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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.6.2009
COM(2009) 308 final

Proposal for a

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the mobilisation of the EU Solidarity Fund

EXPLANATORY MEMORANDUM

The Interinstitutional Agreement of 17 May 2006¹ allows for the mobilisation of the European Union Solidarity Fund through a flexibility mechanism, within an annual ceiling of EUR 1 billion, over and above the relevant headings of the financial framework. The conditions of eligibility to the Fund are detailed in Council Regulation (EC) No 2012/2002².

On the basis of application for assistance from the Fund by France following a storm in January 2009, total estimates of the damage caused are as follows:

(EUR)

	Direct damage	Threshold	Amount based on 2,5 %	Amount based on 6 %	Total amount of aid proposed
Storm in France (Klaus)	3 805 470 000	3 398 60 000	84 965 025	24 412 140	109 377 165

In the light of the examination of the application³, and considering the maximum possible grant from the Fund as well as the scope for reallocating appropriations under the heading requiring additional expenditure, the Commission proposes to mobilise the European Union Solidarity Fund for a total amount of EUR 109 377 165, to be allocated under heading 3b of the financial framework.

By presenting this proposal to deploy the Fund, the Commission initiates the simplified trilogue procedure, as required by Point 26 of the Inter-institutional Agreement of 17 May 2006, in view of securing the agreement of the two arms of the Budgetary Authority on the need to use the Fund and the amount required. The Commission invites the first of the two arms of the Budgetary Authority that reaches agreement on the draft mobilisation proposal, at appropriate political level, to inform the other arm and the Commission of its intentions.

In case of disagreement by either of the two arms of the Budgetary Authority, a formal trilogue meeting will be convened.

The Commission will present a preliminary draft amending budget (PDAB) in order to enter in the 2009 budget specific commitment and payment appropriations, as requested in Point 26 of the Interinstitutional Agreement of 17 May 2006.

¹ OJ C 139, 14.06.2006, p. 1

² OJ L 311, 14.11.2002, p. 3

³ Communication to the Commission SEC(2009)730 on an application to mobilise the European Union Solidarity Fund presented by France, following a storm.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management⁴, and in particular point 26 thereof,

Having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund⁵,

Having regard to the proposal from the Commission,⁶

Whereas:

- (1) The European Union has created a European Union Solidarity Fund (the "Fund") to show solidarity with the population of regions struck by disasters.
- (2) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the Fund within the annual ceiling of EUR 1 billion.
- (3) Regulation (EC) No 2012/2002 contains the provisions whereby the Fund may be mobilised.
- (4) France submitted an application to mobilise the Fund, concerning a disaster caused by storm.

HAVE DECIDED AS FOLLOWS:

Article 1

For the general budget of the European Union for the financial year 2009, the European Union Solidarity Fund shall be mobilised to provide the sum of EUR 109 377 165 in commitment and payment appropriations.

⁴ OJ C 139, 14.06.2006, p. 1.

⁵ OJ L 311, 14.11.2002, p. 3.

⁶ OJ C [...], [...], p. [...]

Article 2

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the European Parliament
The President

For the Council
The President