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COMMISSION DECISION

of 10.12.2020

amending Commission Decision C(2015) 7293 of 20.10.2015 on the establishment of a European Union Emergency Trust Fund for Stability and addressing root causes of irregular migration and displaced people in Africa

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THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) 2018/1877¹ of 26 November 2018 on the Financial Regulation applicable to the 11th European Development Fund, and in particular Article 35 thereof,

Having regard to Regulation (EU, Euratom) No 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 966/2012², and in particular Articles 110 thereof,

Whereas:

- (1) By its Decision C(2015) 7293 of 20.10.2015, the Commission has established the European Union Emergency Trust Fund for Stability and addressing root causes of irregular migration and displaced people in Africa “EUTF for Africa” (“the Trust Fund”).
- (2) On 12 November 2015 the donors of the Trust Fund and the European Commission, on behalf of the Union, signed the Agreement establishing the Trust Fund (“the Constitutive Agreement”) for a duration of five years from the signature thereof up to 31 December 2020.
- (3) By its Decision C(2017) 772 of 8.2.2017 the Commission amended Decision C(2015) 7293, to enlarge the geographical scope of the Trust Fund and, in particular, to add three beneficiary countries in the Sahel and Lake Chad Region.
- (4) By its Decision C(2017) 6328 of 27.9.2017, the Commission modified Decision C(2015) 7293 for the second time to amend Article 5 of Annex III to Decision C(2015) 7293 (Donors’ Contribution Certificate template) in order to remove the obligation for Donors to pay interests in case of late payment of their contributions.
- (5) The overall objective and purpose of the Trust Fund is to address the crises in the regions of the Sahel and the Lake Chad, the Horn of Africa, and the North of Africa. It supports all aspects of stability and contributes to better migration management as well as addressing the root causes of destabilisation, forced displacement and irregular migration, in particular by promoting resilience, economic and equal opportunities, and security and development.

¹ OJ L 307, 3.12.2018, p.1.

² OJ L 298, 26.10.2012, p.1.

- (6) Since its inception, the Trust Fund has helped addressing challenges of different nature fostering stability in the Sahel and Lake Chad, the Horn of Africa and North of Africa regions. In line with the EU's comprehensive approach towards migration and forced displacement, the EUTF for Africa has been contributing to better migration management, helping to tackle the root causes of destabilisation, forced displacement and irregular migration by promoting economic and equal opportunities, security and development³.
- (7) The Trust Fund further demonstrated its added-value as a swift and effective implementation tool, which facilitates political dialogue with a great number of partner countries, applies innovative approaches and produces concrete results on the ground by pooling funding and expertise from a variety of stakeholders including EU Member States.
- (8) The Trust Fund has been instrumental to improve donor coordination through bilateral contacts or meetings of the Operational Committees and Strategic Board attended also by representatives of partner countries and regional organisations. Donor coordination mechanisms have been set-up at country level since the early stages of the Trust Fund which have reinforced the complementarity with bilateral activities funded at country level.
- (9) The Trust Fund has succeeded in attracting resources from the European Development Fund (EDF)⁴ and a variety of EU financing instruments including the Development Cooperation Instrument (DCI)⁵, the European Neighbourhood Instrument (ENI)⁶, the Asylum, Migration and Integration Fund (AMIF)⁷, and funding from the European Civil Protection and Humanitarian Aid Operations (ECHO)⁸. Moreover, the Trust Fund has mobilised key and substantive resources from EU Member States and other donors such as Norway and Switzerland.
- (10) As an important political tool, the Trust Fund has highlighted in the last four to five years the response of the Union and its Member States to multiple crises in the three concerned regions and a wide number of challenges of African partner countries including deteriorated security conditions, lack of stability, extreme poverty and poor employment conditions, as well as institutional weaknesses.
- (11) In response to the COVID-19 outbreak in March 2020, the Trust Fund has made substantial efforts to re-orient, accelerate and prioritise actions for the most effective response to the crisis through different measures including budget increase, front-loading budget support payments, and re-focusing of activities. Despite these efforts, the COVID pandemic and the necessary re-orientation of funds has led to some delays in the implementation of actions; in view of this, a limited additional time is required in order to finalise the contracting of funds already committed.

³ https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/strategic_document_eutf_africa_1.pdf

⁴ OJ L 201/1, 6.8.2013.

⁵ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020, OJ L 77, 15.3.2014, p. 44.

⁶ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument, OJ L 77, 15.3.2014, p. 27.

⁷ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, OJ L 150, 20.5.2014, p. 168–194.

⁸ Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid, OJ L 163, 2.7.1996, p. 1–6.

- (12) The only and final extension of the Trust Fund till 31 December 2021 would provide more time to commit and contract the contributions received so far from the EU, the EU Member States and other donors, and to effectively sign contracts to implement recently approved programmes funded in response to the COVID-19 crisis.
- (13) The Trust Fund Board has continuously recognised the achievements of the Trust Fund over the years and the added value of this implementing tool. At its meeting on 29 September 2020, the Board, on the basis of a report presented by the Commission, requested an extension of the Trust Fund until 31 December 2021.
- (14) Therefore, upon request of the Trust Fund Board and upon presentation of a report justifying the extension, as well as confirming compliance with conditions outlined in Article 234(3) of Regulation (EU, Euratom) No 2018/1046, the Commission considers that Decision C(2015) 7293 should be further amended accordingly.
- (15) The European Parliament and the Council have been duly consulted on the intention of the Commission to extend the duration of the Trust Fund.

HAS DECIDED AS FOLLOWS:

Sole Article

Commission Decision C(2015) 7293 of 20.10.2015 on the establishment of a European Union Emergency Trust Fund for Stability and addressing root causes of irregular migration and displaced people in Africa, is modified as follows:

Article 5, paragraph 1 is replaced by the following:

“1. The end date of the Trust Fund which shall be fixed in the Constitutive Agreement shall be 31 December 2021.”

Annex I, Article 17.2.1 (d) is replaced by the following:

“The time limit set for the Trust Fund, which is 31 December 2021, is reached. The duration of the Trust Fund may be extended by a decision of the Commission adopted at the request of the Trust Fund Board”.

Annex I, recital 20, first sentence is replaced by the following:

“The Trust Fund is established for a limited period, until 31 December 2021 in order to provide a short and medium-term response to the challenges of the regions.”

Done at Brussels, 10.12.2020

For the Commission
Jutta URPILAINEN
Member of the Commission