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2022/0126 (BUD)

DRAFT AMENDING BUDGET No 3
TO THE GENERAL BUDGET 2022

Financing reception costs of people fleeing Ukraine

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EN

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,

– Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union[1], entered into force on 1 June 2021,

– 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 (…)[2], and in particular Article 44 thereof,

– the general budget of the European Union for the financial year 2022, as adopted on 24 November 2021[3],

– amending budget No°1/2022[4], adopted on 5 April 2022,

– draft amending budget No°2/2022[5], adopted on 13 April 2022,

The European Commission hereby presents to the European Parliament and to the Council Draft Amending Budget No 3 to the 2022 budget.

CHANGES TO THE STATEMENT OF REVENUE AND EXPENDITURE BY SECTION

The changes to the general statement of revenue and to the individual section III are available on EUR-Lex (https://eur-lex.europa.eu/budget/www/index-en.htm).

[1] Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom, OJ L 424, 15.12.2020.

[2] 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, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, OJ L 193, 30.7.2018.

[3] OJ L 45, 24.2.2022.

[4] OJ L xx, 05.4.2022.

[5] COM(2022) 250 final.

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EXPLANATORY MEMORANDUM

1. INTRODUCTION

The invasion of Ukraine by the Russian Federation on 24 February 2022 led to a mass influx of displaced persons (including many children) from Ukraine to the Union, who require urgent support. In turn, this has put significant pressure on Member States to deal with urgent migration and border management measures and face the related financial needs.

With a view to providing immediate support to people arriving in the Union and showing concrete solidarity with the most affected Member States, the Commission proposes that the EU budget contributes to the financing of the first reception and registration costs of people fleeing Ukraine for a total amount of EUR 400 million under the Asylum, Migration and Integration Fund (AMIF)[6] and the Border Management and Visa Instrument (BMVI)[7].

As part of this overall amount, Draft Amending Budget (DAB) No 3 for the year 2022 covers the following elements:

- reinforcement of AMIF for an amount of EUR 99,8 million in commitment apprioriations and EUR 76 million in payment appropriations.
- reinforcement of BMVI for an amount of EUR 100 million in payment appropriations.

2. RECEPTION COSTS OF PEOPLE FLEEING UKRAINE

Council Implementing Decision (EU) 2022/382[8] established the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. Recital 22 of the Implementing Decision clarifies that efforts of Member States to comply with the obligations deriving under it and to offer temporary protection will be supported financially by the Union Funds, including by the Asylum, Migration and Integration Fund and the Border Management and Visa Instrument.

2.1 Measures proposed under the Asylum, Migration and Integration Fund (AMIF)

The Commission proposes to support the first reception and registration systems of the most affected Member States under AMIF for a total amount of EUR 276 million. This is in order to ensure that people fleeing Ukraine can benefit from adequate first reception, food, shelter, sanitation, clothing, medicines, family tracing, legal and translation assistance, psycho-social and other specialised services leading to their registration in one of the Member States.

The total amount of EUR 276 million is composed of three elements:

1. Following an amendment to the Work Programmes of the Thematic Facility for 2021-2022, an amount of EUR 124 million will be made available in the form of Emergency Assistance under AMIF.
2. In parallel, the Commission proposes a budgetary authority transfer (DEC 11/2022) from the internal strand of the Solidarity and Emergency Aid Reserve (SEAR) to mobilise EUR 52.2 million in commitment appropriations.

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6 See Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund, OJ L 251, 15.7.2021, p. 1

7 See Regulation (EU) 2021/1148 of the European Parliament and of the Council of 7 July 2021 establishing, as part of the Integrated Border Management Fund, the Instrument for Financial Support for Border Management and Visa Policy, OJ L 251, 15.7.2021, p. 48.

8 OJ L 71, 4.3.2022, p. 1.

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3. Through DAB 3, the Commission proposes to mobilise the remaining margin under Heading 4 of EUR 99,8 million in commitment appropriations.

The proposed reinforcements and redeployments are expected to be implemented swiftly, with pre-financing rates of emergency assistance of up to 100%. Taking into account the payment appropriations currently available for AMIF in the 2022 budget and the outlook for the remainder of the year, the Commission estimates that the total reinforcement in commitment appropriations of EUR 276 million requires a reinforcement of payment appropriations of EUR 150 million, of which EUR 74 million through transfer DEC 11/2022 and EUR 76 million through DAB 3.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
10 02 01	Asylum, Migration and Integration Fund	99 768 521	76 005 396
Total		**99 768 521**	**76 005 396**

2.2 Measures proposed under the Border Management and Visa Instrument (BMVI)

Following an amendment to the Work Programmes of the Thematic Facility for 2021-2022, a further amount of EUR 124 million will be made available in the form of Emergency Assistance under the BMVI. This is in particular to provide funding to the Member States bordering Ukraine to allow for the smooth application of procedures at, or near, the external borders, identification, fingerprinting, registration, security checks, medical and vulnerability screening of third country nationals, as well as for immediate reception needs throughout these procedures.

The proposed redeployment of existing appropriations within the Thematic Facility of the BMVI, leading to emergency assistance with pre-financing rates of up to 100%, entails a much faster implementation of payment appropriations than the originally planned measures, which would have been channeled through the national programmes of the Member States. Taking into account the payment appropriations currently available for the BMVI in the 2022 budget and the outlook for the remainder of the year, the Commission estimates that the redeployment of commitment appropriations of EUR 124 million requires a reinforcement of EUR 100 million in payment appropriations.

EUR

Budget line	Name	Commitment appropriations	Payment appropriations
Section III – Commission			
11 02 01	Instrument for financial support for border management and visa	0	100 000 000
Total		**0**	**100 000 000**

3. FINANCING

Overall, the net impact of this DAB on expenditure amounts to an increase of EUR 99,8 million in commitment appropriations and EUR 176 million in payment appropriations.

The Commission proposes to reinforce the AMIF by EUR 99,8 million in commitment appropiations from the unallocated margin of Heading 4. It is also proposed to reinforce AMIF by EUR 76 million and BMVI by EUR 100 million in payment appropriations from the margin under the payment ceiling. At this early stage of the year, the Commission has not identified sources of redeployment of payment appropriations across the budget, but it will continue closely monitoring the implementation of the budget throughout the year.

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4. SUMMARY TABLE BY MFF HEADING

In EUR

	Budget 2022 (incl. AB 1/2022 - DAB 2/2022)		Draft Amending Budget 3/2022		Budget 2022 (incl. AB 1/2022 - DAB 2-3/2022)	
	CA	**PA**	**CA**	**PA**	**CA**	**PA**
1. Single Market, Innovation and Digital	**21 775 079 340**	**21 473 535 651**			**21 775 079 340**	**21 473 535 651**
Of which under Flexibility Instrument						
Ceiling	*21 878 000 000*				*21 878 000 000*	
Margin	*102 920 660*				*102 920 660*	
2. Cohesion, Resilience and Values	**67 644 377 865**	**62 052 771 658**			**67 644 377 865**	**62 052 771 658**
Of which under Flexibility Instrument						
Ceiling	*67 806 000 000*				*67 806 000 000*	
Margin	*161 622 135*				*161 622 135*	
2a. Economic, social and territorial cohesion	61 314 192 324	56 350 922 710			61 314 192 324	56 350 922 710
Of which under Flexibility Instrument						
Ceiling	*61 345 000 000*				*61 345 000 000*	
Margin	*30 807 676*				*30 807 676*	
2b. Resilience and values	6 330 185 541	5 701 848 948			6 330 185 541	5 701 848 948
Of which under Flexibility Instrument						
Ceiling	*6 461 000 000*				*6 461 000 000*	
Margin	*130 814 459*				*130 814 459*	
3. Natural Resources and Environment	**56 681 112 059**	**56 601 766 838**			**56 681 112 059**	**56 601 766 838**
Of which under Flexibility Instrument						
Ceiling	*56 965 000 000*				*56 965 000 000*	
Margin	*283 887 941*				*283 887 941*	
Of which: Market related expenditure and direct payments	**40 368 859 305**	**40 393 039 132**			**40 368 859 305**	**40 393 039 132**
EAGF sub-ceiling	*41 257 000 000*				*41 257 000 000*	
Rounding difference excluded for calculating the sub-margin	*800 000*				*800 000*	
Net transfers between EAGF and EAFRD	*-618 000 000*				*-618 000 000*	
Net balance available for EAGF expenditure (sub-ceiling corrected by transfers between EAGF and EAFRD)	*40 639 000 000*				*40 639 000 000*	
EAGF sub-margin	*270 140 695*				*270 140 695*	
4. Migration and Border Management	**3 260 231 479**	**3 078 265 566**	**99 768 521**	**176 005 396**	**3 360 000 000**	**3 254 270 962**
Of which under Flexibility Instrument						
Ceiling	*3 360 000 000*				*3 360 000 000*	
Margin	*99 768 521*				*0*	
5. Security and Defence	**1 812 327 699**	**1 237 861 185**			**1 812 327 699**	**1 237 861 185**
Of which under Flexibility Instrument						
Ceiling	*1 896 000 000*				*1 896 000 000*	
Margin	*83 672 301*				*83 672 301*	
6. Neighbourhood and the World	**17 170 442 918**	**12 916 051 937**			**17 170 442 918**	**12 916 051 937**
Of which under Flexibility Instrument	*368 442 918*				*368 442 918*	
Ceiling	*16 802 000 000*				*16 802 000 000*	

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Margin						
7. European Public Administration	**10 620 124 324**	**10 620 224 324**			**10 620 124 324**	**10 620 224 324**
Of which under Flexibility Instrument						
Ceiling	*11 058 000 000*				*11 058 000 000*	
Margin	*437 875 676*				*437 875 676*	
of which: Administrative expenditure of the institutions	**8 287 945 711**	**8 288 045 711**			**8 287 945 711**	**8 288 045 711**
Sub-ceiling	*8 528 000 000*				*8 528 000 000*	
Sub-margin	*240 054 289*				*240 054 289*	
Appropriations for headings	**178 963 695 684**	**167 980 477 159**	**99 768 521**	**176 005 396**	**179 063 464 205**	**168 156 482 555**
Ceiling	***179 765 000 000***	***169 209 000 000***			***179 765 000 000***	***169 209 000 000***
Of which under Flexibility Instrument	***368 442 918***	***467 248 692***			***368 442 918***	***467 248 692***
Margin	***1 169 747 234***	***1 695 771 533***	***-99 768 521***	***-176 005 396***	***1 069 978 713***	***1 519 766 137***
Thematic special instruments	**2 799 170 382**	**2 622 838 000**			**2 799 170 382**	**2 622 838 000**
Total appropriations	**181 762 866 066**	**170 603 315 159**	**99 768 521**	**176 005 396**	**181 862 634 587**	**170 779 320 555**

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