

The Asylum and Migration Fund:

A tool for more humane, transparent and effective asylum and migration policies in the EU?

February 2019

The undersigned organisations call on the co-legislators to consider a number of key asks to make sure that the Asylum and Migration Fund (AMF) plays a considerable role in meeting its stated objectives, including more humane, transparent and effective asylum and migration policies.

In June 2018, the European Commission published a set of proposals to establish the new European Union's (EU) Multiannual Financial Framework (MFF) for the period 2021-2027. As part of these proposals, the AMF, which will succeed to the Asylum, Migration and Integration Fund (AMIF), is currently being negotiated by the European Parliament, the Council and the European Commission. The AMF should aim to support fair and efficient asylum systems in Europe, to guarantee safe and dignified returns of third country nationals, as well as to harmonise high standards in the field of asylum, reception and integration.

Enhance the role of CSOs and local authorities

We welcome the general orientation of the European Commission's proposal which acknowledges the crucial role played by local and regional authorities as well as civil society organisations (CSOs) in the field of migration, and more specifically on integration. Indeed, integration of migrants and refugees takes place at the local level, in municipalities, usually with a direct involvement of local authorities and CSOs. In addition, these actors generally benefit from more flexibility than central authorities, and are often better suited to react to arrivals and address urgent needs. The AMIF mid-term review issued mid-2018 showed that over the past years they advocated for direct access to AMIF emergency assistance, in order to provide timely and more targeted support to people arriving.

Building on these elements, we believe that the internal budgets of the EU MFF 2021-2027 should go a step further to encourage and better equip local authorities and CSOs to develop long-term integration activities, coupled with high standard reception measures. We thus support the Commission's proposal to ensure funding for these actions through a higher co-financing rate for the actions they implement. Additionally, we call for the allocation of a minimum of 10% of the financial envelope of the Thematic Facility to local and regional authorities and/or CSOs implementing integration and reception actions.

Strengthen the Partnership Principle both at national and EU level

While we welcome the provisions on partnership and multi-level governance included in the proposal for the Common Provisions Regulation (CPR), a mandatory partnership principle should also be included in the AMF with a view to guarantee meaningful and inclusive participation of CSOs. In addition, considering the large share of money that will be made available under the Thematic Facility, we call for the establishment of an EU-level partnership principle, that would ensure a structured dialogue between the European

Commission and CSOs on the programming and implementation of activities under its direct management, including for emergency assistance.

CSOs are prime observers of the gaps and shortcomings in the implementation of EU asylum and migration policies at the local level. At times acting as service providers themselves, they can play a major role in adjusting services to adequately meet the needs of migrants, asylum seekers and refugees. This rich experience and knowledge should be further made use of. CSOs should be involved in the preparation, development, implementation, monitoring and evaluation of EU funded actions on asylum, migration and integration. Despite the inclusion of the partnership principle within the current AMIF, engagement with stakeholders, including CSOs, has often been uneven and not sufficiently transparent.

Build synergies between the AMF and the ESF + proposals

In its proposals, the European Commission has removed the “I” from AMIF, with only early integration measures falling under the AMF. Funding for medium to long-term integration, on the other hand, is to fall, to a larger extent than in the past, within the scope of the European Social Fund + (ESF+). Although mainstreaming funding to promote the socio-economic inclusion of third country nationals, including refugees and asylum-seekers, could certainly be beneficial, several elements need to be further clarified.

We caution that such division of competences will only work in practice if complementarity between the two funds is ensured. To this end, we recommend that a robust and permanent coordination mechanism, such as a joint monitoring committee, is put in place at the national level. Such a committee, through regular exchanges, would enable cooperation and avoid gaps and overlaps as regards to the strategies and actions to be supported.

The AMF proposal does not compel Member States to allocate a minimum share of their national envelope to the legal migration / integration objective. In addition, under the ESF+ proposal, Member States are not obliged to earmark any of the 25% foreseen for spending for social inclusion, towards third country nationals (including refugees and asylum seekers). We are concerned that this may lead to important funding gaps for the integration of migrants and refugees. We therefore call for a minimum allocation requirement for the legal migration / integration objective in the AMF programmes under shared management. Furthermore, the implementation of the ESF+ should ensure that longer-term integration objectives are reflected in the social inclusion component of ESF+ programmes under shared management, and that such measures are in fact equally accessible to third country nationals in general, and refugees and asylum-seekers in particular. This could be achieved through a comprehensive assessment of needs in the programming phase, and relevant country-specific recommendations.

Define and frame the use of AMF in non EU countries

The AMF proposal enables third countries associated to the fund to be direct beneficiaries of Member States' national programmes for the purpose of managing migration, and includes measures regarding readmission procedures, return and reintegration, as well as resettlement schemes. We appreciate the European Commission's willingness and support to developing the capacity of third countries to respond to migration and asylum challenges. Nonetheless, the undersigned organisations believe that Home Affairs funding should be dedicated first and foremost to the implementation of the Common European Asylum System and

to the development of a coherent EU migration policy, including the integration of third country nationals in Europe. The respect for the fundamental rights of persons coming to Europe or being returned from it should underlie all actions to be implemented under AMF.

DG Home's actions outside of the Union must remain limited, complementary and inherently linked to the internal dimension of asylum and migration policies, such as access to and protection in the EU. This would encompass activities related to resettlement, protection pathways, legal migration, returns and reintegration. Consequently, we recommend capping the amount of money to be spent in third countries and confining the allocation of funding to activities that would be exhaustively listed under the corresponding Annex of the AMF Regulation. In addition, we call for the use of AMF funding for actions outside the Union to be accompanied by appropriate safeguards. The discretion of Member States in this regard must be framed as to avoid risking a diversion of AMF resources to non-main priority areas.

Finally, any external measures implemented under the framework of AMF should be pursuing the genuine interests of third countries and be fully consistent with and complementary to the EU's external aid and development policies. We would recommend such a requirement to be integrated in the proposed Regulation as a mandatory provision.

List of signatories

