

Internal Security Fund: instrument for financial support for external borders and visa 2014-2020

2011/0365(COD) - 13/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 439 to 96 votes with 31 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visas.

Parliament adopted its position at first reading following the ordinary legislative procedure.

Objectives: the general objective of the Instrument shall be to contribute to ensuring a high level of security in the Union. It will facilitate legitimate travel, through a uniform and high level of control of the external borders and the effective processing of Schengen visas.

Within the general objective, the Instrument shall:

- provide a **high quality of service to visa applicants**, ensure equal treatment of third country nationals and **tackle illegal immigration**;
- support **integrated borders management**, in accordance with common Union standards and through sharing of information between Member States and between Member States and the Frontex Agency;
- guarantee access to **international protection for those needing it**, in accordance with the obligations contracted by the Member States in the field of human rights, including the principle of non-refoulement.

The achievement of the specific objectives of the Fund shall be evaluated using **common indicators**, as set out in Annex IV and programme-specific indicators included in national programmes.

The **operational objectives** are the following:

- gradually establishing an integrated management system for external borders, **based on solidarity and responsibility**, in particular by means of: i) the reinforcement of external border checks and surveillance systems and of interagency co-operation between border guards, customs, migration, asylum and law enforcement authorities of Member States at the external borders, including in the maritime border area; ii) any measures also contributing to the prevention and fight against cross-border crime at external borders relating to the movement of persons, including trafficking of human beings and human smuggling;
- ensure **better consular coverage** and harmonised practices on visa issuing;
- reinforce **situational awareness** at the external borders and the reaction capabilities of Member States;
- **prevent and tackle illegal immigration**, as well as the co-operation with third countries in these regards in full coherence with the objectives and principles of Union external action and humanitarian policy.

Human rights and vulnerable persons: actions funded under the Instrument shall be implemented in full compliance with fundamental rights and human dignity. In particular, actions will have to respect the fair treatment of third country nationals, the right of asylum and international protection, the principle of non-refoulement and the international obligations of the Union and Member States arising from the international instruments, for example the Geneva Convention.

Otherwise, wherever possible, special attention should be given by Member States when implementing actions to the identification, immediate assistance and referral to protection services of vulnerable persons, in particular children and unaccompanied minors.

Maritime borders: when implementing actions funded under the Instrument which are related to **maritime border surveillance**, Member States will have to pay special attention to their obligations under international maritime law to render assistance to persons in distress.

Eligible actions: some amendments were made to clarify the eligible actions of the Funds. Among other things, new measures were added to highlight: i) training regarding the use of the equipment necessary for surveillance between border crossing points; ii) the secondment of border guards between Member States or between a Member State and a third country; iii) actions aiming to foster interagency cooperation either within Member States or between Member States or relating to the interoperability and harmonisation of border management systems; pilot projects and best practices resulting from the operational cooperation between Member States and Union Agencies.

Financial framework: the global resources shall be **EUR 2 760 million** until 2020, allocated as follows:

- **EUR 1 551 million** for the national programmes of Member States;
- **EUR 791 million** for developing IT systems supporting the management of migration flows across the external borders of the Union;
- **EUR 154 million** for the Special Transit Scheme;
- **EUR 264 million** for Union actions, emergency assistance and technical assistance at the initiative of the Commission, of which at least 30 % shall be used for Union actions.

Member States shall devote to **EUROSUR** the necessary funding in order to ensure the good functioning of this system.

The Commission shall consult the Frontex Agency on draft national programmes, in particular on the activities financed under the operating support, submitted by the Member States. The objective shall be to **develop complementarity between the Frontex Agency's mission and the responsibilities of the Member States** for the control and surveillance of external borders as well as to ensure consistency and to avoid cost inefficiency.

The Instrument may contribute up to **EUR 1. 7 million annually** for technical assistance to the Internal Security Fund.

National programmes: in general, Member States should ensure that their national programmes address the specific objectives of this Regulation and that the **allocation of resources between objectives is proportional to the challenges and needs** and ensures that the objectives can be met. Where a national programme does not address one of the specific objectives or the allocation is below the minimum shares for some objectives of the national programmes, set in this Regulation, the Member State concerned should provide a justification within the programme.

The Internal Security Fund should take special account of Member States which are facing **disproportionate burdens** from migratory flows due to their geographical location.

Indicators: in order to measure achievements of this Fund, common indicators should be established in relation to each specific objective of this Instrument. A new annex was introduced in these senses (outlining in particular support for the common visa policy to facilitate legitimate travel or support for the common management of borders).