

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

2009/0127(COD) - 29/03/2012 - Final act

PURPOSE: to amend Decision No 573/2007/EC establishing the European Refugee Fund in the light of the establishment of a Joint EU Resettlement Programme.

LEGISLATIVE ACT: Decision No 281/2012/EU 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'.

BACKGROUND: the European Refugee Fund (ERF) was set up by [Decision No 573/2007/EC](#) of the European Parliament and of the Council establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows".

In light of the establishment of a Joint EU resettlement programme aimed at increasing the impact of the Union's resettlement efforts in providing protection to refugees, and at maximising the strategic impact of resettlement through a better targeting of those persons who are in greatest need of resettlement, **common priorities** with respect to resettlement should be formulated at the level of the Union.

For this purpose, specific **common Union resettlement priorities for 2013**, as listed in the Annex added to Decision No 573/2007/EC of the European Parliament and of the Council by this Decision, are to be established on the basis of two categories : (i) the first of which should include persons belonging to a specific category falling within the United Nations High Commissioner for Refugees (UNHCR) resettlement criteria, and (ii) the second one should include persons from a country or region which has been identified in the UNHCR annual resettlement forecast and where common action by the Union would have a significant impact in addressing protection needs.

It is also necessary to provide **additional financial support for the resettlement** of persons with respect to specific geographic regions and nationalities, as well as to the **specific categories of refugees** to be resettled, where resettlement is determined to be the most appropriate response to their special needs. This is the case for the resettlement of persons from Tanzania, eastern Europe (Belarus, Republic of Moldova and Ukraine), the Horn of Africa (Djibouti, Kenya and Yemen) and North Africa (Egypt, Libya and Tunisia), and from any other countries or regions that are so designated in the future.

In order to encourage more Member States to engage in resettlement actions, it is equally necessary to provide additional financial support to those Member States that decide to **resettle persons for the first time**.

This is the aim of this amending Decision.

CONTENT:

According to the Decision, Member States will receive a **fixed amount for each person resettled** from one of the following categories:

- persons from a country or region designated for the implementation of a **Regional Protection Programme**;
- **persons belonging to a vulnerable groups**, such as women and children at risk, unaccompanied minors, survivors of violence and torture, persons having serious medical needs that can be addressed only through resettlement, persons in need of emergency resettlement or urgent resettlement for legal or physical protection needs;
- **persons indicated on the list of specific common EU priorities for 2013.**

The general rule is that Member States will receive a lump sum of **EUR 4000** for each person resettled according to the agreed priorities, as is currently the case.

The following two exceptions are new:

- Member States who apply for financial support from the European Refugee Fund for the first time will receive a lump sum of **EUR 6000** per resettled person.
- Member States who have already received EU support once in the course of the previous years will get a lump sum of **EUR 5000** per resettled person.

To facilitate the calculation of funding needs through the European Refugee Fund for 2013, member states are asked to provide the Commission by 1 May 2012 with an estimate of the number of persons per category they plan to resettle in 2013.

Report: the results and impact of the financial incentive for resettlement actions on the basis of the priorities listed in the Decision shall be reported by the Member States in the report and by the Commission in the report on the implementation of the European Refugee Fund.

Annex: a list of the specific common Union resettlement priorities for 2013:

- Congolese refugees in the Great Lakes Region (Burundi, Malawi, Rwanda, Zambia);
- Refugees from Iraq in Turkey, Syria, Lebanon and Jordan;
- Afghan refugees in Turkey, Pakistan and Iran;
- Somali refugees in Ethiopia;
- Burmese refugees in Bangladesh, Malaysia and Thailand;
- Eritrean refugees in eastern Sudan.’

European Parliament declaration on solidarity: it should be noted that the European Parliament adopted a declaration at the time of adoption of the text in which it stressed that the decision, as adopted, will give concrete expression to the principle of solidarity between Member States namely in the form of new financial incentives to encourage resettlement by Member States.

A recital has been included in the text of the final decision which stipulates that Article 80 of the Treaty on the Functioning of the European Union provides that the policies of the Union set out in the Chapter on border checks, asylum and immigration and their implementation are to be governed by the **principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States**, and that, whenever necessary, Union acts under the said Chapter are to contain appropriate measures to give effect to that principle.

ENTRY INTO FORCE: 31.03.2012.