



Council of the
European Union

Brussels, 21 January 2022
(OR. en)

5135/22

LIMITE

**CORLX 8
CFSP/PESC 14
COASI 4
CSC 7**

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	10947/19
Subject:	Council Decision on a European Union action to support the evacuation of certain particularly vulnerable persons from Afghanistan

1. On 1 May 2021, the Taliban launched an offensive and started to seize control of a gradually increasing number of districts in Afghanistan. On 15 August 2021, Taliban forces seized control of Kabul.
2. In these exceptional circumstances, the European External Action Service (EEAS) has organized since 1 June 2021 the evacuation notably of Afghans who had worked for the EU Special Representative in Afghanistan or for EUPOL Afghanistan, of other particularly vulnerable Afghans who collaborated with the Union and of their dependent close relatives. Such evacuations should continue during the year 2022.
3. An operational action under the Common Foreign and Security Policy should support such evacuations organized and managed by the EEAS.

4. On 7 January 2022, the High Representative submitted to the Council a Proposal for a Council Decision on a European Union action to support the evacuation of certain particularly vulnerable persons from Afghanistan (doc. 5133/21).
5. On 20 January 2022, the Foreign Relations Counsellors Working Party (RELEX) agreed on the text of the draft Council Decision.
6. COREPER is therefore invited to:
- confirm the agreement on the draft Council Decision and endorse the budgetary impact statement as set out in the Annex;
 - decide, given the urgency and in accordance with the first subparagraph of Article 12 of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430, that the Council use the written procedure to adopt the draft Council Decision for a Council Decision on a European Union action to support the evacuation of certain particularly vulnerable persons from Afghanistan as set out, after finalisation by the legal/linguistic experts, in document 5134/22;
 - decide to publish the Council Decision in the Official Journal.

BUDGETARY IMPACT STATEMENT**POLICY AREA: EXTERNAL RELATIONS****ACTIVITY: COMMON FOREIGN AND SECURITY POLICY (CFSP)**

**TITLE OF ACTION: COUNCIL DECISION (CFSP) 2022/XXX OF XXX ON A EUROPEAN UNION
ACTION TO SUPPORT THE EVACUATION OF CERTAIN PARTICULARLY VULNERABLE PERSONS
FROM AFGHANISTAN**

1. BUDGET LINE(S) CONCERNED + HEADING(S)

14 04 01 04 Civilian CSDP emergency measures

2. LEGAL BASIS

Treaty on European Union, in particular Article 28(1).

Treaty on the Functioning of the European Union, in particular Article 317.

The EU funds allocated to this action shall be implemented by the European External Action Service (EEAS) under the direct management according to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, in particular Part I Titles V and VII.

3. OVERALL FIGURES FOR THE FINANCIAL YEAR (IN EUROS)

■ 3.a. - Current year

		Commitments	Payments
Initial appropriation for the financial year		11 434 719.00	
Supplementary budgets			
Transfers			
Total appropriation		11 434 719.00	
Utilisation at	<i>Date</i>		
Balance available			
Total for the measure proposed		1 990 000	

▣ **3.b. - Carryovers**

		Commitments	Payments
Carryovers		0	
Utilisation at	<i>Date</i>		
Balance available			
Total for the measure proposed		0	

▣ **3.c. - Following year**

(If the proposal covers year $n+1$)

▣ **3.d. – Subsequent years (in the case of commitments in annual instalments)**

(If the programmes are adopted in annual instalments, the commitments should be divided over the whole period planned for the commitments)

	N	N+1	N+2	N+3	N+4	N+5	N+6	Total
Budget line								

4. DESCRIPTION OF THE ACTION

The Union shall support the evacuation from Afghanistan, between 1 June 2021 and 31 December 2022, of:

- a) former members of the staff of the EU Special Representative (EUSR) in Afghanistan;
- b) former members of the staff of European Union Police Mission in Afghanistan (EUPOL Afghanistan);
- c) other particularly vulnerable persons, consisting of:
 - particularly vulnerable officials or other professionals, active in the political or security sectors of Afghanistan, such as judges, prosecutors, police officers, military personnel and journalists, who were trained under, or who have been involved in the implementation of Union policies;
 - members of the staff of former suppliers of EUPOL Afghanistan and of the EUSR in Afghanistan;
 - members of the staff of suppliers of the Union delegation in Kabul, employed in that capacity in a period between 16 August 2019 and 15 August 2021.
- d) their dependent spouses, daughters, sons, unmarried sisters, mothers and fathers.

The evacuation shall be organised and managed by the EEAS, under the authority of the High Representative.

A list of the persons eligible for this evacuation has been established by the EEAS as of 1 October 2021. It may be amended by the EEAS exceptionally, on a case-by-case basis.

The action will be funded by EU financial contribution and contributions in kind by Member States as follows:

Financial Contributions (in €)	Total
<u>EU Contribution:</u>	EUR 1 990 000
<u>Bilateral contributions by Member States:</u>	NA
<u>Bilateral contributions by non-member states:</u>	NA
TOTAL	EUR 1 990 000

Contributions in Kind	
<u>EU Member States and Institutions</u>	NA
<u>Non-EU participants</u>	Not applicable / or see above if applicable

5. METHOD OF CALCULATION ADOPTED

5.1 Calculation of main costs by heading

5.1.1 Heading 1: Phase 1 of the evacuations (EUR 170 721.18)

This heading covers the cost of the evacuation of 63 staff of suppliers and former suppliers of the EU Delegation in Kabul, as well as their family members and other particularly vulnerable persons, under Phase 1 of the evacuations.

Phase 1 of the evacuations took place in August 2021, when the international airport in Kabul was still in control of the coalition forces. In total, the EEAS organized an evacuation of 532 persons under Phase 1, mainly local employees of the EU Delegation and the ECHO Office in Kabul. The cost of the evacuation of the EU Delegation and ECHO Office employees has been financed by the EEAS and Commission's administrative budget. However, the cost of the evacuation of external suppliers and their family members is not eligible for funding under the EEAS and Commission's administrative budget, given that the persons were not employed by the EEAS or by the Commission.

The total costs paid by the EEAS for the Phase 1 evacuations will reach EUR 1 441 643.64¹. The costs included flights from Kabul to EU Member States, usually with several stopovers. The costs also included multiple PCR COVID-19 tests per person, accommodation and food during transit and the transport from the transit hub to the airport.

¹ This amount includes one pending invoice, which has not been paid by the EEAS as of 6 January 2022.

The evacuation costs per person under Phase 1 are EUR 2 709.86 per evacuated person (EUR 1 441 643.64 / 532 persons).

The Phase 1 evacuation costs of the 63 persons not covered by the EEAS or Commission's administrative budget (EUR 170 721.18) will be reimbursed to the EEAS by the Commission retroactively, on the basis of an agreement to be concluded after the adoption of the Council Decision on a European Union action to support the evacuation of certain particularly vulnerable persons from Afghanistan.

Detailed budget table:

Sub-heading	Description	Unit	Quantity	Unit cost (€)	Total cost (€)
Heading 1: Phase 1 of the evacuations					
1.1	Evacuation costs - suppliers and former suppliers of EU Delegation, their family members and other particularly vulnerable persons	Person	63	2.709,86 €	170.721,18 €
Total heading 1		Person	63	2.709,86 €	170.721,18 €

5.1.2. Heading 2: Phase 2 of the evacuations (EUR 1 728 850)

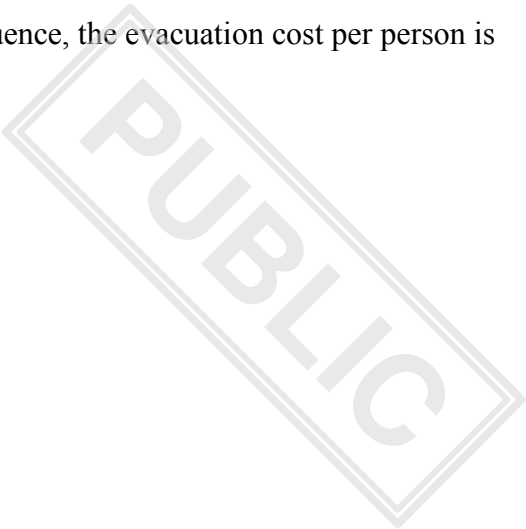
This heading covers the cost of the evacuation of 12 former EUSR Afghanistan local staff, 27 family members of former EUSR Afghanistan local staff, 74 former EUPOL Afghanistan local staff, 277 family members of the former EUPOL Afghanistan local staff, 22 members of the staff of former suppliers of EUPOL Afghanistan and of EUSR Afghanistan and of the EU delegation in Kabul, employed in that capacity in a period between 16 August 2019 and 15 August 2021, 66 family members of the staff of EUPOL Afghanistan, EUSR Afghanistan and EU delegation suppliers, 5 particularly vulnerable officials or other professionals, active in the political or security sectors of Afghanistan, such as judges, prosecutors, police officers, military personnel and journalists, who were trained under, or who have been involved in the implementation of the EU policies, and 4 family members of the particularly vulnerable officials under Phase 2 of the evacuations.

Phase 2 of the evacuations will be conducted via Pakistan, Qatar or other transit routes.

The cost of the evacuation via Pakistan is estimated at EUR 3 900 per person. This includes EUR 2 100 for transport via land from Kabul to Islamabad, EUR 1000 for flights from Islamabad to an EU Member State, EUR 200 for PCR tests, EUR 250 for accommodation costs in transit, EUR 150 for food in transit, EUR 100 for the transport to the airport, EUR 50 for other medical costs (emergencies) and EUR 50 for other costs (nappies, baby formulas, wheelchairs etc.). Companies organizing the land transit from Kabul to Islamabad charge EUR 700 per person for the transit from Kabul to the Afghanistan-Pakistan border, EUR 490 from the border to Islamabad and EUR 200 for PCR tests. The cost of the transport via land is an average of scenarios, some of which foresee that additional costs would be incurred, when someone in the evacuated families tests positive for COVID-19.

The cost of the evacuation via Qatar is estimated at EUR 2 500 per person. This includes EUR 1050 for a flight from Kabul to Doha, EUR 1 050 for a flight from Doha to an EU Member State, EUR 120 for PCR tests, EUR 150 for accommodation in transit, EUR 100 for food in transit and EUR 30 for transport to the airport.

On the basis of the latest available information, it is foreseen that 75% of the evacuations will use the Pakistan option and 25% the Qatar option. In consequence, the evacuation cost per person is estimated at EUR 3 550 on average.



Detailed budget table:

Sub-heading	Description	Unit	Quantity	Unit cost (€)	Total cost (€)
Heading 2: Phase 2 of the evacuations					
2.1	Evacuation costs - former EUSR Afghanistan local staff	Person	12	3.550,00 €	42.600,00 €
2.2	Evacuation costs - family members of former EUSR Afghanistan local staff	Person	27	3.550,00 €	95.850,00 €
2.3	Evacuation costs - former EUPOL Afghanistan local staff	Person	74	3.550,00 €	262.700,00 €
2.4	Evacuation costs - family members of former EUPOL Afghanistan local staff	Person	277	3.550,00 €	983.350,00 €
2.5	Evacuation costs - former suppliers of EUPOL Afghanistan, EUSR Afghanistan and EU Delegation	Person	22	3.550,00 €	78.100,00 €
2.6	Evacuation costs - family members of former suppliers of EUPOL Afghanistan, EUSR Afghanistan and EU Delegation	Person	66	3.550,00 €	234.300,00 €
2.7	Evacuation costs - particular vulnerable Afghan officials (judges, prosecutors, police officers etc.)	Person	5	3.550,00 €	17.750,00 €
2.8	Evacuation costs - family members of particular vulnerable Afghan officials (judges, prosecutors, police officers etc.)	Person	4	3.550,00 €	14.200,00 €
Total heading 2		Person	487	3.550,00 €	1.728.850,00 €

5.1.3. Contingencies (EUR 90 428.82)

The contingency reserve, which shall be used only with a prior written approval of the Commission, is € 90 428.82, which corresponds to 4.76 % of the direct costs.

The reserve for contingencies and/or possible fluctuations in exchange rates allows for adjustments necessary in the light of unforeseeable changes of circumstances on the ground.

5.2 Itemised breakdown of cost (indicative)

Budget heading	Budget (EUR)
1. Phase 1	170 721.18
2. Phase 2	1 728 850.00
Sub-total (1-2)	1 899 571.18
Contingencies	90 428.82
Total	1 990 000

The authorising officer responsible is hereby authorised to vary each of the above amounts related to the budget according to exact operational requirements and possibilities and in keeping with sound financial management, while not exceeding the overall amount of the financing decision.

6. SCHEDULE OF PAYMENTS (IN EUROS)

Line	Value	Year n	Year n+1	Year n+2	Year n+3	Subsequent years
14 04 01 04	1 990 000	1 990 000				
	Total					
	1 990 000	1 990 000				