

# General programme "Solidarity and Management of Migration Flows": European Refugee Fund (ERF) 2008-2013

2009/0127(COD) - 29/03/2012 - Text adopted by Parliament, 2nd reading

The European Parliament adopted, without a vote, a legislative resolution on the Council position at first reading with a view to the adoption of a decision of the European Parliament and of the Council amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows'.

The European Parliament approved the Council position at first reading, as well as its statement annexed to this resolution in which it states that the decision, as adopted, shall give a concrete expression, in its enacting provisions, to the **principle of solidarity**, namely in the form of new financial incentives to encourage **resettlement** by Member States.

In order to ensure its immediate adoption, the European Parliament has **agreed to the wording of the Decision in its present form, in a spirit of compromise, whereby explicit reference to Article 80 TFEU is limited to a recital of the Decision**. The European Parliament affirms that the adoption of this Decision is without prejudice to the range of legal bases available, in particular concerning the future use of Article 80 TFEU.

As regards the **statement of the Council**: the Council states that this Decision is without prejudice to the negotiations on the Multiannual Financial Framework for 2014-2020 and consequently also for the negotiations on the "[Proposal for a Regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund](#)" for the period 2014-2020, including whether specific common EU resettlement priorities, based *inter alia* on geographical criteria, shall be stipulated in the Regulation on the Asylum and Migration Fund for 2014-2020.

As regards the **declaration of the Commission**: the Commission, in a spirit of compromise and in order to ensure the immediate adoption of the proposal, supports the final text; however it notes that this is **without prejudice to its right of initiative with regard to the choice of legal bases**, in particular in reference to the future use of Article 80 TFEU.