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**COMMUNICATION FROM THE COMMISSION
TO THE COUNCIL AND THE EUROPEAN PARLIAMENT**

**INTEGRATING MIGRATION ISSUES IN THE EUROPEAN UNION'S RELATIONS
WITH THIRD COUNTRIES**

- I. MIGRATION AND DEVELOPMENT**

- II. REPORT ON THE EFFECTIVENESS OF FINANCIAL RESOURCES
AVAILABLE AT COMMUNITY LEVEL FOR REPATRIATION OF
IMMIGRANTS AND REJECTED ASYLUM SEEKERS, FOR
MANAGEMENT OF EXTERNAL BORDERS AND FOR ASYLUM
AND MIGRATION PROJECTS IN THIRD COUNTRIES**

TABLE OF CONTENTS

FOREWORD

I. MIGRATION AND DEVELOPMENT

Introduction	7
SECTION A – CONTEXT	9
1. The EU and international migration flows	9
2. The driving forces of international migration	10
2.1. Push factors	10
2.2. Pull factors	11
2.3. Migration hump.....	11
3. The refugee burden	12
4. the effects of international migration on developing countries.....	14
4.1. Migrant remittances	14
4.2. Brain circulation.....	15
SECTION B - POLICIES IN PLACE.....	17
5. EU migration policy	17
6. Assistance to third countries directly related to migration management	18
7. Relief and Rehabilitation.....	20
8. The longer term; addressing the push factors	21
SECTION C – POLICY DEVELOPMENTS	23
9. Policy dialogue and migration clause	23
10. Skilled labour	24
11. Readmission agreements	25
12. Strategies and Programmes; the mid term review.....	26
13. Further measures as regards institution building	27
<u>II. REPORT ON THE EFFECTIVENESS OF FINANCIAL RESOURCES AVAILABLE AT COMMUNITY LEVEL</u>	
1. Introduction	30
2. Context of the Community's financial support	31

2.1.	Requirement that Community action must comply with the subsidiarity and proportionality principles	31
2.2.	Management of Community expenditure — compliance with the financial perspective and multiannual programming.....	31
3.	Internal instruments available for asylum and immigration policy and the management of external frontiers.....	32
3.1.	Development of Community financial resources allocated to asylum and immigration policy and management of external frontiers.....	32
3.2.	Financial instruments to implement or support the Tampere and Laeken strategies .	32
3.2.1.	Instruments strengthening administrative cooperation	32
3.2.2.	European Refugee Fund (2000-04).....	33
3.2.2.1	Results of preparatory action (1997-99) and principles governing the European Refugee Fund.	33
3.2.2.2.	Evaluation of the Fund's implementation 2000-02	34
3.3	Developments planned for the short and medium term	36
3.3.1.	A better insight into migratory phenomena	36
3.3.2.	Introduction of effective information systems	36
3.3.3	Preparatory measures relating to the integration of third-country nationals.....	37
3.3.4.	The future of the European Refugee Fund.	38
4.	External-policy instruments	39
4.1.	Contributions to preparations for the future enlarged Europe	39
4.2.	Partnerships with third countries of origin and transit.....	39
5.	New needs which have been identified.....	40
5.1.	A financial instrument to back up return policy ?.....	41
5.2.	Sharing the burden of managing external borders between the Member States and the Union.....	41
6.	To sum up.....	44

CONCLUSIONS

ANNEXES

FOREWORD

Migration is at the heart of the political debate in industrialised countries. It is now a major strategic priority for the European Union. If carefully managed, it can be a positive factor for growth and success of both the Union and the countries concerned. Following the entry into force of the Amsterdam treaty and the Tampere European Council, the main components of a comprehensive migration and asylum policy are progressively being put in place.

The integration of concerns related to migration within the external policy and programmes of the Community forms part of this comprehensive effort to address migration issues in a coherent and efficient way at EU level. It is however a relatively new trend, reflected by the recent requests made by the European Council in Seville.

Heads of States and Government asked for the integration of immigration policy into the Union's relations with third countries and called for a targeted approach to the problem, making use of all appropriate EU external relations instruments. The European Council also asked the Commission to present a report on the effectiveness of financial resources available at Community level for repatriation of immigrants and rejected asylum seekers, for management of external borders, and for asylum and migration projects in third countries.

The Commission is firmly committed to delivering both objectives.

The Commission believes that these two questions must be looked at together, as they are the two faces of the same coin. We must assess the problem and agree a clear policy line, but we must also check whether our financial means match our political ambitions. Hence the dual nature and purpose of the attached document: the first part analyses the phenomenon of international migration, assesses its effects on developing countries, and explores ways to help them in managing migratory flows; the second part is the Commission report that was requested by the Seville European Council on the effectiveness of financial resources available at Community level for repatriation of immigrants and rejected asylum seekers, for management of external borders and for asylum and migration projects in third countries. It provides a description of existing resources and explains what is being done today in the context of ongoing co-operation. It also suggests means to increase our effort in support of these actions.

The Commission and the Member States have the collective responsibility and the difficult task of reconciling differing but complementary priorities. In integrating migration into the external policy of the Community, action must be based on the following four key principles:

- (1) The integration of migration aspects in the external action of the Community must respect the overall coherence of our external policies and actions. The dialogue and actions with third countries in the field of migration must be part of a comprehensive approach at EU level, which must be fundamentally incitative by encouraging those countries that accept new disciplines, but not penalising those who are not willing or not capable to do so. Our approach must also be differentiated, taking due account of the situation of each individual third country.
- (2) Regarding migration, the long-term priority of the Community should be to address the root causes of migration flows. One should duly recognise the effect of long-term development programmes on migratory flows, in particular in poverty eradication, institution and capacity building, conflict prevention. Development resources should

concentrate on this objective. Besides, it is worth noting that the Commission already supports a wide range of actions in the field of migration.

- (3) Migration aspects should, in the first instance, be taken care of in the strategic framework proposed by the Commission and agreed by the Member States (“Regional and Country Strategy Papers” - CSP). CSP mid-term review, scheduled in 2003, offers a unique opportunity in this regard. This framework alone, by presenting a global development package to developing countries, will encourage them to enter into readmission agreements. The mid-term review should permit a case-by-case reassessment of migration in third countries and could lead to some reorientation in our priorities and some reallocation of funds within the National Indicative Programme of each country concerned.
- (4) Without prejudging the results of the CSP review, it seems already clear that extra funding will be needed. New tasks are feasible only if new money is made available. The relevant budget line (B7-667: “Cooperation with third countries in the field of migration”) should be significantly reinforced and should come as a complement to what can be achieved in the CSP review. It should be used to finance specific, targeted actions in the field of migration; these actions should be complementary to those financed under the more generic development lines. This approach should ensure stronger impact and higher profile to migration initiatives, and help avoiding duplication and confusion. The relevant budget line must also be managed in accordance with the principles of the RELEX Reform, so as to allow consistency and economies of scale.

Fully aware of the importance of migration issues in the context of EU’s external relations, the Commission invites all stakeholders to act decisively in line with these orientations. It is the only way to face up with our collective responsibilities and to meet our shared interest with third countries to find appropriate answers to existing challenges.

This Communication, which is part of a comprehensive approach towards migration, will be followed by another Commission Communication scheduled for March 2003, dedicated to the various interactions between immigration, employment and social policies in the European Union.

I. MIGRATION AND DEVELOPMENT

INTRODUCTION

Over the past few years, international migration has become a central theme in the political discourse in industrialised countries. At EU level, the framework for the discussion of migration-related issues was defined in 1999 by the Amsterdam Treaty and the Tampere European Council. Several components of a comprehensive migration policy are currently on the table of the European Parliament and the Council. During the run-up to the Seville European Council of June 2002 special attention was given to the question of illegal immigration. In this context, Heads of States and Government drew attention to the contribution which the EU's various external policies and instruments, including development policy, could make in addressing the underlying causes of migration flows. As long ago as 1994, in its Communication to the Council and to the European Parliament on the immigration and asylum policies¹, the Commission demonstrated the need for an overall approach in this field, which would include in particular the reduction of migratory pressure by cooperation with the principal potential third countries of migration towards Europe.

As a preliminary remark, it is useful to recall that migration is not to be seen only as a problem, but also as an essentially positive phenomenon, which is of all times and all places, and which produces both opportunities and challenges. It is a fact that industrialised countries, including the European Union, benefit considerably from migration and will continue to need inward migration in the future, both in high-skilled and low-skilled sectors. However, the expected continuation, or even acceleration, of international migration flows will have major consequences for both the European Union and the third countries, including developing countries, from which these migrants originate. To successfully address these consequences, it will be necessary to strengthen policies that focus on the root causes of international migration while – at the same time – working towards a further strengthening of the migration management capacity of both the European Union and the countries of origin.

Ongoing European Community external policies and programmes in support of human rights, the consolidation of democracy, the reduction of poverty, the creation of jobs and the overall improvement of the economic situation in the migration countries, the maintenance of peace, etc., all have a bearing on migration given that they address the main factors on which it is necessary to act to reduce the migratory pressure.

This being said, the concerns connected with the consequences of the migratory phenomenon, such as they are expressed within the European Union in recent years, called for a more substantial and targeted contribution in the context of all Community external relations policies, programmes and instruments. This contribution is today in the process of being given concrete form. Since Tampere, the migration issue has been successfully introduced onto the agenda of the dialogue between the Community and many countries. Moreover, in cooperation with the relevant third countries, the Commission has programmed substantial Community assistance (see Annexes) to provide support to third countries in their efforts to address issues directly related to legal and illegal migration. These programmes have now to be implemented and their effects will be visible only in the medium and long term.

This Communication focuses on European Union relations with low and middle-income developing countries in Africa, Asia, Latin America and Europe, with the exception of the European Union candidate countries. Its purpose is threefold. Firstly, it tries to put the

¹ COM(94) 23

migration issue back in its broader context, taking account of the driving forces of international migration, the specific case of people in need of protection and the effects of international migration on developing countries. Secondly, it gives an overview of the Community migration policy and how migration issues are being integrated in Community external cooperation programmes and policies. Thirdly, it tries to indicate the possible policy developments that could improve the Community contribution to a better management of migratory flows, including the curbing of illegal migration.

SECTION A – CONTEXT

1. THE EU AND INTERNATIONAL MIGRATION FLOWS

The UN estimates that world-wide some 150 million people (or about 2,5% of the world population) can be considered international migrants, as they have a nationality that does not coincide with their country of residence. The total number of international migrants is gradually growing, but is – in relative terms – not much different from the situation observed in the early 20th century.

Most analysts take the view that in a long-term perspective migration to the EU will either be stable or increase. The net annual official inward migration rate of the EU is currently at about 2,2 per 1000 population, which is less than current inward migration rates into traditional immigration countries such as the USA and Canada. In the year 2000, around 680.000 immigrants from outside the EU arrived in the Union².

Migration to the EU ³		
Arriving migrants from outside EU (2000)		680.000
Total number of migrants from outside EU		13.000.000
Region of origin	Europe	45 %
	North Africa	18 %
	Asia	17 %
	Sub Saharan Africa	9 %
	USA	3 %
	Other	8 %

These legal migrants, for whom reliable statistics exist can be divided into asylum seekers, family members joining migrants already legally settled in an EU Member State, registered labour migrants and business migrants⁴. An important (legal) distinction is to be made between economic migrants and persons in need of protection. Under International Law there is no obligation for states to let economic immigrants enter their territory. Asylum however is a human right based on international protection standards, which states are obliged to provide as a result of their obligations under international agreements such as the 1951 Geneva Convention.

In addition to legal migrants, there is a substantial number of irregular or ‘illegal’ migrants, consisting of people that either illegally enter the territory of an EU Member State, or become illegal after ‘over-staying’ their valid visa or their residence permit, or after being rejected as

² The number of legal immigrants into the EU reached a peak of 1,2 million people in 1992, mainly due to a large influx of refugees from former Yugoslavia

³ Source : Eurostat. Figures must be interpreted with great care, as statistical and methodological problems to arrive at these figures are numerous

⁴ Communication on a Community Immigration Policy, COM(2000) 757.

an asylum seeker. By the very nature of the phenomenon there are no precise figures available and thus the number of irregular migrants in the EU can only be estimated⁵.

The majority of ‘economic migrants’ present in the territory of EU Member States do not originate from low-income countries, but rather from middle income countries and economies in transition. Poor people in developing countries lack the connections and resources to engage easily in inter-continental migration. If these people migrate for economic reasons they will usually move to regional centres of economic growth. It is estimated that African countries host more than 20 million migrant workers from their own continent⁶.

This South–South labour movement is a very important phenomenon, and the facilitation of orderly South-South migration could be a relevant aspect of Community development co-operation with certain countries. Apart from its direct impact on development, better management of these South-South flows may also have an indirect impact on South-North migration, especially where international migration is related to rapid urbanisation.

2. THE DRIVING FORCES OF INTERNATIONAL MIGRATION

2.1. Push factors

Specific causes and patterns of migration vary over time and between countries and regions. Throughout history, people have migrated when their place of residence lacked the resources and opportunities to fulfil their needs and aspirations. The ‘classical’ conditions producing migration include factors such as ⁷:

- Negative or low economic growth combined with unequal income distribution;
- Overpopulation, high population growth;
- High underemployment and unemployment rates, including as a result of major economic restructuring;
- High pressure on land and urban environments;
- Armed conflict, ethnic cleansing;
- Human rights abuses, discrimination, persecution;
- Natural catastrophes, ecological degradation.
- Poor governance

Inadequate or deficient domestic policies and the absence of reforms in the developing countries themselves are often responsible for the factors described above.

⁵ For further details see the Commission’s Communication on a Common Policy on Illegal Migration, COM(2001)621 of November 2001.

⁶ ILO, Report III, 87th session of International Labour Conference, Geneva, 1999.

⁷ Migration-Development Nexus, State of the Art Overview, Centre for Development Research, Copenhagen, February 2002. This listing does not represent any type of ranking, as push factors for migration tend to be case-specific.

The economic ‘push’ towards migration will not quickly disappear. According to World Bank figures, the labour force of the low-income countries is set to grow from 1,4 billion to 2,2 billion in the year 2025⁸. The corresponding figures for middle-income countries (which are the larger supplier of international migrants) show a similar rate. Current levels of economic growth, trade and inward investments in developing countries are manifestly insufficient to absorb this labour force.

Unlike ‘economic migration’, forced migration primarily caused by conflict and insecurity is usually of a more cyclical nature. Refugee flows fluctuate. Mass departure is often (but not always) followed by mass return once the security situation has improved. This being said, people who migrate from conflict-ridden areas are usually steered by a combination of motivations, especially those that travel beyond their own region to developed countries.

2.2. Pull factors

Where conflict and poverty are the main push factors of migration, safety and socio-economic improvement stemming from labour demand in host countries are the major pull factors. Migrants move to places where protection is offered and/or jobs can be found. As indicated in the previous section, this does not lead primarily to inter-continental or South-North movements. About 85% of the world’s refugees find shelter outside the EU, mostly in safe havens within the region of conflict. More than 90% of the world’s migrants live and work outside the EU, usually relatively close to their country of origin. Close to 50% of the 150 million migrants world-wide are women, working in areas such as nursing and domestic services. Also, most migrant workers in the sex-industry are women, many of them against their will.

Most immigration countries – including EU Member States – face labour shortages in both the highly skilled and low-skilled sectors. The first category includes IT specialists, medical staff, researchers and scientists, technicians and teachers. The second category involves farm labourers, construction workers, workers in the hotel and restaurant sector, etc. Increasingly, European governments and European based companies turn to the labour market of developing countries to recruit these workers, notably in high-skilled sectors. After arrival in the country of immigration, migrants would usually obtain a legal status but in fact, many of them, especially in the low-skilled sectors, will continue to find employment and residence in the EU without such a legal status.

In order to really make the step into outward migration one needs contacts for practical advice and support. Usually the practical aspects of migration are facilitated by family contacts or the wider network of the migrant diaspora. Such a network often serves a very specific part of the labour market in a receiving country and recruits countrymen and women from a limited number of villages or urban regions in the country of origin. Increasingly, this type of support is provided on a relatively low risk and highly profitable commercial basis by criminal organisations involved in human smuggling.

2.3. Migration hump

A successful development process may – in the short term – lead to an increase rather than a decrease of international migration. When a developing country manages to generate economic growth a first generation of dynamic men and women acquire the means, and the

⁸ World Bank, World Development Report 1996

taste, to travel. Satisfying opportunities at home may still be limited, as adjustments and reforms are not completed and the domestic labour market has not reached its full potential. In this situation many people may want to test their luck in the job market of industrialised countries. This phenomenon - called the 'migration hump' – should normally disappear at a later stage, when the level of development in the country of origin reaches a more mature stage.⁹

In the long term, however, the reduction of poverty and the increase of job opportunities do reduce the pressure on people to enter into "survival migration". Similarly, when peace and development replace conflict and struggle, forced migration comes to a stop, and people have the opportunity to return to their home areas.

3. THE REFUGEE BURDEN

In accordance with the 1951 Geneva Convention relating to the Status of Refugees, a refugee is a person "who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...". Individuals fleeing their country have certain fundamental rights such as the right to seek asylum in another country and the right not to be expelled or returned to their state of origin as long as there is a threat to their safety (non *réfoulement*). Furthermore, they have the right to submit a request for asylum before the appropriate authorities and to have their request examined by them.

Whereas the EU does host a very substantial number of refugees and asylum seekers¹⁰ it is a fact that many developing countries have to deal with refugee populations exceeding by far EU averages. In 2002 there are 13 million refugees and asylum-seekers world wide, of which 1,9 million (15%) reside in EU territory¹¹. Furthermore, the world has about 20 million internally displaced persons; almost half of them in Africa, and more than a million in Afghanistan. According to UNHCR statistics, the number of asylum seekers arriving in the EU has halved over the last decade and is currently less than 400.000 people per year. By comparison, countries like Iran and Pakistan saw in the year 2001 alone more than a million arrivals each.

⁹ Migration, return and development; An institutional perspective. Expert Working Paper, Centre for Development Research, Copenhagen, April 2002

¹⁰ As is the case with economic migrants, most asylum seekers in the EU do not originate from developing countries either. Over the last decade, four out of the top six countries from which the EU received asylum applicants were European (FR Yugoslavia, Romania, Turkey, Bosnia and Herzegovina)

¹¹ For comparison: the USA hosts about 4% of the world's refugees. The figures for Canada, Australia and Japan are 1%, 0,4% and 0,02% respectively

Refugees and asylum-seekers ¹²	<i>Total</i>	<i>From non-European developing countries</i>	<i>From European countries</i>
Worldwide	13.000.000	12.000.000	1.000.000
In EU	1.900.000	1.600.000	300.000
In developing countries	9.000.000	9.000.000	0
Internally displaced persons			
In EU	0	0	0
In developing countries	20.000.000	20.000.000	0

The burden on host developing countries is exacerbated by the intrinsic limited financial and institutional capacities of these countries. Refugees can put considerable strain on the often fragile social and political structures of a host developing country. UNHCR research¹³ has shown that when these factors are taken into account, the top-5 countries with the highest refugee burden are Iran, followed by Burundi, Guinea, Tanzania and Gambia. In Africa the ratio between refugee population and GDP per capita¹⁴ is more than 25 times higher than in Europe.

In order to alleviate the plight of refugee populations, the European Community provides humanitarian assistance. Indeed, one of the specific objectives of Community humanitarian aid is to cope with the consequences of population movements of refugees, displaced people or returnees. Community actions under Regulation 1257/96¹⁵ concerning humanitarian aid, for which the Community Humanitarian Aid Office, ECHO, is responsible, focus on providing the necessary funds to implementing partners to provide protection, care and maintenance to refugee populations for as long as it is needed.

In keeping with the core principles of International Humanitarian Law, namely impartiality and non-discrimination, Community humanitarian assistance is solely delivered in accordance with the needs of the affected populations, priority being given to the most vulnerable such as children, women, disabled and elderly.

Projects are funded to address refugee needs, assisting thereby also the host country in coping with an influx of refugees, their own infrastructure and institutional capacity usually being inadequate to deal with such problems. The Community is currently funding many such projects around the world. Furthermore, the impact of aid can have benefits on the infrastructure of the host country, to the incidental advantage of the local community and this can help to reduce possible tensions between the two communities. Additionally, once refugees have returned to their country of origin, funding can be made available to carry out rehabilitation, such as re-forestation, necessitated by the refugee presence in the host country.

¹² Estimates, end 2001. Source: UNHCR, Population Statistics 2001, Geneva, May 2002

¹³ UNHCR, Selected indicators measuring capacity and contributions of Host Countries, Geneva, April 2002

¹⁴ Refugee population per 1000 inhabitants divided by GDP per capita. The figure gives a quantitative indication of the relative weight that incoming refugees put on the financial and economic situation in a host country. The ranking of individual countries is led by Pakistan, Tanzania and Congo. The first EU country is Germany, far lower on the list, at place 37

¹⁵ OJ No L 163, 02/07/1996, p. 1-6

Projects are also funded to assist repatriation to the country of origin provided that certain essential preconditions are met. Repatriation must be voluntary, and there must be an overall improvement in the situation in the country of origin. The country of origin must also have provided guarantees or adequate assurance for the safety of the repatriated population. In East Timor, for example, protection, shelters and resettlement aid have been provided for 300,000 returning refugees. In addition, the Community is providing funding for the reintegration of refugees once they have been repatriated in order to take the pressure off the countries of origin who often come out of a long period of conflict and destruction. In this spirit, the EC is funding UNHCR's repatriation of tens of thousands of Sierra Leonean refugees from Guinea at the same time as the re-integration packages in Sierra Leone itself. Similarly, projects that assist resettlement of refugees from the country of refuge to a third country, which has agreed to admit them, are also funded.

Protracted refugee situations increase pressure on scarce economic and environmental resources and sometimes causes tensions with local communities. This may give rise to security problems and localised crime. In many African countries refugees have been in host communities for 20 years or more. Many of these refugees have rural backgrounds and rely on access to common natural resources like water, arable land and forest for which they enter into competition with the rural poor in the host community. This problem can be addressed if host governments try and integrate these refugees by allocating land to them, if possible close to their areas of geographic and ethnic origin. Countries like Uganda and Belize have tried this strategy and successfully managed to integrate refugees in the process of national development. Similar actions to promote durable solutions, including through local integration, have been undertaken in collaborative effort with the UNHCR, e.g. on the 'Zambia Initiative'¹⁶.

4. THE EFFECTS OF INTERNATIONAL MIGRATION ON DEVELOPING COUNTRIES

International migration can both contribute to the economic development of industrialised countries and have positive effects on the developing countries of origin. At the same time, some aspects of international migration, such as the outflow of highly qualified people and the movement of refugees between neighbouring countries can also pose direct challenges to developing countries. The effects of international migration on developing countries have to be assessed on a case by case basis, as their specific impact varies considerably amongst countries.

4.1. Migrant remittances

According to some estimates¹⁷, current annual remittance flows to developing countries are actually higher than total Official Development Assistance (ODA). For many countries remittances provide an important positive contribution to the balance of payments and are a major source of foreign exchange. In a country like Haiti remittances account for 17% of GDP¹⁸. In most countries the percentage is far lower, but still substantial. The influx of remittances is not evenly spread amongst developing countries. They go to lower-middle income countries such as the Philippines, Egypt and Morocco and some large low-income

¹⁶ The Zambia initiative is aimed to assist refugees to become productive members of their host communities, leading to social integration, peace, security and stability in the region. The initiative entails programmes in areas such as agriculture, health, education, infrastructure, governance, gender and HIV/Aids

¹⁷ Remittance Flows and Impact, S. Martin, 2001

¹⁸ International mobility in a globalising world, Jan Niessen / Migration Policy Group, March 2002

countries like India and Pakistan¹⁹. Remittances to Sub-Saharan Africa are still low, but may hold a significant development potential.

Remittances are private money, which will first and foremost benefit the family of the sender, and will leave out the poorest groups that do not have family members abroad. In a first stage remittances are generally spent on family maintenance and debt repayment. In a later stage they are dedicated to housing improvement, consumer durables and education. In a third phase they appear to be invested in productive activities and the purchase of land or small businesses.

The important developmental potential of remittances has inspired some developing countries to try to introduce leverage mechanisms to encourage migrants to set aside a certain portion of each transfer for development funds. Also specific financial instruments are being introduced to capture a share of individual remittances, to supplement it with money from public sources, and to facilitate joint ventures between migrants and community development associations. The conclusions of the Financing for Development conference that took place in Monterrey in March 2002 also contain a reference to remittances. In its paragraph 18 it says that *'it is important to reduce the transfer costs of migrant workers' remittances and create opportunities for development-oriented investments, including housing'*.

While the Commission is conscious that migrant remittances are private money, that ought to be spent according to the wishes of the individuals concerned, it considers that public administrations in migrant-hosting countries may have a role to play in trying to ensure that these funds can be transmitted to developing countries by cheap, legal and secure means. Existing official financial transfer systems are often burdensome and costly, and drive migrants into informal networks of money traders. Hence, financial institutions, international banks and money traders have a responsibility to ensure that efficient and cost-effective systems will be available for the transfer of remittances to developing countries.

4.2. Brain circulation

Globalisation invites migration. Where globalisation promotes specialisation of economies and countries, it is only logical that specialised workers (either in high or low-skilled professions) wish to move from one territory to another. In those cases where comprehensive immigration policies are not yet in place – which is also for the EU – workers will find their own (illegal) way to enter the globalised labour market. Hence it is necessary to – as agreed by the European Council in Tampere – to develop a harmonised admission policy with a view to regulating the legal access of migrant workers into the EU. This policy takes account of both the interests of the EU and those of the third countries in which migrants originate, and is intended to be coherent with efforts to address the negative effects of 'brain drain' mentioned below.

Developing countries with high levels of unemployment and low economic growth rates may see benefits from emigration of low skilled citizens. Not just because of migrant remittances, but also because a reduction of the labour surplus will leave fewer people out of a job, and will have a positive effect on the competitive position and, therefore, income of those who remain. However, when skilled labour leaves the country the impact on the domestic economy may be less positive, especially in the short term. This 'brain drain' phenomenon may have direct negative repercussions on the development process.

¹⁹ Migration-Development Nexus, Evidence and Policy Options, Centre for Development Research, Copenhagen, April 2002.

Win-win scenarios do exist, where sending and receiving countries as well as the migrant him- or herself benefit from migration²⁰, when the migrant maintains financial, social and economic links with his country of origin and return to it, either permanently or on a temporary basis. But these scenarios remain isolated cases. The 6th Community RTD Framework programme, which offers training to scientists from third countries, including LDCs, with the aim of increasing the overall scientific and technological capacity of developing countries, includes elements that promote the actual return of trainees, including re-entry grants.

Nevertheless, industrialised countries including EU Member States increasingly recruit skilled labour in developing countries, such as IT experts in India, medical doctors in Pakistan, teachers in the Caribbean and nurses in South Africa. For some developing countries the 'export' of qualified citizens is an established element of government policy. More often this process generates incoherence between host countries' domestic policies and development policy objectives.

Voluntary return of migrants, both temporary and permanent, brings back accumulated amounts of financial, human and social capital into developing countries. Traditionally, return has therefore been seen as an essential aspect in ensuring a positive relationship between migration and development²¹. This positive correlation assumes that a migrant has spent sufficient time abroad to acquire skills and resources, and that he or she is capable and willing to dedicate (part of) this capital to new activities in the country of origin. These countries of origin can facilitate a successful reintegration, which is also beneficial to the local society at large, by creating the right social, economic and institutional environment for the returning migrant.

In practice, returning migrants are often faced with major disincentives, including from their host country. Return may affect their pension entitlements, or their possibilities of returning to the EU to visit family and friends. In general, concrete administrative solutions and support programmes are necessary. Some of these are currently being prepared, e.g. a Community funded IOM project on the return of qualified Afghans who can contribute to the recovery, rehabilitation and reconstruction of Afghanistan.

A migrant can also provide positive inputs in the local development of his or her country of origin, without regaining permanent residence. Governments of migrant sending countries such as Tunisia, Senegal and Nigeria have set up active policies to intensify contacts with their diasporas and to involve them in the national development process, both in economic and political terms. At the other side, some migrant receiving countries and international organisations have experimented with 'co-development' schemes aimed at involving the migrant diasporas in the development process of their country of origin.

²⁰ ILO, Migration of Highly Skilled Persons from Developing Countries: Impact and Policy Responses, Geneva, 2002
²¹ Migration-Development Nexus, Evidence and Policy Options, Centre for Development Research, Copenhagen, April 2002

SECTION B - POLICIES IN PLACE

On the basis of the Amsterdam Treaty and following the policy orientations established by the European Councils of Tampere and Seville, the Commission has formulated the main components of a common policy on migration and asylum. In addition to this, through its development and cooperation policies, the Commission tries to improve dialogue and reinforce partnerships with third countries on the issue of migration. The policies and actions in place fall into three categories. The first category covers those actions recently programmed within the framework of the Community's cooperation programmes with third countries and which directly address the issue of migration. The second category covers other actions falling under the general heading of Relief and Rehabilitation. The third category is covered by the general thrust of the Community's development cooperation policy and development programmes, where the aim is to reduce the push factors behind migration by supporting sustainable growth and development and reducing poverty.

5. EU MIGRATION POLICY

The Commission has formulated the main components of a common policy on migration and asylum in two general communications and in individual legislative proposals. The work programme agreed in Tampere to realise this objective comprises two phases: the establishment of a basic common legal framework incorporating minimum standards in the areas covered by the Treaty; and secondly a gradual convergence of legislation, policy and practice through an open method of co-ordination between the Member States. In line with the comprehensive approach adopted by the Council, action is being taken on a range of different aspects of the migration phenomenon.

The Commission has now put forward all the legislative proposals necessary to establish the basic framework for the admission and conditions of stay of legal migrants and their families. This will provide transparent channels for the admission of labour migrants. Some of the proposals are also designed to facilitate mobility of third country nationals within the EU , e.g. for long-term residents or for third-country nationals who are students. At the same time action to reinforce the fight against illegal migration, smuggling and trafficking into the EU is being taken based on a comprehensive plan adopted by the Council in February 2002. Measures to improve co-operation on the return of illegal migrants are also being developed based on the Commission's Green Paper of April 2002 on this issue.

The Commission has also submitted to the European Parliament and the Council a number of legislative proposals as the basis of a common policy on asylum which fully respects the 1951 Geneva Convention on refugees and other international obligations of the Member States with respect to refugees, asylum seekers and those seeking international protection.

An examination of the interactions between immigration and the employment and social policies in the European Union was launched by the Commission in 2002 and, on that basis, the Commission intends to adopt a Communication in March 2003 to prepare the June session of the European Council.

Promotion of the integration and inclusion of migrants is taking place primarily within the framework of the European Social Fund, the EQUAL initiative and programmes to combat discrimination, including racism and xenophobia.

It goes without saying that the rapid adoption of the Commission proposals, an adoption which falls within the responsibility of the Council and its the Member States, would encourage the consolidation of the Community Migration Policy and would consequently contribute to making the position of the Community in this field more clear to third countries. The establishment of a clear Community framework in the field of the migration policy constitutes a condition of credibility for the Community in its relations with the third countries on the issue of migration management.

6. ASSISTANCE TO THIRD COUNTRIES DIRECTLY RELATED TO MIGRATION MANAGEMENT

The integration of the concerns related to migration in the external policy in general and in the Community external policies and programmes in particular is a recent trend. Actually, migration is a new field of action for the Community cooperation and development programmes. Since Tampere, the European Commission has begun to integrate several issues directly related to legal and illegal migration in its long-term co-operation policy and programmes. Substantial direct and indirect Community assistance has been programmed to provide support to third countries in their efforts to address legal and illegal migration issues. The annexes of this communication shows an inventory of programmes and activities related to migration at regional and national levels (a detailed description of these programmes is provided in the national or regional indicative programmes attached to the Country or Regional Strategy papers). Some of these programmes – those specifically dedicated to border management, fight against illegal migration, migration management – will contribute directly to strengthen third countries capacity to manage migration flows. *Most of the programmes concerned should be implemented during the period 2002-2004.* Certain are already in the launching phase. Without entering in a description of activities on a country by country basis, the main regional orientations can be summarised as followed:

In the Mediterranean region, in the newly adopted framework for a Justice and Home Affairs regional programme in MEDA, the Commission addresses the general issues of combating organised crime, including criminal networks involved in smuggling of migrants and trafficking in human being. In particular, the Commission examines the feasibility of joint police inquiry teams among Mediterranean partners and, if possible, between Member States and Mediterranean countries. Migration is given special attention in this regional programme and the Commission is committed to creating the basis for a comprehensive approach to migration with the Mediterranean countries. The ongoing consultations with Mediterranean partners on the implementation of this regional programme are very constructive and actions contributing to the fight against illegal immigration are now envisaged. They cover in particular police and judicial training and the establishment of a Euromed network of data collection and pluridisciplinary research on migratory phenomena. Moreover, in the framework of the various MEDA regional programmes, the Commission will examine how to introduce new actions relating to the fight against illegal migration. One aspect could be to look at the feasibility of a network between the southern Mediterranean ports, in order to, among others, facilitate the exchange of information concerning suspect boats and illegal migration. Finally, transit migration from Sub-Saharan Africa also merits attention. The Commission will analyse the main causes for this migration to better understand the forces behind this phenomenon and see how it could be addressed.

In the Western Balkans, the CARDS Regional program focuses on supporting the participation of Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia in the Stabilisation and

Association process (SAP) which is the cornerstone of the EU's policy in the region. The aim is to foster regional co-operation *inter alia* in the field of Justice and Home affairs. Being a neighbouring region of the EU and one with porous borders and weak infrastructures, the support to regional co-operation on migration issues is of particular importance. Support on border control will emphasise equipment and infrastructure and will be complemented by institution building, technical assistance and twinning-type arrangements. Particular emphasis will be placed on control on borders with Romania, at international airports and on sea approaches and harbors but also on control at major border crossing points, on the development of appropriate state border services, on strengthening police and other agencies' capacity nationally and regionally to tackle crime and illegal migration, on coordination between border control authorities, national police authorities and customs agencies, on sharing of information and joint investigations. International coordination will be enhanced both at the preventive level (eg. exchanges of information) and at the reactive level (eg. joint investigations against smuggling or repatriation of illegal immigrants).

In Eastern Europe and Central Asia, the current TACIS Regional Justice and Home Affairs Programme is focusing on three key areas: first, the development of a comprehensive border management, migration and asylum system in order to combat smuggling in illegal migrants and to reduce illegal migration flows (concrete actions include provision of border control equipment and training of border guards as well as strengthening the capacity of partner countries to administer legal migration and asylum matters); second, combating drug trafficking through the creation of a "filter system" between Afghanistan and the geographical areas along the "silk route"; third, the establishment of effective anti-corruption measures in the partner states aiming at adopting efficient legislation and developing suitable practices in the public service and in civil society for a sustained fight against corruption. This dimension will likely have an impact on illegal migration as well. In addition to this, the New Tacis Regional Programme for Central Asia will include co-operation on migration and related issues, in particular improvement of border management capacities ; construction of border crossings in the three-border region of the Ferghana valley, in order to promote cross-border trade and smooth movement of people and goods; promotion of cross-border co-operation among the relevant law enforcement services and border and customs guards in the region; continuation of anti-drug measures; introduction of anti-money laundering regimes in Kazakhstan and Uzbekistan.

If the programmed activities directly related to migration are particularly important for these three regions bordering the future enlarged Europe, the issue of migration is also becoming increasingly important in the discussion and cooperation with other regions even if it remains at an earlier stage.

In Asia, in the framework of ASEM, a dialogue on migration has already started and is now well on track. It has led to the ASEM Ministerial Conference on Co-operation for the Management of Migratory Flows in April 2002, which resulted in a political declaration on migratory flows (the "Lanzarote Declaration"). Furthermore, it has been agreed that further co-operation will follow, with joint initiatives to be proposed by the interested ASEM partners. To that end, they further agreed to establish a network of contact points, when appropriate, for co-ordination and preparation of meetings at expert level between partners and future ASEM meetings at Director-General level of Immigration services on illegal migration flows as well as on the detection of false, counterfeit and falsified documents. The first meeting of this kind could take place before the end of the year.

In Latin America, on the basis of the political declaration of the EU-Latin America and the Caribbean Summit held in Madrid in May 2002, in which the States of the two regions

commit themselves "To carry out an integrated analysis of the different issues of migration between our regions...", the Commission has started to explore ways to develop a dialogue on migration between the two regions.

With reference to the ACP countries, the Cotonou Agreement, signed in June 2000 and soon to be entered into force, contains specific provisions on co-operation on migration and in particular to prevent and combat illegal immigration (Article 13). Migration shall be subject of in-depth dialogue in the context of the ACP-EU partnership and the ACP-EC Council of Ministers shall '*examine issues arising from illegal immigration with a view to establishing, where appropriate, the means for a prevention policy*'. The Cotonou Agreement also contains a standard *readmission clause*, as well as the commitment to negotiate *readmission agreements*, if requested by one of the Parties. Within the legally binding arrangements of Cotonou it is therefore fully legitimate to put the issue of illegal migration or problems in the area of readmission on the Political Dialogue agenda of either the entire ACP group or concerned individual ACP countries (Article 8).

Complementary with these regional approaches to co-operation in the migration field, various co-operation programmes directly related to migration have also been developed at the country level, notably with Morocco, the Balkan countries, the New Independent States, China, etc.

7. RELIEF AND REHABILITATION

Humanitarian assistance is neither sufficient nor adequate to address all needs arising from protracted crises such as protracted refugee situations and so, cannot of itself, ensure durable and sustainable solutions. Within the context of this Communication the important link between relief, rehabilitation and development (LRRD) merits special attention. In April 2001, the Commission published a Communication on this subject to ensure in particular that emergency assistance is designed in such a way that when that assistance is phased out, other instruments are phased in to assist with the long term development objectives.

Community actions under Regulation 2130/2001 on operations to aid uprooted people in Asian and Latin American developing countries are an example of an instrument which aims at linking humanitarian activities and development co-operation. It has done so by establishing the experience and pre-institutional mechanisms on which future development can be based. For other geographical regions, these actions in support of uprooted people are directly funded under other general financial instruments such as the European Development Fund (EDF) and MEDA²².

Efforts to resettle refugees or support returning refugees in post-conflict situations require close cooperation between neighbouring states. In conflict areas, where deep divisions, collective social mistrust and trauma may remain high, premature return of refugees can generate new tensions, conflict or violence. Timing and coordination are therefore crucial. In the context of support to uprooted people several programmes are already being implemented or prepared (e.g. in CARDS context). The Community shall continue to support initiatives such as programmes to facilitate the settlement within the host country of refugees who do not want to return to their home country, and to reduce the social and political pressures that such semi-permanent settlement will produce (example: return of non-Albanian displaced persons

²² Against this background the Commission is in favour of integrating actions financed under this Regulation 2130/2001 into the broader ALA programme.

in Former Republic of Yugoslavia) and programmes to facilitate cross-border return in a post conflict situation. Cooperation must be supported by the international community, especially as regards flow of information and agreeing common approaches on citizenship, pensions, social insurance, health and education.

8. THE LONGER TERM; ADDRESSING THE PUSH FACTORS

The Commission considers that the Community's development cooperation policy contributes to the effectiveness of the EU migration policy and its objective of managing migration flows. The Community's development policy addresses the push factors that constitute part of the root causes of migratory flows, and is aimed at reducing the timespan of the 'migration hump'. The Community development policy also tries to prevent and reduce forced migration, both South-North and South-South, and helps developing countries coping with refugee flows and internally displaced persons. Against this background it appears that the poverty focus and the current priority areas of the EC development cooperation policy should be maintained.

The European Council has endorsed this approach when it confirmed, at its meeting in Seville, that *'an integrated, comprehensive and balanced approach to tackle the root causes of illegal immigration must remain the European Union's constant long-term objective'*. In this context the Council pointed out that *'closer economic cooperation, trade expansion, development assistance and conflict prevention are all means of promoting economic prosperity in the countries concerned and thereby reducing the underlying causes of migration flows'*²³.

In November 2000 Council and Commission adopted a policy statement on Community Development Policy. One of its objectives was to concentrate Community development cooperation on a limited number of priority areas. The overall framework of the development policy is by now well established and should not be overturned by new priority areas. The European Community's Development identifies six priority sectors of development policy, with an overall focus on poverty reduction²⁴. Furthermore, the Council and Commission Statement identified three 'horizontal', or 'cross-cutting' concerns (gender, environment, human rights).

To maximise the potential positive effects of migration on development, and to reduce the negative ones, migration issues ought to be part and parcel of Community development policy, including poverty reduction strategies. To ensure coherence between the Community development and migration policy it is necessary to assess systematically the relationship between migration issues and the priority sectors and cross-cutting concerns of EU development policy, and to identify actions where appropriate. In this context some pertinent development policy areas to be considered for further action are the following:

Trade and Development

Providing and securing jobs in developing countries is the most effective way to address the number one push factor of international migration: unemployment and lack of economic prospects. To contribute to the objectives of the Community migration policy the Community should therefore continue to promote the improvement of effective market access of

²³ Conclusions of the European Council, Seville, 21 and 22 June 2002

²⁴ COM(2000) 212 final, 26 April 2000

developing countries' products into the EU and other industrialised countries as well as the integration of developing countries in the world trading system, in line with the goals set out by the Doha Development Agenda. Furthermore, the Community shall continue to promote the enhancement of south-south trade, the promotion of foreign direct investments into developing countries and the promotion of core labour standards. Existing policies in these fields contribute to reaching the objectives of the Community migration policy and should therefore – where possible – be strengthened.

Compared to the progress already made on the liberalising of goods and capital flows, international discussions on the free movement of people are still in a very early stage. The European Community should stimulate further debate and reflection on this subject, also within the context of relevant international organisations such as WTO, ILO and World Bank.

Conflict prevention, regional integration and co-operation

As EU history has taught, regional integration and cooperation is the best recipe against war and violent conflict. Likewise, the promotion of regional integration in developing countries is a structural contribution to avoid refugee-producing conflicts. Ongoing activities and programmes in the area of regional integration and conflict prevention will continue and where appropriate reinforced, notably the support to regional organisations with a clear conflict prevention mandate.

EC support to conflict prevention focused activities at regional level shall be strengthened (e.g. reconciliation activities, support to Demobilisation, Disarmament and Reintegration and Rehabilitation of combatants (DDRR) programmes, peace networks, shared management of scarce natural resources). The EC shall also continue to assist Border Region Cooperation programmes aiming at promoting regional reconciliation and easing border region tensions, e.g. through infrastructure projects that directly benefit productive sector activity and the local business environment, civil society and NGO activities.

Institutional capacity building and good governance

Ill-functioning democratic structures, weak institutions, the absence of the rule of law and bad governance are all major push factors for forced migration. The Community development policy addresses these challenges and will continue to do so, also in the context of the prevention of refugee flows. Relevant actions include institutional and constitutional reforms; supporting dialogue between state and opposition groups; reform of the electoral system and elections; strengthening party system, media, civil society; mediation between conflicting groups; measures to strengthen and guarantee human and minority rights; anti-corruption measures, and reform of police, judiciary, civil service

Food security and sustainable rural development

Hunger is a major push factor for migration. In recent history many notorious mass refugee flows were caused by droughts and failed harvests. Hence, development policies that contribute to food security and access to food and drinking water will limit 'survival' migration by poor people.

In a wider context, development policy aimed at sustainable rural development, providing sufficient jobs and satisfactory income to rural people will reduce the number of people moving from the rural areas to the cities. It is in that urban context where international migration usually starts.

The link between migration and rural development becomes particularly relevant in the context of South-South migration, when refugees with rural backgrounds take up agricultural activities in their host country. In this context EC development policy should assist host developing countries with the voluntary resettlement and integration of refugees in the process of rural development.

SECTION C – POLICY DEVELOPMENTS

9. POLICY DIALOGUE AND MIGRATION CLAUSE

Within the context of its current and future Association or Co-operation Agreements the European Union will systematically put the migration-development nexus on the agenda of its political dialogue as well as introduce migration issues in its economic and social dialogue. Such a dialogue should not limit itself to the question of how to address illegal migration and readmission but could also cover issues such as:

- The root causes of migration and the possibilities to address these in a comprehensive manner;
- Community legal migration policy and the management of migration by the third country concerned, as well as – where appropriate - the policies for preventing illegal migration, notably as regards smuggling and trafficking in human beings, and the facilitation of return and readmission of illegal migrants.
- The better integration of legal migrants living and working in the EU, with a special emphasis on the equal treatment of legally employed foreign workers and the policies which aim at non-discrimination of third country nationals; special attention should be given to the fight against racism and xenophobia and to education and training including the vocational integration of students in their countries of origin; ways of regulating demand and supply of low skilled labour, e.g. through temporary working permits, in view of a radical reduction of the pull factor for illegal migration into the EU;
- The question of how to facilitate ‘brain circulation’ and how to assist migrants legally residing in the EU who wish to contribute to the development process of their country of origin.

The European Council of Tampere underlined that partnership with the countries of origin and transit will be a key element in the external policies of the EU in the area of migration. The European Council of Seville of June 2002 urged that *‘any future cooperation, association or equivalent agreement which the European Union or the European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration.’*²⁵

Like other recent Partnership and Cooperation Agreements, the Cotonou Agreement between EU and ACP states contains specific provisions on co-operation on migration, including in respect of preventing and combating illegal immigration. Taking account of the Council conclusions on intensified cooperation on the management of migration flows with third

²⁵ Conclusions of the European Council, Seville, 21 and 22 June 2002

countries adopted in November 2002, the Commission considers that Article 13 of the Cotonou Agreement provides a comprehensive and balanced agenda for action, which could serve as a model for migration clauses to be negotiated in future agreements with other third countries. However, the Commission considers that this model should remain flexible enough to be adapted according to the negotiating circumstances and the particularities of each case.

10. SKILLED LABOUR

The Community development cooperation policy is often handicapped by the negative effects of the 'brain drain'. A fundamental approach to this phenomenon is to try to increase the number of financially attractive local job opportunities. In this context the following strategies could be considered:

- Promotion of outsourcing arrangements between developed to developing countries, notably in the IT and RTD sectors. Such schemes would generate global 'teleworking' where high-skilled (and relatively well-paid) people in developing countries would sell their services to companies in developed countries. Outsourcing arrangements may also involve short term postings in the EU, and Member States may wish to consider reviewing visa-restrictions in order to facilitate this.
- Promotion – within the context of the political dialogue – of labour policies by developing countries which aim to attract and reintegrate skilled migrants currently working abroad. Such policies shall include the provision of favourable working conditions, but also practical arrangements such as the recognition of education and experience obtained abroad.
- Facilitation of 'virtual return' of migrants that intend to contribute to the economic and social development of his or her country of origin, without permanently returning to it. In this context one area of attention could be the strengthening of communication facilities between trans-national communities and their country or region of origin (e.g. by facilitating 'tele-lectures' by academics in diaspora for local universities, in local languages).

The African health sector – struggling hard to overcome the AIDS pandemic - seems to be the major victim of the brain drain process. In Zambia three quarters of doctors with Zambian nationality left the country, in just a few years. Nigeria saw 21.000 medical doctors emigrating to industrialised countries. Nigerian and South African nurses are recruited in considerable numbers for jobs in the EU, where salaries are up to ten times higher.

- In view of the particularly dramatic health situation in these countries, the EU could explore the feasibility of introducing a code of conduct for public medical institutions to refrain from active recruitment of medical staff in sub-Saharan Africa and other developing countries facing domestic staff shortages.

Today some 100.000 Africans work in the EU and North America.²⁶ At the same time about 100.000 non-African experts live and work in sub-Saharan Africa, most of them in relation to development assistance and humanitarian aid. These non-African economic migrants, including many medical staff, occupy positions that are usually not open to qualified Africans under the same favourable conditions.

²⁶ IOM, World Migration Report, 2000

- In this context the Community could offer jobs currently taken by expatriate staff – notably in the development cooperation sector – to local people under financial conditions that are sufficiently attractive to provide an alternative for emigration. To facilitate this mechanism modalities of technical assistance to developing countries shall be reformed, in coordination with UNDP.

11. READMISSION AGREEMENTS

The Community signed a readmission agreement with Hong Kong on 27 November 2002. Agreements with Sri Lanka and Macao have been initialled in May 2002 and October 2002 respectively. In addition to this, and following the Commission recommendations, the Council has adopted Decisions authorising the Commission to negotiate readmission agreements between the European Community and Russia (2000), Pakistan (2000), Morocco (2000) and Ukraine (2002). Preliminary contacts with these countries have been made to prepare for the formal negotiations.

Following the Council conclusions of 29 April 2002 and the Sevilla conclusions, the Commission presented to the Council, in October 2002, recommendations for four Council Decisions authorising the Commission to negotiate readmission agreements between the European Community and Albania, Algeria, China, and Turkey.

Moreover, on behalf of the Community and if and when requested by it the Commission will start negotiations for new readmission agreements with ACP countries, on the basis of and after ratification of the Cotonou Agreement. Article 13 of the Cotonou Agreement already includes the explicit commitment for each of the ACP States to “*accept the return and readmission of any of its nationals who are illegally present in the territory of a Member State of the European Union, at that Member State’s request and without further formalities*”. However, as one of the main problems with illegal residents is the lack of identification documents and the corresponding difficulty in establishing his/her nationality, it would often be appropriate to extend that obligation to cover also third country nationals. Possible future Readmission Agreements with ACP countries could address this point and would furthermore focus on practical and administrative arrangements and other modalities of readmission and return. These agreements shall be negotiated in the broader context of implementation of Article 13, including its development elements and other aspects of particular importance for ACP countries – on which the Commission will present further proposals at a later stage, in conjunction with the upcoming Communication on the integration of legal migrants into the EU.

Experience so far has taught that the time needed to negotiate a readmission agreement, which is seen as being in the sole interest of the Community, should not be underestimated and no quick results should be expected. They can only succeed if they are part of a broader co-operation agenda, which takes duly into account the problems encountered by partner countries to effectively address migration issues. This is the reason why the Commission considers that the issue of “leverage” – i.e. providing incentives to obtain the co-operation of third countries in the negotiation and conclusion of readmission agreements with the European Community – should be envisaged on a country by country basis, in the context of the global policy, cooperation and programming dialogues with the third countries concerned.

In that context, the Commission could envisage, where appropriate, to provide a specific support for the preparation and implementation of the readmission agreements by third countries, aiming at increasing technical and financial assistance with a view to encouraging

better management of migration flows. This specific support would be financed from the budget line B7-667, endowed with appropriate additional resources, taking into account the complementarity of this budget line with other funding and overall EU budgetary constraints. The programming of this line must also be coherent with the overall development strategy towards the country concerned and be implemented in conformity with the standing principles, procedures and modalities of the Community's external assistance programmes. Moreover, it must be underlined that such support measures shall be developed jointly with the Member States based on a division of labour and a sensible burden sharing.

In certain cases, this specific accompanying support may not be sufficiently attractive. Indeed, the readmission agreements can have important consequences for the third countries concerned. As transit countries, they can be confronted with considerable charges, of both a technical and financial nature, since they will have to deal with the repatriation of the persons concerned. Even the reintegration of its own nationals can generate for a country additional constraints for its labour market or for its programmes of government aid.

In those cases, and in the context of the global policy, cooperation and programming with the third countries concerned, the European Community and the Member States, should be ready to consider supplementary types of incentives. At Community level, the margin of manoeuvre for these incentives is however limited.

Indeed, incentives based on granting better market access or tariff preferences to co-operating third countries should only be considered to the extent that they are fully WTO compatible.. Similarly, if the available funds remain constant, additional development aid for the countries with which the Community wishes to negotiate readmission agreements would result in a reduction of the aid granted to other third countries, penalising those which do not pose a significant problem as regards migration. Compensatory measures in the field of migration policy such as a more generous visa policy with respect to the co-operating countries or increased quotas for migrant workers seem equally difficult to negotiate at the level of the Community, not least since it would suppose substantial co-operation and co-ordination from and between the Member States.

Since Article 13 of the Cotonou Agreement already provides for clear legal obligations for the Parties to that Agreement as regards the readmission of own nationals illegally present on the territory of another Party and as regards the conclusion of bilateral readmission agreements, the Commission considers that such supplementary financial incentives are not necessary and therefore shall not apply to those countries.

Again, the Commission considers that a balanced approach requires the possible solutions to be examined on a case by case basis, taking into account not only the importance of the third country concerned in terms of emigration flows towards the European Union but also the specific situation of this third country and the state of its relations and cooperation with the Community and the Member States.

12. STRATEGIES AND PROGRAMMES; THE MID TERM REVIEW.

In the multi-annual planning, programming and implementation of the actions mentioned in chapters 6, 7 and 8, the question of whether and in what form migration should receive special attention has been addressed on a case by case basis in the framework of the Country and Regional Strategy Papers process, to which the Member States have been fully associated. Incorporating migration in the Country and Regional Strategy Papers through the normal

programming dialogue process has ensured full involvement and commitment by the country or region concerned as well as differentiation and prioritisation according to needs and policy situation. The Commission has also sought full co-ordination and complementarity between actions undertaken by the Community and EU Member States.

Along the same procedures, the Commission has already pointed out its willingness to use the opportunity of the Country Strategy Papers mid-term review (which should begin in 2003) to examine the extent to which greater priority should be given to specific programmes relating to migration, on a country by country basis and in the framework of the programming dialogue. This could lead to a readjustment of the external actions of the Community to give greater weight to migration policy and related issues.

However, the Commission has to stress that the review of the Country and Regional Strategy Papers must always be guided by the overall objectives of the Community cooperation, which will not have changed. Moreover, in determining the scope of the review, one has to keep in mind that multi-annual programmes are designed to give the partner country – and the Community – a long-term commitment to development, with a limited leeway of flexibility.

In addition, migration is not the only concern which should be considered on the occasion of this review of our co-operation with third countries. The way to respond to other significant changes or new departures in Community policies – for instance in the trade area after Doha, in sustainable development after Johannesburg, or on crime and terrorism – must also be examined. And it goes without saying that in the context of the limited Community resources available, the Commission will have to make a decision as to which issues should be given greater priority and which lesser as regards the allocation of these resources. The Country and Regional Strategy Papers process is precisely the place where this allocation has to be decided, because it is there that, with the participation of all the actors concerned, a balanced and coherent Community strategy towards third countries can be built up.

13. FURTHER MEASURES AS REGARDS INSTITUTION BUILDING

The Community support foreseen in the section above for the preparation and implementation of the readmission agreements by third countries, based on the resources available to budget line B7-667, would build on existing experience regarding institution building and technical assistance, and would give more emphasis notably to:

- Improving national legislation and management of legal migration and asylum, with full respect to the international conventions in this area.
- Making national legislation more effective to prevent and combat illegal emigration, and to strengthen the fight against criminal activities, organised crime and corruption.
- Institution building and technical assistance to strengthen developing countries' capacities to combat the trafficking and smuggling of human beings.
- Capacity building in the field of customs and law enforcement, including providing equipment when necessary, but with all the necessary safeguards in particular regarding potential dual-use.

The conception and the implementation of the measures foreseen will be based on principles that will guarantee an harmonious articulation of the actions financed from that instrument

with the action financed from other Community development and cooperation instruments, so that the overall coherence of the Community external action is preserved.

II. REPORT ON THE EFFECTIVENESS OF FINANCIAL RESOURCES AVAILABLE AT COMMUNITY LEVEL FOR REPATRIATION OF IMMIGRANTS AND REJECTED ASYLUM SEEKERS, FOR MANAGEMENT OF EXTERNAL BORDERS AND FOR ASYLUM AND MIGRATION PROJECTS IN THIRD COUNTRIES

1. INTRODUCTION

At its meeting in Seville on 21 and 22 June 2002, the European Council requested the Commission to submit "a report ... on the effectiveness of financial resources available at Community level for repatriation of immigrants and rejected asylum seekers, for management of external borders and for asylum and migration projects in third countries" (Presidency Conclusions, paragraph 38).

This communication is the response to that request, providing a survey of existing instruments that directly or indirectly correspond to the areas identified by the Council. But, the Commission considers that the scope of this examination can usefully be extended to cover not only financial instruments at present applied but instruments currently contemplated under the common policies on asylum and immigration. Incidentally the reference in the Conclusions of the Seville European Council to "financial resources available at Community level" does not provide a basis for departing from the rules applicable to all expenditure based on the Community budget (the need for a legal basis, compliance with the subsidiarity and proportionality principles, compliance with the financial perspective, multiannual programming and ex post and ex ante appraisals).

This report is based on the results of implementing the instruments currently available. But, the evaluation of the outcomes and impact of legislative and financial programmes and actions is a long-term process, whereas most of the initiatives in the fields in question are relatively recent and many of the programmes and projects assisted have not yet been implemented or are still under way.

In accordance with the strategy defined by the Commission regarding the evaluation and assessment of the impact of its policies,²⁷ such programmes and actions are to be evaluated at regular intervals, preferably by external consultants. Accordingly, this document is not to be treated as a final appraisal.

Even so, prior experience can provide certain indications. In addition, in the case of many actions, 2003 and 2004 will be decisive years for the approach to be adopted both to programmes in motion or in preparation and to the application of new instruments and the response to new policy priorities. Hence the need also for a forward study of the optimum, consistent and coordinated use of financial resources in the Community's internal and external policies, in conjunction with the instruments and policies applied by Member States.

This report is also an opportunity for reflection on the longer-term challenges facing the Community and the Member States. The Commission therefore feels it must look ahead and define approaches to future Community requirements, particularly regarding financial resources to cover the response to the requests made by the Tampere, Laeken and Seville European Councils.

²⁷

In particular, the Commission Communication of 26 July 2000, "Focus on results: strengthening evaluation of Commission activities" (SEC(2000)1051).

Those processes must naturally comply strictly with the applicable financial rules, the financial perspective agreed between the Community institutions and the principles of reasonableness and effectiveness in the use of the Community budget.

2. CONTEXT OF THE COMMUNITY'S FINANCIAL SUPPORT

The use of resources from the Community budget to implement or support policies within the scope of the powers of the Community or the European Union is governed by the Treaties. The principles that must be complied with in such use of resources include the subsidiarity and complementarity principles.

2.1. Requirement that Community action must comply with the subsidiarity and proportionality principles

Article 5 of the Treaty establishing the European Community provides that "in areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community". This principle is no less applicable where an action is to be funded in whole or in part from the Community budget, in accordance with the Protocol on the application of the principles of subsidiarity and proportionality.

Under those principles, all proposals for Community legislation, including proposals concerning the financing of actions from the Community budget, must:

- relate to a matter that has transnational aspects which cannot be satisfactorily regulated by action by Member States;
- concern an area or actions where action by Member States alone or lack of Community action would be contrary to the Treaty or would otherwise significantly damage Member States' interests;
- establish that action at Community level would produce clear benefits by reason of its scale or effects compared with action at the level of the Member States.

2.2. Management of Community expenditure — compliance with the financial perspective and multiannual programming

The development of financial instruments and proposals for new initiatives must take place within the framework of financial perspectives defined by the Interinstitutional Agreement of 6 May 1999.²⁸ There is relatively little room for manoeuvre regarding internal policies (Heading 3), including measures linked to the establishment of a European area of freedom, security and justice, and external action (Heading 4).

All major developments in the use of those resources must comply with the prescribed limits and, if appropriate, be dealt with through arbitrations and

²⁸ Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure (OJ C 172, 18.6.1999, p. 1).

reallocations between the Union's policy priorities. The Commission, as part of its planned annual policy, may of course decide to stress one or other policy priority, which will be reflected in the preliminary draft budget, but responsibility for the allocation of resources ultimately lies with the budgetary authority.

3. INTERNAL INSTRUMENTS AVAILABLE FOR ASYLUM AND IMMIGRATION POLICY AND THE MANAGEMENT OF EXTERNAL FRONTIERS

All financial instruments in those areas are covered by the legal bases established by agreement between the institutions and the budgetary authority, including the Council. They were initially developed as pilot projects or preparatory actions but have now been established by Council decision as multiannual programmes.

3.1. Development of Community financial resources allocated to asylum and immigration policy and management of external frontiers

The resources appropriated to Title B5-8 (Area of freedom, security and justice) of the Community budget for asylum, migration and management of external frontiers have been significantly increased since the entry into force of the Treaty of Amsterdam, rising from €29 559 694 in 1998 to €51 310 000 in 2002. The European Refugee Fund (ERF) alone receives 43% of the Title B5-8 appropriations. But the appropriations for Community policy on asylum, immigration and management of external frontiers account for scarcely 0.83% of expenditure for Community internal policies in 2002.

3.2. Financial instruments to implement or support the Tampere and Laeken strategies

As the common policy on immigration and asylum has developed, several financial instruments have been developed to cover two main types of assistance: the reinforcement of administrative cooperation and "measures ... promoting a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons".²⁹

3.2.1. Instruments strengthening administrative cooperation

The objective of the cooperation programmes is to complement the legislative provisions for the area of freedom, security and justice and thereby improve mutual understanding between the competent national services and their procedures for applying the Community legislation in order to develop a common administrative culture and uniform practice for applying Community law in the Member States.

The initial bases for those actions were not specifically founded on the areas identified by the Seville European Council but laid by the Sherlock pilot programme (1996-2000) for training, exchange and cooperation in the field of identity documents, particularly the detection of false documents. In 1998 the activities of that programme were integrated into the Odysseus programme. Odysseus, with a budget of €12 million for 1998-2002, was in fact terminated at the end of 2001 with all appropriations exhausted by then. The programme made it possible for

²⁹ Article 63(2)(b) of the EC Treaty.

155 cooperation projects to be financed, involving mainly national civil services or international organisations but also, to a lesser degree, non-governmental organisations and educational or research institutions. Those projects, which focused on training and placements for administrators, exchanges of officials or other staff with duties in the relevant fields, and research and study activities, gave a breakdown almost equal to the three areas covered by the programme: asylum (28% of projects), immigration (28%), crossing of external borders (23%) and multi-issue projects (21%). In the last two financial years (2000-01), an attempt was made to identify synergies between projects supported from Odysseus and new Community initiatives, such as cooperation with third countries concerning migration, the participation of candidate countries enjoying priority.

A new stage was reached with the adoption of the Argo programme, which was to be for five years with a financial reference amount of €25 million.³⁰ Odysseus laid the bases for administrative cooperation, and Argo now forms a decisive step in the establishment of operational cooperation by supporting the implementation of specific joint projects involving the pooling of resources and the possibility of setting up joint operational centres and teams composed of staff drawn from two or more Member States. It also establishes procedures for linking the internal and external dimensions of Member States' policies, making it possible to assist Member States' activities in third countries, in particular in countries of origin and transit. Lastly, the Argo rules allow flexibility and immediate reaction in emergencies.

Immediately after the adoption of the decision establishing the Argo programme, the Commission initiated studies (feasibility study on controls of maritime borders, feasibility study on technical and financial aspects of a visa information system) and issued a call for tenders under the programme. The first projects presented under the programme were received by the Commission in October 2002 and are being evaluated. It will be possible to initiate them from the end of 2002.

3.2.2. *European Refugee Fund (2000-04)*

In terms of financial volume, the European Refugee Fund is currently the biggest programme under the common asylum and immigration policies.

3.2.2.1 Results of preparatory action (1997-99) and principles governing the European Refugee Fund.

The Fund is based on the experience gained in preparatory action between 1997 and 1999 under budget lines B3-4113 (aid for the integration of refugees), B7-6008 (aid for the voluntary repatriation of refugees) and B5-803 (aid for the reception and residence of refugees and displaced persons, access to asylum procedures). Over these three years, 370 projects received support totalling over €80 million, including €14.3 million released to help Member States cope with the massive influx of displaced persons from Kosovo. Over the period 1997-99, 24% of the funds were allocated for reception conditions (36.7% counting the additional appropriations granted for Kosovo in 1999), 37.8% (31.1%) for integration measures and 38% (31.3%) for aid for voluntary repatriation.

³⁰ Council Decision 2002/463/EC of 13 June 2002 adopting an action programme for administrative cooperation in the fields of external borders, visas, asylum and immigration (ARGO programme) (OJ L 161, 19.6.2002, p. 11).

The measures funded relating to reception served mostly to boost and improve the capacity and quality of structures for receiving asylum applicants and refugees in the Member States, in particular those most vulnerable (women and unaccompanied minors) and to develop assistance for access to asylum procedures.

The integration measures funded covered advice work and capacity-building, particularly in the fields of vocational training and access to employment, education and integration into the local community in the host country, health, and access to housing.

60% of projects supported under the preparatory action on aid for voluntary repatriation were earmarked for the return of refugees or persons from Bosnia enjoying subsidiary or temporary protection.

On the basis of Article 63(2)(b) of EC Treaty, the European Refugee Fund (budget line B5-810) was set up by Council Decision of 28 September 2000 to cover the period 2000-04 and given an indicative budget of €216 million over five years (of which €50 million was held in reserve for possible emergency measures).³¹ The Fund translates into operational and financial terms the principle of solidarity between Member States in implementing a common policy on asylum. It operates on the basis of shared management with the Member States, with the latter directly responsible for administering 95% of its resources.

The Fund covers measures relating to the reception, integration and return (including reintegration into their home country) of refugees, asylum applicants and beneficiaries of subsidiary or temporary protection arrangements in a Member State.³²

The Fund's activities are supplemented by some of the measures contained in the Community Initiative Programme EQUAL (thematic field 9), which are designed to facilitate access to the employment market for asylum applicants, with due regard for national rules governing the working environment and laying down the rights of access of asylum applicants to employment. A total of 46 projects have already been approved for 2001 and 2002.

3.2.2.2. Evaluation of the Fund's implementation 2000-02

The Commission is planning an independent evaluation of measures taken under the Fund during 2000, 2001 and 2002, which will be available in the course of 2003. Given that the Council Decision was adopted in September 2000, the financing programmes for 2000 and 2001 were adopted simultaneously at the end of 2000 and run on to the end of 2002. To obtain relevant information on the results of these two years, the Commission has therefore decided to have an independent evaluation carried out on a complete cycle of activities, which cannot be done until early 2003. However, the present report may provide an initial review of the first two years of

³¹ Council Decision of 28 September 2000 establishing a European Refugee Fund (OJ L 252, 6.10.2000, p.12).

³² The Fund is connected in particular with the implementation of Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p.12).

the programme's implementation, according to the terms defined in the Council Decision setting up the programme (mid-term implementation review).

Accordingly, a number of points can be identified at this stage, although they must not be allowed to prejudice the results of the independent evaluation to be carried out in 2003:

- With regard to the detailed arrangements for burden-sharing between Member States, the calculation mechanisms provided for in Article 10 of the Council Decision have allowed the resources available under the Refugee Fund to be shared out according to the burden faced by the Member States. Moreover, among the parameters laid down in the Council Decision for calculating the annual allocations to Member States, the fixed amounts provided for in Article 10(1) have served to restore the balance in the relative burdens borne by each Member State. Finally, the budgetary authority has increased the financial allocation for this line compared with the detailed estimates in the Commission's initial proposal, so that more resources are available for each of the Member States participating in the Fund.

- However, certain limits are placed on the principle of solidarity and the detailed arrangements for sharing resources among Member States in that the annual calculations are based on changes in the number of persons enjoying or applying for the status of refugee or a subsidiary or temporary form of protection. This means that no account is taken of structural differences between the Member States, and in particular the need for investment relating to reception, integration or voluntary repatriation. So, in practice a number of Member States have failed to use up in projects the full allocations assigned to them in accordance with the criteria laid down in Article 10 of the Council Decision.

- When the calculations provided for in Article 10 are carried out, on the basis of data supplied by Eurostat and updated by the Member States, considerable discrepancies in statistical methods sometimes emerge. To solve this practical problem and to implement the common policies on asylum and migration and assess the needs and impact of those policies, there is a case for greater harmonisation of methodology. The Commission therefore plans to step up cooperation in this field.

- There has been relatively little variation in the respective share of funds allocated by Member States to the various measures between 2000 and 2002: most national allocations under the Refugee Fund go towards investment in the conditions for receiving asylum applicants (49.4%), with integration projects receiving 28.3% of funds and voluntary repatriation 22.23%. However, between 2000 and 2002 there was a substantial increase in the resources allocated to repatriation (from 15% of the Fund's resources in 2000 to 24% in 2002).

- Although the "shared management" method is essentially a way of expressing the principle of solidarity, it nevertheless has the drawback of "isolating" to some extent the various programmes and measures implemented at national level. Transnational measures to pool experience and build networks may be encouraged under the umbrella of Community action, but the first three years of the programme suggest that this facility is rarely used by the Member States.

- Compared with the preparatory action in the period 1997-99, the first years of the Fund's implementation have been marked by a certain rigidity in the management

system, due among other things to the annual timeframe for allocating funds, which restricts the scope for financing structural initiatives or those requiring a relatively long implementation period to be fully effective. In addition, the transfer to Member States of administrative responsibility for project selection and management has caused problems for some national government departments in introducing the systems and human resources required for this new task.

3.3 Developments planned for the short and medium term

The development of policy guidelines has opened up fresh possibilities for action within the existing financial framework, in agreement with the budgetary authority. This includes improving our information on and knowledge of migratory phenomena and the launch of preparatory measures to facilitate the integration of third-country nationals legally resident in the territory of a Member State.

3.3.1. A better insight into migratory phenomena

To implement a common policy on asylum and immigration and evaluate the results of that policy, we need to have better information on migratory phenomena and to develop reliable tools and indicators on asylum and immigration.

With this in mind, one of our top priorities is to improve both the quality of information on asylum and migration, in particular statistics, and the methods for exchanging it. In May 2001 the Council (JHA) adopted conclusions on common analysis and better exchange of statistics on asylum and immigration. The Commission is pressing ahead with implementation of the preparatory action on a "European Migration Observatory", which began in 2002 and provides for *inter alia* the networking of national focal points for exchanging and following up information relating to the political, economic, demographic and social dimensions of migratory phenomena. The network will cooperate with the European Monitoring Centre on Racism and Xenophobia.

The Commission will shortly be presenting the Council with an action plan comprising various types of measures, including a proposal for new statistical methods and a widening of the field in which data is collected. These measures were allocated a budget of €1.4 million in 2002, while the relevant appropriations in 2003 should come to €2.6 million.

3.3.2. Introduction of effective information systems

The Eurodac system for the comparison of fingerprints, created to support the efficient implementation of the Dublin Convention, was the first important information system developed at Community level in the field of Justice and Home Affairs. An amount of €9.6 million was allocated to the development of this system, which will be operational on 1 January 2003.

Important resources of the Community budget will be also need to be allocated to the development of the 2nd generation of the Schengen Information System (SIS II) and the Visa Information System (VIS).

For SIS II the Council already decided in 2001 (cf. Council Regulation (EC) 2424/2001 and Council Decision 2001/886/JHA) to charge the necessary financial resources to the Community budget. These resources have been estimated by the

Commission at €23 million.³³ In its guidelines for the VIS the Council also asked the Commission to quantify the necessary financial resources in order to allocate the funds within the EU budgetary framework.

In any case the resources for the implementation of these two projects will depend largely on the options retained by the Council and that will be set out in the legal basis. This also includes the definition of respective responsibilities of the Community and the Member States, as well as choices regarding the management of such systems once operational.

3.3.3 Preparatory measures relating to the integration of third-country nationals.

Although not specifically singled out in the relevant paragraph of the Seville conclusions, mention should also be made of the fact that the satisfactory integration of migrants, however defined, into our societies must remain a central plank in the EU's overall strategy regarding immigration. This was explicitly recognised by the inclusion by the European Council in Tampere of the heading "Fair Treatment of Third Country nationals" as one of the main headings in its conclusions. Furthermore, interaction between Member States, local authorities and the non-governmental sector is essential to spread best practice in a field which requires both expertise and sensitivity in dealing with other cultures.

There have been strenuous efforts in the past to pursue such aims. Programmes such as EQUAL in the field of employment combined with other Structural Fund instruments, the Community Action Programme to Combat Discrimination, the activities of the European Monitoring Centre against Racism and Xenophobia, the Leonardo da Vinci vocational training programme have all contributed to this field.

The new budget line's pilot projects as proposed in the APB 2003 (B5-815) for the integration of third country nationals, that is economic migrants, aims at enhancing dialogue between all the actors involved, creating European networks and promoting awareness of these issues, with a budget of €3 million for its first year of implementation.

Preparatory actions under this new initiative will include:

- Exchange of information and best practice with a view to identifying transferable models;
- Transnational cooperation at national, regional and local levels involving government, representatives of civil society, including migrant groups;
- Supporting reception programmes for third country migrants with special reference to vulnerable groups;
- Information and awareness raising.

33

Communication from the Commission to the Council and the European Parliament - Development of the Schengen Information System II (COM(2001)720 Final).

Strong support for this new initiative has been expressed by the Budgetary Authority, who proposes an increase of the budget allocation to a total of €4 million in 2003.

3.3.4. *The future of the European Refugee Fund.*

The current phase of the ERF will come to an end on 31 December 2004. The results of the mid-term review and the priorities identified in the course of managing other instruments or preparatory measures will determine the Commission's approach in its proposal on the activities to be pursued after 2004 at Community level for refugees and asylum seekers. Two basic aspects should already be taken into account in deliberations on the Fund's future after 2004:

- The ERF is an instrument of the common asylum policy. Its second phase will therefore have to reflect the progress and achievements of this policy since 1999 and meet more precise objectives and priorities for action resulting, *inter alia*, from the entry into force of Community directives and regulations; the second phase might also be the lever for developing new initiatives whereby, for example, its activities might include resettlement programmes, as referred to by the Commission in its communication of 22 November 2000 entitled "Towards a common asylum procedure and a uniform status, valid throughout the Union, for persons granted asylum";³⁴
- The possible development of new initiatives for the integration of immigrants and return policies will also give rise to the question of how these instruments will fit in with ERF measures in these areas.

Moreover, the emphasis placed on repatriation, in particular of illegal residents, might be taken into account in this context. The Fund already allows Member States to cofinance measures to repatriate asylum seekers and refugees. These measures currently account for 22% of the amounts spent. As we will see below, the creation of a financial instruments designed to provide back-up to a return policy would necessarily have to involve a reallocation of some of the ERF's appropriations given the reduced margin of manoeuvre in the financial perspective for internal policies.

This matter therefore has to be considered taking account of the specific characteristics of the people targeted, the need for measures to be effective, and a rational management of Community financial instruments. In this respect, one radical option might be to limit the Fund's portion to the reception of refugees and displaced persons on the assumption that separate integration programmes will be created (covering all immigrant profiles, whether for the purposes of international protection or not) and return aid. While this would probably be more logical than a redefinition of political priorities, this option would, given the reallocation of resources it would require, nevertheless result in a corresponding reduction of the amount of finance available for the genuine solidarity effort which shaped the establishment of the Fund.

34

Communication from the Commission to the Council and the European Parliament (COM/2000/0755 final, 22.11.2000).

4. EXTERNAL-POLICY INSTRUMENTS

4.1. Contributions to preparations for the future enlarged Europe

There have been strenuous efforts in the past years to strengthen migration policy and border management in candidate countries. In the context of enlargement, migration, asylum, border control and customs issues have always enjoyed a particular attention. Between 1997 and 2001 a total amount of €356 million was spent on various tailor made projects under the National Phare Programmes for 10 candidate countries. Many of these projects consisted of a twinning component whereby migration experts from member states were seconded for a period of minimum one year to the administration of a candidate country.

In addition to that and in a complementary way a Phare Multi-Country programme on "Migration, Visa, External Border Control Management" started in January 2001 covering the 10 CEECs. Denmark was in charge of the migration module. The programme includes inter-active training of trainers; seminars in the context of each of the modules were being implemented as from Autumn 2001. The project produced jointly agreed Member States - candidate countries recommendations with a time-table in each module for candidate countries to implement.

4.2. Partnerships with third countries of origin and transit

At its meeting in Tampere in October 1999, the European Council established the foundations for incorporating asylum and immigration concerns into the external dimension of Community action by stressing that an integrated, comprehensive and balanced approach targeting the deep-rooted causes of illegal immigration must remain the Union's constant objective in the long term, and that partnership with the third countries concerned would be a key element for the success of such a policy.

To this end, the Commission, on the basis of the financial instruments at its disposal for external activities, has planned a number of measures intended to respond directly or indirectly to the strategy defined at Tampere.

In view of the new powers transferred to the Community by the Treaty of Amsterdam, the issue of immigration, and in particular the fight against illegal immigration, has also been incorporated into all of the association and cooperation agreements signed since 1999, including with third countries in the Mediterranean basin, and into the partnership and cooperation agreements with the new independent states of central Europe, central Asia, the Balkans and the ACP countries. Initiatives have been taken with some countries and regions in the context of the programming of external aid which have contributed directly to ensuring that these new priorities in the management of migratory flows are put into practice. These are concerned with the development of regions which have traditionally seen large-scale emigration, the establishment of policies and infrastructures for welcoming asylum seekers, institution building (in particular with regard to police and judicial systems and the improvement of external-border checks), measures to combat illegal immigration and trafficking in human beings, and the return and reintegration of refugees and displaced persons. One example has been the programme to combat illegal immigration by supporting improvements to the management of border checks adopted in cooperation with Morocco for the period 2002-04, with a budget of €40 million. Likewise, more than €37 million is earmarked under the CARDS

programme to support measures to combat illegal immigration and trafficking in human beings and to promote institution building in the management of asylum and migration policies in the western Balkan countries. In all, disregarding assistance for rehabilitation or development measures designed to tackle the fundamental causes of migration, a total of some €440 million has been earmarked, essentially over the period 2002-04, for measures to improve the management of borders and immigration and to promote the fight against illegal immigration.

Still under the heading of the Community's external action, the strategies and measures designed to link up emergency aid, rehabilitation and development, such as the Community programme of aid for the return, reintegration and rehabilitation of uprooted people in Asia and Latin America, might also play a positive role in areas in which there has been a massive displacement of people. Alongside a policy of encouraging peace, reconciliation and conflict prevention, these programmes also promote lasting solutions for refugees following natural disasters or armed conflict while limiting secondary-displacement phenomena. For example, €48.7 million was granted in 2002 to assist in the reintegration of refugees and displaced persons in Afghanistan.

All of these initiatives were conceived in accordance with the principles underlying the reform of the management of external aid which has been in progress since 2000 on the basis of a process of multi-annual programming of external-aid instruments. This process is essentially based on national or regional strategy papers defining the priorities for Community action over five to seven years in agreement with the countries and regions concerned. These strategy papers are used to draw up national indicative programmes, which cover a period of two to three years and determine how funds are to be allocated in order to achieve the objectives of the strategy so defined.

Another specific initiative has been in place since 2001 as a means of responding directly to the approach defined by the European Council. This involves financing from budget heading B7-667 innovative projects relating to cooperation with third countries in the area of migration. The aim is to promote a comprehensive approach to the phenomenon of migration and to create the conditions for an efficient management of migratory flows in the context of partnerships with third countries of origin and transit. With a budget of €10 million in 2001 and €12.5 million in 2002, which the budgetary authority intends to increase to €20 million in 2003, this initiative enabled fifteen projects to be assisted in 2001, of which seven related to the establishment of migration-management policies, five involved aid for voluntary return and reintegration policies, and three set out to prevent and combat illegal immigration. It should be stressed, however, that the management of this budget heading and the implementation of these projects are currently not covered by the programming of external aid.

5. NEW NEEDS WHICH HAVE BEEN IDENTIFIED

The Seville European Council asked the Commission to evaluate the financial resources available in three specific areas: repatriation of illegal residents (immigrants and rejected asylum seekers), the management of external borders and cooperation projects with third countries in the area of immigration.

5.1. A financial instrument to back up return policy ?

The Commission's Green Paper and Communication on a Community return policy on illegal residents³⁵ raises the possibility of creating a specific financial instrument alongside the development of common minimum standards and provision for greater cooperation between Member States.

The Commission draws conclusions from the voluntary return projects implemented in the context of ERF preparatory measures, in particular concerning the need for such operations to have an integrated approach covering not only advice and preparation but also back-up measures involving mechanisms for receiving and reintegrating the people concerned in their country of origin, which is vital if their return is to be permanent. Since it would also apply in the case of forced return, such an approach could not be achieved without a reallocation of resources currently available under the heading of Community internal and external policies.

The creation of an instrument of this nature would require an identification and quantification of the EU's needs and the value added which Community finance might contribute in responding to those needs. The results of the EU return programme for Afghanistan, currently being drawn up at the initiative of the Danish Presidency, might help in determining what is actually required to implement such measures and what complementarity should be sought between the Member States' action and any contribution which the Community budget might make. Over and above the question of complementarity in terms of financial resources, it is also vital to ensure, using the existing appropriate mechanisms, that there is a more harmonious link between these specific measures concentrating on migration and return and the specific short, medium and long-term mechanisms, objectives and programmes developed as part of the Community's external action.

The question of the means which might be available for a European return programme must take account of the budgetary perspective up to 2006. As indicated above, a reallocation might be possible after 2004 of some of the ERF's appropriations, bearing in mind that 22% of the funds available between 2000 and 2002 (€14 million) have been used by the Member States for the voluntary return of refugees and asylum seekers.

5.2. Sharing the burden of managing external borders between the Member States and the Union

Point 32 of the conclusions of the European Council meeting in Seville calls on the Commission to carry out, before June 2003, "a study ... concerning burden-sharing between Member States and the Union for the management of external borders".

This request follows on from the adoption on 13 June 2002 by the Council (Justice, home affairs and civil protection) of a plan for the management of the EU's external borders. The plan provides for a common policy to be developed for the integrated management of external borders and aims to establish a coherent framework for joint action over the short and medium term.

³⁵ Communication from the Commission to the Council and the European Parliament (COM (2002) 564 final, 14.10.2002).

Five components of such a common policy, one of which is burden-sharing, are identified in the plan. The different options for sharing the financial burden are to be evaluated on the basis of many of the points made on the subject in the Commission communication entitled "Towards integrated management of the external borders of the Member States of the European Union".³⁶

The plan sets out the necessary conditions for drawing on the Community budget, in particular that national budgets must remain the main source of investments and planned spending, which will be mainly on equipment and human resources, but also that the bases for sharing should be established at Union level and within the limits of the Community's financial perspective.

According to the plan, a contribution from the Community budget can be envisaged in two basic areas:

- financing purchases of joint equipment, in particular with a view to supporting joint operations;
- setting in place a mechanism for redistributing funds between Member States.

In line with the roadmap drawn up by the Council Presidency, the Commission is to draft the final evaluation report identifying the financial options for burden-sharing by June 2003. An interim report was also to be presented in mid-November 2002 and is replaced by this communication. The aim of the interim report was to evaluate the financial resources allocated at national level to the management of external borders on the basis of the Member States' answers to a questionnaire approved by them and distributed in early August 2002. By the deadline of 30 September, set in agreement with the Member States, very few replies had been received.

The questionnaire aims to ascertain the state of play as regards national spending on investments and operations for the management of external borders (controls and surveillance of persons). It also requests the Member States to provide data on real migratory pressures at their national frontiers which constitute external borders. The full range of replies should enable the Commission to make a viable comparative assessment of national spending in order to work out an approximate figure for the financial burden incurred by each Member State in ensuring that the quality and effectiveness of controls and the surveillance of persons are in accordance with the European rules. It is proving difficult to compare contributions, among other things because of differences between the methods used for evaluating investments and needs, as well as the difficulties encountered by national administrations in identifying precisely enough the financial resources allocated to the activities of border guards and equipment used solely for controls and the surveillance of persons.

³⁶

Communication from the la Commission to the Council and the European Parliament (COM(2002)233 final, 7.5.2002).

Apart from national data on spending for the management of external borders, evaluation of the burden incurred by each Member State through managing external borders clearly has to take into account the following objective factors:

- The geographical situation of each Member State and the nature of the borders;
- The migratory pressure at the different types of border (land, sea and airport);
- The number of checks carried out on persons entering and leaving the Schengen area;
- The quality standard of controls and surveillance at external borders, as measured by the common risk analysis method applied to each type of border.

In the light of these factors, it has to be recognised that the mechanism for financial solidarity between Member States will have to be on a substantial scale if it is to tackle structural problems. Its dimension again raises the question of the compatibility of this exercise with the current financial perspective, also bearing in mind the additional implications associated with the consequences of enlargement.³⁷

The Commission is aware that this constitutes a fundamental challenge for the solidarity which should underpin the common policy for managing migratory flows, and indeed any common policy. It will therefore continue looking into the budgetary issues with a view to proposing options that are viable in the medium and long term. It will be for the Council and Parliament to examine the question of compatibility with the financial perspective in order to arrive at the most appropriate solution.

It is therefore in terms of feasible, practical steps that targeted financial measures will have to be sought that can be taken in the short and medium term to meet the most pressing needs resulting from implementation of the action plan adopted by the Council in June, while giving an initial demonstration of solidarity between Member States in pursuing the aim of better policing the external borders.

Within the limits of the funds available, the Commission could, together with the Member States, systematically use the external borders part of the Argo programme in order to support projects on the basis of priorities set jointly within the Council and having due regard to the risk analysis methods currently developed, evaluation of the coordination centres set up by way of pilot projects and the training needs identified through the establishment of common curricula.

Managing the Argo programme, or at least the external borders part thereof, in this way would enable support for closer administrative cooperation, for which it was originally devised, to be reconciled with an initial expression of solidarity by redirecting the available funds towards strengthening the weakest links in the system of controls at the Union's external borders. Albeit modest, this approach should nevertheless be able to count on additional funding, towards which the budget authority appears to be moving by earmarking an extra €3 million for the purpose in 2003.

³⁷

The candidate countries have in fact already received large financial contributions as part of their preparations for accession, and in particular for applying the Schengen *acquis* with regard to external borders.

6. TO SUM UP

The first appropriations allocated to cooperation in the fields of justice and home affairs, and asylum and immigration in particular, were entered in the Community budget before the Treaty of Amsterdam came into force. Since then, they have been steadily and significantly increased: in 2002 a total of €1 310 000 has been earmarked for the policies on asylum, immigration and external borders. This effort has been supported both by the Commission, which has where necessary endeavoured to make the indispensable trade-offs enabling increased appropriations to be entered in its preliminary draft budget, and by the budget authority, which has even on occasion seen fit to go further. But this increase has always remained strictly within the limits of the financial perspective.

The structure of the different instruments set in place has usually reflected the new priorities that have been emerging under these evolving policies.

The creation of the European Refugee Fund was, for example, prompted by the need for stronger solidarity highlighted in the Amsterdam Treaty itself and in the conclusions of the European Council meeting in Tampere. The transition from Odysseus to Argo has reflected the coming of age of a common administrative culture, enabling a fully-fledged programme of administrative cooperation to be launched. Lastly, the setting in place of a specific instrument designed to support cooperation on migration with third countries has illustrated the determination to integrate migration-related concerns more appropriately into the external dimension of the Community's action. Clearly, new needs are emerging. The conclusions of the European Council meeting in Seville stressed the importance the European Union now attaches to strengthening cooperation with third countries in the management of migration flows. They have also put the spotlight on a new area in which Community solidarity should be brought to bear, namely controls at external borders. Other priorities are coming to the fore, to do with the gradual introduction of a common policy on return and promoting integration. The Community budget, which already finances the investment and operating expenditure on Eurodac, has furthermore to prepare to shoulder the burden of developing large systems that will underpin these common policies: the VIS system for visas and the second-generation SIS.

As with earlier ones, these developments will have to comply with the principles of sound financial management and, above all, remain within the limits of the current financial perspective. But this clearly leaves very little room for manoeuvre. Excessively ambitious expectations could be accommodated only at the cost of significant reallocations, to the detriment of other policies or other priorities in the JHA field: these are difficult choices which ultimately have to be made by the budget authority, on a proposal from the Commission.

The forthcoming revision of the financial perspective, which is to take place after enlargement, could provide an opportunity for carrying out structural readjustments that would make it possible to respond in a more practical manner to the needs generated by the fully-fledged policies on immigration and asylum which should by then be in place. In the meantime, this communication indicates a number of practical approaches that can be taken for giving greater consideration to migration-related issues. The Commission will ensure that the topic ranks high among the priorities set by its annual policy strategy for 2004 and is reflected in

concrete terms in the preliminary draft budget. It will then be for the budget authority to confirm the proposed approach.

It will also be for the Member States, and particularly those least called upon to protect the external borders of an enlarged Union, to indicate the way in which they would be prepared to draw on their own national budgets in order to support their partners bearing the brunt of the common burden.

CONCLUSIONS

Taking greater account of asylum and migration policies in the Community's external relations

The Commission considers migration to be an important political priority. It fully shares the views of the Council that the European Union's various external policies and instruments, including development policy, have a significant contribution to make in addressing underlying causes of migration flows.

At its meeting in Seville in June 2002 the European Council called for the migration issue – and in particular the problem of illegal immigration – to be assigned higher priority in the European Community's external policy. Stressing the "importance of ensuring the cooperation of countries of origin and transit in joint management and in border control as well as on readmission", the European Council reiterated that the Union is prepared to provide technical and financial assistance to ensure that such cooperation brings results in the short and medium term, "in which case the European Community will have to be allocated the appropriate resources, within the limits of the financial perspective". The Community and the Commission are urged to use the political and economic instruments at their disposal to reduce the underlying causes of migration flows and support cooperation with third countries that have a key role to play in the management of migration.

Furthermore, in its conclusions of 19 November 2002 on intensified cooperation on the management of migration flows with third countries, the Council again stressed the political importance of the efforts fully to integrate the external dimension of JHA issues into the EU's existing and future relations with third countries. The Commission intends to respond in practical terms to that commitment, along the lines of its previous action.

The objective of stepping up cooperation with third countries in the area of migration calls for a three-pronged strategy:

- first, a balanced overall approach which addresses the root causes of migratory movements. The Community's action in this area is substantial. Its external cooperation and development programmes and policies aimed at promoting human rights, bolstering democracy, combating poverty, preventing conflicts and improving the economic and social situation in general tackle the main factors contributing to migratory pressures in third countries and therefore exert an indirect effect on those pressures. Although that effect is difficult to quantify, it should not be underestimated;
- second, a partnership on migration stemming from a definition of common interests with third countries. The objective of more effectively managing migration flows requires the Community to continue integrating migration issues into its political dialogue with third countries and regions; that dialogue should focus not only on illegal immigration but also on the channels for legal immigration;
- third, specific and concrete initiatives to assist third countries in increasing their capacity in the area of migration management. Since the European Council meeting in Tampere, the Commission has endeavoured to integrate specifically the topic of migration into its cooperation programmes with third countries. A large amount of

aid (some 934 meuro; see annex 2 and 2bis) has been programmed, mainly for the period 2002-04, for directly supporting third countries in their efforts to deal with the problems associated with both legal and illegal migration. This programming must now be put into effect.

The Commission will also take advantage of the mid-term review of most of the country strategy papers due to take place in 2003-04 in order to make the amendments necessary in each individual case to take account of the priorities deriving from this new approach to migration issues, while bearing in mind that there is limited room for manoeuvre with regard to the resources available and that trade-offs will have to be made between competing priorities. The Commission will thereby contribute to the establishment of a financial framework capable of meeting, in the medium and long term, the needs deriving from the first two objectives identified above.

Lastly, progress in the third area could be enhanced by significantly increasing the appropriations allocated to budget heading B7-667. Drawing the necessary conclusions from preparatory work financed in 2001, 2002 and 2003, the Commission intends to propose setting up and implementing from 2004 onwards a multiannual programme designed both to provide a specific, additional response to the needs encountered by third countries of origin and transit in their efforts more effectively to manage all aspects of migration flows, and in particular to stimulate third countries' preparations for, or assist them in, implementing readmission agreements. This specific programme will be a tangible sign of the Union's solidarity with those countries which have resolutely committed to these efforts. It will be implemented in line with the key principles of the reform of external aid, respecting the overall consistency of the Community's external action and alongside the other Community instruments for cooperation and development.

Moreover, the Commission will ensure that issues in the field of migration are taken into account in the preparation of its Annual Policy Strategy for 2004.

These elements put together constitute, in the opinion of the Commission, a credible response of the Community's external and development policies and programmes to the concerns now expressed regarding the issue of migration.

Finally, it shall be recalled that Community resources and hence its margins of manoeuvre are not unlimited. Also, implementing the "integrated, comprehensive and balanced approach" referred to in the Seville Conclusions requires coherence in action and shared responsibility between all actors concerned, Community and Member States alike.

ANNEXES

- Annex 1:** Financial resources available for policies on asylum, immigration and management of external frontiers 1998-2003 (Heading 3 of the financial perspective)
- Annex 2:** Financial resources programmed for external aid 2000-2006 and linked to the migration issue (Heading 4 of the financial perspective)
- Annex 2bis:** Actions programmed and directly linked to migration question (Heading 4 of the financial perspective)

Annex 1

FINANCIAL RESOURCES AVAILABLE FOR POLICIES ON ASYLUM, IMMIGRATION AND MANAGEMENT OF EXTERNAL FRONTIERS 1998-2003

HEADING 3 OF THE FINANCIAL PERSPECTIVE (INTERNAL POLICIES)

Title	Description	Budget heading	Outturn 1998	Outturn 1999	Outturn 2000	Outturn 2001	Budget 2002	PDB 2003
European Refugee Fund	Measures to improve the reception of refugees and displaced persons in the EU Member States and to facilitate the voluntary repatriation of persons who have provisionally found refuge there	B5-810 (1998-99: headings B3-4113, B7-6008 and B5-803)	26 559 894	34 918 413	25 500 270	34 404 166	45 810 000	40 000 000
Eurodac	Funding of the Eurodac system for the comparison of fingerprints for the effective application of the Dublin Convention	B5-812			7 428 048	1 158	1 100 000	1 000 000
European Migration Monitoring Centre	Preparatory measures for an action plan for joint analysis and improved pooling of asylum and immigration statistics and the establishment of a "virtual" migration monitoring centre	B5-814					1 400 000	2 600 000

Integration of nationals of non-member countries	Preparatory action for promoting the integration of nationals of non-member countries, developing dialogue with civil society, seeking out and evaluating best practice in the integration field, developing integration models, and setting up networks at European level	B5-815						3 000 000
Training, exchange and cooperation programmes in the fields of justice and home affairs (Odysseus, Argo)	Odysseus (1999-2001), Argo (2002-07)	B5-820	3 000 000	3 000 000	3 000 000	3 000 000	3 000 000	3 000 000
			29 559 894	37 918 413	35 928 318	37 405 324	51 310 000	49 600 000
<i>Emergency measures in the event of mass influxes of refugees - reserve</i>	<i>Reserve in the event of mass influxes of refugees (Art. 6 ERF Decision)</i>	B5-811	0	0	0	0	10 000 000	10 000 000
			29 559 894	37 918 413	35 928 318	37 405 324	61 310 000	59 600 000

ANNEX 2

FINANCIAL RESOURCES PROGRAMMED FOR EXTERNAL AID 2000-2006 AND LINKED TO THE MIGRATION ISSUE

HEADING 4 OF THE FINANCIAL PERSPECTIVE

		Community budget	EDF	Total	%
Management of migration flows	Management of borders	321 971 760	0	321 971 760	34.5%
	Combating illegal immigration	65 042 256	2 720 000	67 762 256	7.25%
	Management of migration flows	51 367 336	1 250 000	52 617 336	5.63%
Total management of migration flows		438 381 352	3 970 000	442 351 352	47.34%
General JHA programmes		96 500 000	0	96 500 000	10.33%
Link between relief, rehabilitation and development (LRRD)	Refugees and displaced persons	42 750 000	37 688 000	80 438 000	8.61%
	Voluntary return of refugees from other third countries	157 018 459	36 591 000	193 609 459	20.72%
Total LRRD		199 768 459	74 279 000	274 047 459	29.33%
Development (sources of emigration)		71 569 477	50 000 000	121 569 477	13.01%
GRAND TOTAL		806 219 288	128 249 000	934 468 288	100.00%
		86.3%	13.7%	100.0%	

Annex 2 bis

Region	Country / Region	Amount	Budget line	Year(s)	Theme	Action	Description
LATIN AMERICA	Colombia	1.569.477	B7-703	2001-2002	Roots	Refugees and displaced population	Promoting peace and reconciliation in communities at risk of displacement in Urabá region
LATIN AMERICA	Colombia	4.300.000	B7-312	2002	LRRD	Refugees and displaced population	Aid to uprooted people in Colombia.
LATIN AMERICA	Colombia	10.000.000	B7-312	2003	LRRD	Refugees and displaced population	Aid to displaced people in Colombia, following up ECHO activities.
LATIN AMERICA	Colombia	11.000.000	B7-312	2004	LRRD	Refugees and displaced population	Aid to displaced people in Colombia, following up ECHO activities.
LATIN AMERICA	Ecuador	1.000.000	B7-701	2001-2002	Migration Management	Migration management	Strategies and actions to protect human rights of immigrants and their families and victims of trafficking.
ASIA	Afghanistan	9.700.000	B7-302	2002-2005	LRRD	Voluntary return	Direct assistance to returnees and IDP's in Afghanistan, Pakistan and Iran.
ASIA	Afghanistan	48.700.000	B7-302	2002-2005	LRRD	Voluntary return	Support to reintegration of IDP's and refugees.
ASIA	Afghanistan	1.494.569	B7-667	2002	Migration Management	Voluntary return	IOM/HLWG- return of qualified Afghans to the Public sector
ASIA	Afghanistan	1.137.984	B7-667	2002	Migration Management	Voluntary return	UNHCR -capacity building and returnees monitoring database
ASIA	Afghanistan	997.099	B7-667	2002	Migration Management	Voluntary return	IOM/HLWG- return of qualified Afghans to the Private sector
ASIA	Bhutan	1.000.000	B7-302	2002	LRRD	Refugees and displaced population	Protection and assistance to refugees.

ASIA	China	10.000.000	B7-300	2002-2006	Migration Management	Fighting illegal immigration	"Combating illegal migration": information campaigns, training for the civil service, administrative cooperation.
ASIA	Indonesia	1.720.000	B7-302	2004	LRRD	Refugees and displaced population	Primary education or displaced people in North Maluku.
ASIA	Iran	750.000	B7-302	2003	LRRD	Refugees and displaced population	Médecins sans Frontières: health assistance to Afghan refugees.
ASIA	Iran	1.250.000	B7-302	2002	LRRD	Refugees and displaced population	UNHCR: assistance to refugees.
ASIA	Pakistan	2.000.000	B7-302	2002	LRRD	Refugees and displaced population	UNHCR: assistance to Afghan refugees in camps.
ASIA	Pakistan	1.000.000	B7-302	2003	LRRD	Refugees and displaced population	MRCA: medical assistance to refugees.
ASIA	Pakistan	885.581	B7-667	2001	Migration Management	Voluntary return	UNHCR Protection of assistance to Afghan refugees in Pakistan ensure that all refugees and asylum-seekers are able to avail themselves of their rights and are treated in accordance with internationally accepted standards - ensure that needs of refugees wi
ASIA	Philippines	800.000	B7-302	2002	LRRD	Refugees and displaced population	Assistance to war affected families in Lanao del Sur and Maguindanao provinces
ASIA	Philippines	1.300.000	B7-302	2003	LRRD	Refugees and displaced population	Movimondo: integration of IDP's
ASIA	Sri Lanka	1.400.000	B7-302	2005	LRRD	Refugees and displaced population	CARE: assistance to IDP's and conflict affected households.
ASIA	Sri Lanka	1.950.000	B7-302	2003	LRRD	Voluntary return	UNHCR: assistance to IDP's and returnees.
ASIA	Sri Lanka	829.396	B7-667	2001	Migration Management	Migration management	ICMPD: establishment of IES field-based country of origin information systems.

ASIA	Sri Lanka	1.219.363	B7-667	2001	Migration Management	Migration management	IOM: capacity building in migration management and preparatory action for return and reintegration.
ASIA	Sri Lanka	508.011	B7-667	2002	Migration Management	Migration management	IOM-Capacity building in migration management and sustainable return
ASIA	Thailand	2.000.000	B7-302	2003	LRRD	Refugees and displaced population	Burmese Border Consortium: food aid to refugee camps in Kanchanaburi and Ratchaburi provinces
Balkans	Albania, Kosovo & FYROM	766.490	B7-667	2002	Migration Management	Migration management	IOM-Fostering sustainable reintegration by reinforcing local NGO capacities
BALKANS	Albania	1.500.000	B7-54	2001	Migration Management	Border management	Integrated project for management of external borders, emphasising de control systems to trafficking in Albanian territorial waters.
BALKANS	Albania	1.000.000	B7-54	2001	Migration Management	Migration management	Asylum and migration: information on best police practice, reinforcing the capacity of police forces and the courts to deal with migratory flows, improving the capacity for receiving illegal migrants and asylum-seekers
BALKANS	Albania	2.000.000	B7-54	2002-2004	Migration Management	Migration management	Asylum and migration: reinforcing the country's capacity to develop and implement a common policy on asylum and migration complying with international standards.
BALKANS	Albania	20.000.000	B7-54	2002-2004	Migration Management	Border management	Establishing greater security at international borders to reduce illegal immigration.
BALKANS	Albania	471.760	B7-667	2001	Migration Management	Border management	ICMPD - Upgrading border control system of Albania along European standards.
BALKANS	Albania	741.830	B7-667	2001	Migration Management	Migration management	UNHCR - Development of the asylum system in Albania.

BALKANS	Albania	600.000	B7-667	2001	Migration Management	Migration management	IOM - Sustainable return, reintegration and development in Albania through consolidated preparatory actions for migration management.
BALKANS	Balkans	752.050	B7-667	2002	Migration Management	Migration management	CGI-Immigration liaison Network
BALKANS	Bosnia Herzegovina	2.000.000	B7-54	2001	Migration Management	Border management	Support for construction of a border control service.
BALKANS	Bosnia Herzegovina	1.000.000	B7-54	2002	Migration Management	Fighting illegal immigration	Reception center for illegal migrants.
BALKANS	Bosnia Herzegovina	23.000.000	B7-54	2002-2004	Migration Management	Border management	Construction of five border crossing points to provide appropriate facilities to implement border control.
BALKANS	Bosnia Herzegovina	45.500.000	B7-54	2002-2004	Migration Management	Voluntary return	Return of refugees and internally displaced persons. Housing, demining, employment, social infrastructure and flexible reaction mechanism for spontaneous and unassisted returns.
BALKANS	Bosnia Herzegovina	11.500.000	B7-54	2002-2004	Migration Management	Migration management	Asylum and migration: reinforcing the country's capacity to develop and implement a common policy on asylum and migration complying with international standards.
BALKANS	Bosnia Herzegovina	22.500.000	B7-55	2002-2004	JHA	JHA	JHA programme: Administration of justice, policing
BALKANS	Croatia	2.100.000	B7-54	2001	Migration Management	Migration management	Improvement of legislative and regulatory framework, enhance institutional/administrative capacity, training to asylum and migration staff.
BALKANS	Croatia	14.500.000	B7-54	2001-2002	Migration Management	Border management	Enhance border management and secure borders, capacity building for individual agencies, enhance inter-agency co-operation.
BALKANS	Croatia	23.000.000	B7-54	2002-2004	Migration Management	Border management	Integrated border management

							programme.
BALKANS	Croatia	42.000.000	B7-54	2002-2004	Migration Management	Voluntary return	Return of refugees and IDP's; demining, support to basic public and business infrastructure, strengthening of local government.
BALKANS	Croatia	20.000.000	B7-54	2002-2004	JHA	JHA	JHA programme : Administration of justice, policing and fight against organised crime
BALKANS	FYROM	5.000.000	B7-54	2001	Migration Management	Border management	Integrated programme for management of external borders.
BALKANS	FYROM	2.000.000	B7-54	2002	Migration Management	Migration management	Asylum and migration: reinforcing the country's capacity to develop and implement a common policy on asylum and migration complying with international standards.
BALKANS	FYROM	20.000.000	B7-54	2002-2004	Migration Management	Border management	Integrated border management programme.
BALKANS	FYROM	13.700.000	B7-54	2001	Migration Management	Migration management	Part of the "CARDS Additional Assistance Package" 2001 programme was devoted to supporting families receiving displaced persons and reforming the police, and other JHA initiatives, and reconstruction of housing and local infrastructure.
BALKANS	Regional	1.500.000	B7-54	2001	Migration Management	Border management	Regional JHA programme to evaluate the institutional and administrative base the capacity of countries in the region to apply border controls, including migration, asylum and visa policy questions; combating organised crime (trafficking in human beings, drugs, economic crime); fighting fraud and corruption.
BALKANS	Regional	13.000.000	B7-54	2002-2004	JHA	JHA	Regional JHA programme to evaluate the institutional and administrative base the capacity of countries in the region to apply border controls, including migration, asylum and visa policy questions; combating organised crime (trafficking in human beings, drugs, economic crime); fighting

							fraud and corruption.
BALKANS	Regional	1.000.000	B7-54	2002	Migration Management	Voluntary return	Regional return initiatives assessing different property laws and implementation realities and harmonisation of legislation.
BALKANS	Federal Republic of Yugoslavia	35.000.000	B7-54	2002-2004	JHA	JHA	Part of the JHA programme will be devoted to reforming and reconstructing the police and judicial system, including the fight against trafficking in human beings and illegal immigration and developing the asylum system
BALKANS	Federal Republic of Yugoslavia	31.000.000	B7-54	2002-2004	Migration Management	Border management	Integrated border management programme.
BALKANS/ACP/MEDITERRANEAN	Albania, Morocco and Nigeria	1.096.061	B7-667	2002	Migration Management	Voluntary return	ALNIMA-Return of vulnerable groups
CENTRAL ASIA	New Tacis Regional Programme for Central Asia	17.000.000	B7-520	2002-2004	Migration Management	Border management	Support for improving the management of border controls (Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, Turkmenistan) and the fight against drug trafficking.
MEDITERRANEAN	Iraq	130.384	B7-667	2001	Migration Management	Voluntary return	IOM: elaboration of an action plan to increase sustainability of returns to northern Iraq through training and income generation activities.
MEDITERRANEAN	Iraq	596.800	B7-667	2002	Migration Management	Migration management	UNHCR-building up of migration and asylum system
MEDITERRANEAN	Morocco	70.000.000	B7-410	2002-2004	Roots	Development	Support for economic development of regions with high emigration such as Province du Nord, support for reintegration.
MEDITERRANEAN	Morocco	5.000.000	B7-410	2002-2004	Migration Management	Migration management	Organisation of legal emigration via

							creation of a migration centre.
MEDITERRANEAN	Morocco	40.000.000	B7-410	2002-2004	Migration Management	Fighting illegal immigration	Fight against illegal immigration by supporting improvement of management of border controls.
MEDITERRANEAN	Morocco	376.276	B7-667	2001	Migration Management	Fighting illegal immigration	CGED-DPG (Spain): technical equipment and training for border control, fighting illegal immigration and detection of falsified documents.
MEDITERRANEAN	Morocco	1.500.000	B7-667	2001	Migration Management	Migration management	AFD(France): development of the country of origin by Moroccans residing in France and through rural tourism and the creation of SME.
MEDITERRANEAN	Morocco	450.241	B7-667	2001	Migration Management	Migration management	Int Ent (Netherlands): support to entrepreneurs of Moroccan origin residing in Europe in setting up economic activities in Morocco.
MEDITERRANEAN	Morocco	665.980	B7-667	2001	Migration Management	Fighting illegal immigration	French Mol/National police: financial and technical assistance for combating illegal migration.
MEDITERRANEAN	Morocco	1.055.315	B7-667	2002	Migration Management	Migration management	IOM-socio economic development of migration prone areas
MEDITERRANEAN	Morocco	889.316	B7-667	2002	Migration Management	Migration management	COOPI- il migrante Morocchino in Italia come agente di sviluppo Cooperazione
MEDITERRANEAN	Régional	6.000.000	B7-410	2002-	JHA	JHA	Regional JHA programme to combat organised crime, including trafficking in human beings, administrative cooperation, training for judges and police (creation of Euromed network for judicial training, training in international police cooperation, etc.), creation of permanent system for data, observation and analysis of migratory phenomena between Euromed countries.
MEDITERRANEAN	Regional	347.870	B7-667	2001	Migration Management	Migration management	ICMPD: establishment of inter-governmental dialogue on migration in the Mediterranean region.

ACP COUNTRIES	Africa	1.300.000	EDF	2000-2003	Migration Management	Voluntary return	Awareness and training of staff and social workers to promote the return and integration of children who are victims of trafficking.
ACP COUNTRIES	Angola	2.000.000	EDF	2002-2003	LRRD	Refugees and displaced population	Decision continuing support to IDP's in newly-accessible areas.
ACP COUNTRIES	Angola	30.000.000	EDF	2002-2003	LRRD	Refugees and displaced population	Emergency support to the peace process, all targeting IDP's and returnees.
ACP COUNTRIES	Benin	2.720.000	EDF	2001-2005	Migration Management	Fighting illegal immigration	Actions to combat transnational trafficking in children.
ACP COUNTRIES	Djibouti	2.000.000	EDF	2002	LRRD	Refugees and displaced population	Aid to IDP's. Support to the implementation of the peace agreement.
ACP COUNTRIES	Eritrea	15.000.000	EDF	2003	LRRD	Voluntary return	Rehabilitation of social and economic infrastructure in war-affected regions.
ACP COUNTRIES	Eritrea	2.175.000	EDF	2002	Migration Management	Voluntary return	Programme aimed at facilitating the return and re-integration of refugees from Sudan and at resettling IDP's in Gash Barka.
ACP COUNTRIES	Eritrea	6.250.000	EDF	2002	Migration Management	Voluntary return	Assistance for the social and economic reintegration of Eritrean returnees to the Gash Barka region.
ACP COUNTRIES	Eritrea	750.000	EDF	2002	Migration Management	Voluntary return	Assistance to war displaced and returnees.
ACP COUNTRIES	Ethiopia	6.500.000	EDF	2002	Migration Management	Voluntary return	Reintegration of Ethiopian displaced from Eritrea following the Ethio-Eritrean conflict.
ACP COUNTRIES	Liberia	488.000	EDF	2002	LRRD	Refugees and displaced population	Humanitarian services for recently displaced populations in Liberia.
ACP COUNTRIES	Regional (Gabon, Togo, Benin, Nigeria)	1.300.000	B7-6120	2000-2003	Migration Management	Voluntary return	Information and awareness of public opinion and families regarding the situation of children, and reinforcement of associations working for the integration of children who are victims of trafficking. Training for social workers supporting the return of children

ACP COUNTRIES	Dominican Republic	1.250.000	EDF	2003-2005	Migration Management	Migration management	Development and management of migration policy (management of Haitian immigration).
ACP COUNTRIES	Rwanda	616.000	EDF	1997-2001	Migration Management	Voluntary return	Return of students.
ACP COUNTRIES	Somalia	592.960	B7-667	2002	Migration Management	Voluntary return	Danish Refugee Council-community based repatriation assistance programme
ACP COUNTRIES	Somalia	533.821	B7-667	2001	Migration Management	Voluntary return	RADA BARNET - SAVE THE CHILDREN DENMARK : Model of integration and voluntary return
ACP COUNTRIES	Somalia	50.000.000	EDF	2002-2007	Roots	Development	General rehabilitation and reconstruction programme.
ACP COUNTRIES	Sudan	4.230.000	B7-20	2001	LRRD	Refugees and displaced population	Help the IDP's to recover self-reliance and social coherence through the financing of actions in food security, income generation and education. The target groups are part of the 53000 Dinka displaced from Bahr El Ghazal and settled in camps in South Darf
ACP COUNTRIES	Tanzania	4.000.000	EDF	2002	Migration Management	Voluntary return	Support to refugees in Tanzania - Preparation of repatriation in Burundi.
ACP COUNTRIES	Uganda	1.200.000	EDF	2002-2003	LRRD	Refugees and displaced population	Assistance to IDP's in Northern Uganda.
ACP COUNTRIES	Zambia	2.000.000	EDF	2002	LRRD	Refugees and displaced population	Assistance to refugees and local communities in refugee-affected areas.
ACP COUNTRIES/MEDITERRANEAN	Maghreb and West Africa	1.500.000	B7-667	2002	Migration Management	Migration management	ILO-Proposal on management of Labour Migration as an instrument for Development
SOUTHERN CAUCASUS	Georgia	1.000.000	CFSP	2000	Migration Management	Border management	CFSP Assistance to Border Guards aimed at protecting the OSCE monitors at the border between Georgia and the Chechen Republic of the Russian Federation (equipment).
SOUTHERN	Georgia	1.000.000	B7-520	2002-2003	Migration Management	Border management	Development of a strategy for reform of

CAUCASUS							border guards, training and exchanges.
SOUTHERN CAUCASUS / WESTERN NIS / ASIA	Caucasus/ Russia/ Afghanistan	1.310.654	B7-667	2002	Migration Management	Migration management	IOM-Dialogue and technical capacity building programme in migration management
WESTERN NIS	Belarus, Moldova and Ukraine	2.000.000	B7-520	2002-2003	Migration Management	Fighting illegal immigration	Combating smuggling in human beings/illegal migration through provision of training; asylum management.
WESTERN NIS	Cross-Border Co-operation (CBC)	117.200.000	B7-521	1996-2003	Migration Management	Border management	Support for improvement of border control capacity at the Western NIS border crossings (infrastructure, equipment, training for customs officials and border guards) - Russian Federation, Ukraine, Belarus and Moldova.
WESTERN NIS	Moldova	1.900.000	B7-520	2001	Migration Management	Border management	Development of a modern border management system.
WESTERN NIS	Russia, Belarus	4.500.000	B7-520	2001	Migration Management	Border management	Training and equipment (Russia and Belarus).
WESTERN NIS	Russia, Belarus	11.000.000	B7-520	2002-2003	Migration Management	Fighting illegal immigration	Combating smuggling in human beings/illegal migration through provision of training and border related equipment (Russia and Belarus).
WESTERN NIS	Ukraine	33.500.000	B7-520	2001-2003	Migration Management	Border management	Improvement of the overall border management system in Ukraine with a view to facilitate movement of goods and people, while enhancing the local capacities to combat illegal activities. Construction and refurbishment of key border crossing points, equipment.
WESTERN NIS	Ukraine and Moldova	3.900.000	B7-520	2000	Migration Management	Border management	Training and equipment (Ukraine and Moldova).
TOTAL PROGRAMME		934.468.288					