Basic information

2018/0248(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Asylum and Migration Fund 2021–2027 Amended by 2020/0279(COD) **Subject** 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	FAJON Tanja (S&D)	26/10/2020
	Shadow rapporteur LENAERS Jeroen (EPP) OETJEN Jan-Christoph (Renew) MARQUARDT Erik (Greens/EFA) KEMPA Beata (ECR) KOFOD Peter (ID) URBÁN CRESPO Miguel (GUE/NGL)	

Former committee responsible	Former rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	DALLI Miriam (S&D)	09/07/2018

Former committee for opinion	Former rapporteur for opinion	Appointed
AFET Foreign Affairs	VISTISEN Anders (ECR)	10/07/2018
DEVE Development	SCHLEIN Elly (S&D)	18/07/2018
BUDG Budgets	GLOANEC MAURIN Karine (S&D)	28/06/2018

Former committee for opinion on the legal basis	Former rapporteur for opinion	Appointed
JURI Legal Affairs	LEBRETON Gilles (ENF)	13/02/2019

Council of the European Union	
European Commission	Commission DG: Migration and Home Affairs; Commissioner: AVRAMOPOULOS Dimitris
European Economic and Social Committee	
European Committee of the Regions	

Key events

Date	Event	Reference	Summary
12/06/2018	Legislative proposal published	COM(2018)0471	Summary
02/07/2018	Committee referral announced in Parliament, 1st reading		
19/02/2019	Vote in committee, 1st reading		
27/02/2019	Committee report tabled for plenary, 1st reading	A8-0106/2019	Summary
12/03/2019	Debate in Parliament		
13/03/2019	Decision by Parliament, 1st reading	T8-0175/2019	Summary
13/03/2019	Results of vote in Parliament		
24/09/2019	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
09/10/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 73)		
01/03/2021	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations	PE689.775	
17/06/2021	Council position published	06486/2/2021	
24/06/2021	Committee referral announced in Parliament, 2nd reading		
29/06/2021	Vote in committee, 2nd reading		
01/07/2021	Committee recommendation tabled for plenary, 2nd reading	A9-0224/2021	
06/07/2021	Decision by Parliament, 2nd reading	T9-0326/2021	Summary
06/07/2021	Debate in Parliament		
07/07/2021	Final act signed		
15/07/2021	Final act published in Official Journal		

Technical information

Procedure reference	2018/0248(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2020/0279(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 079-p2 Treaty on the Functioning of the European Union TFEU 078-p2 Treaty on the Functioning of the European Union TFEU 079-p4
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/9/01284

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE629.652	31/10/2018	
Committee opinion	BUDG	PE626.952	22/11/2018	
Amendments tabled in committee		PE632.027	12/12/2018	
Amendments tabled in committee		PE632.029	12/12/2018	
Amendments tabled in committee		PE632.061	12/12/2018	
Committee opinion	DEVE	PE628.531	20/12/2018	
Specific opinion	JURI	PE636.054	19/02/2019	
Committee report tabled for plenary, 1st reading/single reading		A8-0106/2019	27/02/2019	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0175/2019	13/03/2019	Summary
Committee letter confirming interinstitutional agreement		PE689.775	02/03/2021	
Committee draft report		PE692.950	18/06/2021	
Committee recommendation tabled for plenary, 2nd reading		A9-0224/2021	01/07/2021	
Text adopted by Parliament, 2nd reading		T9-0326/2021	06/07/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	06486/2/2021	17/06/2021	
Draft final act	00056/2021/LEX	07/07/2021	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2018)0471	12/06/2018	Summary
Document attached to the procedure	SWD(2018)0347	13/06/2018	
Document attached to the procedure	SWD(2018)0348	13/06/2018	
Commission response to text adopted in plenary	SP(2019)393	30/04/2019	
Commission communication on Council's position	COM(2021)0325	21/06/2021	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2018)0471	24/09/2018	
Contribution	ES_PARLIAMENT	COM(2018)0471	03/10/2018	
Contribution	FR_SENATE	COM(2018)0471	05/11/2018	
Contribution	CZ_SENATE	COM(2018)0471	09/01/2019	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR4007/2018	09/10/2018	
EESC	Economic and Social Committee: opinion, report	CES3636/2018	17/10/2018	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2021/1147
OJ L 251 15.07.2021, p. 0001

Asylum and Migration Fund 2021–2027

2018/0248(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 374 votes to 260, with 47 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Asylum, Migration and Integration Fund

The policy objective of the fund shall be to contribute to implementation, strengthening and development of all aspects of the common European asylum policy and of the common European immigration policy in line with the principle of solidarity and fair-sharing of responsibility, while fully respecting the Charter of Fundamental Rights of the European Union.

In particular, it aims to:

- strengthen and develop legal migration policies on the European and national level in accordance with Member States' economic and social needs;

- promote the effective integration and social inclusion of third-country nationals in complementarity with other EU Funds;

- contribute to countering irregular migration and ensuring effective, safe and dignified return, readmission and reintegration in third countries;

- ensure solidarity and fair sharing of responsibility between the Member States, in particular towards those most affected by migration challenges, including through practical cooperation.

Priorities

For this Fund, partnerships shall include at least local and regional authorities or their representative associations, relevant international organisations, non-governmental organisations, in particular refugee and migrants organisations, national human rights institutions and equality bodies, and economic and social partners.

In the implementation of the Fund, priority shall be given to actions which address the situation of unaccompanied and separated minors through early identification and registration and to actions carried out in the best interests of the child.

Funding

The financial envelope for the implementation of the Fund for the 2021-2027 period shall be **EUR 9 204 957 000 in 2018 prices** (EUR 10 415 000 000 in current prices). This shall be broken down as follows: (i) EUR 5 522 974 200 in 2018 prices (EUR 6 249 000 000 in current prices) shall be allocated to the programmes implemented under shared management; (ii) EUR 3 681 982 800 in 2018 prices (EUR 4 166 000 000 in current prices) shall be allocated to the thematic facility for targeted support actions for Member States.

Each Member State shall receive a fixed amount of EUR 10 million (instead of EUR 5 million) from the Fund's allocation at the beginning of the programming period.

Resources for resettlement and humanitarian admission

The amended text stipulates that :

- Member States shall receive every two years an additional amount based on a lump sum of EUR 10 000 for each person admitted through resettlement and EUR 6 000 for each person admitted through humanitarian schemes. Where appropriate, Member States may also be eligible for lump sums for family members of persons to ensure family unity ;

- each Member State shall receive a lump sum of EUR 10 000 for each unaccompanied minor who is granted international protection in that Member State, provided that the Member State is not eligible for a lump sum payment for that unaccompanied minor under other circumstances.

It is proposed that the determining Member State shall receive refunding of the costs of reception of an applicant for international protection from the time when the application is made until the transfer of the applicant to the Member State responsible, or until the determining Member State assumes responsibility for the applicant.

Emergency assistance

The Commission may decide to provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from one or more of the following:

- an unforeseen large or disproportionate inflow of third-country nationals in one or more Member States, which places significant and urgent demands on their reception and detention facilities, child protection systems, and asylum and migration management systems and procedures;

- voluntary relocation;

- an unforeseen large or disproportionate inflow of persons in third countries, including where persons in need of protection may be stranded due to political developments, conflicts or natural disasters, notably where it might have an impact on migration flows towards the EU.

Where necessary for the implementation of the action, emergency assistance may cover expenditure which was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.

Information, communication and publicity

The recipient of Union funding shall promote the actions and their results by providing coherent, effective and meaningful information to multiple relevant audiences, including media and the public in the relevant languages. To ensure the visibility of Union funding, recipients of Union funding shall refer to its origin when communicating on the action. To this end, recipients shall ensure that all communications to the media and the public, display the Union emblem, and explicitly mention the Union's financial support.

The Commission shall publish information concerning the development of the annual and multiannual programmes of the thematic facility. It shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list at least every three months.

Annual evaluation and performance reports

By 31 December 2024 at the latest, the Commission shall present a mid-term evaluation of the implementation of the Regulation and carry out a retrospective evaluation of the Regulation by 31 January 2030 at the latest.

By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report. These reports shall be published on a dedicated website and forward them to the European Parliament and the Council.

Asylum and Migration Fund 2021–2027

2018/0248(COD) - 12/06/2018 - Legislative proposal

PURPOSE: to establish the asylum and migration fund for the period 2021-2027.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: during the refugee crisis of 2015 and 2016, the EU budget has played a decisive role in managing flows of asylum seekers and migrants. The **European migration agenda** adopted in May 2015 stressed the need for a consistent common policy to restore confidence in the Union's ability to combine European and national efforts to address migration issues.

In October 2017, the European Council reaffirmed the need for a **comprehensive approach to managing migration flows**, aimed at restoring control of external borders and reducing irregular arrivals and deaths at sea.

Drawing on the lessons from the past, the Commission, in its proposal for the multiannual financial framework for the period 2021-2027, proposed to significantly increase the share of the overall EU budget devoted to migration and external border management by **more than 2.6 times**, including an increase in the funding allocated to decentralised bodies in this policy area.

The renewed Asylum and Migration Fund (AMF) shall build on the results and investments made with the support of previous funds: the European Refugee Fund, the European Fund for the Integration of Third Country Nationals, the European Return Fund, and the Asylum, Migration and Integration Fund (AMIF) for the period 2014-2020.

CONTENT: the proposal for a Regulation - presented for a Union of 27 Member States - seeks to establish the **asylum and migration fund for the period 2021-2027**. Its scope is largely inspired by the current AMIF Regulation, while taking into account new strategic developments and the mandates of the European Border and Coast Guard Agency and the future European Union Agency for Asylum.

The Fund shall continue to support the EU's overall policies in the field of migration, integration and return, such as support to:

- strengthen and develop the **Common European Asylum System** (including its external dimension);
- promote solidarity and shared responsibility between Member States, in particular towards those States most affected by flows of migrants and asylum seekers;
- support **legal migration** to Member States and encourage the development of immigration strategies that respect the integration process of third-country nationals;
- support capacity building in Member States and promote fair and **effective return strategies** as well as the development of partnerships and cooperation with third countries.

Support to Member States: in addition to a basic amount of **EUR 5 million** allocated to Member States at the beginning of the programming period, the financial envelope foreseen for the programmes of Member States shall be allocated based on a distribution key reflecting the needs and pressures experienced by Member States in the area of integration.

It is proposed to give **30%** weighting to the area of asylum, **30**% to the area of legal migration and integration and **40**% to the area of countering irregular migration including returns. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under the fund. A mid-term review shall take into account new or additional pressures.

The remaining 40 % should be managed through a **thematic facility**, which shall periodically provide funding for the support for specific actions, providing additional funding for dedicated actions of high EU added value. Specific attention shall be put on promoting effective returns; support for resettlement and the solidarity and responsibility efforts between the Member States.

Proposed budget: the financial envelope for the implementation of the fund for the period 2021-2027 shall be **EUR 10.41 billion** in current prices. The financial resources shall be used as follows:

- **EUR 6.24 billion** for actions in support of Member States in migration management programmes implemented under shared management;
- **EUR 4.16 billion** for the thematic mechanism for specific actions to Member States, projects with a European dimension, and to address urgent needs.

It should be noted that the Commission proposal concerning the multiannual financial framework provides for **EUR 865 million** (in current prices) to the relevant decentralised agencies for the period 2021-2027.

Asylum and Migration Fund 2021–2027

2018/0248(COD) - 27/02/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Miriam DALLI (S&D, MT) on the proposal for a regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund (AMF).

Subject matter

This Regulation seeks to establish the Asylum, Migration and Integration Fund (AMIF).

Objectives

The policy objective of the fund shall be to contribute to implementation, strengthening and development of all aspects of the common European asylum policy and of the common European immigration policy in line with the principle of solidarity and fair-sharing of responsibility, while fully respecting the Union's and the Member States' obligations under international law and the rights and principles enshrined in the Charter of Fundamental Rights of the European Union.

In particular, it aims to:

- strengthen and develop legal migration policies on the European and national level in accordance with Member States' economic and social needs;

- promote the effective integration and social inclusion of third-country nationals in complementarity with other EU Funds;

- contribute to countering irregular migration and ensuring effective, safe and dignified return, readmission and reintegration in third countries;

- ensure solidarity and fair sharing of responsibility between the Member States, in particular towards those most affected by migration challenges, including through practical cooperation.

Funding

The financial envelope for the implementation of the Fund for the 2021-2027 period shall be ***EUR 9 204 957 000 in 2018 prices*** (EUR 10 415 000 000 in current prices). This shall be broken down as follows: (i) EUR 5 522 974 200 in 2018 prices (EUR 6 249 000 000 in current prices) shall be allocated to the programmes implemented under shared management; (ii) EUR 3 681 982 800 in 2018 prices (EUR 4 166 000 000 in current prices) shall be allocated to the thematic facility.

Each Member State shall receive a fixed amount of EUR 10 million (instead of EUR 5 million) from the Fund's allocation at the beginning of the programming period.

Resources for resettlement and humanitarian admission

The amended text stipulates that Member States shall receive every two years an additional amount based on a lump sum of EUR 10 000 for each person admitted through resettlement and EUR 6 000 for each person admitted through humanitarian schemes. Where appropriate, Member States may also be eligible for lump sums for family members of persons to ensure family unity.

It is proposed that the determining Member State shall receive refunding of the costs of reception of an applicant for international protection from the time when the application is made until the transfer of the applicant to the Member State responsible, or until the determining Member State assumes responsibility for the applicant.

Each Member State shall receive a lump sum of EUR 10 000 for each unaccompanied minor who is granted international protection in that Member State, provided that the Member State is not eligible for a lump sum payment for that unaccompanied minor under other circumstances.

Information, communication and publicity

The recipient of Union funding shall promote the actions and their results by providing coherent, effective and meaningful information to multiple relevant audiences, including media and the public in the relevant languages. To ensure the visibility of Union funding, recipients of Union funding shall refer to its origin when communicating on the action. To this end, recipients shall ensure that all communications to the media and the public, display the Union emblem, and explicitly mention the Union's financial support.

The Commission shall publish information concerning the development of the annual and multiannual programmes of the thematic facility. It shall also publish the list of operations selected for support under the thematic facility on a publicly available website and shall update that list at least every three months.

Emergency assistance

The Commission may decide to provide financial assistance to address ***urgent and specific needs*** in the event of an emergency situation resulting from one or more of the following:

- an unforeseen large or disproportionate inflow of third-country nationals in one or more Member States, which places significant and urgent demands on their reception and detention facilities, child protection systems, and asylum and migration management systems and procedures;

- voluntary relocation;

- an unforeseen large or disproportionate inflow of persons in third countries, including where persons in need of protection may be stranded due to political developments, conflicts or natural disasters, notably where it might have an impact on migration flows towards the EU.

Where necessary for the implementation of the action, emergency assistance may cover expenditure which was incurred prior to the date of submission of the grant application or the request for assistance, but not prior to 1 January 2021.

Evaluation

By 31 December 2024, the Commission shall present a mid-term evaluation of the implementation of this Regulation in order to examine the effectiveness, efficiency, simplification and flexibility of the Fund. By 31 January 2030, the Commission shall carry out a retrospective evaluation.

Annual performance reports

By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report. Once accepted, the Commission shall make summaries of annual performance reports available to the European Parliament and to the Council, and shall publish them on a dedicated website.

Asylum and Migration Fund 2021–2027

2018/0248(COD) - 06/07/2021 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution **approving** the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council establishing the Asylum, Migration and Integration Fund.

The proposed regulation establishes the Asylum, Migration and Integration Fund (AMIF) under Heading 4 (Migration and border management) of the Multiannual Financial Framework (MFF) 2021-2027.

Objectives of the Fund

The policy objective of the Fund is to contribute to the **efficient management of migration flows** and to the implementation, strengthening and development of the common policy on asylum and the common immigration policy.

The Fund’s specific objectives are:

(1) strengthening and developing all aspects of the **Common European Asylum System**, including its external dimension;

(2) strengthening and developing **legal migration** to the Member States in accordance with their economic and social needs, and promoting and contributing to the effective integration and social inclusion of third-country nationals;

(3) contributing to **countering irregular migration**, enhancing effective, safe and dignified return and readmission, and promoting and contributing to effective initial reintegration in third countries;

(4) enhancing **solidarity and fair sharing of responsibility** between the Member States, in particular as regards those most affected by migration and asylum challenges, including through practical cooperation.

Budget

The financial envelope for the implementation of the Fund for the period from 1 January 2021 to 31 December 2027 is set at **EUR 9 882 000 000** in current prices and will be used as follows: (a) EUR 6 270 000 000 will be allocated to the Member States' programmes; (b) EUR 3 612 000 000 will be allocated to the thematic facility which will be used to finance high added value Union priorities or to address urgent needs in accordance with the priorities agreed at Union level.

Criteria for the allocation of funds

At the beginning of the programming period, each Member State will receive a fixed amount of EUR 8 000 000 from the Fund, with the exception of Cyprus, Malta and Greece, which will each receive a fixed amount of EUR 28 000 000.

The remaining budgetary resources will be distributed according to the following criteria: (a) 35% for asylum; (b) 30% for legal migration and integration; (c) 35% for the fight against irregular migration, including returns.

In the fight against **irregular migration**, including returns, the following criteria will be taken into account and weighted as follows 70% in proportion to the number of third-country nationals who are subject to a return decision and 30% in proportion to the number of third-country nationals who have actually left the territory.

Minimum funding percentages

Member States will have to allocate **at least 15%** of the resources allocated to their programmes to each of the specific objectives relating to the Common European Asylum System (CEAS) and legal migration, integration and social inclusion.

It is foreseen that **20%** of the resources of the initial allocation to the thematic facility will be devoted to the specific objective on solidarity and fair sharing of responsibilities and that 5% of the same resources will be targeted at the implementation of integration measures by local and regional authorities.

Member States may deviate from the minimum funding percentages foreseen in their programmes in duly justified cases.

Third countries and the external dimension of the Fund

The Fund may support actions in or concerning third countries which contribute to the achievement of the Fund's objectives, provided that they are not development-oriented, are coordinated with other Union actions and are consistent with the Union's priorities and external policy.

Specific actions concerning cooperation with third countries and reintegration assistance may be supported through the thematic facility.

In addition, the Regulation provides that third countries may be associated with the Fund, subject to specific guarantees and agreements.

Resettlement, humanitarian admission and relocation

The lump sums to be granted to Member States are as follows:

- EUR 10 000 for each person admitted for resettlement, including family members;

- EUR 6 000 for each person admitted for humanitarian admission. This amount should be increased to EUR 8 000 for vulnerable persons. Their family members may also be eligible;

- EUR 10 000 for each applicant/beneficiary of international protection transferred from one Member State to another, including their family members.

The Commission may adjust these amounts by means of delegated acts to take account of inflation rates and developments in the areas concerned.

Operating support

A Member State may use up to 15% of the amount allocated to its programme under the Fund to finance operating support under the specific objective of the Fund.

Procedures for the adoption of implementing acts

Work programmes under the thematic facility will have to be adopted by means of implementing acts under the scrutiny procedure (with the ‘no opinion clause’).