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Delegations will find attached document COM(2015) 241 final.

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**DRAFT AMENDING BUDGET N° 5  
TO THE GENERAL BUDGET 2015**

**RESPONDING TO MIGRATORY PRESSURES**

**DRAFT AMENDING BUDGET N° 5  
TO THE GENERAL BUDGET 2015**

**RESPONDING TO MIGRATORY PRESSURES**

Having regard to:

- the Treaty on the Functioning of the European Union, and in particular Article 314 thereof, in conjunction with the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,
- the Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the Financial Regulation applicable to the general budget of the Union<sup>1</sup>, and in particular Article 41 thereof,
- the general budget of the European Union for the financial year 2015 adopted on 17 December 2014<sup>2</sup>,
- the amending budget No 1/2015<sup>3</sup>, adopted on 28 April 2015,
- the draft amending budget No 1/2015<sup>4</sup>, adopted on 13 January 2015,
- the draft amending budget No 3/2015<sup>5</sup>, adopted on 15 April 2015,
- the draft amending budget No 4/2015<sup>6</sup>, adopted on 15 April 2015,

The European Commission hereby presents to the European Parliament and to the Council the Draft Amending Budget No 5 to the 2015 budget.

## **CHANGES TO THE STATEMENT OF REVENUE AND EXPENDITURE BY SECTION**

The changes to the statement of revenue and expenditure by section are available on EUR-Lex (<http://eur-lex.europa.eu/budget/www/index-en.htm>). An English version of the changes to this statement is attached for information as a budgetary annex.

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<sup>1</sup> OJ L 298, 26.10.2012, p. 1.

<sup>2</sup> OJ L 69, 13.3.2015, p. 1.

<sup>3</sup> OJ L XX, XX.XX.2015.

<sup>4</sup> COM(2015) 11 final of 13.01.2015.

<sup>5</sup> COM(2015) 160 final of 15.04.2015.

<sup>6</sup> COM(2015) 161 final of 15.04.2015.

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## **1. INTRODUCTION**

Draft Amending Budget (DAB) No 5 for the year 2015 covers a reinforcement of the Union's resources to manage migration and refugee flows, further to the recent developments in the Southern Mediterranean, in particular through additional appropriations for the FRONTEX agency, the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF).

Taking into account the room for redeployment, including from the Galileo programme in payments, the total net increase of appropriations requested for these purposes amounts to EUR 75,8 million in commitment appropriations and zero in payment appropriations.

## **2. RESPONDING TO MIGRATORY PRESSURES**

### **2.1 Need for stepping up efforts at EU level**

In the aftermath of a recent tragic event in the Mediterranean, which caused an estimated death toll of 700 persons, both the Council and Parliament agreed that the European Union should take action.

In the statement issued after its extraordinary meeting of 23 April 2015<sup>7</sup>, the European Council called for a number of actions, namely:

- The reinforcement of the joint operations Triton and Poseidon, hosted respectively by Italy and Greece with the participation of assets and resources provided by other Member States coordinated and co-financed by the EU budget through the FRONTEX agency;
- Increased emergency aid to frontline Member States;
- The establishment of a voluntary pilot project on the resettlement of refugees currently stranded in third countries;
- The establishment of a new return programme for the rapid return of illegal immigrants;
- The launch of Regional Development and Protection Programmes for North Africa and the Horn of Africa.

In its resolution of 29 April 2015<sup>8</sup>, the European Parliament called for the EU and the Member States to provide the necessary resources to ensure that search and rescue obligations are effectively fulfilled and therefore properly funded; reiterated the need for the EU to step up fair sharing of responsibility and solidarity towards Member States which receive the highest numbers of refugees and asylum seekers in either absolute or proportional terms; and stressed the need to provide the agencies more directly concerned with appropriate resources to fulfil their obligations.

The proposals in this Draft Amending Budget (DAB) translate the orientations given by the European Council and the European Parliament, also taking into account the Commission's policy approach outlined in the European Agenda on Migration<sup>9</sup>:

- Immediate responses to migratory pressures:
  - o Strengthen presence at sea;

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<sup>7</sup> EUCO 18/15, 23.4.2015.

<sup>8</sup> P8\_TA-PROV-(2015)0176, 29.4.2015.

<sup>9</sup> COM(2015) 240, 13.5.2015.

- Establishing a better information sharing to combat smuggling;
  - Mobilise EU Agencies and funds;
  - Establish a European response to mass influxes;
  - Establish a Resettlement mechanism;
  - Intervene upstream in third countries.
- Four pillars to manage migration better:
- A strong common asylum policy;
  - The fight against smuggling and trafficking and the prevention of irregular migration;
  - Securing the external borders and saving lives;
  - A new policy on legal migration.
- Moving beyond: deepening European cooperation in the area of migration:
- The completion of the Common European Asylum System;
  - Border management a shared responsibility;
  - A new model of legal migration.

## **2.2 Measures proposed to be reinforced in 2015**

The measures proposed to be reinforced through this amending budget in 2015 include the following:

1. The Commission proposes to increase the EU contribution to FRONTEX in 2015 by an additional amount of EUR 26,8 million in both commitment and payment appropriations. This is with the aim of tripling the funding for the Joint Operations Triton and Poseidon over the final seven months of the year 2015, as well covering the expenditure related to the requested additional posts for FRONTEX in 2015 (see below). Triton and Poseidon will be reinforced by intensifying aerial and maritime surveillance in an enlarged geographical area to match the scope of Mare Nostrum, in line with the European Council conclusions. FRONTEX will deploy an increased number of vessels and aircrafts, building on Member States assets, and update the situational picture of the operational areas in order to increase the search and rescue possibilities.
2. In order to support the frontline Member States in receiving an increased number of migrants, the Commission proposes to reinforce the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF):
  - a. Under the AMIF (budget item 18 03 01 01), an additional amount of EUR 57,0 million in commitment appropriations and EUR 45,6 million in payment appropriations is requested for 2015. This amount will be used to double the emergency assistance provided by the Commission to support frontline Member States in receiving the increased number of migrants arriving/rescued as a result of the reinforced Triton and Poseidon operations, for all stages of the process after the first arrival and screening of migrants (EUR 25 million), and to implement an EU-wide resettlement scheme (EUR 25 million). Moreover, the Regional Development and Protection Programmes (RDPPs) for North Africa and the Horn of Africa will be reinforced (EUR 7 million).

- b. Under the ISF (budget item 18 02 01 01), an additional amount of EUR 5 million in commitment appropriations and EUR 4 million in payment appropriations is requested for 2015. This will cover emergency assistance for the surveillance activities conducted in the context of Triton and Poseidon. It will reinforce the first reception activities such as identification, first medical aid, purchase of equipment for border checks, and transportation of migrants.
3. Because of the additional work expected from the three EU agencies more directly involved, the Commission proposes the following limited increases in their staffing levels:
  - a. FRONTEX: 16 additional posts to deal with the boosted operations Triton and Poseidon, to increase the cooperation with other EU agencies as regards the disruption of trafficking networks and to deploy additional liaison officers to third countries. The corresponding additional expenditure in 2015 is estimated at EUR 528 000.
  - b. EUROPOL: 3 additional posts for the disruption of trafficking networks and to detect and request removal of internet content used by traffickers to attract migrants and refugees. The corresponding additional expenditure in 2015 is estimated at EUR 99 000.
  - c. European Asylum Support Office (EASO): 4 additional posts for disruption of trafficking networks and for the deployment of more teams for the joint processing of asylum applications in frontline Member States. The corresponding additional expenditure in 2015 is estimated at EUR 132 000.

### 2.3 Proposed financing of migration measures

Overall, the total reinforcement in commitment appropriations to finance the measures outlined above amounts to EUR 89,0 million. As regards payment appropriations, an amount of EUR 76,6 million is required to cover the pre-financing (80 %) of the additional actions under AMIF and ISF and to allow FRONTEX to proceed with the co-financing of Triton.

The Commission carefully examined the possibilities of redeployment of appropriations within the 2015 budget, both for commitments and payments. Consequently, within Chapter 18 02 (Internal Security) the Commission identified internal assigned revenues stemming from the recovery of amounts in relation to the closure of old files under the External Borders Fund<sup>10</sup>, amounting to EUR 13,2 million in commitment appropriations and EUR 7,0 million in payment appropriations. These amounts are proposed to be used to provide immediate additional funding for FRONTEX, as part of the overall reinforcement requested through this draft amending budget for the agency (EUR 26,8 million).

The Commission therefore proposes additional appropriations – EUR 75,8 million in commitment appropriations and EUR 69,7 million in payment appropriations – to provide the additional funding to be authorised in the 2015 budget for the migration measures. These reinforcements are distributed across five budget lines, as follows:

Budget line	Name	Commitment appropriations	Payment appropriations
18 02 01 01	Support of border management and a common visa policy to	5 000 000	4 000 000

<sup>10</sup> In accordance with Decision No 574/2007/EC establishing the External Borders Fund for the period 2007 to 2013, based on information received from the Member States, at the closure of their annual programmes the Commission decides on the amount of expenditure that is recognised as chargeable to the Fund, and recover the balance arising from the difference between final recognised expenditure and the sums already paid to the Member States.



	facilitate legitimate travel		
18 02 03	European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX)	13 541 000	19 821 000
18 02 04	European Police Office (EUROPOL)	99 000	99 000
18 03 01 01	Strengthening and developing the Common European Asylum System and enhancing solidarity and responsibility sharing between the Member States	57 000 000	45 600 000
18 03 02	European Asylum Support Office (EASO)	132 000	132 000
<b>Total</b>		<b>75 772 000</b>	<b>69 652 000</b>

## 2.4 Redeployment of payment appropriations from Galileo

Beyond the redeployment identified within Chapter 18 02 as set out in section 2.3 above, the Commission has found a further source of redeployment of payment appropriations from the Galileo programme to cover the remaining amount of EUR 69,7 million in payment appropriations, leaving the overall level of payment appropriations in the 2015 budget unchanged.

Unlike other spending programmes which are implemented through grants, in the case of Galileo the Commission is responsible for the construction and operation of space infrastructure. As with any large infrastructure project, and in particular in the area of space, risks can materialise at any moment, as shown by several examples worldwide. Galileo is no exception: there have been delays with the satellite manufacturer (OHB), and an anomaly in the launch of satellites in August 2014. Mitigating measures have been taken for these issues and the programmes are now back on track.

The delegation agreements with the European Space Agency (ESA) and the European GNSS Agency (GSA) foresee that the Commission carries out two payments in the course of the year, which are based on the detailed forecasts of the milestones expected to be achieved by their sub-contractors and cover ESA's and GSA's financial needs for the six months ahead. In this context their needs are directly linked to the evolution of the different contracts and, given the materiality of these contracts, any delay in the implementation of any contract signed or in the process of signature of new contracts can represent a significant change in the amount of requested funds.

In accordance with the principle of sound financial management, the Commission takes into account the progress in the delivery and adjusts payments to ESA and GSA, accordingly. The decision on the next batch ('batch 3') of satellites is subject to the final test results of the Full Operational Capacity (FOC) satellites launched in August 2014. The latest available planning for the procurement of the third batch of satellites indicates that the signature of the contract initially planned for 2015 is now scheduled for the second quarter of 2016. Therefore part of the payment appropriations budgeted in 2015 will not be used. The Commission proposes to redeploy EUR 69,7 million in payment appropriations to meet the additional needs identified in sections 2.2-2.3 above.

### 3. SUMMARY TABLE BY MFF HEADING

Heading	Budget 2015 (incl. AB 1 & DAB 1, 3 & 4/2015)		Draft Amending Budget 5/2015		Budget 2015 (incl. AB 1 & DAB 1, 3, 4 & 5/2015)	
	CA	PA	CA	PA	CA	PA
<b>1. Smart and inclusive growth</b>	<b>77 954 679 684</b>	<b>66 922 960 910</b>		<b>- 69 652 000</b>	<b>77 954 679 684</b>	<b>66 853 308 910</b>
<i>Of which under Flexibility Instrument</i>	83 285 595				83 285 595	
<i>Ceiling</i>	77 986 000 000				77 986 000 000	
<i>Margin</i>	114 605 911				114 605 911	
1a Competitiveness for growth and jobs	17 551 688 425	15 798 230 894		<b>- 69 652 000</b>	17 551 688 425	15 728 578 894
<i>Ceiling</i>	17 666 000 000				17 666 000 000	
<i>Margin</i>	114 311 575				114 311 575	
1b Economic social and territorial cohesion	60 402 991 259	51 124 730 016			60 402 991 259	51 124 730 016
<i>Of which under Flexibility Instrument</i>	83 285 595				83 285 595	
<i>Ceiling</i>	60 320 000 000				60 320 000 000	
<i>Margin</i>	294 336				294 336	
<b>2. Sustainable growth: natural resources</b>	<b>63 901 960 185</b>	<b>55 998 594 804</b>			<b>63 901 960 185</b>	<b>55 998 594 804</b>
<i>Ceiling</i>	64 692 000 000				64 692 000 000	
<i>Margin</i>	790 039 815				790 039 815	
Of which: European Agricultural Guarantee Fund (EAGF) — Market related expenditure and direct payments	43 455 780 762	43 447 624 585			43 455 780 762	43 447 624 585
<i>Sub-ceiling</i>	44 313 000 000				44 313 000 000	
<i>Net transfer between EAGF and EAFRD</i>	123 215 000				123 215 000	
<i>Margin</i>	734 004 238				734 004 238	
<b>3. Security and citizenship</b>	<b>2 357 076 847</b>	<b>1 859 513 795</b>	<b>75 772 000</b>	<b>69 652 000</b>	<b>2 432 848 847</b>	<b>1 929 165 795</b>
<i>Ceiling</i>	2 456 000 000				2 456 000 000	
<i>Margin</i>	98 923 153				23 151 153	
<b>4. Global Europe</b>	<b>8 410 899 029</b>	<b>7 422 489 907</b>			<b>8 410 899 029</b>	<b>7 422 489 907</b>
<i>Ceiling</i>	8 749 000 000				8 749 000 000	
<i>Margin</i>	338 100 971				338 100 971	
<b>5. Administration</b>	<b>8 660 469 063</b>	<b>8 658 756 179</b>			<b>8 660 469 063</b>	<b>8 658 756 179</b>
<i>Ceiling</i>	9 076 000 000				9 076 000 000	
<i>Margin</i>	415 530 937				415 530 937	
Of which: Administrative expenditure of the institutions	6 941 188 663	6 939 475 779			6 941 188 663	6 939 475 779
<i>Sub-ceiling</i>	7 056 000 000				7 056 000 000	
<i>Margin</i>	114 811 337				114 811 337	
<b>6. Compensations</b>						
<i>Ceiling</i>						
<i>Margin</i>						
<b>Total</b>	<b>161 285 084 808</b>	<b>140 862 315 595</b>	<b>75 772 000</b>		<b>161 360 856 808</b>	<b>140 862 315 595</b>
<i>Of which under Flexibility Instrument</i>	83 285 595	11 315 595			83 285 595	11 315 595
<i>Ceiling</i>	162 959 000 000	141 901 000 000			162 959 000 000	141 901 000 000
<i>Margin</i>	1 757 200 787	1 050 000 000			1 681 428 787	1 050 000 000
<b>Other special Instruments</b>	<b>581 870 850</b>	<b>418 230 818</b>			<b>581 870 850</b>	<b>418 230 818</b>
<b>Grand Total</b>	<b>161 866 955 658</b>	<b>141 280 546 413</b>	<b>75 772 000</b>		<b>161 942 727 658</b>	<b>141 280 546 413</b>