

# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation <a href="#">2018/0371(COD)</a></p> <p>Asylum, Migration and Integration Fund: recommitment of remaining amounts or allocation of those amounts to other actions under the national programmes</p> <p>Amending Regulation (EU) No 516/2014 <a href="#">2011/0366(COD)</a> See also Decision (EU) 2015/1523 <a href="#">2015/0125(NLE)</a> See also Decision (EU) 2015/1601 <a href="#">2015/0209(NLE)</a></p> <p>Subject 7.10.06 Asylum, refugees, displaced persons; Asylum, Migration and Integration Fund (AMIF)</p>	<p>Procedure completed</p>

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 <a href="#">DALLI Miriam</a>	05/11/2018
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">3663</a>	11/12/2018
European Commission	Commission DG	Commissioner	
	<a href="#">Migration and Home Affairs</a>	AVRAMOPOULOS Dimitris	

Key events			
22/10/2018	Legislative proposal published	<a href="#">COM(2018)0719</a>	Summary
25/10/2018	Committee referral announced in Parliament, 1st reading		
15/11/2018	Vote in committee, 1st reading		
19/11/2018	Committee report tabled for plenary, 1st reading	<a href="#">A8-0370/2018</a>	Summary
29/11/2018	Results of vote in Parliament		
29/11/2018	Decision by Parliament, 1st reading	<a href="#">T8-0468/2018</a>	Summary
29/11/2018	Matter referred back to the committee responsible		
03/12/2018	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	<a href="#">PE631.817</a> <a href="#">GEDA/A/(2018)009457</a>	

11/12/2018	Decision by Parliament, 1st reading	<a href="#">T8-0486/2018</a>	Summary
11/12/2018	Act adopted by Council after Parliament's 1st reading		
11/12/2018	End of procedure in Parliament		
12/12/2018	Final act signed		
21/12/2018	Final act published in Official Journal		

### Technical information

Procedure reference	2018/0371(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EU) No 516/2014 <a href="#">2011/0366(COD)</a> See also Decision (EU) 2015/1523 <a href="#">2015/0125(NLE)</a> See also Decision (EU) 2015/1601 <a href="#">2015/0209(NLE)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 078-p2; Rules of Procedure EP 59-p4; Treaty on the Functioning of the EU TFEU 079-p4; Treaty on the Functioning of the EU TFEU 079-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/14840

### Documentation gateway

Legislative proposal	<a href="#">COM(2018)0719</a>	22/10/2018	EC	Summary
Committee draft report	<a href="#">PE629.630</a>	06/11/2018	EP	
Amendments tabled in committee	<a href="#">PE630.427</a>	12/11/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0370/2018</a>	19/11/2018	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading	<a href="#">T8-0468/2018</a>	29/11/2018	EP	Summary
Coreper letter confirming interinstitutional agreement	<a href="#">GEDA/A/(2018)009457</a>	30/11/2018	CSL	
Text agreed during interinstitutional negotiations	<a href="#">PE631.817</a>	30/11/2018	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0486/2018</a>	11/12/2018	EP	Summary
Draft final act	<a href="#">00066/2018/LEX</a>	12/12/2018	CSL	
Commission response to text adopted in plenary	<a href="#">SP(2019)44</a>	23/01/2019	EC	

### Final act

[Regulation 2018/2000](#)  
[OJ L 328 21.12.2018, p. 0078](#) Summary

## Asylum, Migration and Integration Fund: recommitment of remaining amounts or allocation of those amounts to other actions under the national programmes

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**PURPOSE:** to allow the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes.

**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 on an equal footing with the Council.

**BACKGROUND:** The Commission has committed funds to Member States' national programmes under the Asylum, Migration and Integration Fund (AMIF) to support the implementation of [Council Decisions \(EU\) 2015/1523](#) and [\(EU\) 2015/1601](#) establishing provisional measures in the area of international protection for the benefit of Italy and Greece. Decision (EU) 2015/1601 was amended by [Council Decision \(EU\) 2016/1754](#) to take account of legal admissions from Turkey.

The Council decisions allowed the effective relocation, from Greece and Italy, of 34 705 applicants in need of international protection, as well as the legal admission, from Turkey, of 5 345 persons in need of international protection. These decisions have since ceased to apply.

Of the EUR 843 million committed in 2016 to Member States' national programmes under the AMIF, some EUR 567 million are still available. However, payments should be made for these commitments before the end of 2018, after which the amounts will no longer be available to Member States for their national programmes under the AMIF.

The Commission considers that Member States should be able to use the amounts available to continue to relocate by recommitting these amounts to the same action in national programmes or to allocate these amounts to other actions in the fields of migration and asylum, once the Council decisions are no longer valid.

In addition, the target group of persons eligible for relocation should be broadened so that Member States have greater flexibility in the relocations they carry out.

The AMIF is an important tool to complement EU actions in the fields of borders and security, in particular because it provides financial support for the establishment and operation of reception and registration centres (hotspots). Member States' needs in these areas remain considerable.

**CONTENT:** The proposal to amend [Regulation \(EU\) No 516/2014](#) establishing the Asylum, Migration and Integration Fund (AMIF) aims to allow Member States to re-commit or transfer amounts within national programmes, through revisions to these national programmes, so as to promote EU priorities in the areas of migration and asylum, including relocation.

In practical terms, the proposal:

- extends the period for the use of the funds concerned - by two years from the date of the approval by the Commission of the revised national programmes - in order to give Member States sufficient time to implement the actions to which the amounts have been re-committed or transferred;
- extends the target group of persons eligible for resettlement under the current AMIF, i.e. beneficiaries of international protection, to include applicants for international protection who are being transferred;
- makes it possible to re-commit amounts committed to supporting the implementation of Council decisions for the purpose of relocations, or to transfer these amounts to other actions defined in the Regulation establishing the AMIF, according to the needs of the Member States. Such re-commitment or transfer operations would be possible only once and would have to be duly justified in the context of a revision of the national programmes, which would have to be approved by the Commission;
- extends by a maximum of six months the deadline for decommitment of the remaining amounts committed to support the implementation of Council Decisions (EU) 2015/1523 and (EU) 2015/1601, so that Member States have sufficient time to review national programmes and make changes related to possible re-commitments or transfers of amounts.

## Asylum, Migration and Integration Fund: recommitment of remaining amounts or allocation of those amounts to other actions under the national programmes

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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 amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes.

As a reminder, the proposal to amend Council Regulation (EU) No 516/2014 establishing the Asylum, Migration and Integration Fund (AMIF) allows Member States to re-commit or transfer amounts within national programmes, through revisions to these national programmes, in order to promote EU priorities in the areas of migration and asylum, including relocation.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows:

- Member States shall re-commit 20% of those amounts to actions in national programmes, for relocation of applicants for international protection or relocation of beneficiaries of international protection, or for resettlement and other ad-hoc humanitarian admission;
- where duly justified in the revision of Member States' national programmes, it shall be possible to fund specific actions in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation, notably in developing aspects of the Common European Asylum System, in particular family reunification or for supporting legal migration to the Member States and promoting the effective integration of third-country nationals;
- the allocation of funds shall be carried out in full respect with the principles set out in the Financial Regulation, in particular efficiency and transparency;

- the target group eligible for relocation as well as the countries from where relocation takes place shall be expanded to give more flexibility to Member States in carrying out relocations. Priority should be given to the relocation of unaccompanied minors, other vulnerable applicants and family members of beneficiaries of international protection;
- with a view to implementing the principle of solidarity and fair sharing of responsibility and in the light of Union policy developments within the implementation period of the Fund, Member States shall receive, in addition to their allocation, an additional amount based on a lump sum of EUR 10 000 for each applicant for international protection and beneficiary of international protection transferred from another Member State;
- lastly, the Commission shall report annually to the European Parliament and to the Council as regards the application of resources for the transfer of applicants for international protection and of beneficiaries of international protection, in particular as regards transfers to other actions under the national programme and re-commitments.

## Asylum, Migration and Integration Fund: recommitment of remaining amounts or allocation of those amounts to other actions under the national programmes

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The European Parliament adopted, by 480 to 124 against, with 21 abstentions, amendments to the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and the Council, as regards the re-commitment of the remaining amounts committed to support the implementation of the Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation thereof to other actions under the national programmes.

The matter was referred back to the committee responsible for inter-institutional negotiations.

As a reminder, the proposal to amend Council Regulation (EU) No 516/2014 establishing the Asylum, Migration and Integration Fund (AMFI) allows Member States to re-commit or transfer amounts within national programmes, through revisions to these national programmes, in order to promote EU priorities in the areas of migration and asylum, including relocation.

The main amendments adopted in plenary concern the following points:

- part of the funding allocated in 2016 under Decisions (EU) 2015/1523 and (EU) 2015/1601 remains available in Member States' national programmes. Member States shall re-commit 20% of those amounts to actions in national programmes, for relocation of applicants for international protection or relocation of beneficiaries of international protection, or for resettlement and other ad-hoc humanitarian admission;
- for the rest of these amount, where duly justified in the revision of Member States' national programmes, it shall be possible to fund specific actions in the area of migration and asylum, in line with the Asylum, Migration and Integration Fund Regulation, notably in developing aspects of the Common European Asylum System, in particular family reunification or for supporting legal migration to the Member States and promoting the effective integration of third-country nationals;
- the allocation of funds shall be carried out in full respect with the principles set out in the Financial Regulation, in particular efficiency and transparency;
- the target group eligible for relocation as well as the countries from where relocation takes place shall be expanded to give more flexibility to Member States in carrying out relocations. Priority should be given to the relocation of unaccompanied minors, other vulnerable applicants and family members of beneficiaries of international protection;
- with a view to implementing the principle of solidarity and fair sharing of responsibility and in the light of Union policy developments within the implementation period of the Fund, Member States shall receive, in addition to their allocation, an additional amount based on a lump sum of EUR 10 000 for each applicant for international protection and beneficiary of international protection transferred from another Member State;
- lastly, the Commission shall report annually to the European Parliament and to the Council as regards the application of resources for the transfer of applicants for international protection and of beneficiaries of international protection, in particular as regards transfers to other actions under the national programme and re-commitments.

Members insisted on the urgent need to amend Regulation (EU) No 516/2014 before the end of 2018, stating that the relevant funding will no longer be available for Member States' use under the national programmes supported by the Asylum, Migration and Integration Fund.

## Asylum, Migration and Integration Fund: recommitment of remaining amounts or allocation of those amounts to other actions under the national programmes

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The European Parliament adopted by 437 votes to 211, with 10 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and of the Council, as regards the recommitment, or allocation to other actions under national programmes, of the remaining amounts committed to support the implementation of Council Decisions (EU) 2015/1523 and (EU) 2015/1601.

As a reminder, the proposal to amend Council Regulation (EU) No 516/2014 establishing the Asylum, Migration and Integration Fund (AMIF) allows Member States to re-commit or transfer amounts within national programmes, through revisions to these national programmes, in order to promote EU priorities in the areas of migration and asylum, including relocation.

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

Re-commitment of amounts: part of the funding allocated in 2016 under Decisions (EU) 2015/1523 and (EU) 2015/1601 remains available in Member States' national programmes.

Member States shall recommit or transfer at least 20% of those amounts to actions in national programmes, for the transfer of applicants for international protection or of beneficiaries of international protection, for resettlement or other ad hoc humanitarian admissions, as well as for preparatory measures for the transfer of applicants for international protection following their arrival in the Union, including by sea, or for the

transfer of beneficiaries of international protection.

Such measures shall not include measures related to detention.

Where a Member State recommitments or transfers resources below that minimum percentage, it shall not be possible to transfer the difference between the recommitted or transferred amount and the minimum percentage to other actions under the national programme.

Other challenges: where duly justified in the revision of Member States' national programmes, it shall be possible for Member States to use up to 80 % of those amounts to address other challenges in the areas of asylum and migration. Recommitments of the remaining amounts to the same action, or their transfer to other actions under the national programme should be possible only once and with the approval of the Commission. Member States shall ensure that the allocation of funds takes place in a manner that fully respects the principles set out in the Financial Regulation, in particular efficiency and transparency.

Broadening the number of beneficiaries: the target group eligible for transfer, as well as the number of Member States from which transfers take place, should be expanded to give more flexibility to Member States in carrying out transfers, taking into account the specific needs of unaccompanied minors, or other vulnerable applicants, and the specific situation of family members of beneficiaries of international protection.

Lump sum: to effectively pursue the objectives of solidarity and fair sharing of responsibility between the Member States, the Commission shall be empowered to adopt delegated acts to adjust the lump sum granted for the resettlement and transfer from one Member State to another of beneficiaries of international protection.

Monitoring: the Commission shall report annually to the European Parliament and the Council on the use of resources for the transfer of applicants for international protection and beneficiaries of international protection, in particular with regard to transfers of amounts to other actions under the national programmes.

Parliament stressed the urgency of amending Regulation (EU) No 516/2014, specifying that if the relevant funding will no longer be available for Member States' use under the national programmes supported by the Asylum, Migration and Integration Fund. In view of the urgency of amending Regulation (EU) No 516/2014, if the Regulation is not amended before the end of 2018, the relevant funding may no longer be used by Member States under national programmes supported by AMIF.

## Asylum, Migration and Integration Fund: recommitment of remaining amounts or allocation of those amounts to other actions under the national programmes

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**PURPOSE:** to enable the recommitment of the remaining amounts committed to support the implementation of the 2015 and 2016 Decisions imposing provisional measures on international protection for the benefit of Italy and Greece, in accordance with the Regulation establishing the Asylum, Migration and Integration Fund, to be re-committed or allocated to other actions under the national programmes.

**LEGISLATIVE ACT:** Regulation (EU) 2018/2000 of the European Parliament and of the Council amending Regulation (EU) No 516/2014 of the European Parliament and of the Council, as regards the recommitment of the remaining amounts committed to support the implementation of Council Decisions (EU) 2015/1523 and (EU) 2015/1601 or the allocation of those amounts to other actions under the national programmes.

**CONTENT:** the amendment of [Council Regulation \(EU\) No 516/2014](#) establishing the Asylum, Migration and Integration Fund (AMIF) aims to allow Member States to transparently recommit or transfer amounts within national programmes, through revisions of these national programmes, in order to promote EU priorities in the fields of migration and asylum, including relocation.

As a reminder, the Commission committed funding to Member States' national programmes under the Asylum, Migration and Integration Fund to support the implementation of Council Decisions (EU) 2015/1523 and (EU) 2015/1601 imposing provisional measures on international protection for the benefit of Italy and Greece. Decision (EU) 2015/1601 was amended by [Council Decision \(EU\) 2016/1754](#).

These decisions have since ceased to apply.

Part of the funding allocated under [Decisions \(EU\) 2015/1523](#) and [\(EU\) 2015/1601](#) in 2016 and in some cases 2017 remains available in the Member States' national programmes.

This Regulation amending Council Regulation (EU) No 516/2014 allows Member States to use the remaining amounts to continue to implement relocations by recommitting these amounts to the same action under national programmes.

Member States shall recommit or transfer a minimum of 20% of these amounts to actions under national programmes concerning the transfer of applicants for international protection or beneficiaries of international protection, resettlement or other ad hoc humanitarian admissions, as well as measures to prepare for the transfer of applicants for international protection following their arrival in the Union, including by sea, or the transfer of beneficiaries of international protection.

Where duly justified in the revision of Member States' national programmes, it shall be possible for Member States to use up to 80 % of those amounts to address other challenges in the areas of asylum and migration.

Such recommitment or transfer operations shall be possible only once and shall be duly justified in the context of a revision of the national programmes, which shall be approved by the Commission.

The target group eligible for transfer, as well as the number of Member States from which transfers take place, should be expanded to give more flexibility to Member States in carrying out transfers, taking into account the specific needs of unaccompanied minors, or other vulnerable applicants, and the specific situation of family members of beneficiaries of international protection.

The amending Regulation extends by a maximum of six months the deadline for decommitment of the remaining amounts committed to support the implementation of Council Decisions (EU) 2015/1523 and (EU) 2015/1601 in order to give Member States sufficient time to review national programmes and make changes related to possible re-spending or transfers of amounts.

Where recommitments or transfers of amounts under the national programme are approved by the Commission, the amounts concerned should be considered to have been committed in the year of the revision of the national programme that approves the recommitment or the transfer concerned.

