



2018/0248(COD)

10.10.2018

AMENDMENTS

7 - 62

Draft opinion
Karine Gloanec Maurin
(PE626.952v01-00)

Establishing the Asylum and Migration Fund

Proposal for a regulation
(COM(2018)0471 – C8-0271/2018 – 2018/0248(COD))

Amendment 7
Petri Sarvamaa

Proposal for a regulation
Title 1

Text proposed by the Commission

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing the Asylum *and* Migration
Fund

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
establishing the Asylum, Migration *and*
Integration Fund

Or. en

Justification

Horizontal amendment that applies throughout the text. Integration is an essential part of the Fund and it should be reflected also on the name.

Amendment 8
Liadh Ní Riada

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management *that aims to restore control of external borders* and reduce *irregular arrivals and* the number of deaths at sea, and should be based on a flexible and coordinated use of all available Union and Member State instruments. *The European Council further called to ensure significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements.*

Amendment

(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management and reduce the number of deaths at sea, and should be based on a flexible and coordinated use of all available Union and Member State instruments.

Or. en

Amendment 9
Xabier Benito Ziluaga

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management that aims to restore control of external borders and reduce irregular arrivals and the number of deaths at sea, ***and should be based on a flexible and coordinated use of all available Union and Member State instruments.*** The European Council further called to ensure significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements.

Amendment

(3) In its conclusions of 19 October 2017, the European Council reaffirmed the need to pursue a comprehensive, pragmatic and resolute approach to migration management that aims to restore control of external borders and reduce irregular arrivals and the number of deaths at sea. ***This approach is proving controversial, failing to take account of the drastic reduction in migrant figures recorded by the International Organisation for Migration over the last three years, which has not prevented a humanitarian crisis of massive proportions owing to control procedures that are endangering the lives of those being forced to make the journey.*** The European Council further called to ensure significantly enhanced returns through actions at both EU and Member States level, such as effective readmission agreements and arrangements.

Or. es

Amendment 10
Xabier Benito Ziluaga

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) The Fund should support the efficient management of migration flows, inter alia by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need

Amendment

(7) The Fund should support the efficient management of migration flows, inter alia by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need

of international protection through resettlement and the transfer of applicants for or beneficiaries of international protection between Member States, supporting integration strategies and a more effective legal migration policy, so as to ensure *the Union's long-term competitiveness* and the future of its social model and reduce *incentives for irregular migration through a sustainable return and readmission policy*. The Fund should support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of international protection, avenues on legal migration and to *counter irregular migration and ensure sustainability of return and effective readmission to third countries*.

of international protection through resettlement and the transfer of applicants for or beneficiaries of international protection between Member States, supporting integration strategies and a more effective legal migration policy, so as to ensure *long-term solidarity in the Union* and the future of its social model and *channelling irregular migration, focusing on international policies that reduce the motivation for forced migration and the continued use of unsafe routes for those with no option but to flee their country*. The Fund should support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of international protection, avenues on legal migration and to *direct irregular migration through ordered channels*.

Or. es

Amendment 11

Petri Sarvamaa

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The Fund should support the efficient management of migration flows, inter alia by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need of international protection through resettlement and the transfer of applicants for or beneficiaries of international protection between Member States, supporting integration strategies and a more effective legal migration policy, so as to ensure the Union's long-term competitiveness and the future of its social model and reduce incentives for irregular migration through a sustainable return and readmission policy. The Fund should

Amendment

(7) The Fund should support the efficient management of migration flows, inter alia by promoting common measures in the area of asylum, including Member States' efforts in receiving persons in need of international protection through resettlement and the transfer of applicants for or beneficiaries of international protection between Member States, supporting integration strategies and a more effective legal migration policy, so as to ensure the Union's long-term competitiveness and the future of its social model and reduce incentives for irregular migration through a sustainable return and readmission policy. The Fund should

support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of international protection, avenues on legal migration and to counter irregular migration and ensure sustainability of return and effective readmission to third countries.

support the strengthening of cooperation with third countries to reinforce management of flows of persons applying for asylum or other forms of international protection, avenues on legal migration and to counter irregular migration and ensure sustainability of return and effective readmission to third countries ***in both voluntary and enforced cases.***

Or. en

Amendment 12
Xabier Benito Ziluaga

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Considering ***the high levels of*** migration flows to the Union in the last years ***and the importance of ensuring the cohesion of our societies,*** it is crucial to support Member States' policies for early integration of legally staying third-country nationals, including in the priority areas identified in the Action Plan on Integration of third-country nationals adopted by the Commission in 2016.

Amendment

(12) Considering ***that*** migration flows to the Union in the last years ***can be absorbed by societies as wealthy as those in Europe and have actually been diminishing over the last three years,*** it is crucial to support Member States' policies for early integration of legally staying third-country nationals, including in the priority areas identified in the Action Plan on Integration of third-country nationals adopted by the Commission in 2016.

Or. es

Amendment 13
Nicola Caputo

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) Considering the crucial role played by local and regional authorities and civil society organisations in the field of

Amendment

(17) Considering the crucial role played by local and regional authorities and civil society organisations in the field of

integration and to *facilitate* the access of these entities to funding at Union level, the Fund should facilitate the implementation of actions in the field of integration by local and regional authorities or civil society organisations, including through the use of the thematic facility and through a higher co-financing rate for these actions.

integration and to *improve and expedite* the access of these entities to funding at Union level, the Fund should facilitate the implementation of actions in the field of integration by local and regional authorities or civil society organisations, including through the use of the thematic facility and through a higher co-financing rate for these actions.

Or. it

Amendment 14 **Liadh Ní Riada**

Proposal for a regulation **Recital 20**

Text proposed by the Commission

Amendment

(20) An efficient return policy is an integral part of the comprehensive migration approach the Union and its Member States pursue. The Fund should support and encourage efforts by the Member States with a view to the effective implementation and further development of common standards on return, in particular as set out in Directive 2008/115/EC of the European Parliament and of the Council¹⁵, and of an integrated and coordinated approach to return management. For sustainable return policies, the Fund should equally support related measures in third countries, such as the reintegration of returnees.

deleted

¹⁵ ***Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).***

Or. en

Amendment 15
Petri Sarvamaa

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) An efficient return policy is an integral part of the comprehensive migration approach the Union and its Member States pursue. The Fund should support and encourage efforts by the Member States with a view to the effective implementation and further development of common standards on return, in particular as set out in Directive 2008/115/EC of the European Parliament and of the Council¹⁵, and of an integrated and coordinated approach to return management. For sustainable return policies, the Fund should equally support related measures in third countries, such as the reintegration of returnees.

¹⁵ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

Amendment

(20) An efficient return policy is an integral part of the comprehensive migration approach the Union and its Member States pursue. The Fund should support and encourage efforts by the Member States with a view to the effective implementation and further development of common standards on return, in particular as set out in Directive 2008/115/EC of the European Parliament and of the Council¹⁵, and of an integrated and coordinated approach to return management. For sustainable return policies ***in both voluntary and enforced cases***, the Fund should equally support related measures in third countries, such as the reintegration of returnees.

¹⁵ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

Or. en

Amendment 16
Xabier Benito Ziluaga

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) Member States ***should give preference to*** voluntary return. In order to

Amendment

(21) Member States ***may provide the option for*** voluntary return. In order to

promote voluntary return, Member States should envisage incentives such as preferential treatment in the form of enhanced return assistance should be envisaged for the voluntary return of persons. *This kind of voluntary return is in the interests of both returnees and the authorities in terms of its cost-effectiveness.*

facilitate voluntary return, Member States should envisage incentives such as preferential treatment in the form of enhanced return assistance should be envisaged for the voluntary return of persons.

Or. es

Amendment 17
Liadh Ní Riada

Proposal for a regulation
Recital 22

Text proposed by the Commission

Amendment

(22) Voluntary and enforced returns are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals in accordance with the standards laid down in Union law, where applicable, and with full respect for the fundamental rights and dignity of returnees.

deleted

Or. en

Amendment 18
Xabier Benito Ziluaga

Proposal for a regulation
Recital 22

(22) *Voluntary and enforced returns are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals in accordance with the standards laid down in Union law, where applicable, and with full respect for the fundamental rights and dignity of returnees.*

(22) *The forced return of migrants can only be justified where evidence exists that a serious crime has been committed, infringing national law and causing injury to a person in the host territory.*

Or. es

Amendment 19
Petri Sarvamaa

Proposal for a regulation
Recital 22

(22) Voluntary and enforced returns are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals in accordance with the standards laid down in Union law, where applicable, and with full respect for the fundamental rights and dignity of returnees.

(22) Voluntary and enforced returns are nevertheless interlinked, with mutually reinforcing effect, and Member States should therefore be encouraged to reinforce the complementarities between these two forms of return. The possibility of removals is an important element contributing to the integrity of the asylum and legal migration systems. The Fund should therefore support actions of Member States to facilitate and carry out removals **and enforced returns** in accordance with the standards laid down in Union law, where applicable, and with full respect for the fundamental rights and dignity of returnees.

Or. en

Amendment 20
Liadh Ní Riada

Proposal for a regulation
Recital 24

Text proposed by the Commission

Amendment

(24) Readmission agreements and other arrangements are an integral component of the Union return policy and a central tool for the efficient management of migration flows, as they facilitate the swift return of irregular migrants. Those agreements and arrangements are an important element in the framework of the dialogue and cooperation with third countries of origin and transit of irregular migrants and their implementation in third countries should be supported in the interests of effective return policies at national and Union level. **deleted**

Or. en

Amendment 21
Liadh Ní Riada

Proposal for a regulation
Recital 25

Text proposed by the Commission

Amendment

(25) In addition to supporting the return of persons as provided for in this Regulation, the Fund should also support other measures to counter irregular migration, address incentives for illegal migration or the circumventing of existing legal migration rules, thereby safeguarding the integrity of Member States' immigration systems. **deleted**

Or. en

Amendment 22
Xabier Benito Ziluaga

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) *In addition to supporting the return of persons as provided for in this Regulation, the Fund should also support other measures to counter irregular migration, address incentives for illegal migration or the circumventing of existing legal migration rules, thereby safeguarding the integrity of Member States' immigration systems.*

Amendment

(25) *The fund must be deployed in the three main areas of forced migration: the reasons for population displacement in countries impoverished by the international division of labour, climate change, armed conflicts, and ideological, ethnic or political persecution; measures to channel displaced people along safe and regulated routes; and an orderly integration process in the country of destination.*

This approach will make it possible to guarantee the right to choose the territory of preference, including the territory of origin, thereby obviating one of the underlying factors behind forced migration.

Or. es

Amendment 23
Petri Sarvamaa

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) In addition to supporting the return of persons as provided for in this Regulation, the Fund should also support other measures to counter irregular migration, address incentives for illegal migration or the circumventing of existing legal migration rules, thereby safeguarding the integrity of Member States' immigration systems.

Amendment

(25) In addition to supporting the return of persons, ***both voluntary and enforced cases***, as provided for in this Regulation, the Fund should also support other measures to counter irregular migration, address incentives for illegal migration or the circumventing of existing legal migration rules, thereby safeguarding the integrity of Member States' immigration

systems.

Or. en

Amendment 24
Xabier Benito Ziluaga

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) The employment of irregular migrants creates ***a pull factor for illegal migration*** and undermines the development of a labour mobility policy built on ***legal*** migration schemes. The Fund should therefore support Member States, either directly or indirectly, in their implementation of Directive 2009/52/EC of the European Parliament and of the Council¹⁶ which ***prohibits the employment of illegally staying third-country nationals and provides for sanctions against employers who infringe that prohibition.***

¹⁶ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24).

Amendment

(26) The employment of irregular migrants creates ***an opportunity for exploiting migrant labour*** and undermines the development of a labour mobility policy built on ***regulated*** migration schemes ***accompanied by guarantees.*** The Fund should therefore support Member States, either directly or indirectly, in their implementation of Directive 2009/52/EC of the European Parliament and of the Council¹⁶, which ***provides for sanctions against employers who fail to respect the labour rights of those in their charge, making them responsible for regularising the situation of their workers.***

¹⁶ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24).

Or. es

Amendment 25
Liadh Ní Riada

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) A Member State may be deemed not to be compliant with the relevant Union acquis, including as regards the use of operating support under this Fund, if it has failed to fulfil its obligations under the Treaties in the area of asylum **and return**, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the acquis on asylum **and return** or if an evaluation report under the Schengen or the European Union Agency for Asylum evaluation and monitoring mechanism has identified deficiencies in the relevant area.

Amendment

(32) A Member State may be deemed not to be compliant with the relevant Union acquis, including as regards the use of operating support under this Fund, if it has failed to fulfil its obligations under the Treaties in the area of asylum, if there is a clear risk of a serious breach by the Member State of the Union's values when implementing the acquis on asylum or if an evaluation report under the Schengen or the European Union Agency for Asylum evaluation and monitoring mechanism has identified deficiencies in the relevant area.

Or. en

Amendment 26
Liadh Ní Riada

Proposal for a regulation
Recital 33

Text proposed by the Commission

(33) The Fund should reflect the need for increased flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the policy and specific objectives laid down in this Regulation.

Amendment

(33) The Fund should reflect the need for increased **transparency**, flexibility and simplification while respecting requirements in terms of predictability, and ensuring a fair and transparent distribution of resources to meet the policy and specific objectives laid down in this Regulation.

Or. en

Amendment 27
Liadh Ní Riada

Proposal for a regulation
Recital 34

Text proposed by the Commission

Amendment

(34) This Regulation should establish the initial amounts to Member States consisting of a fixed amount and an amount calculated on the basis of criteria laid down in Annex I, which reflect the needs and pressure experienced by different Member States in the areas of asylum, integration and *return*.

(34) This Regulation should establish the initial amounts to Member States consisting of a fixed amount and an amount calculated on the basis of criteria laid down in Annex I, which reflect the needs and pressure experienced by different Member States in the areas of asylum, integration and *legal migration*.

Or. en

Amendment 28
Xabier Benito Ziluaga

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) These initial amounts should form a basis for Member States' long-term investments. To take account of changes in migration flows and to address needs in the management of asylum and reception systems and integration of legally staying third-country nationals, *and counter irregular migration through efficient and sustainable return policy*, an additional amount should be allocated to the Member States at mid-term taking into account the absorption rates. This amount should be based on the latest available statistical data as set out in Annex I to reflect the changes in the baseline situation of Member States.

Amendment

(35) These initial amounts should form a basis for Member States' long-term investments. To take account of changes in migration flows and to address needs in the management of asylum and reception systems and integration of legally staying third-country nationals, an additional amount should be allocated to the Member States at mid-term taking into account the absorption rates. This amount should be based on the latest available statistical data as set out in Annex I to reflect the changes in the baseline situation of Member States.

Or. es

Amendment 29
Liadh Ní Riada

Proposal for a regulation
Recital 35

Text proposed by the Commission

Amendment

(35) These initial amounts should form a basis for Member States' long-term investments. To take account of changes in migration flows and to address needs in the management of asylum and reception systems and integration of legally staying third-country nationals, **and counter irregular migration through efficient and sustainable return policy**, an additional amount should be allocated to the Member States at mid-term taking into account the absorption rates. This amount should be based on the latest available statistical data as set out in Annex I to reflect the changes in the baseline situation of Member States.

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Or. en

Amendment 30 **Petri Sarvamaa**

Proposal for a regulation **Recital 40**

Text proposed by the Commission

(40) The Fund should contribute to supporting operating costs related to asylum and return and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.

Amendment

(40) The Fund should contribute to supporting operating costs related to asylum and return, **both voluntary and enforced**, and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.

Or. en

Amendment 31 **Liadh Ní Riada**

Proposal for a regulation **Recital 40**

Text proposed by the Commission

(40) The Fund should contribute to supporting operating costs related to asylum **and return** and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.

Amendment

(40) The Fund should contribute to supporting operating costs related to asylum and enable Member States to maintain capabilities which are crucial for that service for the Union as a whole. Such support consists of full reimbursement of specific costs related to the objectives under the Fund and should form an integral part of the Member States' programmes.

Or. en

Amendment 32
Xabier Benito Ziluaga

Proposal for a regulation
Recital 44

Text proposed by the Commission

(44) The policy objective of this Fund will be also addressed through financial instruments and budgetary guarantee under the policy windows of the InvestEU. Financial support should be used to address market failures or sub-optimal investment situations, in a proportionate manner and actions should not duplicate or crowd out private financing or distort competition in the Internal market. Actions should have a clear European added value.

Amendment

deleted

Or. es

Amendment 33
Monika Hohlmeier

Proposal for a regulation
Recital 57

(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council²⁹. The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to the arrangements for providing information to the Commission in the framework of programming and reporting, given their purely technical nature.

(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. ***The delegated acts presented by the Commission must enable the Council and the Parliament to be assured of full transparency regarding expenditure of European funds.*** These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council²⁹. The examination procedure should be used for implementing acts that lay down common obligations on Member States, in particular on the provision of information to the Commission, and the advisory procedure should be used for the adoption of implementing acts relating to the arrangements for providing information to the Commission in the framework of programming and reporting, given their purely technical nature.

²⁹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

²⁹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. de

Amendment 34

Liadh Ní Riada

Proposal for a regulation

Article 3 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) to contribute to countering

deleted

irregular migration and ensuring effectiveness of return and readmission in third countries.

Or. en

Amendment 35
Xabier Benito Ziluaga

Proposal for a regulation
Article 3 – paragraph 2 – point c

Text proposed by the Commission

(c) to contribute to *countering irregular migration and ensuring effectiveness of return and readmission in third countries.*

Amendment

(c) to contribute to *reducing the causes of forced migration, that is to say poverty as a result of the unequal international division of labour, climate change, armed conflicts and social, ethnic or political persecution; to provide safe routes, as well as funding to ensure settlement under acceptable conditions.*

Or. es

Amendment 36
Petri Sarvamaa

Proposal for a regulation
Article 3 – paragraph 2 – point c

Text proposed by the Commission

(c) to contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries.

Amendment

(c) to contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries, *both in voluntary and enforced cases.*

Or. en

Amendment 37
Liadh Ní Riada

Proposal for a regulation

Article 8 – paragraph 3 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

A reasonable minimum percentage of funding shall be allocated to civil society organizations and local authorities.

Or. en

Amendment 38

Liadh Ní Riada

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. The contribution from the Union budget shall not exceed **75** % of the total eligible expenditure of a project.

1. The contribution from the Union budget shall not exceed **80** % of the total eligible expenditure of a project. ***Member States are encouraged to provide matching funds for activities supported by the fund.***

Or. en

Amendment 39

Liadh Ní Riada

Proposal for a regulation

Article 13 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall in particular pursue the actions eligible for higher co-financing as listed in Annex IV. ***In the event of unforeseen or new circumstances or in order to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of actions eligible for***

7. Member States shall in particular pursue the actions eligible for higher co-financing as listed in Annex IV.

higher co-financing as listed in Annex IV.

Or. en

Amendment 40
Petri Sarvamaa

Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission

1. Member States shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR 10 000 for each resettled person in accordance with the targeted Union resettlement scheme. That contribution shall take the form of financing not linked to costs in accordance with Article [125] of the Financial Regulation.

Amendment

1. Member States shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR 10 000 for each resettled person in accordance with the targeted Union resettlement scheme ***or a national scheme***. That contribution shall take the form of financing not linked to costs in accordance with Article [125] of the Financial Regulation.

Or. en

Amendment 41
Liadh Ní Riada

Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

4. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR [10 000] per person for whom the Member State can establish on the basis of the updating of the data set referred to in Article 11(d) of Regulation (EU) ... [Eurodac Regulation] that the person has left the territory of the Member State, on either a compulsory or voluntarily basis in compliance with a return decision or a removal order.

Amendment

deleted

Amendment 42
Liadh Ní Riada

Proposal for a regulation
Article 18 – paragraph 6

Text proposed by the Commission

Amendment

6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of specific tasks and services in Annex VII. **deleted**

Or. en

Amendment 43
Liadh Ní Riada

Proposal for a regulation
Article 25

Text proposed by the Commission

Amendment

Article 25

deleted

Information, communication and publicity

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.

2. The Commission shall implement information and communication actions relating to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the

corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation.

Or. en

Amendment 44
Monika Hohlmeier

Proposal for a regulation
Article 27 – paragraph 1

Text proposed by the Commission

1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.

Amendment

1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. ***The programmes presented by the Commission shall interact and complement each other and be drawn up with the necessary degree of transparency to avoid any duplication. The*** rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.

Or. de

Amendment 45
Liadh Ní Riada

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. The report submitted in 2023 shall cover the implementation of the programme in the period to 30 June 2022.

Amendment

1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. The report submitted in 2023 shall cover the implementation of the programme in the period to 30 June 2022. ***Member States shall publish these reports on the dedicated website of the Managing Authority as stipulated in Article 44 of the Common Provision Regulation. The Commission shall make annual performance reports available on a dedicated webpage.***

Or. en

Amendment 46
Monika Hohlmeier

Proposal for a regulation
Article 30 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) The Commission shall report annually to the European Parliament regarding the take-up or otherwise of funding, the success or failure of funded measures and the European added value thereof.

Or. de

Amendment 47
Liadh Ní Riada

Proposal for a regulation
Annex I – point 1 – point b – indent 1

Text proposed by the Commission

Amendment

– **30** % for asylum;

– **50** % for asylum;

Or. en

Amendment 48

Liadh Ní Riada

Proposal for a regulation

Annex I – point 1 – point b – indent 2

Text proposed by the Commission

Amendment

– **30** % for legal migration and integration;

– **50** % for legal migration and integration;

Or. en

Amendment 49

Liadh Ní Riada

Proposal for a regulation

Annex I – point 1 – point b – indent 3

Text proposed by the Commission

Amendment

– **40% for countering irregular migration including returns.**

deleted

Or. en

Amendment 50

Petri Sarvamaa

Proposal for a regulation

Annex I – point 1 – point b – indent 3

Text proposed by the Commission

Amendment

– 40% for countering irregular migration including returns.

– 40% for countering irregular migration including returns, **both voluntary and enforced.**

Amendment 51
Liadh Ní Riada

Proposal for a regulation
Annex I – point 4

Text proposed by the Commission

Amendment

4. The following criteria in the area of countering irregular migration including returns will be taken into account and shall be weighted as follows:

deleted

(a) 50% in proportion to the number of third-country nationals who do not or no longer fulfil the conditions for entry and stay in the territory of the Member State and who are subject to a return decision under national and / or Community law, i.e. an administrative or judicial decision or act, stating or declaring the illegality of stay and imposing an obligation to return;

(b) 50% in proportion to the number of third-country nationals who have actually left the territory of the Member State following an administrative or judicial order to leave, whether undertaken voluntarily or under coercion.

Or. en

Amendment 52
Petri Sarvamaa

Proposal for a regulation
Annex I – point 4 – introductory part

Text proposed by the Commission

Amendment

4. The following criteria in the area of countering irregular migration including returns will be taken into account and shall

4. The following criteria in the area of countering irregular migration including *voluntary and enforced* returns will be taken into account and shall be weighted as

be weighted as follows:

follows:

Or. en

Amendment 53

Liadh Ní Riada

Proposal for a regulation

Annex II – point 3 – point b

Text proposed by the Commission

Amendment

(b) supporting an integrated and coordinated approach to return management at the Union and Member States' level, to the development of capacities for effective and sustainable return and reducing incentives for irregular migration; **deleted**

Or. en

Amendment 54

Liadh Ní Riada

Proposal for a regulation

Annex II – point 3 – point d

Text proposed by the Commission

Amendment

(d) strengthening cooperation with third countries and their capacities to implement readmission agreements and other arrangements, and enable sustainable return. **deleted**

Or. en

Amendment 55

Liadh Ní Riada

Proposal for a regulation

Annex III – point 1 – point a

Text proposed by the Commission

(a) the establishment and development of national strategies in asylum, legal migration, integration, ***return and irregular migration***;

Amendment

(a) the establishment and development of national strategies in asylum, legal migration, ***and*** integration;

Or. en

Amendment 56
Petri Sarvamaa

Proposal for a regulation
Annex III – point 1 – point a

Text proposed by the Commission

(a) the establishment and development of national strategies in asylum, legal migration, integration, return and irregular migration;

Amendment

(a) the establishment and development of national strategies in asylum, legal migration, integration, ***voluntary and enforced*** return and irregular migration;

Or. en

Amendment 57
Liadh Ní Riada

Proposal for a regulation
Annex III – point 1 – point f

Text proposed by the Commission

(f) actions aimed at enhancing awareness of asylum, integration, legal migration ***and return*** policies among stakeholders and the general public;

Amendment

(f) actions aimed at enhancing awareness of asylum, integration, legal migration policies among stakeholders and the general public;

Or. en

Amendment 58
Petri Sarvamaa

Proposal for a regulation
Annex III – point 2 – point f

Text proposed by the Commission

(f) actions related to the conducting of procedures for the implementation of the Union Resettlement [and Humanitarian Admission] Framework or national resettlement schemes that ***are compatible with*** the Union Resettlement Framework;

Amendment

(f) actions related to the conducting of procedures for the implementation of the Union Resettlement [and Humanitarian Admission] Framework or national resettlement schemes that ***do not contradict*** the Union Resettlement Framework;

Or. en

Amendment 59
Petri Sarvamaa

Proposal for a regulation
Annex III – point 4 – point e

Text proposed by the Commission

(e) preparation of return, including measures leading to the issuing of return decisions, the identification of third-country nationals, the issuing of travel documents and family tracing;

Amendment

(e) preparation of ***voluntary and enforced*** return, including measures leading to the issuing of return decisions, the identification of third-country nationals, the issuing of travel documents and family tracing;

Or. en

Amendment 60
Petri Sarvamaa

Proposal for a regulation
Annex III – point 4 – point k

Text proposed by the Commission

(k) cooperation with third countries on countering irregular migration and on effective return and readmission, including in the framework of the implementation of readmission agreements and other

Amendment

(k) cooperation with third countries on countering irregular migration and on effective return and readmission, ***in both voluntary and enforced cases***, including in the framework of the implementation of readmission agreements and other

arrangements;

arrangements;

Or. en

Amendment 61

Liadh Ní Riada

Proposal for a regulation

Annex V – part 3

Text proposed by the Commission

Amendment

Specific objective 3: 1. Number of returns following an order to leave compared to the number of third-country nationals ordered to leave. ***deleted***

2. Number of returnees who have received pre or post-return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.

Or. en

Amendment 62

Liadh Ní Riada

Proposal for a regulation

Annex VIII – part 3

Text proposed by the Commission

Amendment

Specific objective 3: 1. Number of places in detention centres created/renovated with support from the Fund, as compared to the total number of created/renovated places in detention centres. ***deleted***

2. Number of persons trained on return-related topics with the assistance of the Fund.

3. Number of returnees whose return was co-financed by the Fund as compared to the total number of returns following an order to leave:

(a) persons who returned voluntarily;

(b) persons who were removed.

4. Number of returnees who have received pre or post return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.

Or. en