



Brussels, 18.11.2016  
C(2016) 7277 final

**COMMISSION IMPLEMENTING DECISION**

**of 18.11.2016**

**on the second special measure for the 2016 ENI contribution to the European Union  
Emergency Trust Fund for stability and addressing the root causes of irregular  
migration and displaced persons in Africa, to be financed from the general budget of the  
Union**

## COMMISSION IMPLEMENTING DECISION

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### **on the second special measure for the 2016 ENI contribution to the European Union Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa, to be financed from the general budget of the 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 action<sup>1</sup>, and in particular Article 2(1) thereof,

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<sup>2</sup>, and in particular Article 84(2) thereof,

Whereas:

- (1) Following the adoption by the Commission on 20 October 2015 of the Decision on the establishment of the European Union Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa ('the Trust Fund')<sup>3</sup>, on 10 June 2016 the Commission adopted Decision C(2016) 3505 on the 2016 contribution from the European Neighbourhood Instrument (ENI) to this Trust Fund, for an amount of EUR 30 000 000.
- (2) The European Union Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa finances implementation of the Valletta Action Plan, thereby helping to address the root causes of destabilisation, forced displacement and irregular migration by promoting economic and equal opportunities and strengthening the resilience of vulnerable communities, security and development.
- (3) The North Africa window of the Trust Fund complements the financial instruments available to the EU, its Member States and associated countries for cooperation with the Maghreb countries. It complements grants under ENI annual action programmes for Morocco in particular.
- (4) Migration has been a priority sector for political dialogue and cooperation between the European Union and Morocco since 2011. The signing of the partnership for mobility, migration and security between the EU, nine Member States of the European Union and Morocco in June 2013, followed by the announcement of Morocco's new

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<sup>1</sup> OJ L 77, 15.3.2014, p. 95.

<sup>2</sup> OJ L 298, 26.10.2012, p. 1.

<sup>3</sup> C(2015) 7283 final.

migration policy in September 2013, confirmed the central place of migration in strategic relations between the EU and Morocco.

- (5) The European Union's financial support for Morocco's migration policies is an intervention sector under the second priority of the Single Support Framework for European Union support to Morocco for the period 2014-2017<sup>4</sup> - 'Support to democratic governance, the rule of law and mobility/Migration and mobility'.
- (6) The 2014-2017 Single Support Framework provides for the 2016 ENI annual action programme for Morocco to provide funding, on an indicative basis, of up to EUR 35 000 000 to consolidate the legislative and institutional foundations of migration policies and instruments which develop knowledge of migration issues: to make migration policies operational in the social assistance and employment sectors; to reinforce Morocco's national system for voluntary return to the migrants' countries of origin.
- (7) Furthermore, the progress made in Morocco's sectoral policy on migration and the ambitions of that policy are deemed sufficiently relevant and credible for additional contributions to be made for the purpose of: i) strengthening and diversifying voluntary return schemes for sub-Saharan migrants; ii) developing new approaches for the better integration of returned Moroccan migrants; iii) facilitating integration of migrants in Morocco; iv) support from a regional perspective to operations along migratory routes traversing Morocco. Morocco is a country of emigration and transit and, more recently, a place where migrants find refuge and settle.
- (8) These areas are covered by Objective 3 of the Trust Fund (improved migration management in countries of origin, transit and destination).
- (9) The Kingdom of Morocco has agreed that, in addition to the EUR 35 000 000 provided to it under the ENI annual action programme, funding of EUR 25 000 000 will be provided for the actions defined under (7) or transferred to the Trust Fund from the overall amount of the 2016 ENI action programme.
- (10) This Decision complies with the conditions of Article 94 of the Rules of Application.
- (11) 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.
- (12) The measures provided for in this Decision are in accordance with the opinion of the European Neighbourhood Instrument Committee set up by Article 15 of Regulation (EU) No 232/2014.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

#### **Financial contribution**

A second financial contribution of the European Union to the European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa ('the **Trust Fund**') is set at a maximum amount of EUR 25 000 000 from budget line 22 04 01 03 of the general budget of the Union for 2016.

The contribution shall be used to finance actions of interest to Morocco as defined under (7).

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<sup>4</sup> Decision C(2014) 5092 of 23.7.2014.

## *Article 2*

### **Implementation rules**

The Trust Fund shall implement the contribution either:

- directly (i) by the Commission's departments, including its staff in the Union Delegations under the authority of their respective Head of Delegation, or (ii) 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, 18.11.2016

*For the Commission*  
*Johannes HAHN*  
*Member of the Commission*