Information Systems (NIS) pertaining to Telecoms and Defence. Collectively the OPCW Programme covers the following thematic areas: classified and unclassified networks; policy and governance; detection and response; operations and maintenance; and telecommunications. Fundamentally the OPCW Programme is designed to enable OPCW to reduce opportunities for well-resourced and/or state-sponsored attackers to achieve their aims, and to mitigate risks from both external and insider threats from both a human and technical perspective. The Union support is structured as a Project of three activities that corresponds to two of the 47 OPCW Programme's activities.

2. Project Purpose

The overall purpose of the Project is to ensure that the OPCW Secretariat has the capacity to maintain appropriate level of cyber security and resilience in addressing recurrent and emerging cyber-security defence challenges at OPCW headquarters and auxiliary facilities, to enable delivery of OPCW's mandate and effective implementation of the CWC.

3. Objectives

- Upgrading ICT infrastructure in line with OPCW's institutional business continuity framework, with a strong focus on resilience;
- Ensuring privileged access governance, as well as physical, logical and cryptographic information management and separation for all strategic and mission networks.

4. Results

Expected results the Project contributes to are as follows:

- ICT equipment and services deliver robust system reliability (hybrid/geographical redundancy) and facilitate increased availability of ICT systems and services in support of business continuity;
- Minimization of abilities for any single factor or person to adversely impact confidentiality and integrity of information or systems within the OPCW.

5. Activities

- 5.1. Activity 1 – Operationalisation of an enabling environment for on-going cyber security and resilience efforts within multi-site OPCW operations

This activity seeks to ensure an enabling environment for smooth roll out of OPCW business continuity planning as related to cyber security and resilience. This will be achieved through addressing infrastructure upgrades – re-architecture and/or archival for OPCW business continuity across multi-site operations. As well as further facilitating and enabling the integration of privileged access governance into the business continuity planning and response processes.

5.2. Activity 2 – Designing of customized solution for on premise and cloud based systems integration and configuration with OPCW ICT systems and Privileged Access Management (PAM) solutions

This activity focuses on translating the enabling environment into a customized design for on premise and cloud based systems integration and configuration with OPCW ICT systems and PAM solutions. This is expected to increase the efficiency of ICT systems infrastructure and lead to the design of an integrated PAM system for critical assets that can deter, detect, and is in line with commensurate threat hunting capabilities.

5.3. Activity 3 – Initiation and testing of PAM solutions

This activity builds upon the infrastructure implemented and the PAM solutions designed to take integration and configuration from theory towards practice. Systems have to be mapped, profiled, and embedded into existing systems while taking associated policy and human factors into consideration. After which thorough testing verifies and assures the robustness of the system (all new systems have strong authentication for users and devices, appropriate information classification and protection, and advanced data loss prevention) in implementation and over time, will enable the OPCW Secretariat to identify and address gaps to the extent possible.

6. Duration

The total estimated duration of implementation funded through this project are expected to be incurred and concluded over a 24-month period.

7. Beneficiaries

Beneficiaries from the project will be OPCW Technical Secretariat personnel, policy-making organs, subsidiary bodies and CWC stakeholders including States Parties.

8. EU Visibility

The OPCW shall take all appropriate measures, within reasonable security considerations, to publicise the fact that this project has been funded by the Union.

COUNCIL DECISION (EU) 2021/1027**of 22 June 2021**

entrusting to the European Commission – the Office for the Administration and Payment of Individual Entitlements (PMO) – the exercise of powers conferred on the appointing authority and the authority empowered to conclude contracts of employment relating to the insurance against the risk of occupational disease or accidents

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, and in particular Article 2(2) of those Staff Regulations and Article 6 of those Conditions of Employment,

Having regard to Council Decision (EU) 2017/262 of 6 February 2017 determining, for the General Secretariat of the Council, the appointing authority and the authority empowered to conclude contracts of employment, and repealing Decision 2013/811/EU ⁽²⁾,

Whereas:

- (1) Officials and other servants of the European Union are insured against the risk of occupational disease or accidents under Article 73 of the Staff Regulations of Officials of the European Union ('the Staff Regulations') and Articles 28 and 95 of the Conditions of Employment of Other Servants of the European Union ('the Conditions of Employment'). Pursuant to Article 73 of the Staff Regulations, the conditions of that insurance are set out in common rules drawn up by common agreement of all the institutions recorded by the President of the Court of Justice of the European Union on 13 December 2005.
- (2) The Office for the Administration and Payment of Individual Entitlements (PMO) of the European Commission is responsible for the administration and payment of financial entitlements of staff of the Commission and, by way of service-level agreements (SLAs), certain other Union institutions and bodies.
- (3) Under the SLA concluded between the PMO and the General Secretariat of the Council (GSC) on 3 May 2019, the PMO is responsible for the administration and payment of individual entitlements, pension rights and unemployment benefits for GSC staff. In those fields, the PMO exercises certain powers of the appointing authority and the authority empowered to conclude contracts of employment pursuant to Council Decision (EU) 2019/792 ⁽³⁾.
- (4) The SLA of 3 May 2019 provides, inter alia, that the scope of services offered by the PMO may be extended to cover the management of insurance against the risk of occupational disease or accidents of GSC staff. Given that the conditions concerning that insurance are common to all the institutions and that the PMO has the necessary capacities and experience, it is appropriate to entrust such services to the PMO.
- (5) In order for the transfer of such services to be effective, the exercise of relevant powers conferred on the appointing authority and on the authority empowered to conclude contracts of employment for GSC staff should be entrusted by the Council to the PMO.

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

⁽²⁾ OJ L 39, 16.2.2017, p. 4.

⁽³⁾ Council Decision (EU) 2019/792 of 13 May 2019 entrusting to the European Commission – the Office for the Administration and Payment of Individual Entitlements (PMO) – the exercise of certain powers conferred on the appointing authority and the authority empowered to conclude contracts of employment (OJ L 129, 17.5.2019, p. 3).

- (6) In order to ensure legal certainty for GSC staff, it should be made clear that requests and complaints relating to insurance against the risk of occupational disease or accidents are to be lodged with the Commission. For the same purpose, it should be made clear that related appeals to the Court of Justice of the European Union are to be made against the Commission,

HAS ADOPTED THIS DECISION:

Article 1

1. The exercise of powers conferred by the Staff Regulations on the appointing authority and by the Conditions of Employment on the authority authorised to conclude contracts of employment, as regards GSC staff, is entrusted to the Office for the Administration and Payment of Individual Entitlements (PMO) of the European Commission, in relation to the application of Article 73 of the Staff Regulations and Articles 28 and 95 of the Conditions of Employment.

2. Requests and complaints relating to the matters referred to in paragraph 1 of this Article shall be lodged with the appointing authority or the authority empowered to conclude contracts of employment of the Commission pursuant to Article 90c of the Staff Regulations and Articles 46 and 117 of the Conditions of Employment, respectively. Appeals to the Court of Justice of the European Union relating to the matters referred to in paragraph 1 of this Article shall be made against the Commission pursuant to Article 91a of the Staff Regulations and Articles 46 and 117 of the Conditions of Employment.

Article 2

This Decision shall enter into force on 1 July 2021.

Done at Luxembourg, 22 June 2021.

For the Council

The President

A. P. ZACARIAS

COMMISSION IMPLEMENTING DECISION (EU) 2021/1028**of 21 June 2021****adopting measures for the application of Regulation (EU) 2018/1240 of the European Parliament and of the Council as regards accessing, amending, erasing and advance erasing of data in the ETIAS Central System**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226 ⁽¹⁾, in particular Article 73(3), third subparagraph, points (b)(i) and (ii), thereof,

Whereas:

- (1) Regulation (EU) 2018/1240 establishes the European Travel Information and Authorisation System (ETIAS), applicable to visa-exempt third-country nationals seeking to enter the territory of the Member States.
- (2) Prior to the development of the ETIAS Information System, it is necessary to adopt measures for the technical implementation of that system.
- (3) The measures laid down by this Decision should be completed by the Technical Specifications of the ETIAS Information System. Based on the measures laid down by this Decision, the European Union Agency for the Operational Management of Large-Scale IT systems in the Area of Freedom, Security and Justice (eu-LISA) should then be able to define the design of the physical architecture of the ETIAS Information System, as well as the technical specifications of the system and to develop the ETIAS Information System.
- (4) The technical development and implementation of the ETIAS Information System should cover the way authorities will access, amend and erase data in the ETIAS Central System.
- (5) As regards access by border authorities for the purposes of obtaining the status of a travel authorisation at borders, access by immigration authorities for the purpose of verifying the conditions of entry or stay on the territory of Member States, access by the central access points for law enforcement purposes, and access by ETIAS National Units for the retrieval of files for the purpose of supporting the risk assessment, such access should be granted through a technical interface enabling the connection of national border infrastructures, the central access points, the national systems of the immigration authorities and other EU information systems or national systems, to the ETIAS Central System. The technical specifications developed by eu-LISA should include an interface control document describing the technical interface between the ETIAS Central System and other EU information systems and national systems.
- (6) From the start of operations of the European search portal established pursuant to Article 6 of Regulation (EU) 2019/817 of the European Parliament and of the Council ⁽²⁾ searches performed by border authorities, immigration authorities or central access points should take place using the European search portal.
- (7) As regards access for the purpose of the manual processing of applications, including for Europol when it provides opinions to ETIAS National Units, as well as access by the ETIAS Central Unit and the ETIAS National Units for the purpose of amending and erasing data, access should be granted through software designed for that purpose by eu-LISA. That software should also be used by Europol to request access to data in the ETIAS Central System for law enforcement purposes. The means by which the ETIAS Central Unit and the ETIAS National Units and Europol are to authenticate and access that software should be specified.

⁽¹⁾ OJ L 236, 19.9.2018, p. 1.

⁽²⁾ Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA (OJ L 135, 22.5.2019, p. 27).

- (8) Duly authorised users from the ETIAS Central Unit, the ETIAS National Units and Europol should log-into the software using user job profiles. The ETIAS Central Unit, the ETIAS National Units and Europol should be able to assign standard permissions, roles and job profiles to users or to customise job profiles using pre-established roles and permissions within the software to reflect the way the European Border and Coast Guard Agency and Member States will set-up and operate the ETIAS Central Unit and ETIAS National Units respectively, and Europol to reflect the working methods of Europol.
- (9) Incompatibilities between pre-established roles and permissions should be pre-determined in the software to prevent users from creating job profiles combining incompatible roles and permissions. To separate duties and avoid users having conflicting responsibilities, permissions associated with the processing of applications should not be combined with permissions associated with amending and deleting data, nor with permissions associated with appeal procedures.
- (10) In line with data protection principles, in particular data protection by design and default, users of the software should be allowed to view only those data which correspond to the permissions assigned to their job profiles. This could result in different user displays depending on the job profile being used.
- (11) The software should be developed with general software functionalities supporting the ETIAS Central Unit and the ETIAS National Units in their tasks related to access, amendment and erasure of data.
- (12) It should also include a number of specific functionalities to support users in their tasks related to accessing and amending of data, and when manually processing applications which triggered a hit during the automated processing of applications.
- (13) Among those specific functionalities should be to always clearly display to users the remaining time to comply with their respective allocated deadlines for the various stages of the examination of the application laid down in Regulation (EU) 2018/1240.
- (14) Other specific functionalities should support ETIAS National Units during the manual processing of applications when assessing risks. The software should enable extraction of limited data stored in the ETIAS Central System to facilitate consultation by ETIAS National Units of other EU information systems or databases (the Schengen Information system (SIS), the Visa Information System (VIS), the Entry/Exit System (EES) or Eurodac) or information in underlying national systems related to the hits triggered during the automated processing of applications. The ETIAS Information System should be developed in such a way as to allow files to be automatically created and available for extraction by ETIAS National Units when manually assessing applications in accordance with Article 26 or Article 28 of Regulation (EU) 2018/1240. It is necessary to identify those functionalities and data elements that should be automatically prepared as part of the files depending on the hit triggered during the automated processing of applications. It is furthermore necessary for the software to have specific functionalities allowing extraction of data in the context of national appeal procedures and allowing uploading of results of the risk assessments as well as recording of data related to national appeal procedures. The specific functionalities of the software for uploading of results of risk assessments should not allow for uploading of the justification behind the decision to issue or refuse a travel authorisation.
- (15) eu-LISA should assign credentials to Member States enabling them to arrange one or more roles or user job profiles to the duly authorised staff of central access points, and border and immigration authorities.
- (16) Given the existing obligation under Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽³⁾, the European Border and Coast Guard Agency, acting as data controller in accordance with Article 3, point (8) of that Regulation, and eu-LISA, acting as controller in relation to information security management of the ETIAS Central System, should carry out an assessment of the impact of the envisaged processing operations on the protection of personal data pursuant to Article 39 of Regulation (EU) 2018/1725.

⁽³⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

- (17) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark did not take part in the adoption of Regulation (EU) 2018/1240 and is not bound by it or subject to its application. However, given that Regulation (EU) 2018/1240 builds upon the Schengen *acquis*, Denmark notified on 21 December 2018, in accordance with Article 4 of that Protocol, its decision to implement Regulation (EU) 2018/1240 in its national law.
- (18) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part and falls outside the scope of Council Decision 2002/192/EC ⁽⁴⁾; Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (19) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning association of those two States with the implementation, application and development of the Schengen *acquis* ⁽⁵⁾, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC ⁽⁶⁾.
- (20) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁷⁾, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽⁸⁾.
- (21) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁹⁾ which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁽¹⁰⁾.
- (22) As regards Cyprus, Bulgaria and Romania, and Croatia, this Decision constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of, respectively, Article 3(1) of the 2003 Act of Accession, Article 4(1) of the 2005 Act of Accession and Article 4(1) of the 2011 Act of Accession.
- (23) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 22 January 2021.
- (24) The measures provided for in this Decision are in accordance with the opinion of the Smart Borders Committee (ETIAS),

⁽⁴⁾ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁽⁵⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁶⁾ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁽⁷⁾ OJ L 53, 27.2.2008, p. 52.

⁽⁸⁾ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

⁽⁹⁾ OJ L 160, 18.6.2011, p. 21.

⁽¹⁰⁾ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

HAS ADOPTED THIS DECISION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Decision establishes measures for the application of Regulation (EU) 2018/1240 as regards:

- (1) accessing data in accordance with Articles 22 to 29, Articles 33 to 44 and Articles 47 to 53 of that Regulation;
- (2) amending, erasing and advance erasure of data in accordance with Article 55 of that Regulation.

Article 2

Definitions

For the purposes of this Decision, the following definitions apply:

- (a) 'role' means a set of permissions linked to a specific purpose for processing data in the European Travel Information and Authorisation System (ETIAS);
- (b) 'job profile' means one or more job functions covering one or more roles;
- (c) 'user' means a duly authorised staff member of the ETIAS Central Unit, of an ETIAS National Unit, of Europol or of a central access point as well as border or immigration authorities with access credentials assigned with one or more roles or job profiles;
- (d) 'permission' means a right to perform a data processing operation.

CHAPTER II

PROVISIONS ON SOFTWARE

Article 3

Authentication scheme and access management

1. With the exception of access to watchlist entries, which shall be accessed in accordance with Commission Implementing Decision laying down measures for the application of Regulation (EU) 2018/1240 of the European Parliament and of the Council as regards the technical specification of ETIAS watchlist and of the impact assessment tool ⁽¹⁾, data stored in the ETIAS Central System shall be accessed, by users from the ETIAS Central Unit, the ETIAS National Units and Europol, through the software referred to in Article 6(2), point (m) of Regulation (EU) 2018/1240 ('the software').

2. When developing the software, eu-LISA shall:

- (a) establish an authentication scheme to log-into the software;
- (b) make available standard permissions, roles and job profiles to the ETIAS Central Unit, ETIAS National Units and Europol.

⁽¹⁾ C(2021) 4123.

3. The software shall provide the ETIAS Central Unit, ETIAS National Units and Europol with the technical means:
 - (a) to create new roles and amend or erase existing ones;
 - (b) to set-up access credentials enabling the users to carry out data processing operations in accordance with assigned roles;
 - (c) to regulate, within their organisations, the assignment and management of standard roles to users.
4. The roles created or amended by the ETIAS Central Unit, ETIAS National Units and Europol shall only be visible to ETIAS Central Unit, the ETIAS National Unit or to Europol respectively.
5. The software shall prevent the assignment of incompatible roles to users. It shall ensure that users having several job profiles are able to use only one job profile at a time, and are able to switch between job profiles without having to log out.
6. The ETIAS Central Unit, ETIAS National Units and Europol shall be responsible for assigning job profiles via the software to users within their organisation. Each job profile, role or permission may be assigned to several users within the same organisation.
7. Users may use pseudonyms. Those pseudonyms shall be traceable to the users' official identities at national level or within Europol.
8. The authentication scheme, and the standard permissions, roles and job profiles referred to in paragraph 2, and the prevention of the assignment of incompatible roles, as referred to in paragraph 4 of this Article, shall be part of the technical specifications provided for in Article 73(3) of Regulation (EU) 2018/1240.

Article 4

General software functionalities

1. The software shall have at least the following functionalities supporting users for the purpose of accessing, amending and erasing data:
 - (a) the possibility to use a pre-determined set of filters to customise the display of data for each job profile logged into the software;
 - (b) the automatic saving of data added to the application file or draft amendments of data in the application file, where applicable, and logging out of the user after a pre-established period of inactivity;
 - (c) the possibility to block access to a hit by another user for a limited period of time, including marking of such blocked hits visible to other users;
 - (d) the option to save progress on the processing of an application by the ETIAS Central Unit or ETIAS National Units;
 - (e) the option to mark and record, at any time, a possible data inaccuracy or processing in contravention of Regulation (EU) 2018/1240 by the ETIAS Central Unit or the ETIAS National Units;
 - (f) enabling communication and information exchange between users from the ETIAS Central Unit, the ETIAS National Units and Europol;
 - (g) automatically deleting temporary notes referred to in Article 5(1), point (f) of this Decision at the time of completion of the manual processing by the ETIAS Central Unit and ETIAS National Units;
 - (h) preventing temporary notes referred to in Article 5(1), point (f) of this Decision from being visible to users other than those of the same Unit or Europol;
 - (i) allowing the ETIAS Central Unit to process Europol requests referred to in Article 5(1), point (m) of this Decision;

- (j) the possibility to facilitate the retrieval of data when requested by data subjects, including templates for responding to the data subject with, where relevant, an overview of the changes made to the data, a selection of the personal data, or justifications referred to in Article 64(3) and (4) of Regulation (EU) 2018/1240;
 - (k) where a travel authorisation is amended on the basis of a request from an authorisation holder in accordance with Article 64 of Regulation (EU) 2018/1240, enabling users to notify a travel authorisation holder that an amended travel authorisation has been issued.
2. eu-LISA shall describe the details of the general software functionalities in the technical specifications referred to in Article 73(3) of Regulation (EU) 2018/1240.

Article 5

Specific software functionalities

1. The software shall have at least the following specific functionalities supporting users when they access data in accordance with Chapters III, IV and VI of Regulation (EU) 2018/1240:
- (a) a functionality displaying application files based on the time remaining until the next step of the manual processing, as the default display, as well as other filters, available for customising the display per user, for displaying the application files:
 - (i) time of entry to the manual processing phase;
 - (ii) any necessary consultation requests and the time remaining until the deadline for providing opinions expires (sorted by default with those consultation requests for which least time remains until the deadline);
 - (iii) the next step of the manual processing to be performed by an ETIAS National Unit consulted or responsible for the application;
 - (iv) the type of hit or background question triggering the manual processing;
 - (v) the type of application (that is to say humanitarian grounds or international obligations, or normal);
 - (vi) applications marked for special attention or ad hoc handling;
 - (vii) for the ETIAS National Unit of the Member State responsible, the type of opinion received from consulted ETIAS National Units or Europol, including whether or not received within the deadline;
 - (b) a functionality to calculate and clearly display the time remaining, as well as warnings on deadlines for the manual processing of applications, including when the ETIAS National Units or Europol are consulted;
 - (c) a functionality providing the ETIAS Central Unit, ETIAS National Units and Europol with a management dashboard giving an overview of the state of play of manual processing related operations;
 - (d) a functionality providing the option to mark an application for specific attention or ad hoc handling;
 - (e) a functionality providing the option to request a notification of the decision taken by the ETIAS National Unit of the Member State responsible regarding an application on which an ETIAS National Unit was consulted;
 - (f) a functionality enabling the ETIAS Central Unit and ETIAS National Units to add or delete temporary notes on the application file;
 - (g) functionalities supporting ETIAS National Units in manually processing applications pursuant to Article 26 and Article 28 of Regulation (EU) 2018/1240, as follows:
 - (i) for hits referred to in Article 26(3) of Regulation (EU) 2018/1240, a functionality making automatically available a file for extraction with the following data from the application file: 'surname (family name)', 'first name(s) (given name(s))', 'surname at birth', 'date of birth', 'place of birth', 'current nationality', 'country of birth', 'the type, number and country of issue of the travel document', enabling retrieving the record, file or alert having triggered

the hit in the queried EU information systems and where additional information related to the hit in an EU information system referred to in that Article is stored in a national system or a database, to consult that national system or a database supporting the assessment of the risks identified in that paragraph;

- (ii) for hits referred to in Article 26(4) of Regulation (EU) 2018/1240, a functionality making automatically available a file for extraction with the following data from the application file: answers provided by the applicant under Article 17(4) and (6) of that Regulation, 'surname (family name)', 'first name(s) (given name(s))', 'surname at birth', 'date of birth', 'place of birth', 'current nationality', 'country of birth', 'the type, number and country of issue of the travel document', enabling retrieval in the relevant national systems or databases information related to the hit and supporting the assessment of the risks identified in that paragraph;
- (iii) for hits referred to in Article 26(5) of Regulation (EU) 2018/1240, a functionality making automatically available a file for extraction with the following data from the application file: 'surname (family name)', 'first name(s) (given name(s))', 'surname at birth', 'date of birth', 'place of birth', 'current nationality', 'country of birth', 'type, number and country of issue of the travel document' and 'the national identifier' of the watchlist entry, enabling retrieval in the relevant national systems or databases information related to the hit and supporting the assessment of the risk identified in that paragraph;
- (iv) for hits referred to in Article 26(6) of Regulation (EU) 2018/1240, a functionality making automatically available a file for extraction with the following data from the application file 'surname (family name)', 'first name(s) (given name(s))', 'surname at birth', 'date of birth', 'place of birth', 'current nationality', 'country of birth' and 'type, number and country of issue of the travel document' enabling retrieval in the relevant national systems or databases information related to the hit and supporting the assessment of the risks identified in that paragraph;
- (v) a functionality enabling users from the ETIAS National Units to upload the result of the assessment of the risks referred to in the second subparagraph of Article 26(7) of Regulation (EU) 2018/1240;
- (h) a functionality enabling the extraction of the relevant data required for national appeal procedures, where such procedures have been initiated and recording in the ETIAS Central System that an appeal procedure was initiated, accompanied with the corresponding national appeal reference numbers and the outcome of that procedure;
- (i) a functionality enabling the extraction of the additional information or documentation referred to in Article 27(2) and (8) of Regulation (EU) 2018/1240 and the uploading and storing of translations of that documentation in the application file;
- (j) a functionality enabling follow up on the outcome of national appeals pursuant to Article 37(3), Article 40(3) and Article 41(7) of Regulation (EU) 2018/1240, including amendment or erasure of data in the ETIAS Central System, or where relevant issue of a new travel authorisation;
- (k) a functionality to assign application files and limit or enable their visibility to specific users within the same ETIAS National Unit or within the ETIAS Central Unit, in order to enable coordination among users;
- (l) a functionality enabling Europol to extract data transmitted to it by the ETIAS Central Unit as referred to in Article 29(2) of Regulation (EU) 2018/1240;
- (m) a functionality enabling the ETIAS Central Unit to have access to the ETIAS Central System to process Europol requests for consultation of data stored in the ETIAS Central System, without viewing the search parameters of the Europol request or the search results, and to notify Europol of the transmission of the data pursuant to Article 53 of Regulation (EU) 2018/1240;
- (n) a functionality enabling Europol to extract a file containing the data resulting from the request for consultation referred to in point (m);
- (o) a functionality to assign consultation requests to specific users within Europol;
- (p) a functionality enabling users from the ETIAS Central Unit or from the ETIAS National Units to work on different hits simultaneously within the same application file and to coordinate for the consolidation of an opinion in cases where more than one hit is identified for that Unit on one application file;

- (q) a functionality ensuring that only one user, within the ETIAS Central Unit or an ETIAS National Unit, can work on the same hit, at the same time, in an application file;
 - (r) a functionality enabling the manual retrieval of an issued travel authorisation for the purposes of annulment and revocation.
2. The functionality referred to in point (q) shall enable users to see hits on which it is not possible to work at a given time. Users with appropriate access credentials shall be able to view the content of the hit at all times.
3. eu-LISA shall describe the details of the specific software functionalities referred to in paragraph 1, the format of the data in the extracted files referred to in paragraph 1, points (g), (l), (m) and (n) of this Article and the technical approach for keeping of records of all data processing operations referred to in Article 26(7) of Regulation (EU) 2018/1240 in the technical specifications provided for in Article 73(3) of that Regulation.

CHAPTER III

ACCESSING, AMENDING, ERASING AND ADVANCE ERASURE

Article 6

Accessing, amending, erasing and advance erasure for the purposes of Article 55 of Regulation (EU) 2018/1240

1. For the purposes of Article 55 of Regulation (EU) 2018/1240, the software shall allow the ETIAS Central Unit or the ETIAS National Units to search the data stored in the ETIAS Central system. The following search fields shall be available:
- (a) surname (family name);
 - (b) first name(s) (given name(s));
 - (c) type and travel document number and the three letter code of the issuing country of the travel document;
 - (d) application number;
 - (e) nationality or nationalities;
 - (f) date of birth;
 - (g) sex;
 - (h) period of time.
2. In order to facilitate the retrieval of the application file, the software shall allow users to search by providing data corresponding to the search fields referred to in paragraph 1, point (c) or (d) of this Article.
3. If data referred to in paragraph 1, points (c) or (d), are not available, the software shall allow users to search by providing data corresponding to the search fields referred to in paragraph 1, points (a), (b), (e), (f), (g) and (h). The software shall allow users to search where data corresponding to one of the search fields (b), (e), (g) is missing. Providing data corresponding to search field (h) shall be optional.
4. The following rules shall apply to searches performed in accordance with paragraph 2:
- (a) the search fields referred to in paragraph 1, points (c) and (d) shall be searched in exact mode;
 - (b) all other search fields referred to in paragraph 1 shall be searched in inexact mode.
5. The application file shall be displayed, together with any linked application files, and in accordance with the permissions and roles defined for users.

6. For the purposes of erasure of application files pursuant to Article 55(5) of Regulation (EU) 2018/1240, a functionality of the software shall enable users of the ETIAS National Units to perform searches and retrieve several application files at once. The software shall allow authorities referred to in Article 55(5) of that Regulation to make available for the use by the ETIAS National Units structured information containing the search fields referred to in paragraph 1 of this Article. Paragraphs 2 and 3 of this Article shall apply *mutatis mutandis* to those searches.

7. Before any changes pursuant to Article 55 of Regulation (EU) 2018/1240 are recorded in the ETIAS Central System, the software shall request the user to confirm the amendment or erasure by entering their user credentials.

CHAPTER IV

ACCESS TO DATA FOR LAW ENFORCEMENT PURPOSES

Article 7

Access to data by Europol

1. Requests for access by Europol pursuant to Article 53 of Regulation (EU) 2018/1240, shall be submitted through the software.
2. Europol shall complete a form with the data referred to in Article 52(2) and (3) of Regulation (EU) 2018/1240, in accordance with Article 53 of that Regulation. Europol shall specify which data, if any, may be searched in inexact mode.
3. The specialised unit of Europol responsible for prior verification of requests, referred to in Article 53(3) of Regulation (EU) 2018/1240, shall include in the request its assessment as to whether the request fulfils all the conditions in paragraph 2 of that Article. It shall be technically impossible to submit the request to the ETIAS Central Unit if the assessment is not included.
4. The ETIAS Central System shall automatically prevent access to data referred to in Article 17(2), point (h) of Regulation (EU) 2018/1240. The ETIAS Central System shall also automatically prevent access to data referred to in Article 17(2), point (i) and Article 17(4), points (a), (b) and (c) of Regulation (EU) 2018/1240 if the specialised unit of Europol has not indicated that relevant justifications required pursuant to Article 53(1) of that Regulation have been provided and verified. The specialised unit of Europol shall indicate in the request that the necessary verifications have been done.

Article 8

Access to data by central access points

1. The central access points shall search the ETIAS Central System with the data listed in Article 52(2) and (3) of Regulation (EU) 2018/1240 via the European search portal established pursuant to Article 6 of Regulation (EU) 2019/817. Data listed in Article 52(2) and (3) of Regulation (EU) 2018/1240 may be searched in inexact mode.
2. Until the European search portal is operational for use by central access points, searches shall be performed directly via the ETIAS Central System.
3. Where a request is received from an operating unit of the designated authorities, the central access point shall verify and confirm that the conditions in Article 52(1) of Regulation (EU) 2018/1240 are fulfilled.
4. Where applicable, the central access point shall verify and confirm whether access to the data listed in Article 17(2), point (i) and Article 17(4), points (a), (b) and (c) of Regulation (EU) 2018/1240 is justified, in accordance with Article 51 of that Regulation.

5. Where the central access point accesses the ETIAS Central System, the ETIAS Central System shall automatically prevent access to data listed in Article 17(2), point (h) of Regulation (EU) 2018/1240.

The ETIAS Central System shall only retrieve the data listed in Article 17(2), point (i) and Article 17(4), points (a), (b) and (c) of Regulation (EU) 2018/1240 where the central access point has confirmed that access to those data is justified pursuant to paragraph 4 of this Article.

In exceptional cases, by way of derogation from paragraph 3 of this Article, the central access points shall be able to indicate that the request concerns a case of urgency and shall be able to process the request from an operating unit of the designated authorities immediately. The verifications and confirmations provided for in paragraphs 3 and 4 of this Article shall be conducted *ex post*, in accordance with Article 51(4) of Regulation (EU) 2018/1240.

CHAPTER V

ACCESS TO DATA BY BORDER AND IMMIGRATION AUTHORITIES FOR THE PURPOSES OF VERIFICATION

Article 9

Access to data by border authorities at the external borders

1. Border authorities shall access the ETIAS Central System to consult the data required for the performance of their duties.

Border authorities shall have access to search the ETIAS Central System, with the following data of the machine-readable zone of the travel document:

- (a) surname (family name); first name or names (given names);
- (b) date of birth; sex; nationality or nationalities;
- (c) the type and number of the travel document and the three letter code of the issuing country of the travel document;
- (d) the date of expiry of the validity of the travel document.

All data listed in the second subparagraph shall be used to initiate the search. The data listed in point (a) may be searched in inexact mode while the other data shall be searched in exact mode.

2. Searches performed with the data listed in paragraph 1 of this Article shall return the data referred to in Article 47(2), points (a) to (d), of Regulation (EU) 2018/1240.

3. In accordance with Article 47(4) of Regulation (EU) 2018/1240, border authorities shall be able to access the ETIAS Central System to consult additional information that has been added to the application file in accordance with Article 39(1), point (e) or Article 44(6), point (f) of that Regulation. For this purpose border authorities shall have access, via the European search portal, to search the ETIAS Central System using the data listed in paragraph 1, second subparagraph of this Article.

Until the European search portal is operational for use by border authorities, those searches shall be carried out directly in the ETIAS Central System.

4. Searches performed in accordance with paragraph 3 of this Article shall return the data referred to in Article 39(1), point (e) or Article 44(6), point (f) of Regulation (EU) 2018/1240.

*Article 10***Access to data by immigration authorities**

1. Immigration authorities shall have access via the European Search Portal to search the ETIAS Central System for checking or verifying if the conditions for entry to or stay on the territory of the Member States are fulfilled and for taking appropriate measures relating thereto. Pursuant to Article 49(1) of Regulation (EU) 2018/1240, immigration authorities shall have access to search the ETIAS Central System with the data listed in Article 17(2), points (a) to (e) of that Regulation.

Any combination of the data listed in Article 17(2), points (a) to (e) of Regulation (EU) 2018/1240 may be used as long as data referred to in Article 17(2), point (a) of that Regulation are used. Those searches may be performed in inexact mode.

Until the European search portal is operational for use by immigration authorities, those searches shall be carried out directly in the ETIAS Central System.

2. Searches performed in accordance with paragraph 1 of this Article shall return the data referred to in Article 49(3) of Regulation (EU) 2018/1240.

3. Immigration authorities shall also have access to the ETIAS Central System for the purpose of return, under the conditions laid down in Article 65(3) of Regulation (EU) 2018/1240.

Immigration authorities shall have access to search the ETIAS Central System with the data referred to in paragraph 1 of this Article.

Any combination of the data referred to in paragraph 1 of this Article may be used as long as data referred to in Article 17(2), point (a) of Regulation (EU) 2018/1240 are used.

4. Searches performed in accordance with paragraphs 1 and 3 of this Article shall return the data referred to in the third subparagraph of Article 65(3) of Regulation (EU) 2018/1240. Data referred to in Article 17(2), point (k) of that Regulation shall only be returned if 'date of birth' was used in the search.

*Article 11***Entry into force**

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 21 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

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