



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Foreign Affairs

2011/0366(COD)

7.9.2012

OPINION

of the Committee on Foreign Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council
establishing the Asylum and Migration Fund
(COM(2011)0751 – C7-0443/2011 – 2011/0366(COD))

Rapporteur: Sophocles Sophocleous

PA_Legam

SHORT JUSTIFICATION

In the area of home affairs policies, covering security, migration and the management of external borders, the Commission is proposing, for the period 2014-2020, to simplify the structure of the expenditure instruments by reducing the number of programmes to a two pillar structure. The Asylum and Migration Fund constitutes one of these two pillars, next to a new Internal Security Fund.

The Committee on Foreign Affairs welcomes the efforts to achieve through this Fund a greater solidarity among all EU Member States with a view to efficient policy coordination and burden-sharing.

It stresses the importance of ensuring coherence and consistency between the measures taken under this Fund and those under the external financing instruments, especially given the fact that this Fund will be partly used to support cooperation with third countries, in particular in the framework of the implementation of readmission agreements, mobility partnerships and regional protection programmes.

More generally, the Fund should be used in accordance with the external action of the Union in general, and should comply with its objectives and the principles guiding them as defined in Article 21 of the Treaty on European Union.

The Committee on Foreign Affairs therefore advocates a strong and clearly defined involvement of the European External Action Service, especially at the programming stage of the Fund, in order to avoid any overlap with other instruments towards third countries and on the contrary ensure synergies and complementarity. It furthermore emphasises that all actions supported by the Fund should be in compliance with the fundamental rights of the categories of persons targeted by this Regulation and that certain actions financed by the Fund should specifically aim at strengthening this compliance with fundamental rights.

AMENDMENTS

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) In order to ensure that the measures under the Fund are fully coherent with and complementary to measures supported through the external financing instruments of the Union, and comply with the objectives and principles of the

Union external action, the European External Action Service should, in addition to the relevant Commission services, be fully involved in the programming and monitoring process of the Fund.

Amendment 2

Proposal for a regulation

Article 3 – paragraph 2 – point a – subparagraph 2

Text proposed by the Commission

The achievement of this objective shall be measured by indicators, inter alia, the ***level of improvement in asylum reception conditions, in the*** quality of asylum procedures, ***in*** the convergence of recognition rates across Member States, and ***in*** Member States' resettlement efforts;

Amendment

The achievement of this objective shall be measured by indicators ***including***, inter alia, the quality of asylum procedures, the convergence of recognition rates across Member States, and Member States' resettlement efforts;

Amendment 3

Proposal for a regulation

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Measures taken to achieve the objectives defined in paragraphs 1 and 2 shall be fully coherent with and complementary to measures supported through the external financing instruments of the Union and comply with the objectives and principles of the Union external action.

Amendment 4

Proposal for a regulation

Article 5 – paragraph 1 – point (e)

Text proposed by the Commission

(e) information for local communities as well as training for the staff of local authorities, who will be interacting with those being received;

Amendment

(e) information for local communities as well as training for the staff of local authorities, who will be interacting with those being received, ***especially on compliance with fundamental rights of asylum seekers***;

Amendment 5

Proposal for a regulation

Article 5 – paragraph 2 – point (b)

Text proposed by the Commission

(b) setting-up of administrative structures, systems and training of staff and relevant judicial authorities to ensure smooth access to asylum procedures for asylum seekers and efficient and quality asylum procedures.

Amendment

(b) setting-up of administrative structures, systems and training of staff and relevant judicial authorities to ensure smooth access to asylum procedures for asylum seekers and efficient and quality asylum procedures ***complying with the fundamental rights of asylum seekers; to this end, the European Asylum Curriculum must be maintained up-to-date and expanded to include other expert bodies, such as relevant civil society organisations, in its work.***

Amendment 6

Proposal for a regulation

Article 7 – point (b)

Text proposed by the Commission

(b) establishment of appropriate infrastructure and services to ensure the smooth and effective implementation of resettlement and relocation actions;

Amendment

(b) establishment of appropriate infrastructure and services to ensure the smooth and effective implementation of resettlement and relocation actions, ***complying with the fundamental rights of***

the persons concerned;

Amendment 7

Proposal for a regulation

Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) setting up and developing such integration strategies, including needs analysis, the improvement of indicators and evaluation;

Amendment

(a) setting up and developing such integration strategies, including needs analysis, the improvement of **integration** indicators, and evaluation **of the conditions particular to asylum-seekers, including participatory assessments, in order to identify best practices;**

Amendment 8

Proposal for a regulation

Article 10 – point (c)

Text proposed by the Commission

(c) furthering **intercultural** capacities of implementing organisations providing public and private services, including educational institutions, promoting the exchange of experience and good practices, cooperation and networking;

Amendment

(c) furthering capacities of implementing organisations providing public and private services, including educational institutions, **in the field of interculturality and of human rights;** promoting the exchange of experience and good practices, cooperation and networking;

Amendment 9

Proposal for a regulation

Article 11 – point (b)

Text proposed by the Commission

(b) setting up of administrative structures, systems and training of staff to ensure **smooth** return procedures;

Amendment

(b) setting up of administrative structures, systems and training of staff to ensure **that** return procedures **are smooth and fully protect the fundamental rights of migrants;**

Amendment 10

Proposal for a regulation

Article 11 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) supporting the independent assessment and monitoring of return operations by civil society organisations, in order to ensure compliance with human rights;

Amendment 11

Proposal for a regulation

Article 21 – paragraph 2 - point (c)

Text proposed by the Commission

Amendment

(c) studies on possible new forms of Union cooperation in the field of asylum, immigration, integration and return and relevant EU law, the dissemination and exchange of information on best practices and on all other aspects of asylum, immigration, integration and return policies, including corporate communication on the political priorities of the Union;

(c) studies on possible new forms of Union cooperation in the field of asylum, immigration, integration and return and relevant EU law, the dissemination and exchange of information on best practices and on all other aspects of asylum, immigration, integration and return policies, including corporate communication on the political priorities of the Union ***and the respect of fundamental rights of persons falling within the categories set out in Article 4;***

PROCEDURE

Title	Asylum and Migration Fund
References	COM(2011)0751 – C7-0443/2011 – 2011/0366(COD)
Committee responsible Date announced in plenary	LIBE 15.12.2011
Opinion by Date announced in plenary	AFET 15.12.2011
Rapporteur Date appointed	Sophocles Sophocleous 20.12.2011
Previous rapporteur	Kyriakos Mavronikolas
Date adopted	6.9.2012
Result of final vote	+: 41 -: 3 0: 4
Members present for the final vote	Frieda Brepoels, Elmar Brok, Mário David, Andrzej Grzyb, Anna Ibrisagic, Liisa Jaakonsaari, Anneli Jäätteenmäki, Ioannis Kasoulides, Nicole Kiil-Nielsen, Evgeni Kirilov, Maria Eleni Koppa, Andrey Kovatchev, Paweł Robert Kowal, Wolfgang Kreissl-Dörfler, Eduard Kukan, Vytautas Landsbergis, Sabine Lösing, Ulrike Lunacek, María Muñiz De Urquiza, Raimon Obiols, Ria Oomen-Ruijten, Pier Antonio Panzeri, Mirosław Piotrowski, Hans-Gert Pöttering, Cristian Dan Preda, Nikolaos Salavrakos, György Schöpflin, Werner Schulz, Adrian Severin, Marek Siwiec, Charles Tannock, Geoffrey Van Orden, Sir Graham Watson, Boris Zala, Karim Zérubi
Substitute(s) present for the final vote	Charalampos Angourakis, Elena Băsescu, Andrew Duff, Tanja Fajon, Héléne Flautre, Emilio Menéndez del Valle, Jean Roatta, Carmen Romero López, Helmut Scholz, Indrek Tarand, Ivo Vajgl
Substitute(s) under Rule 187(2) present for the final vote	Danuta Jazłowiecka, Sophocles Sophocleous