



**COUNCIL OF
THE EUROPEAN UNION**

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COVER NOTE

from:	Mr Janusz LEWANDOWSKI, Member of the European Commission
date of receipt:	27 September 2012
to:	Mr Vassos SHIARLY, President of the Council of the European Union
Subject:	Transfer of appropriations No DEC 32/2012 within Section III - Commission - of the general budget for 2012

Delegations will find attached Commission document DEC 32/2012.

Encl.: DEC 32/2012



EUROPEAN COMMISSION

BRUSSELS,

GENERAL BUDGET - 2012
SECTION III - COMMISSION TITLES 18, 40

TRANSFER OF APPROPRIATIONS N° **DEC 32/2012**

EUR

FROM

CHAPTER - 4002 Reserves for financial interventions

ARTICLE - 40 02 41 Differentiated appropriations	Commitments	- 4 500 000
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TO

CHAPTER - 1802 Solidarity - External borders, return, visa policy and free movement of people

ITEM - 18 02 03 02 European Agency for the Management of Operational Cooperation at the External Borders - Contribution to Title 3	Commitments	4 500 000
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INTRODUCTION

The European Parliament placed an amount of EUR 9 000 000 in both commitments and payments under Title 3 (budget line 18 02 03 02) of the European Agency for the management of Operational Cooperation at the External Borders (Frontex). The conditions to release the reserve or parts of it were set *"in case this is necessary for the Agency to ensure the continuation of operations in the Mediterranean sea and at the border between Turkey and Greece"*

During the current year the Eastern Mediterranean route has been by far the most used route by irregular migrants targeting the EU's external borders. The situation in Syria has increased the volatility of the situation at the external borders of the EU. The large number of illegal border crossings at the Greek-Turkish land border and the lack of adequate capacity to maintain migrants in detention centres in Greece and to return them to the countries of origin, have created the preconditions for the establishment of secondary routes from Greece to other EU Member States.

The Commission has encouraged the Greek authorities to improve its border management as well as the way it deals with irregular migrants, in full respect of applicable EU and international standards. As a result of action taken by Greece (operation "Shield") to step up operations this summer at the land border with Turkey, in conjunction with the Frontex joint operation ("Poseidon Land"), detected crossings fell sharply.

However, the latest data indicate that the implementation of operations to address the Greek-Turkish land border issue have produced a shift to the sea border with Turkey. Shipwrecks with several migrants have occurred recently, causing fatalities. The analysis by Frontex confirms the probability of an increasing number of illegal border-crossings at the Greek maritime border is high and requires a timely and targeted operational response.

At the sea border it is proposed to reinforce the on-going joint operations by additional maritime and aerial surveillance of the targeted areas as well as to extend their duration. The expected impact from this increased allocation of operational means across the relevant joint operations coordinated by Frontex highly depends on the national measures that should run in parallel to the Frontex operations' response at the Greek-Turkish sea border. Frontex activities will be coordinated with actions by the Hellenic authorities. The total additional funds needed to support the operational activities at the sea borders amount to EUR 3 700 000.

At the land border the joint operation "Focal Points 2012 Land" will need additional financial resources to ensure the activation of Focal Points on the route of secondary movement of illegal migration (Greek-Albanian, Greek-former Yugoslav Republic of Macedonia, Bulgarian-Serbian, Slovenian-Croatian and Hungarian-Serbian and Romanian-Serbian border sections). An additional amount of EUR 800 000 is required to cover the expected cost of the operation until the end of 2012.

At air borders level, continued monitoring of the situation at relevant airports in connection with the overall situational development in the Eastern Mediterranean and Middle Eastern region will provide the basis for further needs assessment and increased level of preparedness enabling flexible operation responses. For the time being the costs of such activities are considered to be covered by the additional amount for the above-mentioned Focal Points' operations.

In the light of the information provided by Frontex, the Commission assesses that there is a need for the Agency to ensure the continuation of operations in the Eastern Mediterranean Sea, as well as for an urgent operational response at the Greek-Turkish border. The Commission therefore considers that the conditions for the release of Frontex appropriations from the reserve of EUR 9 million are fully met and consequently requests the partial release of this reserve for an amount of EUR 4 500 000 in commitments.

I. INCREASE

a) Heading

18 02 03 02 - European Agency for the Management of Operational Cooperation at the External Borders - Contribution to Title 3

b) Figures at 12/09/2012

	Commitments
1A. Appropriation in budget (initial budget + AB)	50 500 000
1B. Appropriation in budget (EFTA)	0
2. Transfers	0
3. Final appropriation for the year (1A+1B+2)	50 500 000
4. Utilisation of final appropriation	50 500 000
5. Amount not used/available (3-4)	0
6. Requirements up to year-end	4 500 000
7. Increase proposed	4 500 000
8. Increase as percentage of appropriation in budget (7/1A)	8.91%
9. Increase, as a percentage of the final appropriation for the year, in the sum of transfers referred to in Article 23(1)(b) and (c) of the Financial Regulation, calculated in accordance with Article 17a of the implementing rules	n/a

c) Receipts arising from recovery (carried over) (C5)

	Commitments
1. Appropriation available at start of year	0
2. Appropriation available on the 12/09/2012	0
3. Rate of utilisation [(1-2)/1]	n/a

d) Detailed grounds for the increase

Please see the introduction

II. DECREASE

a) Heading

40 02 41 - Differentiated appropriations

b) Figures at 12/09/2012

	Commitments
1A. Appropriation in budget (initial budget + AB)	689 589 925
1B. Appropriation in budget (EFTA)	0
2. Transfers	-556 237 940
3. Final appropriation for the year (1A+1B+2)	133 351 985
4. Utilisation of final appropriation	0
5. Amount not used/available (3-4)	133 351 985
6. Requirements up to year-end	n/a
7. Proposed decrease	4 500 000
8. Decrease as percentage of appropriation in budget (7/1A)	0.65%
9. Decrease, as a percentage of the final appropriation for the year, in the sum of transfers referred to in Article 23(1)(b) and (c) of the Financial Regulation, calculated in accordance with Article 17a of the implementing rules	n/a

c) Receipts arising from recovery (carried over) (C5)

	Commitments
1. Appropriation available at start of year	0
2. Appropriation available on the 12/09/2012	0
3. Rate of utilisation [(1-2)/1]	n/a

d) Detail grounds for the transfer

Please see the introduction