

# Procedure file

Basic information		
CNS - Consultation procedure Decision	1999/0274(CNS)	Procedure completed
Refugees, displaced persons, asylum-seekers: creating a European Refugee Fund		
Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Citizens' Freedoms and Rights, Justice and Home Affairs		17/01/2000
		GUE/NGL <a href="#">FRAHM Pernille</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs, Human Rights, Common Security, Defense	The committee decided not to give an opinion.	
	<b>BUDG</b> Budgets		23/02/2000
	V/ALE <a href="#">BUITENWEG Kathalijne Maria</a>		
<b>CONT</b> Budgetary Control	The committee decided not to give an opinion.		
<b>EMPL</b> Employment and Social Affairs		15/02/2000	
	V/ALE <a href="#">LAMBERT Jean</a>		
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2288</a>	28/09/2000
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2266</a>	29/05/2000
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2251</a>	27/03/2000
European Commission	Commission DG	Commissioner	
	<a href="#">Justice and Consumers</a>		

Key events			
14/12/1999	Legislative proposal published	COM(1999)0686	Summary
13/03/2000	Committee referral announced in Parliament		
22/03/2000	Vote in committee		Summary
22/03/2000	Committee report tabled for plenary, 1st	<a href="#">A5-0091/2000</a>	

	reading/single reading		
27/03/2000	Debate in Council	<a href="#">2251</a>	
10/04/2000	Debate in Parliament		
11/04/2000	Decision by Parliament	<a href="#">T5-0140/2000</a>	Summary
29/05/2000	Debate in Council	<a href="#">2266</a>	
15/09/2000	Modified legislative proposal published	COM(2000)0533	Summary
28/09/2000	Act adopted by Council after consultation of Parliament		
28/09/2000	End of procedure in Parliament		
06/10/2000	Final act published in Official Journal		

### Technical information

Procedure reference	1999/0274(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 063-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/12591

### Documentation gateway

Legislative proposal	<a href="#">COM(1999)0686</a> <a href="#">OJ C 116 26.04.2000, p. 0072 E</a>	14/12/1999	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0091/2000</a> <a href="#">OJ C 040 07.02.2001, p. 0006</a>	22/03/2000	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0140/2000</a> <a href="#">OJ C 040 07.02.2001, p. 0021-0048</a>	11/04/2000	EP	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0486/2000</a> <a href="#">OJ C 168 16.06.2000, p. 0020</a>	27/04/2000	ESC	
Committee of the Regions: opinion	<a href="#">CDR0080/2000</a> <a href="#">OJ C 317 06.11.2000, p. 0004</a>	14/06/2000	CofR	
Modified legislative proposal	COM(2000)0533 OJ C 029 30.01.2001, p. 0223 E	15/09/2000	EC	Summary
Follow-up document	<a href="#">SEC(2006)1636</a>	01/12/2006	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Decision 2000/596</a> <a href="#">OJ L 252 06.10.2000, p. 0012</a> Summary
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## Refugees, displaced persons, asylum-seekers: creating a European Refugee Fund

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**PURPOSE :** To establish a European Refugee Fund ('the Fund') to support and encourage the efforts made by Member States in receiving refugees and displaced persons and bearing the consequences of so doing. **CONTENT :** The proposed Fund will operate for five years and will support Member States' actions for the reception, integration and voluntary repatriation of the target group. This latter is comprised of refugees and displaced persons. 1) Conditions for reception · the Fund supports action designed to maintain, develop or adapt infrastructure and services, supply of material aid, social assistance such as information on benefits, and administrative assistance in completing the formalities connected with the asylum procedure. 2) Integration · the Fund supports action to provide social assistance in areas such as housing, means of subsistence and healthcare or to enable beneficiaries to adjust to the society of the Member State or to provide for themselves 3) Voluntary repatriation · the actions may concern information and advice about voluntary return programmes and the situation in the country of origin and/or general vocational training and help in resettlement. The distribution of resources between Member States is proportional: 65% in proportion to the number of asylum - seekers registered over the previous three years and 35% in proportion to the number of refugees over the previous three years. The proportion of co-financing supplied by the Fund is 50% but this may be raised to 75% in the Member states qualifying for the cohesion Fund. The policy guidelines and priorities are achieved through dialogue between the Member States and the Commission. Management of projects is for the Member States by means of requests for co-financing. Actions are selected on the basis of a public call for proposals. They can be submitted by public authorities, educational or research institutions, training bodies, the social partners, international organisations and NGO's. 10% of the Fund's allocation will be set aside for Commission support to innovatory or cross-border projects, including studies, exchanges of experience and measures to promote co-operation at Community level. Funding for such projects may be 100%. The Fund also makes separate provision for emergency measures for one or Member States in the event of a sudden mass influx of refugees or displaced persons. Emergency measures fall outside the implementation of long-term measures supported by the Fund and are in addition to them. Their function is to meet the basic requirements such as food and shelter, of people who have had to flee quickly. Support for these measures may be given during the emergency period, no longer than 6 months. It may not exceed 80% of the cost of any given measure. The allocation for the Fund for 2000 is 26 million euro with a reserve of 10 million for emergency operations, but this amount may be reviewed in future budgets to match the real scale of needs. It is also proposed that the Council would review the Decision by 31 December 2004.?

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The committee unanimously adopted a report (consultation procedure) by Pernille FRAHM (EUL/NGL, DK) approving, with amendments, the proposal for a Council decision creating a European Refugee Fund. The committee felt that the general conception of the Fund could be endorsed. The areas in question and the target groups (refugees as defined in the Geneva Convention, people who have applied for this status and displaced persons who have requested temporary protection) were consistent with the objectives and ideas put forward by Parliament in the past. It was a courageous step towards genuine solidarity and burden-sharing among the Member States, as it involved moving forward from giving support for certain worthwhile measures to providing financial compensation for Member States that take in more refugees and displaced persons. This was consistent with the intentions of the Amsterdam Treaty. However, the committee believed the funding level of EUR 36m was too low and did not even come close to actual requirements. Regarding measures at the time of the reception of refugees, the committee felt that the proposal needed to be worded more precisely. It also called for greater integration of refugee communities and said these should be involved in the design of the integration programmes. On the financial front, the committee called on the Commission to come up with financial estimates covering the whole period of the programme under the current financial perspective and, if necessary, with a proposal for the revision of these appropriations, since substantially higher amounts were required to achieve the objectives of the Refugee Fund. Lastly, it felt that a distinction should be made between refugees and displaced persons as, in contrast to refugees, displaced persons were interested in the prospect of returning together or individually.?

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In adopting the report drafted by Mrs. Pernille FRAHM (GUE/ NGL, DK), the European Parliament approves the proposal for a Council decision creating a European Refugee Fund. The proposal was subject to some amendments one of which relates to the integration of refugees into society. This could be helped by supporting the actions taken by refugee organisations already present in the Member State and working to achieve social integration. With regard to selection and management of activities under this fund, Member States should have the primary responsibility, but should act in partnership with a range of relevant NGOs, refugee organisations, the social partners and local and regional authorities. In terms of the financial perspective, the Commission shall come forward with the financial estimates covering the whole period of the programme under the current Financial Perspective. These amounts shall serve as a reference only. The allocation for each financial year shall be authorised within the annual budgetary procedure. The Commission shall submit to the budgetary authority by 31 March 2001 a proposal for the revision of these appropriations, and, if needed, for a revision of the Financial Perspective, together with an assessment of the new scheme and its implementation in the Member States. With regard to the conditions for the reception of refugees and displaced persons and procedures, the actions may concern the creation or improvement of infrastructure, the guaranteeing of basic services, the improvement of administrative and judicial asylum procedures (including counselling services), care for people particularly in need of protection (such as unaccompanied minors, elderly people requiring care, the disabled, victims of torture or rape, victims of trafficking or forms of sexual abuse, people requiring special medical treatment), and education and training. Actions may also provide social assistance in areas such as housing, minimum means of subsistence and healthcare, psychological support, facilitation of access to means of legal protection from racist attack, and assistance with employment, education and vocational training and may be aimed at enabling beneficiaries to participate as fully as possible in the society of the Member State. According to the Parliament, the Fund should also be used to finance public information concerning the obligation of Member States to persons seeking international protection, and their obligations in the context of the European Union's asylum policy, including public awareness campaigns to supplement other actions. Lastly, the responsible authority shall, as far as possible, make the final choice of project in partnership with representatives of civil society, NGOs, the social partners, local and regional authorities and international organisations such as the UNHCR. In any case, each Member State shall be guaranteed a minimum share of the funds to cover tasks related to the protection of refugees and promoting public awareness. The Commission shall submit a mid-term report to the European Parliament and the Council by 31.12.2001 at the latest, and a final report by 01.06.2004. It shall consult on a

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The amended proposal presented by the Commission pursuant to Article 250(2) of the EC Treaty, for a Council Decision creating a European Refugee Fund, accepted and rejected amendments tabled by the European Parliament as follows: 1) 4 amendments were accepted in full and relate to the following: - that the European Refugee Fund should help the Member States to improve the implementation of their refugee policies; - that temporary protection also concerns a mass influx of displaced persons; - that the allocation of resources should take account of the relative efforts made by each Member State to receive and support refugees and by avoiding describing such reception as a burden; - that the selection and management of projects are to be the primary, but not exclusive, responsibility of the Member States. 2) 6 amendments were accepted in part which concern: - the Commission considering it preferable to mention the action of NGOs in general rather than the action of refugee organisation; - the Commission considering it preferable to mention the role of NGOs in general rather than involving refugee communities in the framing of integration programmes; - the Commission agreeing to the definition of the "refugees" target group. However, it disagrees with mention of Article 1 of the Geneva Convention but seeks to maintain the wording "third-country nationals or stateless persons"; - the Commission agreeing with the addition of "public information measures" to the list of actions eligible for financing as Community action. On the other hand, the Commission considers it useful to retain the mention of technical assistance; - the Commission accepting the amendment which related to ensuring the continuity of programmes and actions. However, the Commission rejects the amendment relating to partnership between the authority responsible in the Member States and other interested parties; - the Commission accepting that each Member State should be guaranteed a minimum share of funds but added that the detailed arrangements have to be spelled out. 3) the Commission rejected 22 of the European Parliament's proposed amendments. ?

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**PURPOSE :** to establish a European Refugee Fund to support and encourage the efforts made by Member States in receiving refugees and displaced persons bearing the consequences of so doing. **COMMUNITY MEASURE :** Council Decision 2000/596/EC establishing a European Refugee Fund. **CONTENT :** the Council adopted this Decision. A consensus reached on the two questions remaining to be solved in this urgent dossier, namely compensation for expenditure resulting from emergency measures in the event of a sudden mass influx of refugees or displaced persons and the scale for the distribution of resources among the Member States made the adoption possible. In addition, reservations by two delegations on compensation for expenditure in the event of application of emergency measures were resolved through the addition of a statement to be attached to the Decision to the effect that the Council would endeavour to come to a decision, in the framework of the Directive on temporary protection, on other measures promoting the balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons. To recall, the Fund shall operate from 1 January 2000 to 31 December 2004. The financial reference amount has been set at EUR 216 million. The Decision also contains measures intended to enable the Member States to cope with emergency situations in the event of a sudden mass influx of refugees or displaced persons, or if it was necessary to evacuate them from a third country, in particular in response to an appeal by international organisations. With regard to the distribution of resources between Member States is proportional: 65% in proportion to the number of asylum-seekers registered over the previous three years and 35% in proportion to the number of refugees over the previous three years. The proportion of co-financing supplied by the Fund is 50% but this may be increased to 75% in the Member States covered by the Cohesion fund. Lastly, the Council shall review this Decision on the basis of a proposal from the Commission by 31 December 2004 at the latest.?

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**PURPOSE:** to present the final evaluation of the European Refugee Fund for the period 2000-2004.

**CONTENT:** the European Refugee Fund was established by Council Decision 2000/596/EC, for the period from 1 January 2000 to 31 December 2004, to allocate resources fairly and proportionately to the burden on each Member State by reason of its efforts in receiving refugees and displaced persons.

The financial reference amount for implementing this Decision was estimated at EUR 216 million for the five-year period. Compared with other Community instruments, the annual amount (some EUR 40 million) was relatively small.

**Budget implementation:** 95% of the budget appropriations were allocated to the Member States for carrying out national programmes cofinanced by the Union and implemented under shared management. The remainder, i.e. up to 5% of resources, could be used for Community actions implemented directly by the Commission, in particular, innovatory action or action of interest to the Community as a whole, steps to promote cooperation at Community level, as well as assessment and technical assistance.

All the Member States of the Union as constituted before 1 May 2004 participated in implementing the Fund, with the exception of Denmark in accordance with the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community. Since 1 May 2004, the new Member States that have joined the EU have been eligible to receive aid from the Fund. The Czech Republic did not wish to make use of it but it is now participating in the second phase of the European Refugee Fund covering the period 2005-2010.

On completion of the 2000-2004 programme, the Commission assigned independent experts to carry out a final evaluation which is the subject of this document.

The total number of commitments made under the European Refugee Fund for the 2000-2004 period amount to EUR 187 541 160.68, consuming nearly all the budgetary allocation.

Over the whole period, the national programmes represent 95.2% of the funds and Community Actions represent 4.8%. These percentages are in line with those established in the Council Decision.

Over the whole period 2000-2004, EU funds committed for national programmes amounted to EUR 178 613 853.45. The difference with the total amount of the European Refugee Fund commitments is equal to the amount of the commitments for Community actions ( EUR 8 927 307.23).

The amounts committed each year for national programmes were:

- EUR 24 005 995 for 2000 programmes;
- EUR 32 479 953 for 2001 programmes;
- EUR 42 826 949 for 2002 programmes;
- EUR 40 157 450 for 2003 programmes;
- EUR 39 143 507 for 2004 programmes (these concerned the enlarged Union).

The breakdown of programme expenditure and the Community contribution between the three measures was as follows for the whole period:

- reception: 46 %
- integration: 32 %
- repatriation: 22 %

As regards the target groups, apart from integration measures which concern persons whose stay in the Member State is of a lasting and/or stable nature, the other measures made no distinction between persons that have obtained protection and those that have applied for it.

A total of 2 050 projects were funded. Of these, 1 107 (54% of the total) concerned reception, 760 (37%) integration and 183 (9%) repatriation. The breakdown in number of projects is similar to that of allocations, the main difference being repatriation for which the cost per project is usually higher than for the other measures.

Considering the Fund's relatively limited resources during this period, the number of persons directly affected by the operations funded under the projects was remarkably high - estimated at over 600 000 persons. It appears from the data provided by the project leaders, that the number of beneficiaries directly involved in each of them was often very high. For all the national programmes, 65% of the projects affected more than 100 beneficiaries each. Some 25% of all the projects in each case actually concerned more than 500 persons.

Community actions: directly managed by the Commission, these actions were implemented by means of five calls for proposals published each year in the period 2000-2004. In total, 53 projects, lasting up to 12 months (from 2000 to 2002), and then lasting up to 18 months (2003 and 2004) were funded for a total Community contribution of EUR 8 927 307.23 and a total cost of EUR 11 828 568.42 (average rate of Community contribution of 75.4 %).

The projects funded generally involved a transnational partnership (4 partners on average). The actions carried out concerned skills acquisition, awareness raising and analysis and evaluation.

Conclusions and perspectives: the evaluation study contracted to independent experts positively judges the first phase of the implementation of the European Refugee European from 2000 to 2004. The data included in previous paragraph underline the high level of realisation in comparison to the committed resources and stress the favourable judgment of the community intervention by the organisations involved. This first step enabled to reinforce the programme for the period 2005 - 2010 and to establish a new framework, the "Solidarity and migratory flows management" programme, which will follow with substantially more credits.

Several of the recommendations resulting from the analysis or stated in different contexts are already taken into account, particularly in the framework of the second phase of the Fund for the period 2005 - 2010. The following elements are some examples of this:

- the Fund can from now on finance multi-annual projects, the community intervention for an action being limited to three years.
- the credits for technical assistance available for Member States in the frame of the national programmes have been significantly increased in order to give Member States the appropriate technical means for the realisation of their tasks in the framework of shared management.
- the share of the Community actions was increased from 5% to 7% maximum of the resources of the Fund in order to reinforce the role which can play these innovative actions in the search of solutions for refugees.

In the short and mid term view, actions on the following aspects are planned:

- in response to the request expressed by Member States, the Commission departments plan on organising training activities for the authorities responsible for the implementation of the national programmes. The objective is to provide with practical tools and to share a common approach in the concerned fields;

- during the second semester 2006, the Commission departments intend to discuss with the Member States on a common evaluation frame for the second phase of the Fund, which will focus in particular on the implementation of common indicators and methods applicable at the level of the projects, of the Member States and of the Union.

There are still subjects to be deepened in order to increase the efficiency of the interventions, such as:

- mechanisms of collection and dissemination of information and experience should be set up, both at the level of the Commission departments in charge of the Fund as well as at the level of the responsible authorities in each Member State;

- a better articulation must be established between the Community actions and the national programmes in order to spread and add value to these programmes the achievements of the Community actions;

- implementation procedures should be simplified, with the view of reconciling, on the one hand, the responsibility of the Commission in the implementation of the budget as well as the respect of the financial regulation, and on the other hand, the suitability to the dimension for the programmes concerned.