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10990/1/19
REV 1

FIN 494

'I' ITEM NOTE

From:	Budget Committee
To:	Permanent Representatives Committee
No. Cion doc.:	10881/19 - COM(2019) 600 final
Subject:	Decision of the European Parliament and of the Council amending Decision (EU) 2019/276 as regards adjustments to the amounts mobilised from the Flexibility Instrument for 2019 to be used for migration, refugee inflows and security threats – <i>Adoption</i>

1. On 2 July 2019, the Commission forwarded to the Council a proposal for a Decision of the European Parliament and of the Council amending Decision (EU) 2019/276 as regards adjustments to the amounts mobilised from the Flexibility Instrument for 2019 to be used for migration, refugee inflows and security threats.

The objective of this proposal is to reduce the level of commitment appropriations by -EUR 18.5 million and the level of payment appropriations by -EUR 55.4 million, following the adoption of draft amending budget No 4/2019¹.

2. The Budget Committee examined the proposal at its meetings on 3 and 5 July 2019 and was able to approve it.

¹ Doc. 10874/19 (COM(2019) 610 final).

3. The Permanent Representatives Committee is invited to:
- advise the Council to adopt the text of the Decision on the mobilisation of the EU Solidarity Fund, as set out in the Annex;
 - agree, by unanimity, to use the written procedure for this purpose.
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**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Decision (EU) 2019/276 as regards the amounts mobilised from the
Flexibility Instrument for 2019**

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) The Flexibility instrument is intended 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) The ceiling on the annual amount available for the Flexibility Instrument is EUR 600 000 000 (2011 prices), as laid down in Article 11 of Council Regulation (EU, Euratom) No 1311/2013², increased, where applicable by lapsed amounts made available in accordance with the second subparagraph of paragraph 1 of that Article.

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) On 12 December 2018, the European Parliament and the Council adopted Decision (EU) 2019/276¹ mobilising the Flexibility Instrument for the financial year 2019 beyond the ceiling of heading 1a (*Competitiveness for Growth and Jobs*) by the amount of EUR 178 715 475 to reinforce key programmes for the competitiveness of the EU and beyond the ceiling of heading 3 (*Security and citizenship*) by the amount of EUR 985 629 138 to finance measures in the field of migration, refugees and security.
- (4) Amending budget No 4 of the European Union for the financial year 2019 includes reductions in the level of commitment appropriations for both headings 1a and 3 and therefore reduces the need for the use of the Flexibility Instrument. It is therefore appropriate to adjust the amounts mobilised from the Flexibility Instrument for 2019 under Decision (EU) 2019/276 accordingly. It is also appropriate to adjust the expected payment profile.
- (5) Decision (EU) 2019/276 should therefore be amended accordingly,

HAVE ADOPTED THIS DECISION:

Article 1

Article 1 of Decision (EU) 2019/276 is amended as follows:

- (1) The first subparagraph of paragraph 1 is amended as follows:
 - (a) the figure "EUR 178 715 475" is replaced by the figure "EUR 160 195 475";
 - (b) the figure "EUR 985 629 138" is replaced by the figure "EUR 930 188 138".

¹ Decision (EU) 2019/276 of the European Parliament and of the Council of 12 December 2018 on the mobilisation of the Flexibility Instrument to reinforce key programmes for the competitiveness of the EU and to finance immediate budgetary measures to address the ongoing challenges of migration, refugee inflows and security threats (OJ L 54, 22.2.2019, p. 3).

(2) In the first subparagraph of paragraph 2, points (a) to (e) are replaced by the following:

"(a) EUR 511 468 976 in 2019;

(b) EUR 242 308 256 in 2020;

(c) EUR 126 300 853 in 2021;

(d) EUR 131 990 641 in 2022;

(e) EUR 78 314 887 in 2023."

Article 2

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

Done at [...],

For the European Parliament

For the Council

The President

The President
