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COMMISSION IMPLEMENTING DECISION

of XXX

**on the contribution to the European Union Emergency Trust Fund for stability and
addressing root causes of irregular migration and displaced persons in Africa to be
financed from the general budget of the European Union**

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on the contribution to the European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa to be financed from the general budget of the European Union

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action¹ and in particular Article 4 thereof, which foresees the adoption of this decision,

Having regard to Commission Delegated Regulation (EU, Euratom) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union² (hereinafter the “Rules of Application”), and in particular Article 94 thereof,

Whereas:

- (1) The Commission adopted on 20 October 2015 Decision C(2015) 7293 on the establishment of a European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa, ending on 31 December 2020.
- (2) The overall objective pursued by this Trust Fund is to address the crises in the regions of the Sahel and the Lake Chad, the Horn of Africa, and the North of Africa. The Trust Fund will support all aspects of stability and contribute to better migration management as well as addressing the root causes of destabilisation, forced displacement and irregular migration, in particular by promoting resilience, economic and equal opportunities, security and development.
- (3) The Development Cooperation Instrument (DCI)³ for the period 2014-2020 includes the Thematic Programme 'Global Public Goods and Challenges (GPGC)' and a Pan-African Programme.
- (4) The Commission has adopted the Multiannual Indicative Programme for the Thematic Programme GPGC for the period 2014-2020.⁴ In the area of migration and asylum, it establishes the following three objectives: “Promotion of effective governance of migration and mobility and improved management of migratory flows in all their dimensions” (Objective 1); “Enhance the positive impact of the increased regional and global migration and mobility of people on economic, social and environmental

¹ OJ L 77, 15.3.2014, p. 95.

² OJ L 362, 31.12.2012, p. 1.

³ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44).

⁴ C(2014)5072 of 23.7.2014.

development” (Objective 2); “Improving a common understanding of the migration and development nexus” (Objective 3).

- (5) The Commission has adopted the Multiannual Indicative Programme for the Pan-African Programme for the period 2014-2017⁵, which establishes objectives in the following five strategic areas of intervention: Peace and Security; Democracy, Good Governance and Human Rights; Human Development; Sustainable and Inclusive Development and Growth and Continental Integration; Global and cross-cutting issues. The third one, 'Human development', includes as an objective to maximise the development potential of migration and mobility within Africa and between Africa and the EU within the context of the Joint Africa-EU Strategy adopted in Lisbon in 2007. Other objectives include support to continental/trans-regional strategies in the fields of security, climate change and environmental degradation.
- (6) The Thematic Programme GPGC in the area of migration and asylum and the Pan-African Programme will contribute to this Trust Fund through activities in line with their respective objectives.
- (7) In line with the overall objectives of the GPGC and Pan-African programmes and their particular added value, actions to be implemented through this Decision should have a cross-regional dimension.
- (8) This Decision complies with the conditions of Article 94 of the Rules of Application.
- (9) For the application of this Decision, it is appropriate to define the term “non-substantial change” within the meaning of Article 94(4) of the Rules of Application to ensure that any such changes can be adopted by the authorising officer by delegation.
- (10) The measures provided for in this decision are in accordance with the opinion of the Development Cooperation Instrument Committee set up under Article 19 of Regulation No 233/2014.

HAS DECIDED AS FOLLOWS:

Article 1

Financial contribution

A financial contribution of the European Union for the European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa (hereinafter the “Trust Fund”) is set at a maximum of EUR 50 000 000. It is to be financed for an amount of EUR 25 000 000 from budget line 21.02.07.05 of the general budget of the Union for 2016, for an amount of EUR 9 899 440 from budget line 21.02.09 of the general budget of the Union for 2016, and for an amount of EUR 15 100 560 from budget line 21.02.09 of the general budget of the Union for 2017, subject to the availability of the appropriations provided for in the draft budget for 2017 after the adoption of the budget for 2017 by the budgetary authority or as provided for in the system of provisional twelfths.

Article 2

Implementation modalities

The Trust Fund shall implement the contribution either:

⁵ C(2014)5375 of 30.7.2014.

- directly (i) by the Commission's departments, including its staff in the Union delegations under the authority of their respective Head of Delegation, (ii) or through executive agencies; or
- indirectly with third countries or the bodies they have designated, international organisations and their agencies, public law bodies or bodies governed by private law with a public service mission to the extent that the latter provide adequate financial guarantees.

The Constitutive Agreement signed with the donors defines the rules and procedures applying to the management and governance of the Trust Fund.

Article 3

Non-substantial changes

Increases or decreases of up to EUR 10 000 000 of the contribution of the European Union to the Trust Fund, not exceeding 20% of the contribution referred to in Article 1, or cumulated changes to the allocations of specific actions not exceeding 20% of that contribution, shall not be considered substantial, provided that they do not significantly affect the nature and objectives of the actions.

The responsible authorising officer may adopt these non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels,

For the Commission
Neven Mimica
Member of the Commission

SUMMARY

CONTRIBUTION TO THE EUROPEAN UNION EMERGENCY TRUST FUND FOR STABILITY AND ADDRESSING ROOT CAUSES OF IRREGULAR MIGRATION AND DISPLACED PERSONS IN AFRICA, TO BE FINANCED FROM THE DEVELOPMENT COOPERATION INSTRUMENT

1. Identification

Budget heading	Budget line 21.0209 of the general budget of the European Union (EU) for 2016 and 2017 Budget line 21.02.07.05 of the general budget of the European Union for 2016
Total cost	EU contribution: EUR 50 000 000
Basic act	Regulation (EU) No 233/2014 of the European Parliament and of the Council establishing a financing instrument for development cooperation for the period 2014-2020 ¹

2. Background: the EU Trust Fund

On October 2015, the Commission adopted Decision C/2015/7293 for the establishment of the European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa ('the Trust Fund'), for a duration of five years.

The overall objective and purpose of the Trust Fund are to address the crises in the regions of the Sahel and the Lake Chad, the Horn of Africa, and the North of Africa. It will support all aspects of stability and contribute to better migration management as well as addressing the root causes of destabilisation, forced displacement and irregular migration, in particular by promoting resilience, economic and equal opportunities, and security and development. The Trust Fund is to intervene in coordination with national and regional frameworks, the other EU instruments, the bilateral cooperation of Member States, and the instruments of other development partners.

The Decision allows for contributions of the European Union to the Trust Fund under the general budget, taking the form of financing decisions in the sense of Article 84 of Regulation (EU, Euratom) 966/2012.

Considering the width of the migration crisis and following the commitments made at the Valletta Summit on migration, it is proposed that the DCI contribute to the Trust Fund for the years 2016 and 2017 for an amount of EUR 50 000 000. This contribution is complementary to other actions under the DCI addressing some of the Trust Fund objectives.

3. Specificities of the DCI contribution

The Commission has adopted the Multiannual Indicative Programme for the Thematic Programme GPGC for the period 2014-2020². In the area of migration and asylum, it establishes the following three objectives: "Promotion of effective governance of migration and mobility and improved management of migratory flows in all their dimensions" (Objective 1); "Enhance the positive impact of the increased regional and global migration and mobility of people on economic, social and environmental development" (Objective 2); "Improving a common understanding of the migration and development nexus" (Objective 3).

¹ OJ L 77, 15.3.2014, p. 44.

² C(2014)5072 of 23.7.2014.

The Commission has adopted the Multiannual Indicative Programme for the Pan-African Programme for the period 2014-2017³, which establishes objectives in the following 5 strategic areas of intervention: Peace and Security; Democracy, Good Governance and Human Rights; Human Development; Sustainable and Inclusive Development and Growth and Continental Integration; Global and cross-cutting issues. The third one, 'Human development', includes as an objective to maximise the development potential of migration and mobility within Africa and between Africa and the EU within the context of the Joint Africa-EU Strategy. Other objectives include support to continental/trans-regional strategies in the fields of security, climate change and environmental degradation.

The Thematic Programme 'Global Public Goods and Challenges' (GPGC) in the area of migration and asylum and the Pan-African Programme will contribute to this Trust Fund through activities in line with their respective objectives.

Taking into consideration the particular objectives and added value of these two programmes, actions to be implemented through this decision should have a cross-regional dimension.

The Committee is invited to give its opinion on this contribution to the Trust Fund to be financed from the Development Cooperation Instrument.

³ C(2014)5375 of 30.7.2014.