EUROPEAN
COMMISSION

Brussels, 19.10.2016
COM(2016) 681 final

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the mobilisation of the European Union Solidarity Fund to provide assistance to Germany

EXPLANATORY MEMORANDUM

Council Regulation (EU, EURATOM) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020[1], and in particular the Article 10 thereof allows for the mobilisation of the European Union Solidarity Fund, within an annual ceiling of EUR 500 000 000 (2011 prices), over and above the relevant headings of the financial framework.

The conditions of eligibility to the Fund are detailed in the Council Regulation (EC) No 2012/2002 as amended by Regulation (EU) No 661/2014 of the European Parliament and of the Council of 15 May 2014 establishing the European Union Solidarity Fund.

On the basis of an application from Germany, the calculation of the aid from the Fund, based on the estimate of total damage caused is as follows:

Disaster	*Direct damage (million EUR)*	*Total cost of eligible operations (million EUR)*	*Applied regional disaster threshold [1,5% of GDP] (million EUR)*	*2,5% of direct damage (EUR)*	*6% of direct damage above threshold*	***Total amount of aid proposed (EUR)***
GERMANY	*1 259,005*	*94,196*	*622,8*	*31 475 125*	*~*	*31 475 125*
TOTAL						**31 475 125**

In the light of the examination of the application[2] and considering the maximum possible contribution from the Fund as well as the scope for reallocating appropriations, the Commission proposes to mobilise the European Union Solidarity Fund for a total amount of EUR 31 475 125.

The Commission will present a draft amending budget (DAB) in order to enter in the 2016 budget the specific commitment and payment appropriations.

In the event of disagreement, a trilogue procedure will be initiated in accordance with Point 11 of 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[3].

1 OJ L 347, 20.12.2013, p. 884.
2 Communication to the Commission C(2016) 6597 of 14.10.2016.
3 OJ C 373, 20.12.2013, p. 1.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund[4], and in particular Article 4(3) thereof,

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[5], and in particular point 11 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The European Union Solidarity Fund ("the Fund") aims to enable the Union to respond in a rapid, efficient and flexible manner to emergency situations in order to show solidarity with the population of regions struck by natural disasters.

(2) The Fund is not to exceed a maximum annual amount of EUR 500 000 000 (2011 prices), as laid down in Article 10 of Council Regulation (EU, Euratom) No 1311/2013[6].

(3) On 19 August 2016, Germany submitted an application to mobilise the Fund, following a series of extremely intense, short-lived cases of floods that affected the region of Niederbayern in May and June 2016.

(4) The application by Germany meets the conditions for providing a financial contribution from the Fund, as laid down in Article 4 of Regulation (EC) No 2012/2002.

(5) The Fund should therefore be mobilised in order to provide a financial contribution to Germany.

(6) In order to minimise the time taken to mobilise the Fund, this Decision should apply from the date of its adoption,

[4] OJ L 311, 14.11.2002, p. 3.
[5] OJ C 373, 20.12.2013, p.1.
[6] Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the Union for the financial year 2016, the European Union Solidarity Fund shall be mobilised to provide the amount of EUR 31 475 125 to Germany, in commitment and payment appropriations.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from … [*the date of its adoption*].

Done at …,

For the European Parliament	*For the Council*
The President	*The President*