



Brussels, 24 November 2016
(OR. en)

14636/16

FIN 805

'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
No. Cion doc.:	13377/16 FIN 675 - COM(2016) 678 final
Subject:	Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the Contingency Margin in 2017

1. On 17 October 2016, the Commission submitted to the Council a proposal for a Decision of the European Parliament and of the Council on the mobilisation of the Contingency Margin.

The purpose of this proposal is to supplement the commitment appropriations in the general budget of the Union for the financial year 2017, over and above the multiannual financial framework ceilings for commitments in heading 3 (*Security and citizenship*) and heading 4 (*Global Europe*), to address the needs stemming from the migration, refugee and security crisis.

2. During the Conciliation Committee meeting on 16/17 November 2016, the European Parliament and the Council reached a political agreement on the mobilisation of the Contingency Margin for that purpose for an amount of EUR 1 176,0 million in commitment appropriations in heading 3 and an amount of EUR 730,1 million in commitment appropriations in heading 4 in the framework of the joint text concerning the 2017 budget.

According to that agreement, the total amount of EUR 1 906,2 million mobilised shall be offset against the unallocated margin under the commitment ceiling for heading 2 (*Sustainable growth: natural resources*) in 2017 for an amount of EUR 575,0 million, and against the unallocated margins under the commitment ceilings for heading 5 (*Administration*) in 2017 for an amount of EUR 507,3 million, in 2018 for an amount of EUR 570,0 million, and in 2019 for an amount of EUR 253,9 million.

3. The Council is invited to confirm the agreement reached on the mobilisation of the Contingency Margin and to consequently adopt the text of the Decision, according to the second paragraph of point 14 of the Interinstitutional Agreement of 2 December 2013¹, as set out in the Annex.

¹ Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (OJ C 373, 20.12.2013, p. 1).

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the mobilisation of the Contingency Margin in 2017

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 the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management¹, and in particular the second paragraph of point 14 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 13 of Council Regulation (EU, Euratom) No 1311/2013² has established a Contingency Margin of up to 0,03 % of the Gross National Income of the Union.
- (2) In accordance with Article 6 of that Regulation, the Commission has calculated the absolute amount of the Contingency Margin for 2017³.

¹ OJ C 373, 20.12.2013, p. 1.

² Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

³ Communication from the Commission to the Council and the European Parliament of 30 June 2016 on the technical adjustment of the financial framework for 2017 in line with movements in GNI (COM(2016) 311).

- (3) After having examined all other financial possibilities to react to unforeseen circumstances within the 2017 commitment ceilings for headings 3 (*Security and citizenship*) and 4 (*Global Europe*) of the multiannual financial framework, and having regard to the mobilisation of the Flexibility Instrument for the full amount of EUR 530 million available in 2017, it appears necessary to mobilise the Contingency Margin to address the needs stemming from the migration, refugee and security crisis, by increasing the commitment appropriations in the general budget of the Union for the financial year 2017, over and above the commitment ceilings of headings 3 and 4 of the multiannual financial framework.
- (4) Having regard to this very particular situation, the last-resort condition in Article 13(1) of Regulation (EU, Euratom) No 1311/2013 is fulfilled.
- (5) In order to minimise the time taken to mobilise the Contingency Margin, this Decision should apply from the beginning of the financial year 2017,

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2017, the Contingency Margin shall be mobilised to provide the amount of EUR 1 176 030 960 in commitment appropriations over and above the commitment ceiling of heading 3 (*Security and citizenship*) and of EUR 730 120 000 in commitment appropriations over and above the commitment ceiling of heading 4 (*Global Europe*) of the multiannual financial framework.

Article 2

The total amount of EUR 1 906 150 960 in commitment appropriations resulting from Article 1 shall be offset against the margins under the commitment ceilings for the years 2017 to 2019 of the following headings of the multiannual financial framework:

- (a) 2017:
 - (i) heading 2 (*Sustainable growth: natural resources*): EUR 575 000 000;
 - (ii) heading 5 (*Administration*): EUR 507 268 804;
- (b) 2018: heading 5 (*Administration*): EUR 570 000 000;
- (c) 2019: heading 5 (*Administration*): EUR 253 882 156.

Article 3

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

It shall apply from 1 January 2017.

Done at Brussels,

For the European Parliament

For the Council

The President

The President