

Wednesday 13 April 2016

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Draft Amending Budget No 1/ 2016: New instrument to provide emergency support within the Union

European Parliament resolution of 13 April 2016 on the Council position on Draft amending budget No 1/2016 of the European Union for the financial year 2016, New instrument to provide emergency support within the Union (07068/2016 — C8-0122/2016 — 2016/2037(BUD))

(2018/C 058/33)

The European Parliament,

- having regard to Article 314 of the Treaty on the Functioning of the European Union,
- having regard to Article 106a of the Treaty establishing the European Atomic Energy Community,
- having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 ⁽¹⁾, and in particular Article 41 thereof,
- having regard to the general budget of the European Union for the financial year 2016, as definitively adopted on 25 November 2015 ⁽²⁾,
- having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 ⁽³⁾,
- 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 management ⁽⁴⁾,
- having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources ⁽⁵⁾,
- having regard to Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union ⁽⁶⁾,
- having regard to Draft amending budget No 1/2016, which the Commission adopted on 9 March 2016 (COM(2016)0152),
- having regard to the position on Draft amending budget No 1/2016 which the Council adopted on 16 March 2016 and forwarded to Parliament on 17 March 2016 (07068/2016 — C8-0122/2016),
- having regard to the letter from the Committee on Civil Liberties, Justice and Home Affairs,
- having regard to Rules 88 and 91 of its Rules of Procedure,
- having regard to the report of the Committee on Budgets (A8-0130/2016),

⁽¹⁾ OJ L 298, 26.10.2012, p. 1.

⁽²⁾ OJ L 48, 24.2.2016.

⁽³⁾ OJ L 347, 20.12.2013, p. 884.

⁽⁴⁾ OJ C 373, 20.12.2013, p. 1.

⁽⁵⁾ OJ L 163, 23.6.2007, p. 17.

⁽⁶⁾ OJ L 70, 16.3.2016, p. 1.

Wednesday 13 April 2016

- A. whereas the massive influx of refugees and migrants into Europe has created an exceptional situation whereby a large number of persons require urgent humanitarian assistance within the Union; whereas this emergency situation has overstretched the response capacity of the most affected Member States; whereas no appropriate instrument was available at Union level to address humanitarian needs of disaster-stricken people within the Union;
- B. whereas the Commission presented on 2 March 2016 a proposal for a Council Regulation aimed at filling a gap in the available instruments in order to address humanitarian needs within the territory of the Union; whereas that Regulation is based on Article 122(1) of the Treaty on the Functioning of the European Union, which does not provide for a role by the European Parliament; whereas Regulation (EU) 2016/369 was adopted by the Council on 15 March 2016;
- C. whereas the Commission subsequently proposed a Draft amending budget aimed at creating the budget structure for that instrument and at making available, from redeployment within the heading 3 of the Multiannual Financial Framework (MFF), EUR 100 million in commitment appropriations and EUR 80,2 million in payment appropriations for immediate funding needs;
- D. whereas the Commission estimates that this new instrument would require EUR 300 million in 2016 (followed by EUR 200 million in 2017 and EUR 200 million in 2018) but that further needs are likely to arise if the migrant and refugee flows continue at their current level;
- E. whereas the Commission also proposes to reinforce the staffing levels of the European Counter-Terrorism Centre in Europol and to provide the corresponding commitment and payment appropriations for an amount of EUR 2,0 million to be redeployed from the Internal Security Fund;
1. Welcomes the proposal by the Commission to enable the Union budget to provide emergency support within the Union territory in order to tackle the humanitarian consequences of the current refugee crisis; points to the deteriorating situation of migrants and asylum seekers, particularly due to the uncoordinated response by European countries, which makes such emergency support all the more necessary and urgent; stresses the need to show solidarity with the Member States facing such an emergency situation on their territory;
 2. Takes note of the solution proposed by the Commission as a matter of urgency; notes that, following the setting-up of two Trust Funds and of a Facility for Refugees in Turkey, a new ad hoc mechanism has been put in place without an overall strategy to address the refugee crisis and without ensuring the full observance of Parliament's prerogatives as co-legislator; points to the problem that the new instrument is not founded on a Commission proposal for a regulation under the ordinary legislative procedure; stresses that Parliament has always acted constructively and swiftly in support of all initiatives in connection with the refugee crisis, and is still doing so with the rapid adoption of this amending budget;
 3. Considers that a more sustainable legal and budgetary framework should be envisaged in order to allow for humanitarian aid within the Union to be mobilised in the future, when circumstances so require; notes that such emergency funding, meant at responding to crises and unforeseen situations, should by its very nature be covered by special instruments and be counted outside the MFF ceilings;
 4. Welcomes the Commission's commitment not to divert appropriations from the external humanitarian aid budget; notes that the Commission proposes to finance the first instalment under this new instrument by redeploying appropriations from the Asylum, Migration and Integration Fund (AMIF) appropriations, which were already meant at ensuring burden-sharing between Member States in dealing with refugees; believes that the entire amount cannot be covered through redeployments without affecting the delivery of the AMIF, which is bound to come under pressure this year and might need further reinforcements if the relocation scheme is to reach full speed; considers, therefore, this EUR 100 million to be a frontloading of appropriations which will need to be compensated at a later stage; notes that there is no margin left under heading 3 and that the Flexibility Instrument has already been used in its entirety for 2016; supports, therefore, the mobilisation of the Contingency Margin for the remaining amount for this year as soon as necessary and

Wednesday 13 April 2016

invites the Commission to present a proposal in this respect; anticipates that an upward revision of the MFF ceiling for heading 3 will prove to be inevitable in order to address all needs linked to the refugee and migration crisis;

5. Approves the proposed increases in staffing for Europol's European Counter-Terrorism Centre considering the current security situation in the European Union; notes that these increases come on top of the ones already agreed in the framework of the recent revision of the Europol legal framework;

6. Urges the Commission to exclude all agencies dealing in the broader sense with migration and security from the 5 % staff reduction target as they are all understaffed given the tremendous increase in workload and tasks over the past two years; calls on the Commission to ensure a balance between the JHA agencies respecting their workload and tasks;

7. Affirms its willingness to adopt Draft amending budget No 1/2016 as presented by the Commission, given the urgency of the situation;

8. Approves the Council position on Draft amending budget No 1/2016;

9. Instructs its President to declare that Amending budget No 1/2016 has been definitively adopted and to arrange for its publication in the *Official Journal of the European Union*;

10. Instructs its President to forward this resolution to the Council, the Commission, the Court of Auditors and the national parliaments.
