

General programme "Solidarity and Management of Migration Flows": European refugee Fund, 2008-2013

2005/0046(COD) - 23/05/2007 - Final act

PURPOSE: the establishment of the “**European Refugee Fund**” as part of the general programme ‘Solidarity and Management of Migration Flows’.

LEGISLATIVE ACT: 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” and repealing Council Decision 2004/904/EC.

BACKGROUND: the EU is committed to the progressive establishment of an area of freedom, security and justice. These three key objectives are to be developed in parallel and to the same degree of intensity to allow for a balanced approach based on the principles of democracy, respect for fundamental rights and freedoms, and the rule of law.

In 2004 the European Council adopted the Hague Programme in which the need for the EU to contribute towards an equitable and effective international protection system and to provide access to protection and durable solutions was underlined. The Hague Programme also called for the establishment of appropriate structures involving the national asylum services of the Member States in order to facilitate practical and collaborative cooperation; the ultimate aim being an EU-wide single procedure and the joint compilation, assessment and application of country of origin information.

The “Solidarity and Management of Migration flows” general programme is to support the principle of solidarity in managing people flows by ensuring a fair share of responsibilities between the Member States (as concerns the financial burden arising from the introduction of an integrated management of the Union’s external borders) and the implementation of common policies on asylum and immigration.

For these policies to succeed funding is needed. For this reason the EU has adopted four legislative acts setting up four separate, though related, Funds:

- [The European Refugee Fund](#)
- [The External Borders Fund](#)
- [The Fund for the Integration of third country nationals](#)
- [The European Return Fund](#)

CONTENT: the purpose of this Decision is the establishment of the “**European Refugee Fund**”. It replaces the 2004-2005 European Refugee Fund set up by Council Decision 2004/904/EC. Between the 1 January 2007 and 31 December 2013 the Fund will benefit from a **EUR 628 million** financial envelope.

General Objectives: The general objective of the Fund will be to support and encourage efforts made by the Member States to receive refugees and displaced persons, taking account of Community legislation on those matters.

Eligible Actions in the Member States: The Decision sets out a comprehensive list of actions that may be eligible for funding within the Member States. They relate, *inter alia*, to conditions in reception centres; integration activities; supporting Member States in the development of their asylum policies; the resettlement of persons who have been granted refugee status (within the meaning of Community and international legislation); the transfer of persons; accommodation and services; offering support on understanding asylum procedures; providing material aid and medical or psychological care; social assistance, legal aid and language assistance; education, support services; and local community information.

Community action: On the initiative of the Commission, up to 10% of the Fund's available resource may be used to finance transnational and Community actions concerning asylum policy. Typically these actions concern furthering the implementation of Community legislation and practices (such as interpretation and translation services).

Emergency measures: In addition to the measures mentioned above, the Fund will make funds available to the Member States for emergency measures that seek to address situations of particular pressure. To qualify for emergency measures actions must be implemented immediately and their duration must not exceed six months. Funding will be ring fenced for reception and accommodation, food and clothing, medical and psychological assistance, staff and administrative costs, logistical and transport costs, legal aid /language assistance and the provision of interpretations services, country of origin expertise etc.

Target groups: The target groups are: any third-country national or stateless person having the status of refugee – as defined by the Geneva Convention; any third-country national or stateless person enjoying a form of subsidiary protection; any third-country national or stateless person who has applied for protection; any third-country national or stateless person enjoying temporary protection; any third-country national or stateless person who is being, or has been, resettled in an EU Member State.

Financial provisions: the financial envelope for the implementation of this Decision shall be EUR 628 million (please refer to the financial statement).

Annual distribution of resources for eligible action in the Member States is as follows:

- each Member State shall receive a fixed amount of EUR 300 000 from the Fund's annual allocation. This amount shall be raised to EUR 500 000 per annum for the period 2008 to 2013 for Member States which acceded to the European Union on 1 May 2004.

This amount shall be raised to EUR 500 000 per annum for Member States which accede to the European Union during the period from 2007 to 2013 for the remaining part of the period from 2008 to 2013 as from the year following their accession.

Financial contributions under the Fund shall take the form of grants. Actions supported by the Fund shall be co-financed by public or private sources, shall be of a non-profit nature and shall not be eligible for funding from other sources covered by the general budget of the European Union. Fund appropriations shall be complementary to public or equivalent expenditure allocated by Member States to the measures covered by this Decision.

The Community contribution to supported projects shall not exceed 50 % of the total cost of a specific action. This may be increased to 75 % for projects addressing specific priorities identified in the strategic guidelines.

Member States shall also receive a fixed amount of EUR 4 000 for each resettled person.

At the initiative of and/or on behalf of the Commission, subject to a ceiling of EUR 500 000 of the Fund's annual allocation, the Fund may finance preparatory measures, monitoring, administrative and technical support measures, as well as evaluation, audit and inspection measures necessary for implementing this Decision.

Reporting: On the basis of strategic guidelines adopted by the Commission, each Member State should prepare a multiannual programming document taking into account its specific situation and needs and setting out its development strategy that should constitute the framework for the implementation of the actions to be listed in the annual programmes.

The final report on the implementation of the annual programme shall include, inter alia, the following information in order to obtain a clear view of the implementation of the programme: the financial and operational implementation of the annual programme; the progress made in implementing the multiannual programme and its priorities in relation to its specific, verifiable targets, with a quantification, wherever and whenever they lend themselves to quantification, of the indicators; the steps taken by the responsible authority to ensure the quality and effectiveness of implementation; the measures taken to provide information on and make public the annual and multiannual programmes.

The Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions by 31 December 2012 for the period 2008 to 2010 and by 31 December 2015 for the period 2011 to 2013 respectively, an ex-post evaluation report.

Complementarity, consistency and compliance: The Fund shall provide assistance which complements national, regional and local actions, integrating into them the priorities of the Community.

Territorial provisions: the United Kingdom and Ireland have notified their wish to take part in the adoption and application of this Decision. On the other hand, Denmark shall not participate in this Decision.

ENTRY INTO FORCE: 7 June 2007. This Decision shall apply from 1 January 2008, with the exception of specific measures which shall apply from 7 June 2007. This Decision repeals Decision 2004/904/EC with effect from 1 January 2008. The European Parliament and the Council shall review this Decision on the basis of a proposal from the Commission by 30 June 2013.