

# Procedure file

Basic information	
BUD - Budgetary procedure	2020/2056(BUD)
Procedure completed	
Mobilisation of the Flexibility Instrument: migration, refugee inflows and security threats; immediate measures in the context of the COVID-19 outbreak; reinforcement of the European Public Prosecutor's Office	
Amending Decision 2020/265 <a href="#">2019/2026(BUD)</a>	
See also <a href="#">2020/2053(BUD)</a>	
See also <a href="#">2020/2055(BUD)</a>	
Subject	
4.20 Public health	
4.20.01 Medicine, diseases	
4.20.06 Health services, medical institutions	
7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	
8.40.08 Agencies and bodies of the EU	
8.70.70 Flexibility instrument	
Legislative priorities	
<a href="#">The EU's response to the Covid-19 pandemic</a>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>BUDG</b> <a href="#">Budgets</a>		
Council of the European Union			

Key events			
02/04/2020	Non-legislative basic document published	<a href="#">COM(2020)0171</a>	Summary
14/04/2020	Decision by committee, without report		
16/04/2020	Committee referral announced in Parliament		
17/04/2020	Decision by Parliament	<a href="#">T9-0048/2020</a>	Summary
17/04/2020	Draft budget approved by Council		
21/04/2020	Final act published in Official Journal		
23/04/2020	End of procedure in Parliament		

Technical information	
Procedure reference	2020/2056(BUD)
Procedure type	BUD - Budgetary procedure
Procedure subtype	Mobilisation of funds

	Amending Decision 2020/265 <a href="#">2019/2026(BUD)</a> See also <a href="#">2020/2053(BUD)</a> See also <a href="#">2020/2055(BUD)</a>
Legal basis	Rules of Procedure EP 163
Stage reached in procedure	Procedure completed
Committee dossier	BUDG/9/02751

### Documentation gateway

Non-legislative basic document	<a href="#">COM(2020)0171</a>	02/04/2020	EC	Summary
Budgetary text adopted by Parliament	<a href="#">T9-0048/2020</a>	17/04/2020	EP	Summary

### Final act

[Decision 2020/546](#)  
[OJ L 125 21.04.2020, p. 0003](#) Summary

## Mobilisation of the Flexibility Instrument: migration, refugee inflows and security threats; immediate measures in the context of the COVID-19 outbreak; reinforcement of the European Public Prosecutor's Office

**PURPOSE:** to amend Decision (EU) 2020/265 as regards adjustments to the amounts mobilised from the Flexibility Instrument for 2020 to be used for migration, refugee inflows and security threats, for immediate measures in the context of the COVID-19 outbreak and for reinforcement of the European Public Prosecutor's Office.

**PROPOSED ACT:** Decision of the European Parliament and of the Council.

**BACKGROUND:** the Flexibility Instrument is intended to allow the financing of clearly identified expenditure which could not be financed within the limits of the ceilings available for one or more other headings of the general budget of the Union. The ceiling on the annual amount available for the Flexibility Instrument is EUR 600 million (2011 prices), as laid down in [Council Regulation \(EU, Euratom\) No 1311/2013](#), increased, where applicable, by lapsed amounts made available.

On 27 November 2019, the European Parliament and the Council adopted [Decision \(EU\) 2020/265](#) mobilising the Flexibility Instrument to provide the amount of EUR 778.1 in commitment appropriations in heading 3 (Security and citizenship) as proposed by the Commission (Decision (EU) 2020/265).

The Commission submitted on 27 March 2020 draft amending budget [\(DAB\) No 1/2020](#). This included, inter alia, an overall increase of EUR 423.3 million of the commitment appropriations under heading 3 to meet the needs resulting from the increased migration pressure in Greece, to finance immediate measures required in the framework of the COVID19 outbreak (the first-ever stockpile of medical equipment under rescEU) and to increase the budget for the European Public Prosecutors Office.

The Commission proposed in DAB No 1/2020 to use the Global margin for commitments (GMC) for an amount of EUR 350 million available from 2018 to cover the part of this increase related to migration. The Commission also proposed to finance the remaining part of the increase (EUR 73.3 million) by adjusting accordingly the amount mobilised from the Flexibility Instrument and to extend the purpose of Decision (EU) 2020/265.

The Commission has now submitted draft amending budget [No 2/2020](#), which includes an additional increase of commitment appropriations under heading 3 for an amount of EUR 3 000 million to cover the re-activation of the Emergency Support Instrument within the Union (ESI) to help Member States tackle the consequences of the COVID-19 outbreak and to further reinforce the Union Civil Protection Mechanism/rescEU so as to facilitate wider stock-piling and coordination of essential resource distribution across Europe.

Given the absence of room for redeployments under heading 3 and in line with the [proposal to amend the MFF Regulation](#) removing the limitations in the scope of this instrument, the Commission proposes in DAB No 2/2020 the use of the GMC for the full amount available under this special instrument of EUR 2 042.4 million to cover this increase.

This proposed mobilisation decision of the Flexibility Instrument amends Decision (EU) 2020/265 and replaces the amendment tabled together with DAB No 1/2020.

**CONTENT:** the aim of this new proposal covers the combined increases of commitment appropriations for heading 3 included in both DAB Nos 1 and 2/2020, increases the total amount to be mobilised to EUR 1 094.4 million and exhausts the amount available under this instrument for 2020.

As the use of the GMC in DAB No 2/2020 and this proposed mobilisation decision of the Flexibility Instrument are insufficient to cover the financing needs of the ESI, the Commission also makes a [separate proposal](#), together with DAB No 2/2020, to mobilise the Contingency Margin for 2020 for an amount of EUR 714.6 million.

Under the present proposal, the Commission sets out the indicative payment appropriations corresponding to the updated mobilisation of the Flexibility Instrument in 2020 as follows:

- 2020: EUR 574.6 million;
- 2021: EUR 413.7 million;
- 2022: EUR 66.2 million;
- 2023: EUR 39.9 million.

Total: EUR 1 094.4 million.

## Mobilisation of the Flexibility Instrument: migration, refugee inflows and security threats; immediate measures in the context of the COVID-19 outbreak; reinforcement of the European Public Prosecutor's Office

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The European Parliament adopted a resolution on the decision of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument to finance immediate budgetary measures in the context of the COVID-19 outbreak.

Parliament approved the annex attached to the resolution in which it amended the Commission proposal. It called for the Flexibility Instrument to be mobilised to provide the amount of EUR 243 039 699 in commitment appropriations in heading 3 (Security and Citizenship). This amount shall be used to finance immediate measures to address the current health crisis in the European Union resulting from the COVID-19 outbreak.

Based on the expected payment profile, Parliament decided that the payment appropriations corresponding to the mobilisation of the Flexibility Instrument shall be estimated as follows:

- EUR 123 950 247 in 2020;
- EUR 71 453 672 in 2021;
- EUR 23 817 890 in 2022;
- EUR 23 817 890 in 2023.

## Mobilisation of the Flexibility Instrument: migration, refugee inflows and security threats; immediate measures in the context of the COVID-19 outbreak; reinforcement of the European Public Prosecutor's Office

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PURPOSE: to mobilise the Flexibility Instrument for 2020 to finance budgetary measures in the context of the COVID-19 pandemic.

NON-LEGISLATIVE ACT: Decision (EU) 2020/546 of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument to finance immediate budgetary measures in the context of the COVID-19 outbreak.

CONTENT: following the agreement between the European Parliament and the Council, this Decision to mobilise the Flexibility Instrument has been adopted. The Flexibility Instrument is intended to allow the financing of clearly identified expenditure which could not be financed within the limits of the ceilings available for one or more other headings.

The ceiling on the annual amount available for the Flexibility Instrument is EUR 600 million (2011 prices), as laid down in [Council Regulation \(EU, Euratom\) No 1311/2013](#), increased, where applicable, by lapsed amounts made available.

In order to address the challenges in the context of the COVID-19 outbreak, the mobilisation of Instrument is a matter of urgency.

For the general budget of the Union for the financial year 2020, the Flexibility Instrument shall be mobilised to provide the amount of EUR 243 039 699 in commitment appropriations in heading 3 (Security and Citizenship).

This amount shall be used to finance immediate measures to address the current health crisis in the European Union resulting from the COVID-19 outbreak.

Based on the expected payment profile, the payment appropriations corresponding to the mobilisation of the Flexibility Instrument shall be estimated as follows:

- EUR 123 950 247 in 2020;
- EUR 71 453 672 in 2021;
- EUR 23 817 890 in 2022;
- EUR 23 817 890 in 2023.

This Decision is linked to financing included in [Amending budget No 2](#) to the general budget of the European Union for 2020. In order to ensure coherence with that amending budget, this Decision shall apply from the date of its adoption.

ENTRY INTO FORCE: 21.4.2020. It shall apply from 17.4.2020.