



UNHCR'S COMMENTS

EU proposal for a Regulation establishing the Asylum and Migration Fund (2021-2027)

INTRODUCTION

UNHCR mandate

UNHCR has been entrusted by the United Nations General Assembly with the Mandate to provide international protection to refugees and, together with Governments, to seek solutions to refugee problems. Paragraph 8 of UNHCR's Statute confers responsibility on UNHCR for supervising the international conventions for the protection of refugees. UNHCR's supervisory responsibility is reflected in European Union law, including pursuant to Article 78 (1) of the Treaty on the Functioning of the European Union, which stipulates that a common policy on asylum, subsidiary protection and temporary protection must be in accordance with the 1951 Convention on the status of refugees. Article 18 of the Charter of Fundamental Rights of the European Union similarly provides that the right to asylum shall be guaranteed with due respect for the rules of the 1951 Convention and its 1967 Protocol.

Next Multi- annual Financial Framework (MFF) 2021- 2027

[The proposal for a Regulation establishing the Asylum and Migration Fund](#) (AMF)¹ is part of the European Commission's proposal for the next Multi-annual Financial Framework (MFF) 2021–2027. The aim of this proposed Regulation is to contribute to the efficient management of migration flows by supporting activities in the field of (1) the Common European Asylum System (CEAS); (2) legal migration and integration of third country nationals; and (3) counter irregular migration through more effective return and readmission policies.

The Asylum Migration Fund is meant to be complemented by two of the EU's cohesion funds: the European Social Fund (ESF+) and the European Regional Development Fund (ERDF), which will both support the longer-term integration of third country nationals within their host communities, while short-term integration measures will fall under the scope of the Asylum and Migration Fund. Therefore, the AMF, ESF+ and ERDF may be used for activities that support asylum-seekers, beneficiaries of protection or other persons of concern to UNHCR. In order to ensure coherence and highlight the synergies between shared-management funds, the Commission has advanced a proposal for a new Common Provision Regulation (CPR)² which contains a comprehensive and simplifying set of rules for financial management, programming, implementation and the evaluation of seven EU funds including the Asylum and Migration Fund, the European Regional Development Fund and the European Social Fund.

¹ European Commission (2018)471 "Proposal for a Regulation of the European Parliament and of The Council establishing the Asylum and Migration Fund". From now on AMF Regulation Proposal.

² European Commission (2018)375 "Proposal for a Regulation of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument". From now on referred to as the CPR Proposal.

**UNHCR
interest**

In addition to these instruments available within the EU, UNHCR has closely followed the EU's external affairs on forced displacement, asylum and migration since its inception in the late nineties, and in various countries has been able to benefit from some of the dedicated EU funding in these areas.

UNHCR therefore has a direct and genuine interest in sharing its views with Member States and EU institutions in relation to the post-2020 funding architecture in these areas. The following comments and recommendations are also based on the evidence-based findings of the joint ECRE-UNHCR reports in 2018 "[Follow the Money I](#)" and 2019 "[Follow the Money II](#)" on the use of the AMIF at the national level, and the ECRE-UNHCR comprehensive analytical study "[The Way Forward](#)" on the new AMF regulation proposal, and are provided in the constructive and cooperative spirit which characterizes our relationship with the EU.

UNHCR MAIN COMMENTS AND RECOMMENDATIONS

- Funding for migration and asylum needs to be implemented in full compliance with international human rights standards and the Charter of Fundamental Rights of the European Union. In particular, all AMF funded actions should ensure that the protection needs of **migrants, refugees and asylum seekers** are taken into account as core policy objectives and that the specific needs of **vulnerable persons** are addressed through dedicated measures;
- Funding for needs related to **international protection within the EU** should reflect the high level of commitment of the EU towards people in need of protection, as reflected in the Treaties, secondary legislation and policy instruments on asylum, as well as in the Member States' ongoing commitments towards the Global Compact on Refugees. As such, these funds should be safeguarded from diversion or reduction in favor of other priorities, such as the fight against irregular migration, border management or investment in non-EU countries;
- UNHCR stresses the importance of an increased **coherence and alignment** of the future Asylum and Migration Fund with other European Union Policies, particularly the ESF+, ERDF and other Cohesion Policy Funds, in order to ensure an integrated and structural approach to asylum, migration and integration measures and to avoid gaps in funding and inconsistency between policies;
- UNHCR recommends more targeted support for **civil society actors and local and regional authorities**, fully recognizing their leading role in numerous actions under the future Asylum and Migration Fund, from the development of fair and efficient asylum systems to the reception of asylum-seekers and in the integration of beneficiaries of international protection. Civil society as well as local and regional actors should benefit from greater inclusion, minimum funding for their priorities, easier access to dedicated funding, in addition to consultation in the planning process;
- According to UNHCR, and as stated in the Proposal Preamble, the European Union added value should be a primary objective of the use of DG Home Funding. As such, further clarification would be needed on what constitutes the **EU added value** for asylum and migration funds at the national level by including a more complete definition in the legal basis of the future funds and the associated implementation guidance for Member States. Likewise, the notion of high **EU added value** which is foreseen for the Thematic Facility funding would benefit from further clarification;
- As highlighted in the 2018 ECRE-UNHCR report "*Follow the money I*" on the use of the Asylum Migration and Integration Fund (AMIF), action financed under the future AMF should seek to only **complement** – rather than substitute – Member States' national spending on international protection; A specific monitoring mechanism should be developed to measure the required complementarity;
- UNHCR also recommends increased **transparency** of Member States' AMF priorities and objectives setting, as well as public and transparent information about project award decision making, implementation rates, results and evaluation reports for activities implemented by Member States and their partners.

UNHCR SPECIFIC COMMENTS AND RECOMMENDATIONS

1. Recommendations on the structure of EU funding impacting persons of UNHCR's concern in EU Member States

Policy objectives of the Fund: Migration, asylum and statelessness

Article 78³ of the Treaty on the Functioning of the European Union sets out that a common policy on asylum, subsidiary protection and temporary protection must be in accordance with the 1951 Refugee Convention and its 1967 Protocol. In UNHCR's view, it follows that the European Union must ensure that sufficient funds are made available to Member States and other relevant actors to fulfil this aim. The current Asylum Migration and Integration Fund (AMIF) has been an important instrument in strengthening the asylum systems of Member States and their capacity to respond to changing asylum and migration needs. However, the necessity of EU funding in the process of developing, reforming and strengthening the Common European Asylum System (CEAS) remains undiminished. As such, UNHCR welcomes the proposed increase in the allocations under Heading IV "*Migration and Borders*" of the future Multiannual Financial Framework 2021-2027 (MFF).

Throughout the years, UNHCR has actively stressed the importance for EU funding to invest in protection systems in the EU in a comprehensive manner, including investments in protection-sensitive border and migration management systems, establishing reception capacities and common registration and identification systems, developing fair and efficient asylum procedures, setting up systems for unaccompanied and separated children, as well as on the centrality of early and long term integration measures for persons recognised as beneficiaries of international protection. As such, and as highlighted in the 2018 "*The Way Forward*" study, UNHCR has noted with regret that the general policy objective⁴ of the proposed AMF focuses on migration management with a particular emphasis on cooperation with non-EU countries, but without the same general level of commitment towards building a European protection system. As such, the first letter of the proposed future "Asylum and Migration Fund (AMF)" no longer constitutes part and parcel of the overall policy objective of the new fund. Additionally, the proposed Regulation does not require Member States to allocate a minimum percentage of national AMF resources to any of the three specific objectives⁵ (Asylum, Legal migration / Integration, Countering irregular migration) as is the case under the current AMIF, and reduces the level of detail and requirements for services to be implemented under the asylum priority. According to UNHCR this represents a potential risk that Member States privilege other priorities (security, border management and external migration management) at the expense of the development of protection systems in the EU and implementation of the Common European Asylum System.

³ Art. 78, TFEU: "The Union shall develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of *non-refoulement*. This policy must be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, and other relevant treaties".

⁴ Art. 3§1 AMF Regulation Proposal

⁵ Art. 3§2 AMF Regulation Proposal

UNHCR RECOMMENDATIONS

- UNHCR regrets that the current AMIF objective⁶ of strengthening and developing the Common European Asylum System has been downgraded from a general policy objective to a specific objective in the current AMF proposal⁷. The Asylum and Migration Fund, as the name suggests, should contribute both to the development of a European protection system and to an efficient management of migration. As such, UNHCR strongly considers that “a common approach to asylum and migration” be reinstated as a primary policy objective of the future Fund;
- In line with that, UNHCR recommends a fair and transparent allocation of resources between the specific objectives of the AMF in order to ensure a balance between protection and other AMF priorities. In particular, UNHCR considers that minimum allocations of national AMF resources of 25% towards asylum and 30% towards integration should be included to ensure that Member States sufficiently invest in these areas;
- Lastly, UNHCR proposes that future funding for EU Member States needs to explicitly provide support to the identification and protection of stateless persons including, amongst others, support for the establishment of procedures for the determination of statelessness and the inclusion of stateless persons as a beneficiary group in all EU funded integration and social cohesion programmes and projects⁸.

Greater solidarity and responsibility-sharing among Member States

In accordance with Article 80⁹ of the Treaty on the Functioning of the European Union, UNHCR supports the underlying principle of solidarity and the aim of ensuring fair responsibility sharing among Member States on policies related to managing borders, asylum and immigration, including their financial implications, support for the establishment of common strategic objectives, and the pooling of resources and operational capacity based on mutual trust. Solidarity and responsibility-sharing need to be further supported both within the EU, (i.e. among Member States) and in cooperation with third-countries.

Global resettlement needs for 2019 have now reached 1.4 million. Despite this, there has been a shrinkage of the global resettlement space in real terms. European resettlement has increasingly become an essential component of the global resettlement programme, thanks to multilateral efforts, and especially those of the European Commission. The EU is encouraged to take the opportunity presented by the UNHCR's 3-year (2019-2021) strategy on Resettlement and Complementary Pathways and the Global Refugee Forum, envisaged as part of the Global Compact on Refugees, to announce an ambitious plan for an expanded EU Resettlement and Humanitarian Admission programmes that builds on the current (2017-2019) programme, with adequate commensurate funding provided for and built into the new AMF.

⁶ Art. 3§1 AMIF Regulation

⁷ Art. 3§2 AMF Regulation Proposal

⁸ Art. 4§3 AMF Regulation only makes a general provision for the Funds to support actions within the scope of Articles 78-79 of the TFUE.

⁹ Art. 80, TFEU: “The policies of the Union set out in this Chapter and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States. Whenever necessary, the Union acts adopted pursuant to this Chapter shall contain appropriate measures to give effect to this principle”.

UNHCR RECOMMENDATIONS

- UNHCR advises reinstating solidarity as a specific objective of the future Asylum and Migration Fund and recommends that a sufficient and reasonable amount of the AMF envelope be allocated towards solidarity measures both within the EU and in its cooperation with third countries, where and when applicable;
- Within the European Union, solidarity sharing measures could include, but should not be limited to, projects aimed at strengthening European reception capacity or mechanisms in Member States for first arrival, or at building more robust asylum systems in situations of higher numbers of asylum applications. They should further assist countries faced with particularly high numbers of arrivals and asylum applications, with time-limited financial support for activities aimed at finding solutions for persons with international protection, such as ad hoc internal EU relocation schemes;
- Moreover, in light of the overall resettlement needs, and the current decrease in resettlement spaces available globally, UNHCR believes that EU funding can and must play a key role in supporting the additional resettlement efforts of EU Member States as well as in the development of complementary pathways of admission to the EU, including family reunification. UNHCR thus welcomes the continuation of the lump sum of 10.000 Euros provided additionally to Member States on the basis on their numbers of resettled persons. UNHCR however recommends that the spending of this additional funding be linked to resettlement related activities in Member States.

Flexibility and Emergency Measures

UNHCR welcomes the Common Provision Regulation proposition¹⁰ which aims at increasing the flexibility of funds through the possibility of the amendment of National Programmes by transferring money from one priority to the other within an EU funding programme, without the need for formal Commission approval (if below a fixed threshold). Furthermore, UNHCR welcomes the inclusion of a substantial Emergency facility in the Thematic Facility¹¹ of the proposed AMF for a fast and procedurally simplified mechanism of rapid response to emergency situations. However, on the basis of the comprehensive evidence-based studies *Follow the Money I* and *II*, and while welcoming the increased flexibility to address emergency situations, UNHCR believes that further safeguards and obligations in terms of transparency and accountability should be put in place.

UNHCR RECOMMENDATIONS

- UNHCR recommends Member States provide comprehensive justification for the transfer of funds across priorities and publish detailed information on the amendments undertaken within National Programmes;
- With regards to emergency assistance grants, it is recommended that all interventions funded in an emergency situation comply with the humanitarian principles, including the 2017 [European Consensus on Humanitarian Aid](#);

¹⁰ Art.19§5 CPR Proposal

¹¹ Art.9§& AMF Regulation Proposal

→ And for the actions they finance in Member States, UNHCR would recommend that the minimum amount of information to be published on awarded grants to include: the needs the action aims to address, the beneficiary partners, the detailed activities supported, the relationship with other funding sources and the implementation, monitoring and evaluation arrangements. UNHCR would also recommend that emergency funding mechanisms be made accessible to large NGOs and responsible local and regional authorities with a view of enhancing their capacity to respond to immediate needs in such situations.

**Cooperation
with EU
Agencies in
the
programming
(EASO)**

UNHCR welcomes the increase in the percentage of funds allocated to EASO and the expansion of the responsibilities bestowed on the agency in overseeing national programmes. UNHCR would recommend that such funding be geared primarily towards operational support to member states in first countries of arrival, with a view to assist host governments in addressing continuous challenges and critical gaps, particularly in the areas of reception and asylum processing. EASO is well placed to provide support to host authorities in response to operational needs on the ground and at the same time to help build national capacity. Strategic EASO support along these lines can play a key role in achieving harmonized and consistent implementation of the CEAS, including access to territory, fair and efficient asylum procedures and adequate reception conditions (with proper child protection and SGBV safeguards) in all member states. These are key priorities in UNHCR's view. To that effect, AMF national programmes would indeed benefit from being negotiated on the basis of information provided by all stakeholders, including relevant EU agencies such as EASO.

2. Recommendations related to integration measures under AMF, ESF+ and ERDF

**Coordination
and
Consistency
with other
Union policies**

Within the framework of the internal dimension of the upcoming Multiannual Financial Framework 2021-2027, proposed integration measures for third-country nationals fall under three shared-management funds: the ESF+ for long term integration measures, the AMF for early integration measures, and the ERDF for infrastructure for housing and reception. UNHCR welcomes this new approach as it permits to include migrants' and refugees' integration into the more general labor, education and social integration schemes of European Member States at national level, thus putting third-country nationals including refugees on an equal footing with EU citizens, thus avoiding separate and parallel approaches which may eventually lead to stigmatization, discrimination and differences of treatment between EU nationals and third-country nationals.

UNHCR RECOMMENDATIONS

- In order to avoid possible gaps and disruptions between the two stages of the delineated integration process (i.e. the early and long-term integration phases), UNHCR strongly advocates for the need to ensure complementarity and continuity between early integration measures under the AMF and long-term integration measures under the ESF+ and ERDF. This will not only ensure synergies between different policies but also an uninterrupted participation of migrants and refugees in the integration process from their day of arrival in an EU Member State until their full inclusion into society. As such, rigorous cooperation between managing authorities, common control systems, integrated monitoring bodies and shared performance indicators could provide for a consistent approach to the full chain of the integration process.

3. Recommendations on the use and management of EU funds impacting persons of UNHCR's concern in EU Member States

Funding at the national level

UNHCR considers it important that nationally managed EU funds, in relation to asylum-seekers and beneficiaries of international protection, are utilized to increase convergence of practices among EU Member States on asylum, to reduce gaps in the asylum system towards a harmonized implementation of the Common European Asylum System, and to improve reception facilities and integration support. As observed and analysed in the joint ECRE-UNHCR *Follow the Money Reports I and II*, at the national level, AMIF funding has had a real impact on the lives of refugees and on the establishment or strengthening of asylum procedures. However, targeted support and increased flexibility are also fundamental for adjusting to changing priority needs. Accordingly, UNHCR welcomes the AMF's proposed reduction¹², compared with the current AMIF Regulation, of shared management allocations to 60% and the subsequent increase in the allocations for the Thematic Facility for EU-level interventions and emergency support. UNHCR also welcomes the integration of a 10% envelope to be disbursed during the Mid-Term review process in 2024, based on a progress evaluation and a revised needs assessment, for each Member State. However, UNHCR would urge that the following recommendations be taken into account within the future framework:

UNHCR RECOMMENDATIONS

- UNHCR regrets that the proposed AMF overall distribution key¹³ for the AMIF envelope privileges the specific objectives of countering irregular migration and return with 40% of its total envelope, versus only 30% for asylum and legal migration/integration. UNHCR would thus recommend an equal share of AMF allocation as well as balanced spending across the three AMF priorities, so as to avoid unmet needs within each programming period;
- As demonstrated in the joint ECRE-UNHCR Report *"Follow the Money II"*, actions under the current Asylum Migration and Integration Fund are considered to have provided a considerable added value with regards to the expansion and sustainability of voluntary return procedures. In line with that finding, UNHCR believes it is fundamental to ensure that Member States' actions financed under the future AMF prioritize and promote voluntary over forced returns;

¹² Art. 8§2 AMF Regulation Proposal

¹³ Annex I (1§b) AMF Regulation Proposal

- UNHCR further believes that a ceiling should be imposed on Funds allocated for Member States' structural projects as AMF funding should be instead employed to reach long-term policy priorities linked to the CEAS. In this context, UNHCR recommends that a maximum rate of 40% of national AMF resources be dedicated to national governments' own projects including structural ones, in order to ensure a fair distribution of funds among all relevant stakeholders;
- The structure and process of the high-level Policy Dialogue with Member States authorities that took place in 2013/2014 to assess national situations in order to jointly set out the 2014-2020 priorities should be retained, with an additional requirement for Member States to conduct, ahead of these dialogues, meaningful consultations with all relevant partners. Further, such a Dialogue should be formally re-conducted at the time of the mid-term review of AMF National Programmes.

**Simplification
of financial
and
Management
rules and
monitoring
framework**

UNHCR welcomes the Proposed Common Provision Regulation (CPR) which introduces simplified cost-options, and common management and control arrangements for all shared-management funds¹⁴. UNHCR also agrees with the proposed measures that require Member States to establish a performance framework for the monitoring, reporting and evaluation of all these funds to facilitate the measurement of their overall performance¹⁵. Nevertheless, as already put forward in “*The Way Forward*” study, several observations need to be advanced:

UNHCR RECOMMENDATIONS

- Systematic and easily available information on the use of funds at the national and European levels (including national evaluation reports, targeted responses and monitoring visits) should be made available in order to improve information-sharing, avoid the duplication of activities, build on previous achievements, increase transparency and accountability, and maximize efficiency;
- UNHCR, along with other relevant actors, should be invited to participate in national project selection committees and monitoring mechanisms;
- UNHCR believes there is a need to strengthen the synergies of and ensure the consistency between EU policy priorities under the AMF, ESF and ERDF and the European Semester process. As such, UNCHR welcomes the European Commission proposal¹⁶ to strengthen the link and further align the European Semester of economic policy coordination with the EU budget by connecting the approval of programming documents of key Funds to the pertinent country-specific recommendations provided in the Semester process.

¹⁴ Title V-VI, CPR Proposal

¹⁵ Title IV, CPR Proposal

¹⁶ European Commission (May 2018) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: *An EU Budget for the Future*.

Fulfilment of Enabling Conditions	The proposed Common Provision Regulation (CPR) introduces common horizontal enabling conditions ¹⁷ which must be fulfilled by Member States' National Programmes under shared management Funds.
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UNHCR RECOMMENDATIONS

- UNHCR particularly welcomes the obligation for the implementation of Member States' National Programs to meet the requirements of the EU Charter of Fundamental Rights (CFEU) and the UN Convention on the Rights of Persons with Disabilities (UNCRPD)¹⁸ alongside the mandatory introduction of verification arrangements and monitoring procedures to ensure the compliance of operations supported by the AMF, EDF, ESF+ and Cohesion Funds with the aforementioned Charter and Convention. In this regard, UNHCR would welcome a specific role given to the EU Fundamental Rights Agency.

4. Partnership Principle and support for Civil Society

Partnership Principle UNHCR has highlighted several times – including in the two UNHCR/ECRE AMIF “*Follow the Money*” Reports – the key role that Civil Society Organisations, Local and Regional Authorities, International Organisations and social partners play in the development of programmes which assist asylum seekers, refugees and migrants.

UNHCR particularly welcomes the inclusion of AMF into the Partnership Principle in the proposed¹⁹ Common Provision Regulation for shared-management Funds which stresses the cooperation between public authorities, economic and social partners, and civil society organisations throughout the entire programming cycle. UNHCR would, however, like to advance the following important recommendations:

UNHCR RECOMMENDATIONS

- The general Partnership Principle of the proposed CPR should be adjusted and tailored to the specific needs and priorities of the proposed Asylum and Migration Fund, particularly within Member States' National Programmes and Partnership Agreements;
- The European Code of Conduct on Partnership²⁰ should be amended to fully align it with the proposed Asylum and Migration Fund objectives and requirements, and should share additional guidance and best practices with Member States from the current implementation period.

¹⁷ Art. 11 and Preamble p7 CPR Proposal

¹⁸ Annex III CPR proposal

¹⁹ Art. 6 CPR Proposal

²⁰ European Commission (2014) Delegated Regulation (EU) 240/2014: *On the European code of conduct on partnership in the framework of the European Structural and Investment Funds.*

- The Partnership Principle must also be applied at the EU level. UNHCR welcomes the new Common Provision Regulation requirement for consultation between the European Commission and its European partners on programmes implementation, as well as the proposal for a complaint mechanism in which the beneficiaries can directly refer to the European Commission. However, since the responsibility of examination of complaints, including those made directly to the EC, has been transferred to the Member States, further clarification on the scope and format of these complaint mechanisms should be provided. For this reason, UNHCR believes that the establishment of a European Principle Partnership would be a useful modus to relay and address concerns and complaints at the European level;
- The Partnership – both at European and National levels – should include relevant and expert stakeholders and ensure the meaningful engagement of partners at all stages of the AMF programme: design, implementation, monitoring, and evaluation.

Access to funding for civil society actors, local authorities

The Partnership Principle is a valuable instrument for ensuring consultation and providing support to civil society organisations, in full recognition of their important role in the development of fair and efficient asylum systems, in the reception of asylum-seekers and in the integration of refugees. However, the case studies conducted in the reports *Follow the Money I* and *II* have revealed a number of obstacles for civil society actors, including refugee associations, in accessing funding at the national level and, as such, UNHCR would like to advance several recommendations:

UNHCR RECOMMENDATIONS

- To facilitate access to AMF funds, UNHCR would recommend that 10% of the AMF envelope, whether at the national level or under the Thematic Facility, be earmarked for civil society in addition to local and regional actors. This would be in line with the whole-of-society approach of the Global Compact on Refugees;
- The AMF’s proposed higher co-financing contribution rate for integration measures implemented by civil society and local authorities is welcomed as an important instrument to encourage Member States to include these actors in their national activities. However, UNHCR believes that this provision should not be limited to integration measures and should be extended to the areas of asylum, migration and return, acknowledging the significant contribution of such actors in every sector of the AMF. Further, Member States are also encouraged to provide matching funds for activities supported by the current Regulation.

5. The external dimension of EU internal asylum and migration policies

External dimension

The AMF proposal enables third countries associated with the fund to be direct beneficiaries of Member States’ national programmes for the purpose of managing migration, and includes measures regarding readmission procedures, return and reintegration, as well as resettlement schemes. We appreciate DG Home’s willingness to support the development of the capacity of third countries to respond to specific migration and asylum challenges.

DG Home funded actions outside of the EU must however remain limited, complementary and inherently linked to the internal dimension of asylum and migration policies, such as access to the EU and protection within it. This would encompass activities related to resettlement, protection pathways, legal migration and return.

UNHCR RECOMMENDATIONS

- UNHCR believes that Home Affairs funding should be dedicated first and foremost to the implementation of the Common European Asylum System and to the development of a coherent EU migration policy, including the integration of third country nationals in Europe. Respect for the fundamental rights of persons coming to Europe or being returned from it should underlie all actions implemented under the AMF;
- UNHCR thus recommends capping the amount of funding to be spent in third countries and confining the allocation of funding to activities that would be exhaustively listed under the corresponding Annex of the AMF Regulation. In addition, we call for the use of AMF funding for actions outside the Union to be accompanied by appropriate safeguards. The discretion of Member States in this regard must be framed so as to avoid risking a diversion of AMF resources to non-main priority areas;
- Further and finally, any external measures implemented under the framework of the AMF should be in the pursuit of the genuine interests of third countries and be fully consistent with – and complementary to – the EU's external aid and development policies. We would recommend such a requirement be integrated in the proposed Regulation as a mandatory provision.

*UNHCR Regional
Representation for EU Affairs
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