

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

**POLICY DEPARTMENT** **D**  
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**Overview  
on the use of EU funds  
for migration policies**

**IN-DEPTH ANALYSIS**





**DIRECTORATE-GENERAL FOR INTERNAL POLICIES OF THE UNION**  
**POLICY DEPARTMENT D: BUDGETARY AFFAIRS**

# **OVERVIEW ON THE USE OF EU FUNDS FOR MIGRATION POLICIES**

## **IN-DEPTH ANALYSIS**

### **Abstract**

The aim of this document is to give an overview of the use of EU funds on migration policies during the first two years (2014-2015) of the Multiannual Financial Framework (MFF) and present a preliminary budgetary outlook for 2016–2017 and the remaining MFF period, taking into account the uncertainties relating to the evolution of the migration situation and pressures on EU funding.

This document was requested by the European Parliament's Committee on Budgets. It designated Mr Jan Olbrycht and Ms Isabelle Thomas (MEPs) to follow the in-depth analysis.

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## 1. INTRODUCTION

The European Union is dealing with an unprecedented increase in migration: a huge influx of asylum seekers from Africa, the Middle East, and South Asia are fleeing to Europe in search of safety and a better life<sup>1</sup>. Migrants from countries that EU Member States normally consider as ‘safe third countries’<sup>2</sup> are also supplementing the arrivals of asylum seekers (in what are referred to as “mixed flows”). According to Frontex<sup>3</sup>, in 2015 more than 1.04 million people reached the EU via Greece and Italy, a significant increase over previous years. In 2015, there were 1.83 million illegal crossings detected at EU’s external borders compared to the previous year’s record of 283 500.

The migratory pressure in the Central Mediterranean region has remained high in 2016, with the total number of migrants arriving in Italy for the first half of this year reached around 69 500, close to the figure from a year ago. According to Frontex, there are clearly less migrants arriving through the other routes.<sup>4</sup>

It is not possible to predict how many more asylum seekers and migrants are expected to arrive in the remaining years of the current Multiannual Financial Framework (MFF) (or thereafter), as this will depend on various factors such as the situation on the ground e.g. in Syria, the countries of first entry in the region, as well as the capacity of Turkey to host asylum seekers on its soil.<sup>5</sup>

On top of the cost of dealing with the arrival of large number of asylum seekers<sup>6</sup> and migrants *within* the EU, substantial funds are also used for the *external* dimension of the EU’s asylum and migration policy. One third of all the world’s displaced individuals — 20 million out of 60 million people — found shelter last year in the EU’s immediate neighbourhood (namely in Turkey, Lebanon and Jordan)<sup>7</sup>.

The refugee and migration crisis has triggered a reaction in European public opinion. According to the Autumn 2015 Standard Eurobarometer, **EU citizens considered immigration to be the most important challenge facing the EU**: it was mentioned by 58% of Europeans as the most important concern<sup>8</sup>. Yet less than 1% of the 2014-2020 MFF, agreed before the refugee crisis, was earmarked for Heading 3 Security and citizenship.

<sup>1</sup> Description of the trend: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication\\_on\\_eam\\_state\\_of\\_play\\_20151014\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication_on_eam_state_of_play_20151014_en.pdf).

<sup>2</sup> Cf. Article 38 of the Asylum Procedures Directive (i.e. Directive 2013/32/EU), which defines what a safe third country is.

<sup>3</sup> See Frontex: <http://frontex.europa.eu/news/greece-and-italy-continued-to-face-unprecedented-number-of-migrants-in-december-0BbBRd>

<sup>4</sup> See Frontex (19.7.2016): <http://frontex.europa.eu/pressroom/news/italy-sees-high-level-of-migratory-pressure-in-june-aLVl4I>

<sup>5</sup> See Frontex Risk Analysis for 2016 (5.4.2016): [http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/Annula\\_Risk\\_Analysis\\_2016.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annula_Risk_Analysis_2016.pdf)

<sup>6</sup> Cf. Eurostat [http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_quarterly\\_report](http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_quarterly_report). NB official figures only include people who are registered, hence the actual number of arrivals is higher.

<sup>7</sup> [http://www.epc.eu/documents/uploads/pub\\_6041\\_post-summit\\_analysis\\_-\\_19\\_october\\_2015.pdf](http://www.epc.eu/documents/uploads/pub_6041_post-summit_analysis_-_19_october_2015.pdf)

<sup>8</sup> This represents a 20-point increase since Spring 2015. Immigration is followed by terrorism (25%), the economic situation (21%), unemployment (17%) and the state of Member States’ public finances (17%) – Standard Eurobarometer 84 <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2098> (Autumn 2015). In the latest Spring 2016 Standard Eurobarometer, Immigration continues to be the main concern at 48 % (- 10), followed by terrorism 39 % (+14). See Standard Eurobarometer 85

<http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2130>

*The current Multiannual Financial Framework (MFF)<sup>9</sup> establishes maximum annual amounts ('ceilings') for EU spending in different political fields ('headings') for the 7-year period from 2014-2020. The MFF's main objective is to ensure the orderly development of expenditure in line with EU priorities and within the limits of the Union's own resources.*

*As requested by the European Parliament (EP) when the MFF was adopted, a "revision clause" was inserted in the MFF Regulation requiring the Commission to present a review of the functioning of the EU's long-term budget in 2016 (the so-called "Mid-Term Review/Revision"), taking into account the current economic situation at that time, and the latest macroeconomic projections<sup>10</sup>. A legislative proposal for revision may accompany this review, opening the possibility of modifying the MFF to respond to a reassessment of the EU's political priorities. This review process is of particular importance for migration policies, given the recent, very significant, developments in the migration area.*

**Note for the readers:** *For the purposes of this text, the EU budget resources referred to are expressed in commitment appropriations unless otherwise specified. The focus is on Heading 3 Security and Citizenship, but the main instruments under Heading 4 External actions are also presented briefly.*

*The draft of the document was used as background material for the EP Committee on Budgets' MFF Monitoring Group on Migration on 18 February. The key data was updated by EP's Policy Department D staff to include information referred to on 30 June 2016 in the Joint Public Hearing of the EP's Committee on Budget (BUDG), Civil Liberties, Justice and Home Affairs (LIBE), Foreign Affairs (AFET) and Development (DEVE)<sup>11</sup>. The 2017 figures are based on the Commission Draft Budget proposal. In the meanwhile, other papers on funding of migration have been published, e.g. CEPS Paper No. 93 / May 2016.<sup>12</sup>*

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<sup>9</sup> Council Regulation (EU, EURATOM) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020, L 347/884 of 20.12.2013

<sup>10</sup> Cf. Article 2 of the MFF Regulation. See also Report of 26 March 2014 on negotiations on the MFF 2014-2020: lessons to be learned and the way forward (2014/2005(INI)).

<sup>11</sup> More information: <http://www.europarl.europa.eu/committees/en/budg/events.html?id=20160628CHE00061>

<sup>12</sup> EU Budgetary Responses to the 'Refugee Crisis' - Reconfiguring the Funding Landscape, Leonhard den Hertog, [CEPS Paper in Liberty and Security in Europe No. 93](#) / May 2016.



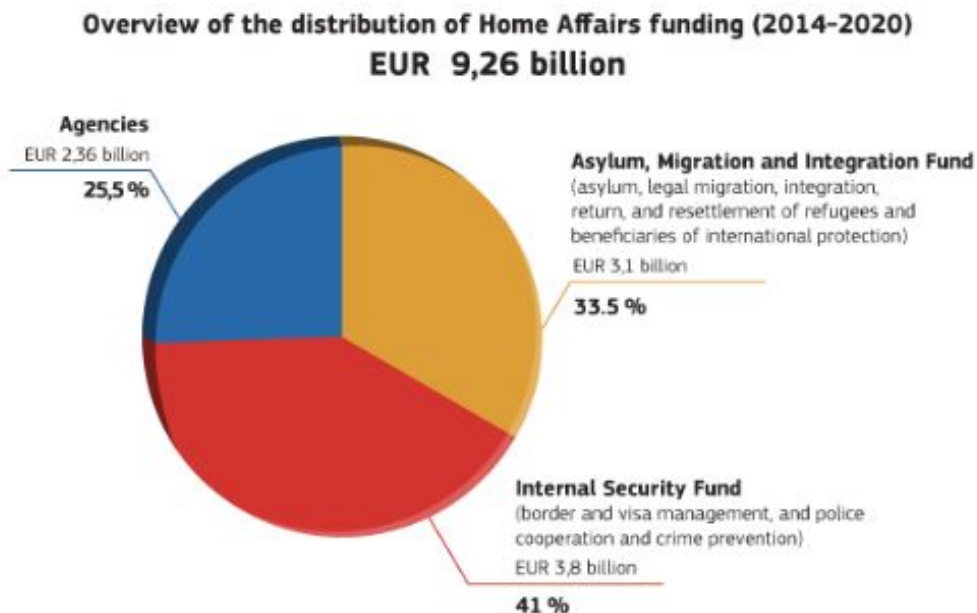
## 2. OVERVIEW OF THE EU BUDGETARY RESOURCES FOR MIGRATION IN THE MFF

The European Union has several migration policy programmes in place and, in addition to the Commission and the Member States, several EU agencies play key roles in supporting the internal and external dimensions of migration management. EU funding is mainly channelled through the Asylum, Migration and Integration Fund (AMIF)<sup>13</sup> and the Internal Security Fund (ISF)<sup>14</sup>. The main EU Home Affairs Agencies involved (FRONTEX, EASO, EUROPOL), specialise in a variety of areas: migration, asylum, border management, visa issues, security, and law enforcement<sup>15</sup>. In addition, under humanitarian aid and development cooperation, the EU budget and EU Trust Funds, as well as, outside the EU budget, the European Development Fund (EDF), address migration and asylum both geographically and thematically.

Furthermore, existing resources from other headings of the EU budget (such as Cohesion Policy under heading 1.b and Agriculture under heading 2) have been reallocated to help to deal with the situation.

*Chapter 2 aims to give an overview of the EU budgetary resources available for migration during the 2014-2020 MFF with a special emphasis on the beginning of the period (2014-2016). The specific budgetary actions during 2014-2016 and outlook for 2017 will be discussed in more detail in Chapter 3.*

### Heading 3: Security and Citizenship



**Source:** European Commission - [http://ec.europa.eu/dgs/home-affairs/financing/fundings/index\\_funding\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/index_funding_en.htm)

<sup>13</sup> Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014.

<sup>14</sup> Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014.

<sup>15</sup> In addition, also the European Police College (CEPOL), EUROJUST and European Union Agency for Fundamental Rights (FRA) have migration-related tasks.

**Migration-related programmes in Heading 3 of MFF 2014-2020****Original commitments in EUR million (current prices)**

	2014	2015	2016	2017	2018	2019	2020	Total
AMIF	403.26	416.74	430.59	444.83	459.47	486.24	496.29	<b>3137.42</b>
ISF	403.26	414.76	468.02	523.67	587.16	634.63	732.72	<b>3764.23</b>
<b>Heading 3</b>	<b>2 179</b>	<b>2 246</b>	<b>2 378</b>	<b>2 514</b>	<b>2 656</b>	<b>2 801</b>	<b>2 951</b>	<b>17 725</b>

Source: European Commission - [http://ec.europa.eu/budget/mff/index\\_en.cfm](http://ec.europa.eu/budget/mff/index_en.cfm)

Out of the original commitments for Internal Security Fund (ISF) for 2014–2020, EUR 2.76 billion were foreseen for ISF Borders & Visa and EUR 1.004 billion for ISF Police. For both AMIF and ISF Borders & Visa, the original budget level for the whole 7-year MFF period will be exceeded before the end of 2016, i.e. the third year of the period.

**For the 2014-2020 period, Asylum, Migration and Integration Fund AMIF was allocated EUR 3.1 billion.** About 88% of this amount is to be spent through Member States' multiannual national programmes, featuring shared management with the Commission<sup>16</sup>. Member States must spend at least 20% of the AMIF resources they receive on programmes supporting legal migration and effective migrant integration; and another minimum 20% on asylum-related measures<sup>17</sup>.

Fund/Agency (in EUR million)	2014	2015	2016 <sup>18</sup>	2017
Asylum, Migration and Integration Fund	403.26	553.74 <sup>19</sup>	1792.6	1624.1

To cover financial support for external borders and visa matters, the European Parliament and the Council adopted the **Internal Security Fund**, the objective of which is to provide support to the common visa policy, tackle illegal migration and support the cross-border exchange of information and harmonisation of border management measures. **For the 2014-2020 period**, out of the total of EUR 3.8 billion allocated to ISF, approximately **EUR 2.8 billion was dedicated to ISF Borders and Visa activities**<sup>20</sup>. The remaining funding was allocated to the ISF Police, which contributes to the security of the EU and its citizens through combating organised crime, including terrorism, and provides support to the Member States and the EU to better their management of security-related risks and crises. Out of ISF Borders and Visa, EUR 1.551 billion is to be spent on shared management measures, EUR 154 million on a Special Transit Scheme and the remaining EUR 1.055 billion will be spent through direct management, mainly on the Smart Borders initiative and emergencies.

<sup>16</sup> The maximum EU co-financing rate for a national project is 75 %.

<sup>17</sup> Cf. Article 15 (Resources for eligible actions in the Member States) of the AMIF Regulation.

<sup>18</sup> Including AB 1-2/2016 and support for EUR 2.3 million.

<sup>19</sup> Including AB 5/2015 (EUR 57 million) and AB 7/2015 (EUR 80 million)

<sup>20</sup> [http://ec.europa.eu/dgs/home-affairs/financing/fundings/funding-home-affairs-beyond-2013/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/funding-home-affairs-beyond-2013/index_en.htm);

[http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/internal-security-fund-borders/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/financing/fundings/security-and-safeguarding-liberties/internal-security-fund-borders/index_en.htm)

Fund/Agency (in EUR million)	2014	2015	2016	2017
Internal Security Fund Borders and Visa	252.2	277.2 <sup>21</sup>	647.5 <sup>22</sup>	741.1 <sup>23</sup>

In addition, the Commission has been striving to maximise the use of other funds to assist Member States with migration and, in particular, to support the integration of refugees and legally resident migrants into Member States' societies. These include Horizon 2020, the Rights, Equality and Citizenship Programme (REC), the Fund for European Aid to the Most Deprived (FEAD) and the European Regional Development Fund (ERDF) managed respectively by DG Research (RTD) as well as DG Justice (JUST), DG Employment, Social Affairs & Inclusion (EMPL) and DG Regional Policy (REGIO)<sup>24</sup>.

In addition, the European Social Fund was allocated EUR 86.4 billion for 2014-2020, which can also be used for migration-related measures, and can be complemented by national contributions. A minimum of 20% of ESF appropriations is allocated to social inclusion. Typically, specific support to vulnerable groups, such as asylum-seekers, would fall under the poverty and social inclusion objective, for which the current allocation is around EUR 21 billion. However, support to asylum seekers and refugees may also be envisaged under the other objectives of the ESF Regulation. These ESF projects at local, regional and national levels should promote integration, social inclusion and equal opportunities.

#### Heading 4: Global Europe

The EU has partnerships with third countries addressing issues related to migration and mobility. Since 2005, the Global Approach to Migration and Mobility ('GAMM') is the main framework for the EU's external migration and asylum policy. Several instruments have been put in place to address the external dimension of migration, and some migration-related programmes/agencies provide funding for both internal and external activities.

The main funding instrument is the Development Cooperation Instrument ('DCI'), which includes the only EU global thematic funding for migration: this financing instrument for development cooperation within the area of migration and asylum was established in 2014 under the **Global Public Goods and Challenges (GPGC) thematic programme for the 2014-2020 period**<sup>25</sup>. The focus of this GPGC allocation is on key areas including improving governance in the area of migration, asylum and mobility, improvement of migratory flows management, protection of human rights and better

<sup>21</sup> Originally: EUR 252.2 million; AB 5/2015: + EUR 5 million; AB 7/2015: + EUR 20 million

<sup>22</sup> Including AB 1-2/2016 and support for EUR 2.35 million.

<sup>23</sup> Including support for EUR 2.5 million.

<sup>24</sup> Working Document on EU internal and external funding related to its migration and asylum policy, Committee on Civil Liberties, Justice and Home Affairs. Co-Rapporteurs: Roberta Metsola and Kashetu Kyenge, of 26.11.2015. The working document also points out that the fragmentation of budget lines and responsibilities creates a management structure that could make it difficult to provide a comprehensive overview of how the different funds available in the area of migration and asylum are allocated and ultimately used. Furthermore, such fragmentation makes it harder to quantify exactly how much the EU spends on migration policy overall.

<sup>25</sup> [https://ec.europa.eu/europeaid/commission-implementing-decision-adopting-multiannual-indicative-programme-thematic-programme-global\\_en](https://ec.europa.eu/europeaid/commission-implementing-decision-adopting-multiannual-indicative-programme-thematic-programme-global_en)

understanding of migration stimuli. **So far, the GPGC has allocated approximately EUR 88 million in 2014 and 2015 to the migration and asylum agenda, with a further EUR 45 million was planned to be spent in 2016<sup>26</sup>. The amount has, however, been topped up to EUR 57 million.**

Fund/Agency (in EUR million)	2014	2015	2016 <sup>27</sup>	2017
Global Public Goods and Challenges Programme <sup>28</sup>	46.32	41.61	57.26 <sup>29</sup>	48.27

In addition, EU assistance is provided through the Instrument of Pre-accession Assistance ('IPA II') to the EU's neighbourhood countries as humanitarian aid, and via the Instrument contributing to Stability and Peace ('IcSP'). Also AMIF and ISF have an external dimension.

(in EUR million)	2014	2015	2016 <sup>30</sup>	2017
<b>Humanitarian aid</b>	874.53 <sup>31</sup>	1 082.45 <sup>32</sup>	<b>1 202.3</b>	<b>1 052.3</b>
<b>European Neighbourhood Instrument (ENI)</b>	2 132.40 <sup>33</sup>	2 288.40 <sup>34</sup>	<b>2 202.8</b>	<b>2 286.1</b>
<b>Instrument for Pre-accession Assistance (IPA II)</b>	1 387.33 <sup>35</sup>	1 574.77 <sup>36</sup>	<b>1 662.3</b>	<b>2 114.7</b>
<b>Development Cooperation Instrument (DCI)</b>	2 260.03 <sup>37</sup>	2 378.57 <sup>38</sup>	<b>2 629.9</b>	<b>2 711.5</b>
<b>TOTAL</b>	<b>6 654.29</b>	<b>7 324.19</b>	<b>7 697.3</b>	<b>8 164.5</b>

The **Africa Trust Fund<sup>39</sup>** was launched by the European Commission at the Valletta Summit in November 2015. **This Fund will receive EUR 1.8 billion** from the EU budget and the European Development Fund, to be matched by contributions from Member States and other donors. The Trust

<sup>26</sup> [https://ec.europa.eu/europeaid/sites/devco/files/mip-gpgc-2014-2017-annex\\_en.pdf](https://ec.europa.eu/europeaid/sites/devco/files/mip-gpgc-2014-2017-annex_en.pdf)

<sup>27</sup> Including AB 1 and DAB 2-3/2016.

<sup>28</sup> Allocations in the area of migration and asylum

<sup>29</sup> Including AB 1-2/2016.

<sup>30</sup> Including AB 1 and DAB 2-3/2016.

<sup>31</sup> Official Journal L51 of 21/02/2014, chapter 21 03

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2014:051:FULL>

<sup>32</sup> Initially: EUR 882.45 million; Commission announced on 23.9.2015 an increase of EUR 200 million. Amending Budget (AB) No 7 for the year 2015. chapter 23 02 01

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015B2221&qid=1450098408028>

<sup>33</sup> Official Journal L51 of 21/02/2014 chapter 21 03

<http://eur-lex.europa.eu/budget/data/General/2014/en/SEC03.pdf>

<sup>34</sup> Amending Budget (AB) No 7 for the year 2015. chapter 21 03

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015B2221&qid=1450098408028>

<sup>35</sup> Official Journal L51 of 21/02/2014 chapter 22 02

<http://eur-lex.europa.eu/budget/data/General/2014/en/SEC03.pdf>

<sup>36</sup> Official Journal of the EU 13.3,1015 chapter 22 02

<http://eur-lex.europa.eu/budget/data/General/2015/en/SEC03.pdf>

<sup>37</sup> Official Journal L51 of 21/02/2014 chapter 21 02

<http://eur-lex.europa.eu/budget/data/General/2014/en/SEC03.pdf>

<sup>38</sup> Amending Budget (AB) No 7 for the year 2015. Chapter 21 02 <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015B2221&qid=1450098408028>

<sup>39</sup> The Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa.

Fund is a mechanism under the EU's Financial Regulation and enables a quick, complementary and flexible response to emergency situations<sup>40</sup>.

The Africa Trust Fund is specifically designated for those parts of Africa most affected by migration, including the Sahel, the Horn of Africa and North Africa, and aims to contribute to stabilisation (i.e. addressing the root causes of instability, forced displacement and others) and to improve migration management.

The **EU Regional Trust Fund in Response to the Syrian Crisis** (the Madad Fund) was also established in 2015 by the Commission to "provide coherent, comprehensive and joint aid response to the manifold and increasing needs arising from the Syrian crisis across the region"<sup>41</sup>. This Trust Fund is designed to address the needs of Syrian refugees in the countries neighbouring the conflict area, as well as the communities that provide assistance to them. The EU has provided EUR 500 million to the Madad Fund and this amount should be matched by donations from the Member States and other donors, including individuals and private entities.

In October 2015, the European Union and Turkey agreed on a Joint Action Plan within their comprehensive cooperation agenda. The amount decided for the EU-funded **Refugee Facility for Turkey** is EUR 3 billion, which is to be disbursed as of 1 January 2016 and should be used to manage the challenges created by the presence of refugees. On 3 February 2016<sup>42</sup>, the Council agreed that EUR 1 billion would be funded from the EU budget and EUR 2 billion by contributions from the Member States according to their share of the EU GNI.

Outside the EU budget, the European Development Fund (EDF) is the EU's largest geographic instrument in development coordination, with a budget of EUR 30.5 billion allocated to the 11<sup>th</sup> EDF during 2014-2020. The EDF provides development aid to African, Caribbean and Pacific (ACP) countries and to overseas countries and territories (OCTs). The EDF finances cooperation activities in the fields of economic development, social and human development as well as regional cooperation and integration. It funds many projects linked to migration.

The EU budget is also providing funding (of EUR 500 million) for the UNCHR (World Food Programme) and other relevant organizations. The EU Member States have committed to deploying national funding to match the EU amount but they have, so far, fallen short of their promises (see Annex).

## Agencies

As well as direct programmes and funds addressing specific problem areas, the EU also interacts with migration and asylum through its **agencies**.

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<sup>40</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2\\_factsheet\\_emergency\\_trust\\_fund\\_africa\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_factsheet_emergency_trust_fund_africa_en.pdf)

<sup>41</sup> <http://ec.europa.eu/enlargement/neighbourhood/pdf/key-documents/syria/20120212-signed-ca-eutf-syrian-crisis-and-annex1-objectives-and-purposes.pdf>

<sup>42</sup> <http://www.consilium.europa.eu/en/press/press-releases/2016/02/03-refugee-facility-for-turkey/>

The **European Asylum Support Office (EASO)** was established in 2010 to facilitate communication between Member States and help develop the Common European Asylum System, including assisting Member States to fulfil their international obligations to protect people in need, and providing technical support to the Commission.

Fund/Agency (in EUR million)	2014	2015	2016	2017
EASO	15.6 <sup>43</sup>	15.9 <sup>44</sup>	18.6 <sup>45</sup>	66.2

The **European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)** was established in 2004, with a mandate to coordinate EU external border management. The Frontex staff and budget had already increased massively to help Member States in tackling the current migration crisis. On 15 December 2015, the Commission proposed to strengthen Frontex with a new European Border and Coast Guard Agency with additional tasks and further increased resources.

Fund/Agency (in EUR million)	2014	2015	2016	2017
FRONTEX	97.9 <sup>46</sup>	143 <sup>47</sup>	238.7 <sup>48</sup>	281.3

The **European Union Law Enforcement Agency (Europol)** assists Member States in the fight against international crime and terrorism, and facilitates the exchange of information and intelligence between Member States' authorities. Europol also provides training and organises joint investigation teams.

Fund/Agency (in EUR million)	2014	2015	2016	2017
Europol	84.2	94.4	99.7	111.7

Source: <https://www.europol.europa.eu/content/page/finance-819>

<sup>43</sup> <https://easo.europa.eu/wp-content/uploads/EASO-budget-amendment-2.pdf>

<sup>44</sup> Originally EUR 14.9 million; AB 5/2015: + EUR 626.957; AB 7/2015: + EUR 326 000

<https://easo.europa.eu/wp-content/uploads/EASO-AmBu-2-2015-adopted-financial-resources.pdf>

<sup>45</sup> <https://easo.europa.eu/wp-content/uploads/EASO-Budget-2016-adopted-by-MB.pdf>

<sup>46</sup> [http://frontex.europa.eu/assets/About\\_Frontex/Governance\\_documents/Budget/Budget\\_2014\\_N2.pdf](http://frontex.europa.eu/assets/About_Frontex/Governance_documents/Budget/Budget_2014_N2.pdf)

<sup>47</sup> [http://frontex.europa.eu/assets/About\\_Frontex/Governance\\_documents/Budget/Budget\\_2015\\_N3.pdf](http://frontex.europa.eu/assets/About_Frontex/Governance_documents/Budget/Budget_2015_N3.pdf)

<sup>48</sup> [http://frontex.europa.eu/assets/About\\_Frontex/Governance\\_documents/Budget/Budget\\_2016.pdf](http://frontex.europa.eu/assets/About_Frontex/Governance_documents/Budget/Budget_2016.pdf)

### 3. ADDITIONAL ACTIONS TAKEN TO ADDRESS THE MIGRATION CRISIS

This chapter aims to give a summary of the budgetary implications of the actions taken at EU level in reaction to the migration situation.

When it took office in November 2014, the new European Commission made migration one of its ten political priorities. Following the priorities identified in Commission President Juncker's Political Guidelines<sup>49</sup>, the 2015 **European Agenda on Migration**<sup>50</sup> introduced a plan for the improvement of irregular migration, border management and the implementation of Common European Asylum System. The 2015 Agenda for Migration<sup>51</sup> envisages a new type of migration management, based on mutual trust and solidarity between the Member States and EU institutions. The Agenda provides Member States with tools to manage migration, featuring a mix of short- and long-term actions targeting both the internal and the external dimensions of the migration problem.

The Agenda<sup>52</sup> includes ten points covering immediate initiatives and activities to tackle the most pressing reasons for, and impacts of, the crisis, as well as long-term measures to address the root causes of increased migratory flows, to increase support for integration and introduce new approaches to legal migration. Naturally these measures have already had, and will continue to have, an impact on how resources earmarked for migration would be spent in the following years. In particular, the Commission has been concentrating funding<sup>53</sup> on relocation, resettlement and the 'hotspots' concept.

The European Agenda on Migration also introduced the concept of **hotspots**, where relevant EU agencies, such as EASO and Frontex,<sup>54</sup> cooperate with frontline Member States (namely Greece and Italy) to swiftly identify, register and fingerprint incoming migrants. As of January 2016, the defined hotspots were Lampedusa, Pozzallo, Porto Empedocle, Augusta, Taranto, and Trapani (for Italy, a total reception facility of 2 250 people), and Lesvos, Chios, Samos, Leros, and Kos (for Greece, a total reception facility of 1 840).

Despite the relatively high number of hotspots announced, only three of them seemed to be fully operational in the beginning of 2016. They clearly faced conceptual and practical challenges, ranging from cooperating with both the local and national level authorities of the hosting Member States, to financing the deployment of EU agency staff, and setting up offices (with the appropriate infrastructure) in remote areas. The presence of participating EU agencies in hotspots is covered by

<sup>49</sup> Jean-Claude Juncker, Political Guidelines: A new start for Europe: My Agenda for jobs, growth, fairness and democratic change, 15 July 2014.

<sup>50</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, a European Agenda on Migration, COM(2015) 240 final, 13.5.2015.

<sup>51</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/index_en.htm)

<sup>52</sup> [http://europa.eu/rapid/press-release\\_IP-15-4813\\_en.htm](http://europa.eu/rapid/press-release_IP-15-4813_en.htm)

<sup>53</sup> Apart from putting forward policy measures such as the proposed Return Action Plan, European Border and Coast Guard, Voluntary Humanitarian Admission Scheme, etc.

<sup>54</sup> The idea is that those claiming asylum are immediately channelled into an asylum procedure where EASO support teams help to process asylum cases as quickly as possible. For those not in need of protection, Frontex helps Member States by coordinating the return of irregular migrants. Europol (and Eurojust) is to assist the host Member State with investigations to dismantle the smuggling and trafficking networks. A significant part of the additional 33 staff, granted by the budgetary authority to Europol at the end of 2015, will also be used to expand the frontline support activities by Europol.

their normal budget (i.e. no extra funds activated for this purpose), which also means that hotspots tend to be understaffed<sup>55</sup>.

Hotspots were also conceived to contribute to the implementation of the temporary relocation schemes under which, in September 2015, 160 000 relocation places<sup>56</sup> were agreed by the Council. However, by 11 February 2016, only 17 Member States had made relocation places available, amounting to 4 582 places. Yet, in practice only 279 people were relocated from Italy and 245 from Greece<sup>57</sup>. The current state of play (26 August 2016) can be checked on Commission website<sup>58</sup>.

Concerning **resources** (including staff) **allocated to agencies**, there seem to be a gap between the EU-wide expectations and the increased allocation of tasks to agencies through the European Agenda on Migration on the one hand, and their available budget and staff on the other. In particular, the budget increases they receive are not always accompanied by the necessary staff increases to deploy personnel who can ensure that the additional tasks are actually carried out. Furthermore, an increased number of staff does not always result in additional funding to cover the extra running costs generated by new staff<sup>59</sup>.

At the informal meeting of Heads of State and Government on 23 September 2015, **Member States** agreed to deploy national funding in addition to the resources provided by MFF. They repeated this commitment at the European Council on 15 October 2015<sup>60</sup>. However, while the Commission will spend EUR 10.1 billion in total on the refugee crisis in 2015 and 2016, a large number of Member States have not provided their matching contributions<sup>61</sup>. As shown in Annex 1, across the different programmes, by June 2016 the shortfall was still very significant at more than EUR 2 billion<sup>62</sup>.

## Reinforcements in the 2015 EU budget

During 2015, there were eight '**Amending Budgets**' to adjust the EU budget to new developments, of which, amending budgets 5/2015 and 7/2015 substantially increased spending aimed at addressing the refugee crisis.

On 13 May, the Commission adopted the European Agenda on Migration, which was accompanied by draft amending budget 5/2015. The final adoption of the amending budget 5/2015 on 7 July 2015 allows for:

- FRONTEX operations in the Mediterranean to be tripled (Triton and Poseidon, EUR 26 million);

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<sup>55</sup> Information based on interviews conducted by Deloitte.

<sup>56</sup> Over the coming two years, for people in clear need of international protection who should be identified in frontline Member States for relocation to other EU Member States where their asylum application will be processed.

<sup>57</sup> Daily updates by the Commission: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf)

<sup>58</sup> State of play of 26/08/2016, see: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_hotspots\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_hotspots_en.pdf)

<sup>59</sup> Information based on interviews conducted by Deloitte.

<sup>60</sup> [http://europa.eu/rapid/press-release\\_IP-15-6134\\_en.htm](http://europa.eu/rapid/press-release_IP-15-6134_en.htm)

<sup>61</sup> NB for the UNHCR, World Food Programme and other relevant organisations (EUR 500 million), the EU Regional Trust Fund for Syria (EUR 500 million) and the Emergency Trust Fund for Africa (EUR 1.8 billion).

<sup>62</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_member\\_state\\_pledges\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_member_state_pledges_en.pdf)



- The emergency assistance provided to the most affected Member States to be doubled under the Asylum, Migration and Integration Fund (AMIF, EUR 25 million) and the Internal Security Fund (ISF, EUR 5 million);
- An EU-wide resettlement scheme (EUR 25 million) to be implemented;
- The Regional Development and Protection Programmes for North Africa and the Horn of Africa to be reinforced (EUR 7 million); and
- The number of posts and related staff expenditure of the three EU agencies most concerned to be reinforced (16 posts for FRONTEX, 4 for EASO and 3 for EUROPOL).

The procedure for AB 7/2015 took just 2 weeks in October 2015. Its adoption provided for:

- A reinforcement of emergency assistance provided under the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF), for a total amount of EUR 100 million;
- An increase in the number of establishment plan posts for FRONTEX (+ 60 posts), EASO (+ 30) and EUROPOL (+ 30) to increase their capacity on the ground. The related reinforcement of salary expenditure amounted to EUR 1.3 million in commitment and payment appropriations for the three agencies combined;
- Additional funding for the European Neighbourhood Instrument (EUR 300 million), so that the EU Regional Trust Fund in response to the Syrian crisis ("Madad Fund") could reach at least EUR 500 million.
- An increase in payment appropriations for Humanitarian Aid of EUR 55.7 million through redeployment (a transfer of commitment appropriations for Humanitarian Aid from the Emergency Aid Reserve (EAR) was adopted separately, in order to reach EUR 200 million in humanitarian aid for refugees in need).

AB 1/2015<sup>63</sup>, which was adopted on 28 April 2015, also had an impact on heading 3; it was not directly linked to the refugee crisis, but was a standard adjustment usually needed at the beginning of each MFF cycle. For the Asylum, Migration and Integration Fund (AMIF) and Internal Security Fund (ISF), the allocations not used in 2014 were transferred to years 2015 to 2017 due to the late adoption of the related basic acts. The corresponding increase in 2015 was EUR 210.3 million.

### Reinforcements in the 2016 budget

In addition to, and building on, amending budgets 5 and 7/2015, **Amending Letter No 2 to the Draft General Budget 2016** was presented in October and later on adopted by the budgetary authority with additional reinforcements agreed during the budgetary conciliation procedure.

Amending letter 2 contained reinforcements of a total of EUR 1 380 million in **heading 3** for immediate measures to manage the refugee crisis under the European Agenda on Migration as follows:

- A reinforcement of emergency assistance in favour of more exposed Member States;

<sup>63</sup> Proposed by the Commission as Draft Amending Budget 2/2015

- Increased capacity of the front-line agencies;
- Integration of the two relocation decisions taken in September 2015 with regard to the relocation of 160 000 people from Italy and Greece (the initial 2016 draft budget already included the appropriations corresponding to 40 000 of these 160 000 people).
- A further top-up in funding under the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF).

The following table shows the breakdown of the reinforcements, mainly introduced via amending letter 2, in relation to the 2016 draft budget and 2016 final budget by fund and by agency:

**EUR million + posts**

	<b>DB 2016</b>	<b>Reinforcements</b>	<b>Budget 2016</b>
<b>AMIF</b> (Asylum, Migration and Integration Fund)	<b>712.3</b>	<b>+1 178.0</b>	<b>1 890.3</b>
<b>ISF</b> (Internal Security Fund)	<b>531.1</b>	<b>+116.4</b>	<b>647.5</b>
<b>Frontex</b>	<b>160.9</b>	<b>+77.8</b>	<b>238.7</b>
Additional posts	165	+60	225
<b>EASO</b>	<b>14.8</b>	<b>+3.9</b>	<b>18.7</b>
Additional posts	61	+30	91
<b>Europol</b>	<b>93.8</b>	<b>+3.9</b>	<b>97.7</b>
Additional posts	450	+30	480
<b>Eurojust</b>	<b>42.8</b>	<b>+0.1</b>	<b>42.9</b>
Additional posts	201	+2	203
<b>FRA (EU Agency for Fundamental Rights)</b>	<b>21.1</b>	<b>+0.1</b>	<b>21.2</b>
Additional posts	72	+2	74
<b>TOTAL</b>	<b>1 576.8</b>	<b>+1 380.2</b>	<b>2 957</b>

*Remark:* The 2016 DB had already integrated the supplementary posts introduced by the AB5/2015 (Frontex +16; EASO +4; Europol +3).

As there were no possibilities for redeployment under heading 3 in the 2016 draft budget<sup>64</sup>, the budgetary authority agreed to mobilise the Flexibility Instrument for an amount of EUR 1 504 million<sup>65</sup> to finance the heading 3 refugee and migration related reinforcements.

Regarding **heading 4**, Amending Letter 2 increased Humanitarian Aid by EUR 150 million, bringing the total amount that the EU would spend on the refugee and migration crisis in 2015-2016 up to EUR 9.2 billion, according to the European Commission<sup>66</sup>.

<sup>64</sup> The 2016 DB was already accompanied by a separate act proposing to mobilise the Flexibility Instrument for an amount of EUR 124 million regarding heading 3.

<sup>65</sup> The flexibility instrument was mobilised for a total of EUR 1 506 million for all heading 3 reinforcements.

<sup>66</sup> European Commission - Press release State of Play: Measures to Address the Refugee Crisis Brussels, 22 January [http://europa.eu/rapid/press-release\\_IP-15-6134\\_en.htm](http://europa.eu/rapid/press-release_IP-15-6134_en.htm)

In addition, Parliament secured a further EUR 26 million in humanitarian aid and several other reinforcements (IPA II by EUR 37 million, DCI by EUR 16 million, ENI by EUR 51.3 million) to contribute to the EU response to the refugee crisis under those various instruments.

As a new element at the end of 2015, the EUR 3 billion **Refugee Facility for Turkey** was set up, with EUR 1 billion coming from the EU budget<sup>67</sup> (see Chapter 2).

*A concrete example of the pressures on the MFF framework and the changes made to the EU budget for 2016 resulting from migration-related pressures for more funding: Despite the fact that the MFF Regulation sets the ceilings for expenditure, the adopted 2016 budget figure for Heading 3 is EUR 2 957 million, i.e. EUR 651 million above the technically adjusted MFF ceiling of EUR 2 306 million provided for in Heading 3 in 2016. However, the reality of the 2016 budget, as adopted, already demonstrates certain weaknesses regarding the criterion of budget sufficiency: as an illustration, one agency mentioned that its 2016 budget increase aimed at covering the creation of new posts merely from the perspective of staff expenditure, but did not cover, for example, additional related costs linked to infrastructure and IT<sup>68</sup>.*

### **Summary of EU budget response to the refugee crisis in 2015 and 2016<sup>69</sup>**

Over the last months of 2015 and beginning of 2016, the European Commission mobilised in an unseen manner the EU budget of over EUR 10 billion, more than doubling the initial allocation, to address the refugee crisis and assist the countries most affected; providing a new coordination and cooperation framework for the Western Balkan countries; starting a new partnership with Turkey and proposed a new European Border and Coast Guard. Despite these measures taken, uncertainty surrounding the strong inflow of asylum seekers and its economic impact remains high.

**Funding inside the EU for EUR 3.9 billion:** The Commission reinforced funding for the years 2015 and 2016 of Frontex, Europol and EASO (to EUR 170 million) and increased financial contributions to the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF) from initially EUR 2 billion to EUR 3.7 billion (emergency funding corresponding to EUR 335 million and long-term measures EUR 3 365 billion).

**Funding outside the EU for EUR 6.2 billion:** The increase of Humanitarian aid (to EUR 2.15 billion), the creation of the Madad EU Trust Fund for Syria (EUR 500 million - total EUR 1 billion with expected matching from Member States), the creation of the EU Emergency Trust Fund for Africa (EUR 1.8 billion - total EUR 3.6 billion + EUR 1 billion increase), the creation of the refugee facility in Turkey (EUR 1 billion - total EUR 3 billion) and other measures relating to security and boarder control (EUR 300 million), counter terrorism (EUR 100 million), Education and health (EUR 70 million) and to the return of displaced persons and refugees (EUR 280 million).

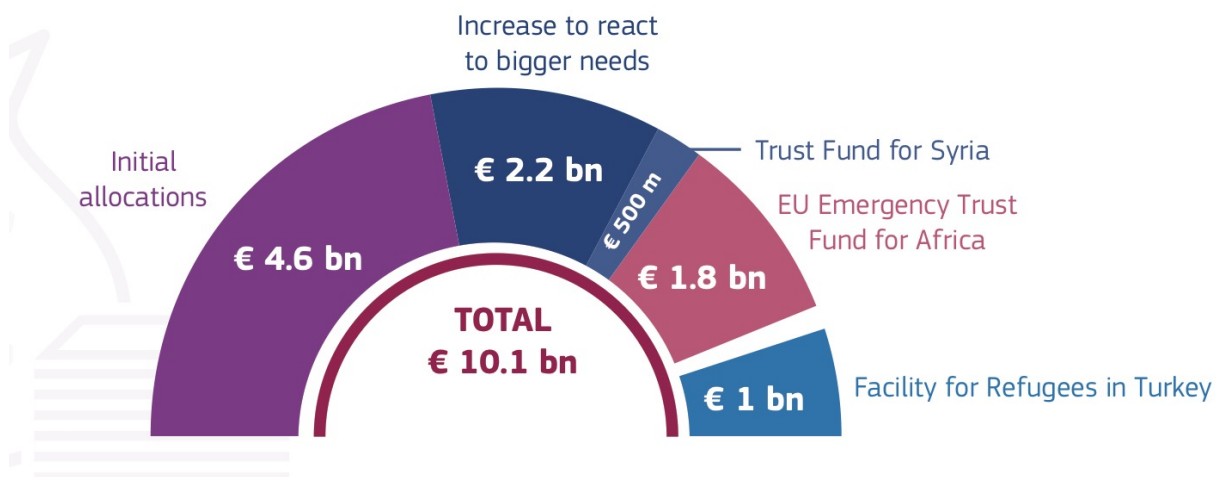
<sup>67</sup> For more information, see Chapter 2.

<sup>68</sup> Based on interviews conducted by Deloitte. The 2016 budget include EUR 1.5 billion using all the Flexibility Instrument accumulated over 2014–2016.

<sup>69</sup> Consolidated annual accounts of the European Union – Financial year 2015

[http://ec.europa.eu/budget/library/biblio/documents/2015/EU\\_AnnualAccounts2015\\_EN.pdf](http://ec.europa.eu/budget/library/biblio/documents/2015/EU_AnnualAccounts2015_EN.pdf)

## EU budget response to the refugee crisis in 2015 and 2016<sup>70</sup>



## Preliminary outlook for 2017<sup>71</sup>

**Internal action:** The Commission estimates that a total of **EUR 3 billion** will be required in 2017 under **heading 3** to address the challenges of the migration, refugee and security crises. Measures in the field of migration include: the revision of the Dublin Regulation, the need to integrate migrants who arrived in 2015-2016 and the effective return of those not entitled to international protection; continued emergency assistance measures, and strengthening EASO as the new EU Agency for Asylum.

The 2017 budget proposal for the 'Asylum, Migration and Integration Fund' (AMIF) foresees additional means in several areas, such as supplementing Member States' resources for integration activities of third-country nationals arriving in the EU; providing appropriate financial support for return operations; continuing an increased level of funding for emergency assistance; and facilitating readmission to third countries, as well as providing appropriate resources for the Voluntary Humanitarian Admission Scheme with Turkey.

The 'Internal Security Fund' (ISF) provides for financial support also for measures to achieve a uniform and high-level of control of the external borders of the Union, to harmonise border management measures within the Union and to share information among EU states and between EU states and Frontex. In order to meet the growing need for effective management on the EU's external borders in 2017, additional resources will be allocated for purchasing means of transport and equipment for supporting Frontex joint operations.

<sup>70</sup> Source:

[http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/eu\\_budget\\_for\\_the\\_refugee\\_crisis\\_20160210\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/eu_budget_for_the_refugee_crisis_20160210_en.pdf)

<sup>71</sup> Based on the Statement of Estimates of the European Commission for the Financial Year 2017: <http://ec.europa.eu/budget/library/biblio/documents/2017/statement-of-estimates-of-the-european-commission.pdf>

The Commission proposes the full use of the expenditure ceiling of heading 3 (EUR 2.6 billion), adding EUR 1.7 billion through the Flexibility Instrument (EUR 530 million) and the Contingency Margin (EUR 1 164 million).

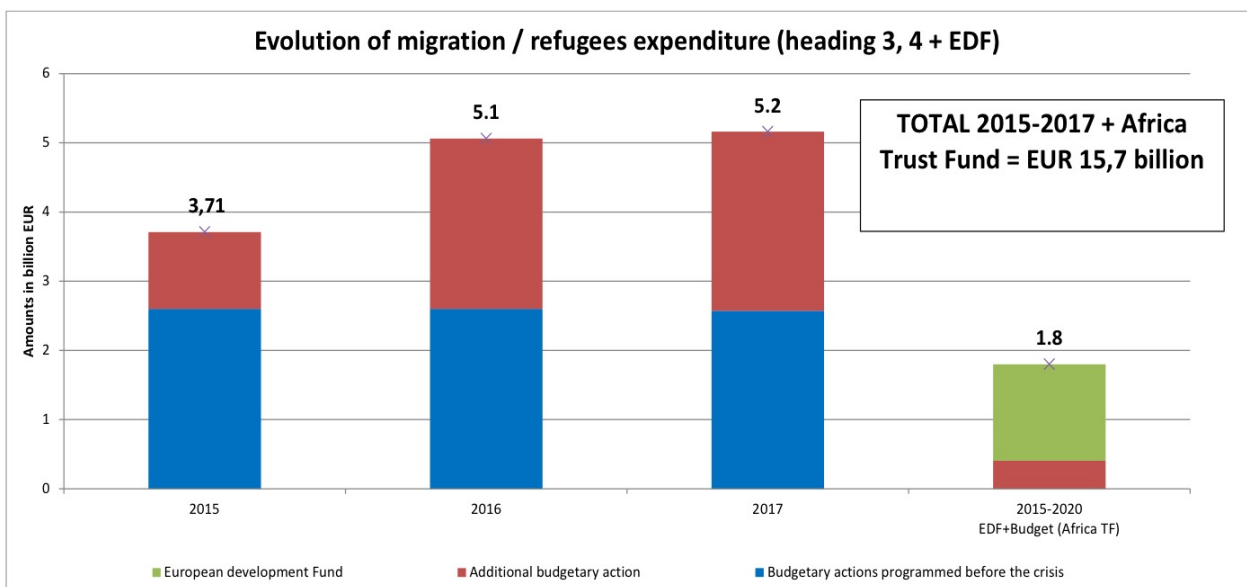
**External action:** In the Commission Draft Budget for 2017, the total expenditure for **heading 4** increases by 2.9 % to EUR 9 432.0 million in commitment appropriations in 2017. A large part of the increase relates to the needs of the migration, for example the Instrument for Pre-accession assistance (IPA) increases in relation to the establishment of the Facility for Refugees in Turkey.

The refugees/migration-related expenditure in Heading 4 in DB proposal for 2017 amounts to **EUR 2.2 billion:**

- Facility for Refugees in Turkey                      EUR 750 million
- Lebanon/Jordan/Syria                                      EUR 525 million
- Humanitarian aid    EUR 520 million
- Development (DCI)    EUR 273 million
- Neighbourhood (ENI)    EUR 112 million

During 2015–2017, a total of EUR 15.7 billion will be allocated via the EU budget for actions inside and outside of the EU.

**EU allocations for refugees and migration - internal and external dimension 2015–2017<sup>72</sup>**  
*(Commitments in EUR billion)*



<sup>72</sup> Source: Powerpoint presentation by Director General Nadia Calvino, DG Budget, European Commission on 30 June 2016.

## 4. MFF FLEXIBILITY AND CONSTRAINTS

MFF Regulation 1321/2013 contains, in articles 9-15, several special instruments aimed at increasing the flexibility of the EU Budget. Some of the instruments date from the previous MFF period, such as the European the Globalisation Fund, European Solidarity Fund, the Emergency Aid Reserve, the Flexibility Instrument, but new rules have been introduced (in particular, increased carry-over possibilities). With the European Parliament as a key initiator, several new instruments were included in the MFF Regulation, such as the Global Margin for commitments and the Contingency Margin. In addition, the Global Margin for payments, defined in article 5 of the MFF Regulation, also contributes to the increased flexibility of the EU budget.

The flexibility of the MFF regulatory framework – as well as its limits – have been tested during the first years of the MFF. The resources available in the current MFF, even with the full activation of the existing flexibility provisions, could prove to be insufficient to tackle the migration-related needs in the next years.

The late adoption of the MFF legal framework meant that several of the corresponding legal bases for several key funds were also adopted late. The revision of the MFF, under Article 19 of the MFF Regulation, made it possible to transfer appropriations from 2014 to 2015 and subsequent years to ensure that the programmes can be fully implemented, despite the delays. The legal acts on both AMIF and ISF were only adopted in May 2014. Amending Budget 1/2015 included the corresponding adjustment for 2015 for AMIF and ISF<sup>73</sup>.

A specific limitation to the scope of the MFF review/revision is included in the final sentence of Article 2 of the MFF Regulation stating that, without prejudice to Article 7 of the regulation, pre-allocated national envelopes may not be reduced by the mid-term revision. This includes, in addition to the cohesion policy, the programmes in shared management in Heading 3 (AMIF and ISF Funds).

- **The Emergency Aid Reserve – article 9 of the MFF Regulation**

The Emergency Aid Reserve “is intended to allow for a rapid response to specific aid requirements of third countries following events which could not be foreseen when the budget was established”, notably in “situations of particular pressure resulting from migratory flows at the Union's external borders where circumstances so require.” The annual amount of the Reserve is fixed at EUR 280 million (2011 prices) and may be used up to year n+1.

- **The Flexibility Instrument – article 11 of the MFF Regulation**

The Flexibility Instrument is an instrument designed to deal with spending that cannot be covered within the ceilings of the MFF. It allows for an increase in the financial resources for crisis management beyond the ceilings of the MFF, up to an annual amount capped at EUR 471 million (2011 prices).

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<sup>73</sup> See also under Chapter 3 on specific actions budgeted in the 2015 EU Budget

Following the agreement on the 2016 budget, the full amount of the Flexibility Instrument available for years 2014-2016 (EUR 1 530 million) was mobilised, and the reinforcements for migration policies were targeted to specific programmes and agencies in Headings 3 and 4. As there will be no amount left for carry-over from years 2014-2016, a much lower amount of EUR 530 million will be available in 2017 to respond to possible forthcoming needs.

**Commitments in EUR million (current prices)**

	B2014	B2015	B2016	2017	2018	2019	2020	TOT
Max available per year	500	510	520	530	541	552	563	3 716
<b>Total mobilised so far</b>	<b>1 530</b>							
<i>Mobilized in Heading 3</i>	0	0	1 506					1 506
<i>Mobilized in Heading 4</i>	0	0	24					24
Remaining available (with carry over)	0			530	1 071	1 623	2 186	2 186

**Source:** Note on flexibility provisions in the MFF Regulation (in MFF Monitoring Group 10.12.2015 materials) - p.4

- **Global Margin for Payments – article 5 of the MFF Regulation**

As part of the technical adjustment referred to in article 6 of the MFF Regulation, the Global Margin for Payments is a mechanism that, starting from year 2015, allows for adjusting the annual payment ceilings upwards for the years 2015-2020. The adjustment is represented by an amount equivalent to the difference between the implemented payments and the MFF payment ceiling of the year n-1. Upward adjustments must, however, be fully offset by a corresponding reduction in the payment ceiling for year n-1. In addition, the MFF rules impose limits to these adjustments for the years 2018, 2019 and 2020. This mechanism has had no practical implications for the migration-related financing so far.

- **Global Margin for Commitments – article 14 of the MFF Regulation**

Article 14 of the MFF Regulation provides that “the Margins left available below the MFF ceilings for commitment appropriations for the years 2014-2017 shall constitute a Global MFF Margin for commitments, to be made available over and above the ceilings established in the MFF for the years 2016 to 2020 for policy objectives related to growth and employment, in particular youth employment.”

As is the case with the Global Margin for Payments, this mechanism is annual and is a part of the technical adjustment provided for in Article 6 mentioned above. In relation to the management and financing of the migration crisis, it is however, unlike the Global Margin for Payments, limited by the scope of application of instruments related to the EU Budget Headings 1a and 1b.

- **Contingency Margin – article 13 of the MFF Regulation**

The Contingency Margin is an instrument of “last resort” designed to react to unforeseen circumstances, and is capped at amounts not exceeding 0.03% of the EU's gross national income (GNI). It may be mobilised only in relation to an amending or annual budget.

So far, the Contingency Margin has been mobilised once in the current MFF period, in 2014 for an amount of EUR 3 168.2 million in payment appropriations, over and above the payment ceiling.

Following the adoption of the 2016 Budget, additional means for migration in 2016 could mainly be found through the mobilisation of the Contingency Margin (EUR 4 438 million). However, any amount mobilised through this instrument in one year should be fully compensated (by reducing the MFF ceilings accordingly) in the same or following years of the MFF.

Other options include the reallocation of funds within the EU budget or the use of “legislative flexibility” (Point 17 of the Interinstitutional Agreement accompanying the MFF agreement<sup>74</sup>).

### ***Instruments outside the MFF***

Trust funds, linked to the migration crisis, incorporate additional sources of financing outside the MFF<sup>75</sup>, by leveraging additional possibilities offered by article 187 of the EU Financial Regulation, which set the rules for ad hoc instruments, notably trust funds for external actions. The financing mechanisms set out in the Trust Funds allow for the pooling of resources not only from the EU budget, but also from the 11<sup>th</sup> European Development Fund reserve, and from contributions from Member States and other donors.

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<sup>74</sup> [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013Q1220\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013Q1220(01)&from=EN)

<sup>75</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2\\_factsheet\\_emergency\\_trust\\_fund\\_africa\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_factsheet_emergency_trust_fund_africa_en.pdf)



## 5. CONCLUSIONS

- There is a **limited amount of appropriations available within the current MFF** to address the refugee and migration crisis. Experience so far shows that **maximum possible flexibility is needed** to face new priorities and emergencies as a compensation for low expenditure ceilings.
- So far, additional needs have been addressed through **redeployment, amending budgets, mobilisation of special instruments and the creation of ad hoc instruments** such as trust funds.
- Given the seriousness and the corresponding cost of the refugee and migration crisis, it is believed by all those consulted that **substantially increased resources** will be required between now and 2020, compared to what is provided in the MFF.
- It is also generally believed that, while internal relocation of appropriations within the MFF could provide additional resources to help address the crisis, MFF spending will have to be complemented by **additional EU expenditure outside the MFF**, and by significantly increased Member State spending.
- The fundamental decisions as to whether the additional funds should come from the **EU or Member States' budgets** are dependent on the political decisions to be made regarding the governance of migration, external border control, refugee policy, asylum policy and free movement within the EU – based on which decisions can be made on the appropriate channels for spending.
- While the Own Resources Decision (ORD) is not up for renegotiation in the framework of the MFF mid-term revision, it should be noted that the current ORD already expects far higher ceilings than the expenditure ceilings set out in the MFF. The ORD limits the maximum annual amounts of own resources that the EU may raise during a year to 1.23% of the EU gross national income (GNI).
- Further use of **flexibility and ad hoc instruments** such as Trust Funds could be considered to address additional financial needs for the crisis, however their use needs to be thoroughly assessed in light of the following concerns:
  - By redeploying appropriations between headings, resources are redirected towards other priorities and purposes, jeopardising established policies within these fields.
  - Extensive and repeated use of special instruments/flexibility, will limit the EU's possibility to respond to future crises and unexpected events in the second part of the MFF.
  - The increasing amount of ad hoc instruments, in the form of trust funds for example, may be perceived as a threat to the transparency, democratic scrutiny and unity of the EU budget.

- Within the current EU framework, potential changes in policy and practice to deal with the migration crisis are under discussion. Such changes include **revisiting legislative instruments** on asylum and legal migration, as well as (within an overall vision adapted to the needs of the crisis) the competences of the **EU agencies** involved in migration management. Any revision of the latter should involve a budget increase accompanied by the necessary staff reinforcements. An increase in the number of staff should also trigger additional funding to cater for the increased running costs that new staff will generate.

## ANNEX: FINANCIAL PLEDGES TO EU TRUST FUNDS FROM EU MEMBER STATES, NORWAY AND SWITZERLAND

Between 23/09/2015 and 7/06/2016 (EUR Million)

Member States	Africa Trust Fund	Syria Trust Fund <sup>76</sup>	Facility for Refugees in Turkey	Total
Austria	3	11.5	45.6	60.1
Belgium	10	3	X	13
Bulgaria	0.05	0.1	5.9	6.05
Croatia	X	X	5.9	5.9
Cyprus	X	X	2.3	2.3
Czech Republic	0.74	5	20.4	5.74
Denmark	6	10	38.4	54.4
Estonia	0.15	0.25	2.8	03.2
Finland	5	3	28.4	36.4
France	3	3	309.2	315.2
Germany	3	5	427.5	435.5
Greece	X	X	25	25
Hungary	0.7	3	14.7	18.4
Ireland	3	X	22.9	25.9
Italy	10	8	224.9	242.9
Latvia	0.05	0.05	3.5	3.6
Lithuania	0.05	0.1	5.2	5.35
Luxembourg	3.1	X	4.3	7.4
Malta	0.25	0.02	1.1	1.37
Netherlands	15	5	93.9	113.9
Poland	1.1	3	X	4.1
Portugal	0.25	0.2	24.4	24.85
Romania	0.1	0.08	X	0.18
Slovakia	0.6	3	10.5	14.1
Slovenia	0.05	X	5.2	5.25
Spain	3	X	152.8	155.8
Sweden	3	3	61.3	67.3
United Kingdom	3	3	327.6	333.6
Norway	3	X	n/a	3
Switzerland	4.62	X	n/a	4.62
<b>Total pledged</b>	<b>81.81</b>	<b>69.3</b>	<b>1 863.7</b>	<b>2 014.81</b>
EU contributions	1 800	664.6	1000	2 300
<b>Total required</b>	<b>3 600</b>	<b>1 000</b>	<b>3 000</b>	<b>7 600</b>
SHORTFALL	1 718.19	266.1	136.3	2 120.59

Source: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_member\\_state\\_pledges\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_member_state_pledges_en.pdf)

<sup>76</sup> Pledges for 2015 and 2016.

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