

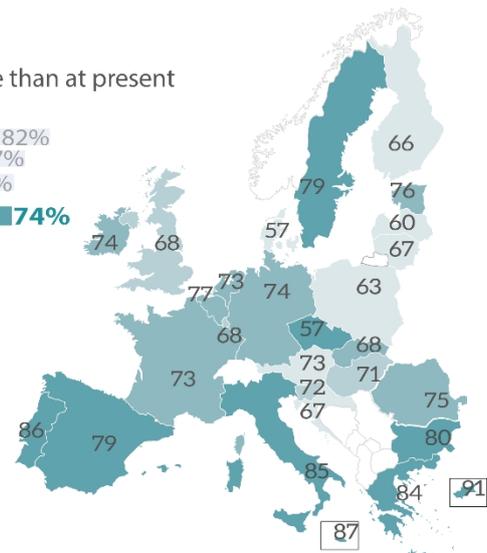
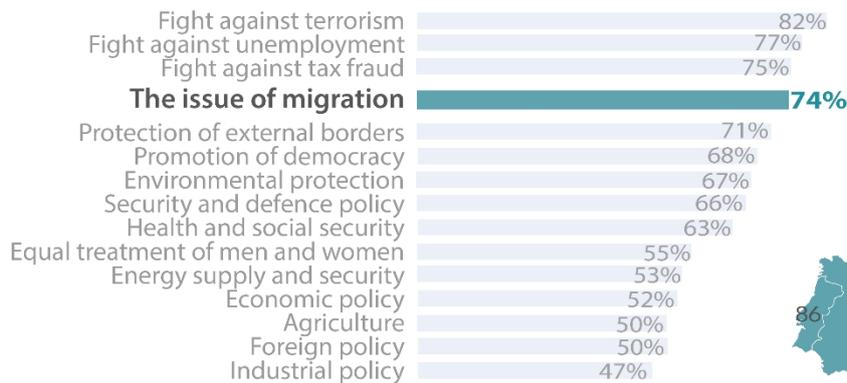
The issue of migration

OVERVIEW

Migration and asylum are policy areas with one of the highest levels of public support for more EU involvement, but at the same time citizens do not see it as a priority for the EU budget. Post-Lisbon Treaty, the area is governed by fair sharing of responsibilities and financial implications between Member States. Faced with unprecedented migratory flows, the current migration management system has revealed serious shortcomings that arguably cannot be addressed without more EU support.

Public expectations and EU commitment on the issue of migration – is there a gap?

Percentage of respondents who would like the EU to intervene more than at present



Data source: EuroBarometer 85.1

Greater EU engagement in the issue of migration is supported by 74% of EU citizens, according to a new Eurobarometer survey of the European Parliament on '[perceptions and expectations](#)'. This makes migration issues one of the policy areas with the highest support for EU involvement. Although this support is unevenly spread across the EU, it always comes from a majority of citizens, and sometimes is almost unanimous. The highest support is in Cyprus (91%), Malta (87%) and Portugal (86%). The lowest is in Denmark (57%). Two thirds of EU citizens evaluate the EU's current involvement in this policy area as insufficient. Citizens' expectations and preferences of EU involvement in the issues of migration are not yet met despite increased attention to this policy area. The strongest support for more EU involvement in migration is from people between 35 and 74 years old.

Despite the strong preference for EU involvement in migration issues, EU citizens do not share very strong preferences for turning this policy area into an EU budget spending priority. Among the most

preferred categories of EU spending, migration issues ranked 11th in [2008](#) and in [2011](#) (with 12% of citizens perceiving it as a top priority). In [2015](#), migration issues moved up to ninth place with 16% of supporters, which almost overlaps with the number of citizens who perceive migration issues to be a current EU budget spending priority, namely 15%.

Legal framework

Migration and asylum are regulated at EU and national level. At EU level, migration policy has been developed since 1999, with the Amsterdam Treaty facilitating the shift from autonomous national policies to some common minimum standards. In 2009, under the [Stockholm Programme](#) Member States agreed on principles for a common migration and asylum policy which the Lisbon Treaty embedded in a legal framework based on [solidarity](#). Post-Lisbon, migration, as part of Justice and Home Affairs, falls under 'shared competence' between the EU and its Member States. Moreover, both EU and national asylum legislation must be aligned with the international refugee law framework set by the 1951 [Geneva Convention and its Protocol](#), which have been incorporated into EU law under [Article 78\(1\)](#) TFEU.

Current implementation and EU action

Regarding legal migration, EU measures adopted to date include rules on the entry and residence of highly skilled third-country [workers](#), [students and researchers](#) and [family members](#) of legally resident third-country nationals (TCNs).

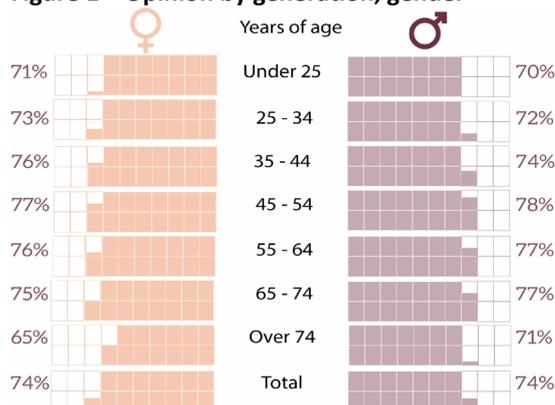
On asylum, common standards came with the creation of the Common European Asylum System (CEAS) on the basis of [Article 78\(2\)a](#) TFEU. The CEAS moved towards greater harmonisation in 2013 with the completion of five key acts: [Qualification Directive](#), [Asylum Procedures Directive](#), [Reception Conditions Directive](#), [Dublin III Regulation](#) and the [Eurodac Regulation](#). Regardless of the potential provided by the Treaties, the CEAS did not create an EU-wide asylum status. The system relies on two main principles: only one Member State is responsible for an asylum application and national asylum standards are harmonised. By default, the first Member State an applicant enters is responsible. During the current mass influx of migrants, the national asylum systems of countries at the EU's external borders became overburdened and as a result, asylum-seekers suffered from [poor conditions](#) and lower [recognition rates](#) in those countries. As a consequence, migrants travelled forward to other EU Member States to apply for asylum, creating a situation where only a [few](#) Member States received 75% of all first time asylum applications, fuelling tensions between Member States and prompting calls for solidarity.

A recent implementation [study](#) observes that while both the EU and Member States recognised the [structural shortcomings](#) of the CEAS, the policy responses of these two levels were remarkably different. While EU policy-makers, including the [European Parliament](#), called for a reform based on fair sharing of responsibility and a permanent distribution mechanism, Member States resorted to making unilateral decisions such as building fences, closing borders and deterring asylum-seekers. This may reflect the difficult balancing act of the Member States who are bound under the EU Treaties, on one hand, to provide protection and demonstrate solidarity, and, on the other hand, to ensure the security and social cohesion of their societies. A further obstacle is the increasingly negative [public opinion](#) of migration. While Member State citizens may express a wish for more EU involvement in this area, they do not necessarily view it as a shared responsibility.

Potential for better implementation and further EU action

An [evaluation](#) of the implementation of the Dublin Regulation reveals that the weaknesses identified since its inception remain. Also, harmonisation is not achieved until Member States have fully [transposed or implemented](#) the CEAS in their national law, which is not yet the case.

Figure 1 – Opinion by generation, gender



Data source: EuroBarometer 85.1

In response to these concerns that were exacerbated by the mass influx, commentators called for reform of the Dublin system and [suggested](#) two main directions for action: harmonising national asylum standards and distributing refugees more evenly across the EU.

The Commission, having set migration as one of its ten [priority areas](#), presented a [European Agenda on Migration](#) in May 2015. To alleviate the immediate pressure, the Commission launched a ['hotspot' approach](#) to provide assistance in the main entry points, and proposed to activate an emergency mechanism under Article 78(3) TFEU for the [relocation](#) of asylum-seekers from frontline countries. Member States agreed on the exceptional relocation of 160 000 persons from Italy and Greece, and the resettlement of 20 000 displaced refugees from third countries. However, the [implementation](#) of this measure has been deemed unsatisfactory.

Following the [Valletta Summit on migration](#) on addressing the root causes of migration and further negotiations, a joint [statement](#) was issued with Turkey on stemming the flow of irregular migration via Turkey to Europe. Furthermore, the Commission intends to establish a new [Partnership Framework](#) with third countries to better manage migration.

As part of the plan to open more legal channels to Europe, the Commission presented a proposal to revise the [EU Blue Card Directive](#) for the entry of highly skilled workers and an [Action Plan](#) on the integration of third country nationals.

With regard to reform of the CEAS, the Commission has presented proposals for amending the [Dublin Regulation](#), which would include a new 'fairness mechanism'; reinforcing the [Eurodac](#) system for fingerprinting migrants; and enhancing the mandate of the European Asylum Support Office, turning it into a [European Union Agency for Asylum](#). Recast proposals for the remaining CEAS instruments are expected in July 2016.

The EU budget and the issue of migration

In the fields of migration and asylum, the main funding tool that the EU has to complement Member States' efforts within the Union is the [Asylum, Migration and Integration Fund](#) (AMIF). The AMIF finances national and EU measures that aim at promoting the efficient management of migration flows, as well as the implementation and development of a common EU approach to asylum and migration. Under the 2014-2020 Multiannual Financial Framework (MFF), the AMIF is endowed with €3.13 billion. This is a €1 billion increase on its 2007-2013 predecessors, but represents 0.29% of the total 2014-2020 MFF. The AMIF is part of what the EU spends on home affairs, which also includes the [Internal Security Fund](#) (dealing, inter alia, with the related area of border management) and the financing of relevant EU agencies (e.g. EASO and Frontex). For the 2014-2020 MFF, the total EU resources for home affairs amount to €9.26 billion.

In addition, external-action funding tools of the EU may also support measures relating to the external dimension of migration and asylum, under their geographical and/or thematic programmes. Examples of such tools under the 'Global Europe' heading of the MFF are the [European Neighbourhood Instrument](#) (ENI) and the [Development Cooperation Instrument](#) (DCI).

New financial instruments

To respond to the refugee crisis, the EP and the Council have mobilised additional resources for [2015-2016](#), not only by reinforcing existing instruments, but also by creating new ones. In particular, two [EU Trust Funds](#) are applicable for migration-related projects and aim to deliver EU and Member States' support efficiently, flexibly and swiftly. With a €500 million contribution from the EU budget, the Madad Fund was established to respond to the Syrian crisis and channel aid for Syria's neighbouring countries. With €1.8 billion contributions from the intergovernmental European Development Fund (EDF) and the EU budget, the Emergency Trust Fund for Africa targets 23 countries in the Sahel and the Lake Chad region, the Horn of Africa and North Africa. Its objective is to improve living conditions and encourage people to stay in their countries of origin. For the time being, the bulk of funding for these two Trust Funds has come from the EU budget and the EDF. In [October 2015](#), the EP called on individual Member States to deliver on

their promises and match the EU's financial contribution to the trust funds with their own contributions. At the same time, the EP said that these trust funds were established because the EU budget lacks the resources and the flexibility needed to address such crises promptly and comprehensively. On this basis, the EP called for a more holistic solution to be agreed in the framework of the review/revision of the 2014-2020 MFF.

In addition, Member States have decided to establish a €3 billion Facility for Refugees in Turkey, a joint coordination mechanism for actions funded by the EU budget (€1 billion) and national contributions (€2 billion). A further €3 billion will be available by 2018 on the condition that the initial allocation has been fully used and relevant commitments have been met.

Potential for further financing at EU level

The refugee crisis has put considerable pressure on the expenditure ceilings set in the 2014-2020 MFF for relevant headings, with the need to [resort to](#) and [practically exhaust](#) available flexibility tools. For 2017, the Commission again proposes the use of flexibility tools to keep resources for the crisis at the strengthened level of €5.2 billion. The EP has repeatedly [called for](#) an integrated EU approach for migration, asylum and external borders, with sufficient resources and tools to handle emergency situations. As regards the external dimension of migration, on 7 June 2016 the Commission presented a [communication](#) on establishing a new Partnership Framework with third countries under the European Agenda on Migration. The proposal is to mobilise and focus EU action and resources outside the Union on migration management, by establishing partnerships with key countries of origin and transit. The Commission estimates that, up to 2020, nearly €8 billion could be available to support short-term goals (saving lives at sea; increasing returns, readmission and reintegration; and enabling migrants and refugees to stay close to home). The resources, which are on top of annual aid flows from the EU and its Member States to relevant countries, would come mainly from existing instruments and already pledged EU and national contributions, but a €1 billion increase is proposed for the EU Emergency Trust Fund for Africa (50% from the EDF and 50% from Member States). In addition, with a view to addressing the root causes of irregular migration in the long term, the Commission intends to table a proposal for an External Investment Plan in autumn 2016. This would include a mechanism similar to the European Fund for Strategic Investments (EFSI) [launched](#) in 2015 as part of the [Investment plan for Europe](#), to bridge the investment gap within the EU and with the involvement of the European Investment Bank (EIB). In practice, the Commission estimates that a new fund for external investments set up with a guarantee and funding of €3.1 billion from existing EU resources (€2 billion from the EDF and €1.1 billion from the EU budget) could trigger total public and private investments worth €31 billion in targeted countries, and adds that this amount could double if EU contributions are matched by Member States' contributions. These investments would target economic and social infrastructure and the private sector, with a view to creating employment and growth opportunities in third countries of origin and transit of migrants.

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