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FIN 776

"A" ITEM NOTE

From:	General Secretariat of the Council
To:	Council
No. Cion doc.:	13052/15 FIN 696 - COM(2015) 514 final
Subject:	Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument for immediate budgetary measures to address the refugee crisis

1. On 14 October 2015, the Commission submitted to the Council a proposal for a Decision of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument.

The purpose of this proposal is to complement the financing in the Union budget for 2016, beyond the ceiling of heading 3 (*Security and Citizenship*), of EUR 1 504 million towards the financing of measures for managing the refugee crisis.

2. During the Conciliation Committee meeting on 13/14 November 2015, the European Parliament and the Council reached a political agreement on the mobilisation of the Flexibility Instrument for that purpose for an amount of EUR 1 506 million in commitment appropriations in heading 3 (*Security and Citizenship*) and EUR 24 million in commitment appropriations in heading 4 (*Global Europe*) in the framework of the joint text concerning the 2016 budget.

3. The Council is invited to confirm the agreement reached on the mobilisation of the Flexibility Instrument and to consequently adopt the text of the Decision, according to the third paragraph of Point 12 of the Interinstitutional Agreement of 2 December 2013¹, as set out in the Annex.
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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 Flexibility Instrument for immediate budgetary measures to
address the refugee crisis**

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 point 12 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 11 of Council Regulation (EU, Euratom) No 1311/2013² allows for the mobilisation of the Flexibility Instrument within the annual ceiling of EUR 471 million (2011 prices) to allow the financing of clearly identified expenditure which could not be financed within the limits of the ceilings available for one or more other headings.
- (2) Due to the urgent needs, it is necessary to mobilise an important additional amount to finance measures to alleviate the migration and refugee crisis.

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) After having examined all possibilities for re-allocating appropriations under the expenditure ceilings for heading 3 (*Security and Citizenship*) and heading 4 (*Global Europe*), it appears necessary to mobilise the Flexibility Instrument to complement the financing in the general budget of the European Union for the financial year 2016, beyond the ceilings of heading 3 by EUR 1 506 million and heading 4 by EUR 24 million to finance measures in the field of migration and refugees. The unused annual amounts available for the Flexibility Instruments of the financial years 2014 and 2015 should be used for this mobilisation.
- (4) On the basis of the expected payment profile, the payment appropriations corresponding to the mobilisation of the Flexibility Instrument should be distributed over several financial years and are estimated to EUR 734.2 million in 2016, EUR 654.2 million in 2017, EUR 83.0 million in 2018, and EUR 58.6 million in 2019,

HAVE ADOPTED THIS DECISION:

Article 1

1. For the general budget of the European Union for the financial year 2016, the Flexibility Instrument shall be mobilised to provide the sum of EUR 1 506 million in commitment appropriations in heading 3 (*Security and citizenship*) and EUR 24 million in commitment appropriations in heading 4 (*Global Europe*).

Those amounts shall be used to finance measures for managing the refugee crisis.

2. On the basis of the expected payment profile, the payment appropriations corresponding to the mobilisation of the Flexibility Instrument will be as follows:

- (a) EUR 734.2 million in 2016;
- (b) EUR 654.2 million in 2017;
- (c) EUR 83.0 million in 2018;
- (d) EUR 58.6 million in 2019.

The specific amounts for each financial year shall be authorised in accordance with the annual budgetary procedure.

Article 2

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

Done at

For the European Parliament
The President

For the Council
The President
