

RECOMMENDATIONS TO THE ROMANIAN PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION

on the Multiannual Financial Framework 2021-2027

January – June 2019

EXECUTIVE SUMMARY

In a year of substantial institutional changes for the European Union (EU), pursuing the adoption of the EU's next long-term budget will be a key priority for the Romanian Presidency of the Council of the European Union. Ensuring that the financial allocations, objectives and rules of the Multiannual Financial Framework (MFF) respond well to the needs and commitments of the EU, as well as to those of its partners, is essential for the better management of migration in all its dimensions. Any delay in adopting the MFF in 2019 will risk repeating the gaps and closures of EU-funded programmes across sectors, including migration, as was experienced in many EU Member States at the start of the current MFF in 2014.

To maximize the added value of EU funds, the EU's financing for migration needs to be implemented in a more coherent and holistic way, following a longer-term, strategic vision for migration. EU migration funds are particularly instrumental in promoting the well-being of migrants and of communities in countries of origin, transit and destination and should focus on integrating tailored responses, including for vulnerable migrants. With European societies becoming increasingly diverse and facing labour shortages at all skill levels, more EU funds should be directed towards legal migration and integration. Finally, funding rules and process must become genuinely simpler for implementers of EU funds to facilitate increased access and partnerships among the range of stakeholders and experts in the field of migration.

IOM RECOMMENDATIONS

I. Pursue more coherent and holistic EU funding for migration to ensure its added value

To maximize the added value of EU funds in the field of migration, IOM calls on the Romanian Presidency of the Council of the EU to ensure:

- **More coherent migration funding**, which guarantees consistency between interventions financed by external and internal instruments as well as alignment with the EU's treaty-based commitments;
- **More holistic migration funding**, which addresses migration priorities in a balanced manner and ensures EU efforts on irregular migration and return are complemented by adequate investments on migrants' rights, legal migration and mobility, integration and the building of cohesive communities.

II. Ensure that EU funding for migration is people-centred and rights-based

EU migration funding has an important role to play in promoting the well-being of migrants and of communities in countries of origin, transit and destination. To this end, IOM calls on the Romanian Presidency of the Council of the EU to ensure that the MFF:

- Integrates more comprehensively the determinants of **migrant vulnerability and tailored responses**;
- Is more inclusive of **migrant children and trafficked human beings**;
- Gives greater **priority to counselling and information services** to ensure that migrants can take an informed decision on return and are appropriately assisted to facilitate their sustainable reintegration.

III. Strengthen funding commitments to legal migration and integration within and across EU internal funds

Despite legal migration and integration being of utmost importance for a holistic EU migration policy, allocation for these priorities have proportionally declined. To reverse this trend, IOM calls on the Romanian Presidency of the Council of the EU to **prioritize both funding targets across funds and increase budget allocations to the European Regional Development Fund (ERDF) and the European Social Fund (ESF+)**.

IV. Ensure the MFF commitment to simplification leads to genuinely simpler processes and rules for implementers of EU funds

IOM welcomes the commitment of the European institutions for simplification in the 2021-2027 budget framework and for easing the administrative burden on beneficiaries. Yet, similar commitments were made and insufficiently addressed in the 2014-2020 Multiannual Financial Framework. IOM, therefore, calls on the Romanian Presidency of the Council of the EU to:

- **Simplify and harmonize application procedures, templates, IT systems, and contracts for EU funding**;
- Include clear guidance in the Common Provisions Regulation (CPR) to EU Member States on the **treatment of international organizations** that have been positively pillar assessed by the European Commission to avoid unintended barriers to their participation and to facilitate competition and provision of expertise.

RECOMMENDATION I. Pursue more coherent and holistic EU funding for migration to ensure its added value

As the EU faces difficult choices to prioritize limited resources among policy areas, it is essential that its financing for migration is implemented in a more coherent and holistic manner to maximize the added value of EU funds. Migration is not a new nor a short-term phenomenon, and the growing level of international engagement in this area confirms the importance of a longer-term, strategic vision that should be facilitated by the next MFF.

More coherent migration funding would ensure consistency between interventions financed by the EU's external and internal instruments, while also ensuring alignment with the EU's treaty-based commitments to aid principles and policy coherence for development as well to the 2030 Agenda for Sustainable Development. Current overlaps of EU funding sources and implementers in the same countries and on similar priorities demonstrate the need for clearer definition of the respective mandates of internal and external instruments in third countries as well as for enhanced monitoring and coordination mechanisms to ensure EU commitments are put into practice.

More holistic migration funding would recognize that migration governance and multi-stakeholder partnerships must be strengthened at national, regional and international levels to be credible and effective. A siloed approach that invests in irregular migration and return priorities without parallel progress on migrants' rights, legal migration and mobility, integration and building cohesive communities, among others, will not achieve the desired results in the long term.

RECOMMENDATION II. Ensure that EU funding for migration is guided by a people-centred and rights-based approach

By its nature, migration has a strong human dimension, and EU migration funding, therefore, has an important role to play in promoting the well-being of migrants and of communities in countries of origin, transit and destination. At the same time, migration-related funding must be guided by international and European human rights law, ensuring that EU actions are also gender-responsive and child-sensitive.

In this context, IOM considers that the determinants of migrant vulnerability and tailored responses should be more comprehensively integrated in the areas of intervention of internal and external migration funding, notably the Asylum and Migration Fund (AMF) and the Neighbourhood, Development and International Cooperation Instrument (NDICI). IOM is particularly concerned that migrant children and trafficking in human beings are given limited attention in the AMF proposal and are reflected unevenly in the annexed intervention codes and indicators.

In line with the AMF's recommitment to give preference to voluntary return of migrants, IOM also believes there is a need to give greater priority to counselling and information services to ensure that migrants can take an informed decision on return and are appropriately assisted to facilitate their sustainable reintegration.

RECOMMENDATION III. Strengthen funding commitments to legal migration and integration within and across EU internal funds

Legal migration and integration are two priorities which are very closely interlinked; however, each should be considered on equal footing as policy objectives for EU funding. IOM regrets that the allocation for these priorities in the EU's Asylum, Migration and Integration Fund (AMIF) proportionally declined from 38% in the 2007-2013 period to a minimum requirement of 20% in the current MFF. Similarly, EU commitments at the Valletta Summit on Migration and within Partnership Frameworks to cooperate with partner countries on legal migration have also seen the least progress among priority areas. Considering the forecasted labour shortages in the EU at all skill levels, IOM believes that the future AMF should give increased priority to earmarked resources for measures to facilitate legal migration.

IOM welcomes the potential for increased engagement of local and regional actors and for mainstreaming of migration across sectors relevant to migrant integration within the proposed European Regional Development Fund (ERDF) and the European Social Fund (ESF+). At the same time, we are concerned about how the duration of "early stages" of integration will be defined under AMF, how implementers will be constrained by these timelines in practice, and potential challenges for coordination among managing authorities and implementers to avoid gaps in integration support. Establishing a strong coordination mechanism across these instruments and linkage to the EU Action Plan on Integration will be essential.

The proposed AMF, ERDF and ESF+ also all lack specific minimum or earmarked percentages for integration funding. Alongside the Commission proposal to reduce ERDF and ESF+ budgets and increase sectoral priorities for 2021-2027, there is currently a clear risk of underinvestment in migrant integration to be addressed. Both funding targets across funds and increased budget allocations to ERDF and ESF+ are recommended.

RECOMMENDATION IV. Ensure the MFF commitment to simplification leads to genuinely simpler processes and rules for implementers of EU funds

IOM welcomes the commitment of the EU institutions for simplification in the 2021-2027 budget framework and for easing the burden on beneficiaries, but notes similar commitments were made for the 2014-2020 Multiannual Financial Framework with limited progress. Implementers of EU funding have experienced an increasing administrative burden in the current MFF and a necessity of maintaining in-house expertise on EU funding; both of these trends come at a growing cost to the implementing agencies and to taxpayers. At the same time, complex contractual provisions strain the feasibility of partnership among entities with differing legal statuses, such as international organizations, public bodies, private sector, and civil society actors, and the desired focus on the achievement of project results.

Similarly, while the 2014-2020 MFF also merged internal funds and grouped thematic programmes within the Development Cooperation Instrument, the resulting simplification for implementers of EU migration funds was limited beyond programme titles. The main challenge for implementers is not necessarily the number of instruments, but the differing (and changing) contract templates and interpretations of EU regulations and rules by different staff, units, EU

Delegations, EC Departments, and (for shared management) competent authorities of EU Member States, who often apply additional administrative requirements without distinction on the nature and capacities of implementers.

In this context, IOM considers that further efforts are required in the proposed Common Provisions Regulation (CPR) and in the proposed instruments of external action to simplify and harmonize application procedures, templates, IT systems, and contracts. Implementers of EU funding need to be more systematically consulted in the design and enhancement of these processes and systems to also reflect their needs and capacities.

Based on IOM's experience to date under shared management in EU internal action, we also believe that it is essential that the CPR entail clear guidance to EU Member States on the treatment of international organizations that have been positively pillar assessed by the European Commission. The recently amended EU-UN Financial and Administrative Framework Agreement (FAFA) foresees that EU MS may make use of it under shared management when awarding grants to UN organisations so as to simplify contractual arrangements, but this possibility still needs to be reflected in the CPR and put into practice by Member States. Narrow interpretations of national regulations without recognition of the different legal status and rules of international organizations can otherwise result in an unintended barrier to the participation of international organizations, leading to less competition and available expertise to MS.



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