

# EU Migration Policy: The Union's Choice for Spending instead of Policy Making

**Professor Dimitrios V. Skiadas, MJur, PhD, CFE**  
*Dept. of International and European Studies*  
*University of Macedonia*



**JEAN MONNET CHAIR**  
EU BUDGETARY GOVERNANCE & AUDIT  
**JEAN MONNET MODULE**  
EU - ANTIFRAUD

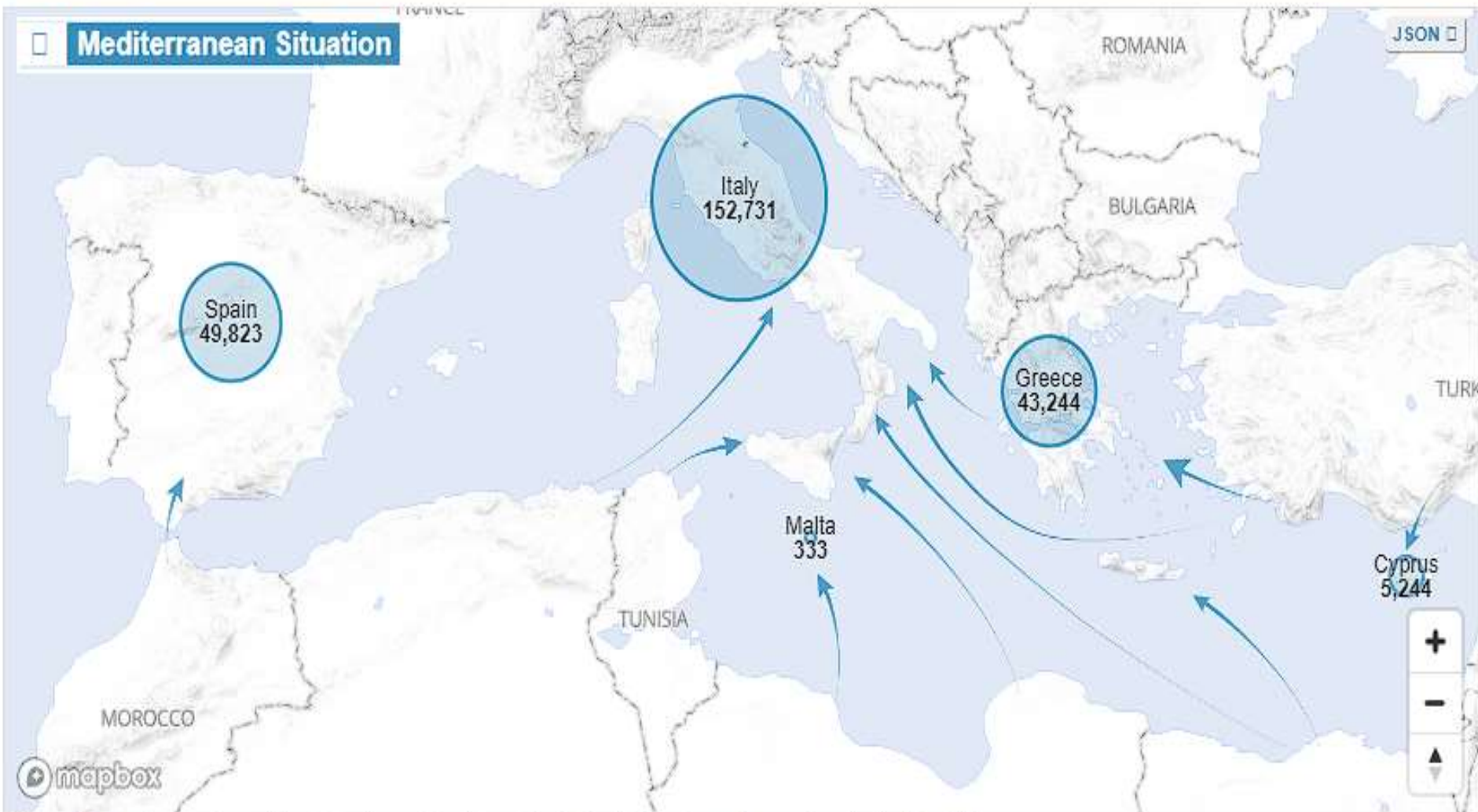
Co-funded by the  
Erasmus+ Programme  
of the European Union



# CONTENTS

- The Figures...
- The Law...
- The (In)Action...
- The Money...
- Concluding Reflections

# The Figures...



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

## Total arrivals in 2023

[JSON](#)

# 251,375

Last updated 03 Dec 2023

## Sea arrivals in 2023

[JSON](#)

Includes refugees and migrants arriving by sea to Italy, Greece, Spain, Cyprus and Malta

# 244,697

Last updated 03 Dec 2023

## Land arrivals in 2023

[JSON](#)

Includes refugees and migrants arriving by land to Greece and Spain.

# 6,678

Last updated 26 Nov 2023

## Dead and missing in 2023 (estimate)

[JSON](#)

# 2,664

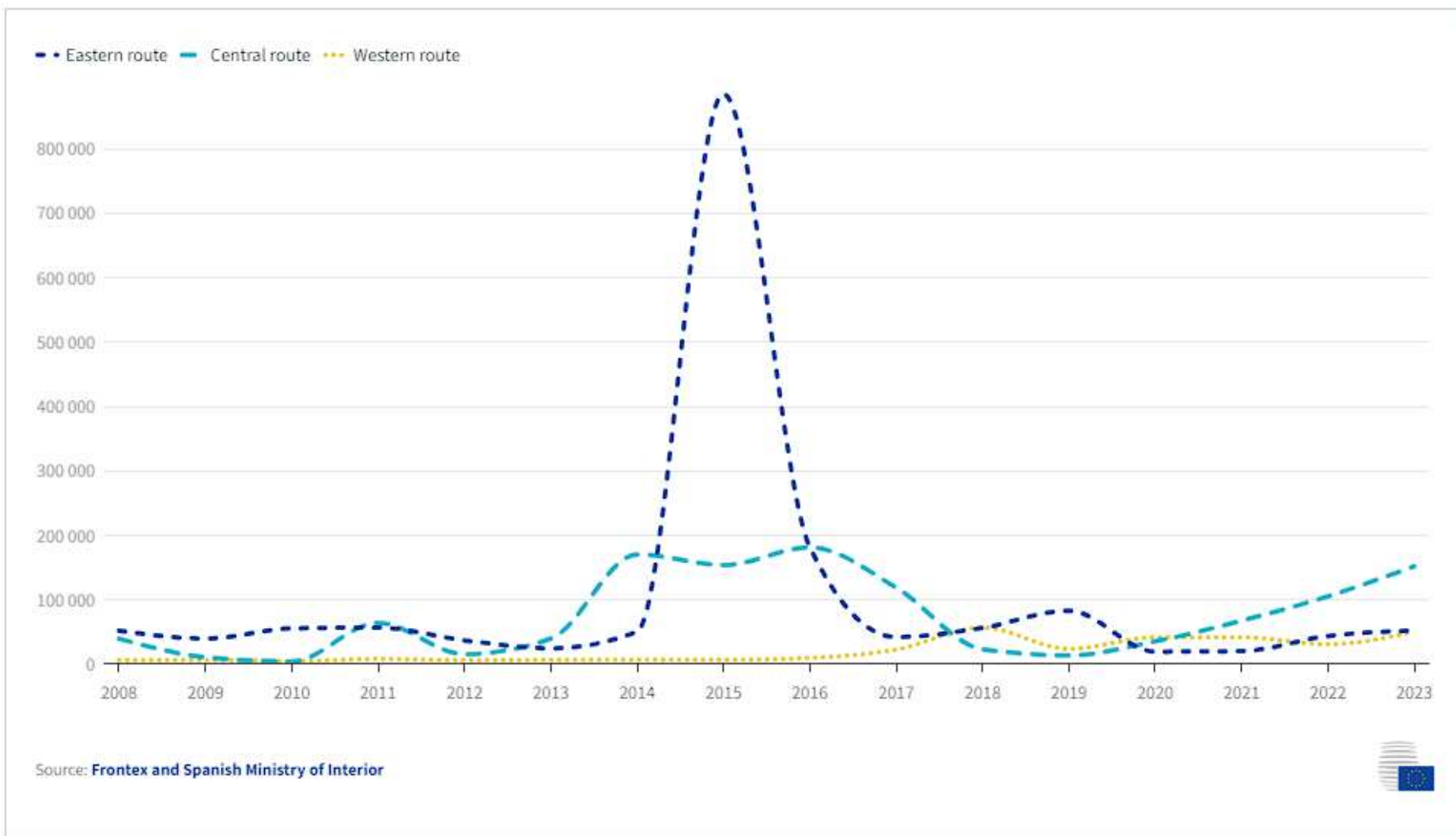
Last updated 03 Dec 2023

Previous years	Arrivals *	Dead and missing
2022	159,410	2,439
2021	123,318	3,231
2020	95,774	1,881
2019	123,663	1,510
2018	141,472	2,277
2017	185,139	3,139
2016	373,652	5,096
2015	1,032,408	3,771

\* Include sea arrivals to Italy, Cyprus, and Malta, and both sea and land arrivals to Greece and Spain (including the Canary Islands). Data are as of 31 December 2021 for all countries.

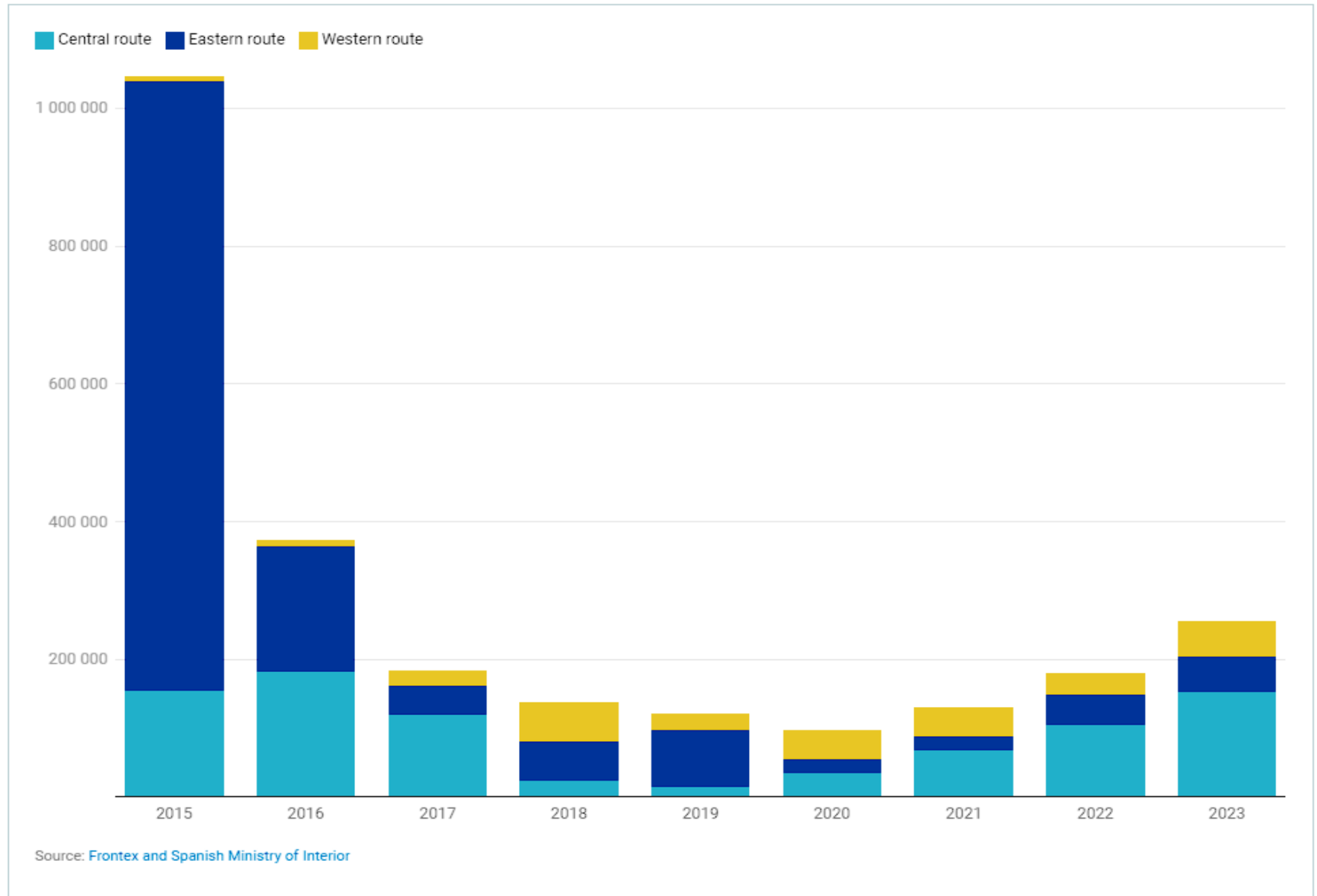
# Infographic - Irregular arrivals to the EU (2008-2023)

Data up to November 2023. Western route refers to Western Mediterranean and Western African routes.



# Yearly irregular arrivals (2015-2023)

Data up to November 2023. Western route refers to Western Mediterranean and Western African routes.

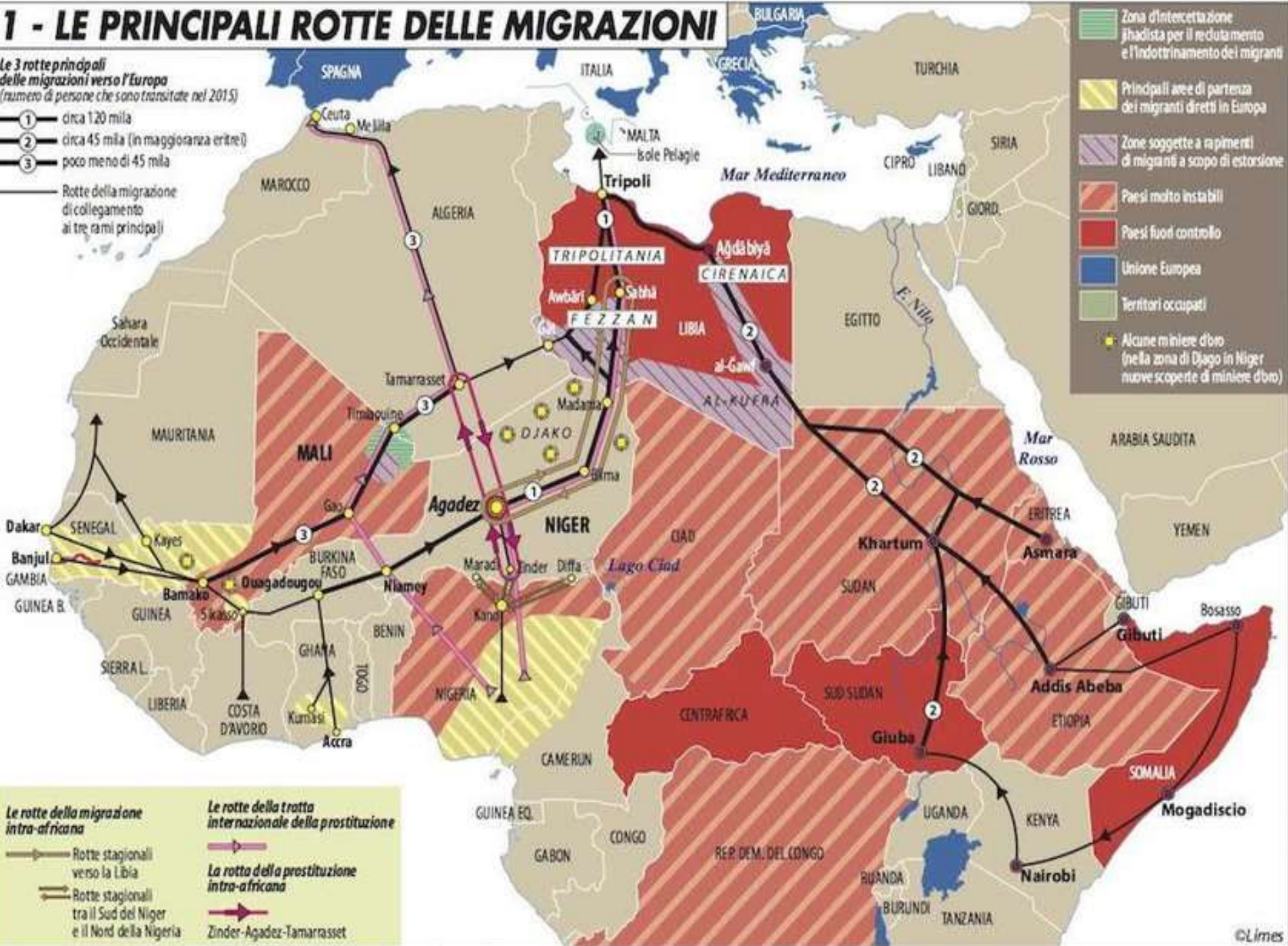


# 1 - LE PRINCIPALI ROTTE DELLE MIGRAZIONI

**Le 3 rotte principali delle migrazioni verso l'Europa**  
(numero di persone che sono transitate nel 2015)

- ① circa 120 mila
- ② circa 45 mila (in maggioranza eritrei)
- ③ poco meno di 45 mila

— Rotte della migrazione di collegamento ai tre rami principali



**Le rotte della migrazione intra-africana**

- Rotte stagionali verso la Libia
- Rotte stagionali tra il Sud del Niger e il Nord della Nigeria

**Le rotte della tratta internazionale della prostituzione**

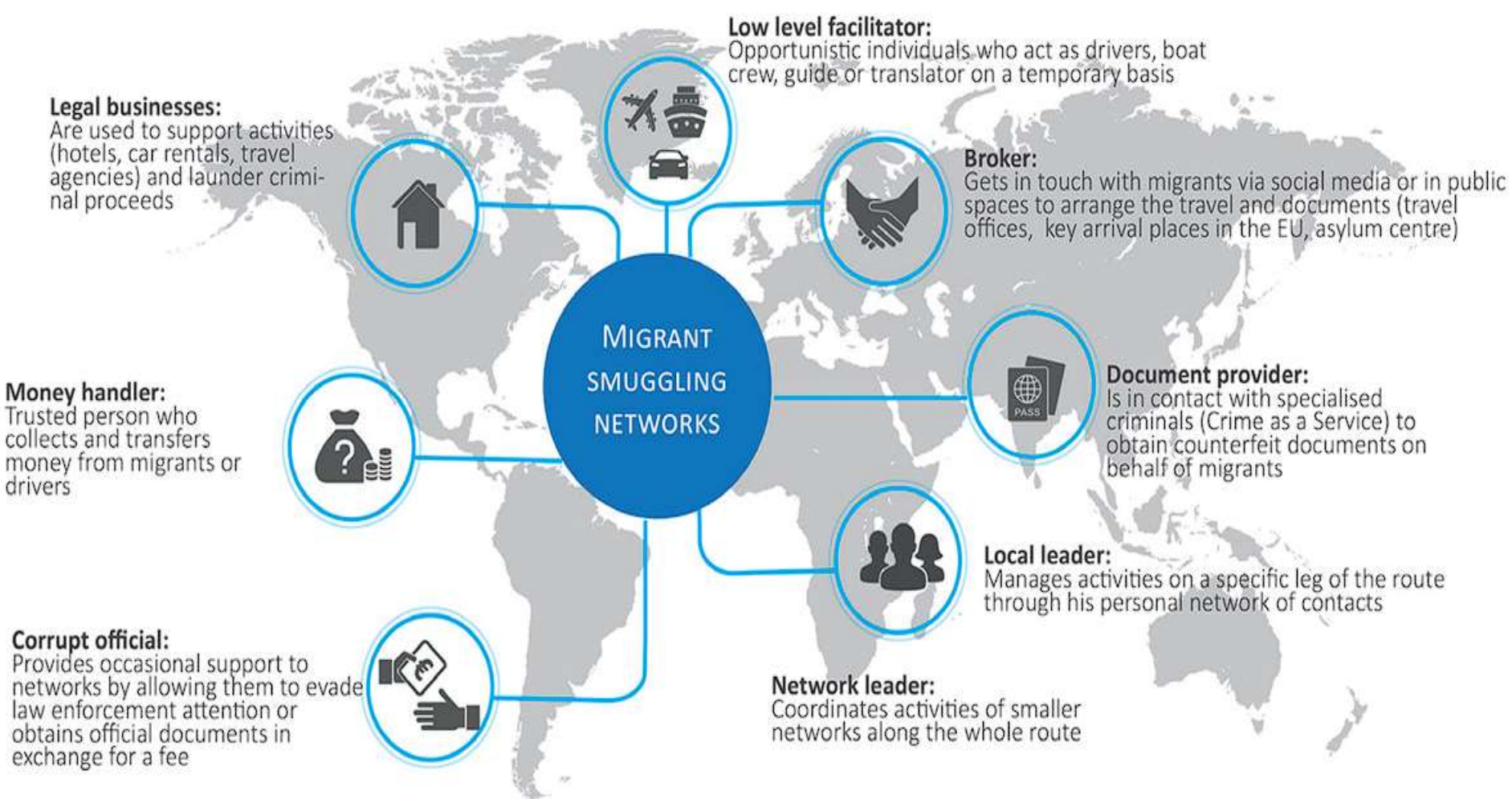
- La rotta della prostituzione intra-africana
- Zinder-Agadez-Tamarrasset

Fonte: autori di Limes sul territorio per le rotte 1 e 3, per la rotta 2 dati di Frontex, Europol, Icmpt, Unhcr, Unodc

## • EUROPOL Findings

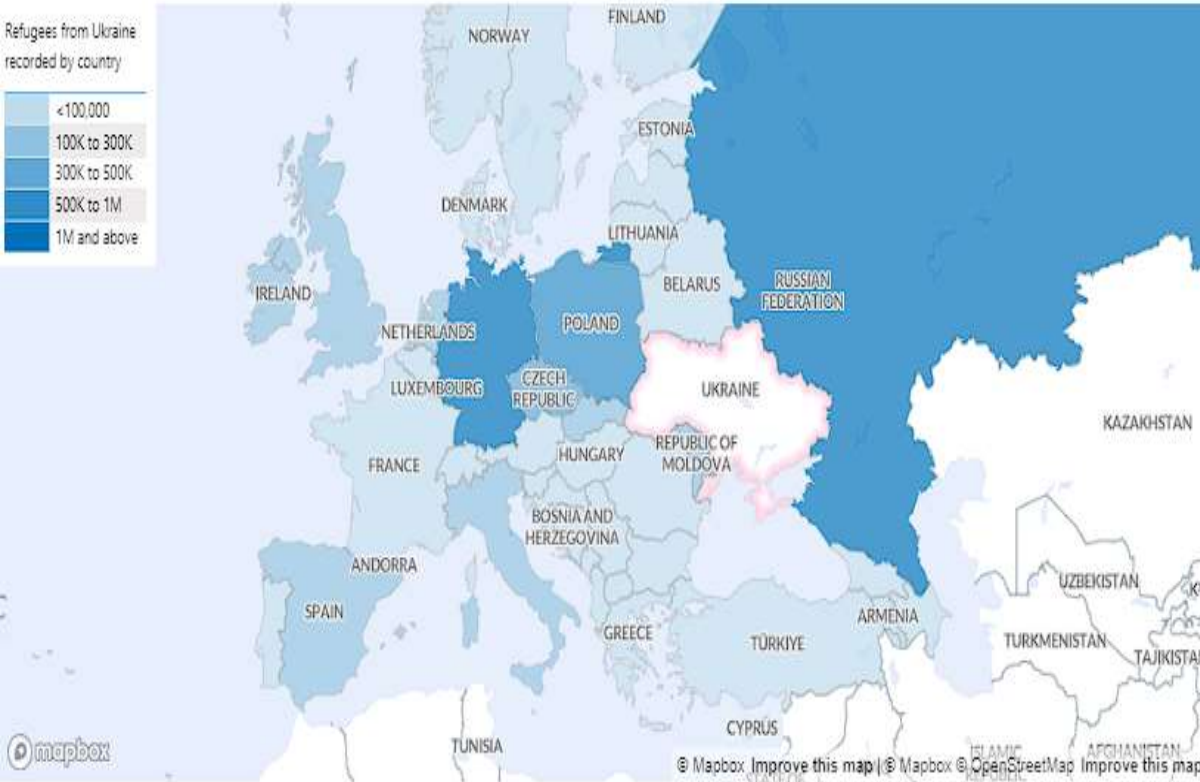
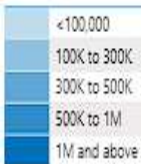
- Over 90% of illegal migrants coming to the EU, are being “facilitated” in their efforts by criminal groups and/or organizations.
- Migratory flows do not follow a stable path and direction but they are affected by factors such as border controls and weather conditions. This leads to seeking alternative routes of migration.
- The smugglers have organized their networks along the migratory routes. Over 250 points for facilitating illegal migration have been located in and out of EU.
- The basic structure of the smuggling networks entails a) the “persons in charge” who coordinate the activities during the migratory course, b) the “organizers” who regulate all relevant activities at local level through their personal “connections” and c) the “occasional service providers” who operate at a very basic level.
- Smuggling illegal migrants is a profitable activity with low operating costs and constant high demand. The annual turnover for 2015 (a year with increased migratory flows) has been estimated at 5-6 billion USD, cash being the main means of payment (especially smuggling by sea costs 2,500-6,000 USD/person)
- Those involved in smuggling illegal migrants, are involved also in other criminal activities (polycriminality)
- The smuggled migrants become, at an increasing rate, victims of labor or sexual exploitation, as a means of payment for the smuggling services.
- It has been found that terrorists use the method of smuggling illegal migrants in order to enter (or re-enter) the EU, either as smugglers or as illegal migrants.





**Source:** EUROPOL

Refugees from Ukraine recorded by country



## Refugees from Ukraine recorded in Europe <sup>1</sup>

**5,905,000**

Last updated 5 December 2023 - Source: UNHCR collation of statistics made available by the authorities

## Refugees from Ukraine recorded beyond Europe <sup>2</sup>

**403,600**

Last updated 28 November 2023 - Source: UNHCR collation of statistics made available by the authorities

## Refugees from Ukraine recorded globally

**6,308,600**

*The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.*

The full-scale invasion of Ukraine in February 2022 has caused massive civilian casualties and the destruction of civilian infrastructure, forcing people to flee their homes seeking safety, protection and assistance. Since February 2022, millions of refugees from Ukraine have crossed borders into neighbouring countries, and millions more have been forced to flee within the country. They are in need of protection and support. In light of the emergency and the scale of humanitarian needs, an inter-agency regional refugee response is being carried out, in support of the efforts of refugee-hosting countries. The Regional Refugee Response Plan brings together national authorities, UN agencies, NGOs, as well as civil society organisations and focuses on supporting host country governments to ensure the inclusion of refugees, with full access to their rights, in line with international standards. It also prioritizes the provision of critical protection services and humanitarian assistance.

## Countries featured in the Refugee Response Plan

Country	Data Date	Refugees from Ukraine recorded in country as of date <sup>(1)</sup>	Refugees from Ukraine who applied for Asylum, TP or similar national protection schemes to date <sup>(3)</sup>	Border crossings from Ukraine since 24 February 2022 <sup>(4)</sup>	Border crossings to Ukraine since 24 February 2022 <sup>(5)</sup>
Bulgaria	5/12/2023	51.975	174.085	Not applicable	Not applicable
Czech Republic	26/11/2023	370.815	575.915	Not applicable	Not applicable
Estonia	3/12/2023	50.450	56.520	Not applicable	Not applicable
Hungary	4/12/2023	61.445	39.895	3.943.505	Data not available
Latvia	31/10/2023	33.035	52.120	Not applicable	Not applicable
Lithuania	4/12/2023	51.810	82.735	Not applicable	Not applicable
Poland	20/11/2023	954.600	1.640.510	16.820.650	14.299.730
Republic of Moldova	3/12/2023	112.810	28.215	984.645	697.505
Romania	3/12/2023	83.405	153.475	3.711.415	3.169.355
Slovakia	12/11/2023	112.350	131.885	1.854.305	1.682.110
<b>Σύνολο</b>		<b>1.882.695</b>	<b>2.935.355</b>	<b>27.314.515</b>	<b>19.848.695</b>

## Other countries neighbouring Ukraine

Country	Data Date	Refugees from Ukraine recorded in country as of date <sup>(1)</sup>	Refugees from Ukraine who applied for Asylum, TP or similar national protection schemes to date <sup>(3)</sup>	Border crossings from Ukraine since 24 February 2022 <sup>(4)</sup>	Border crossings to Ukraine since 24 February 2022 <sup>(5)</sup>
Belarus	1/11/2023	37.040	3.210	16.705	Data not available
Russian Federation*	30/6/2023	1.212.585	34.265	2.852.395	Data not available
<b>Σύνολο</b>		<b>1.249.625</b>	<b>37.475</b>	<b>2.869.100</b>	<b>Data not available</b>

\* The figure for the Russian Federation includes 65,400 Ukrainians who were granted refugee or temporary asylum status, as well as those recorded in the country in 2022 under other forms of stay.

## Other European countries

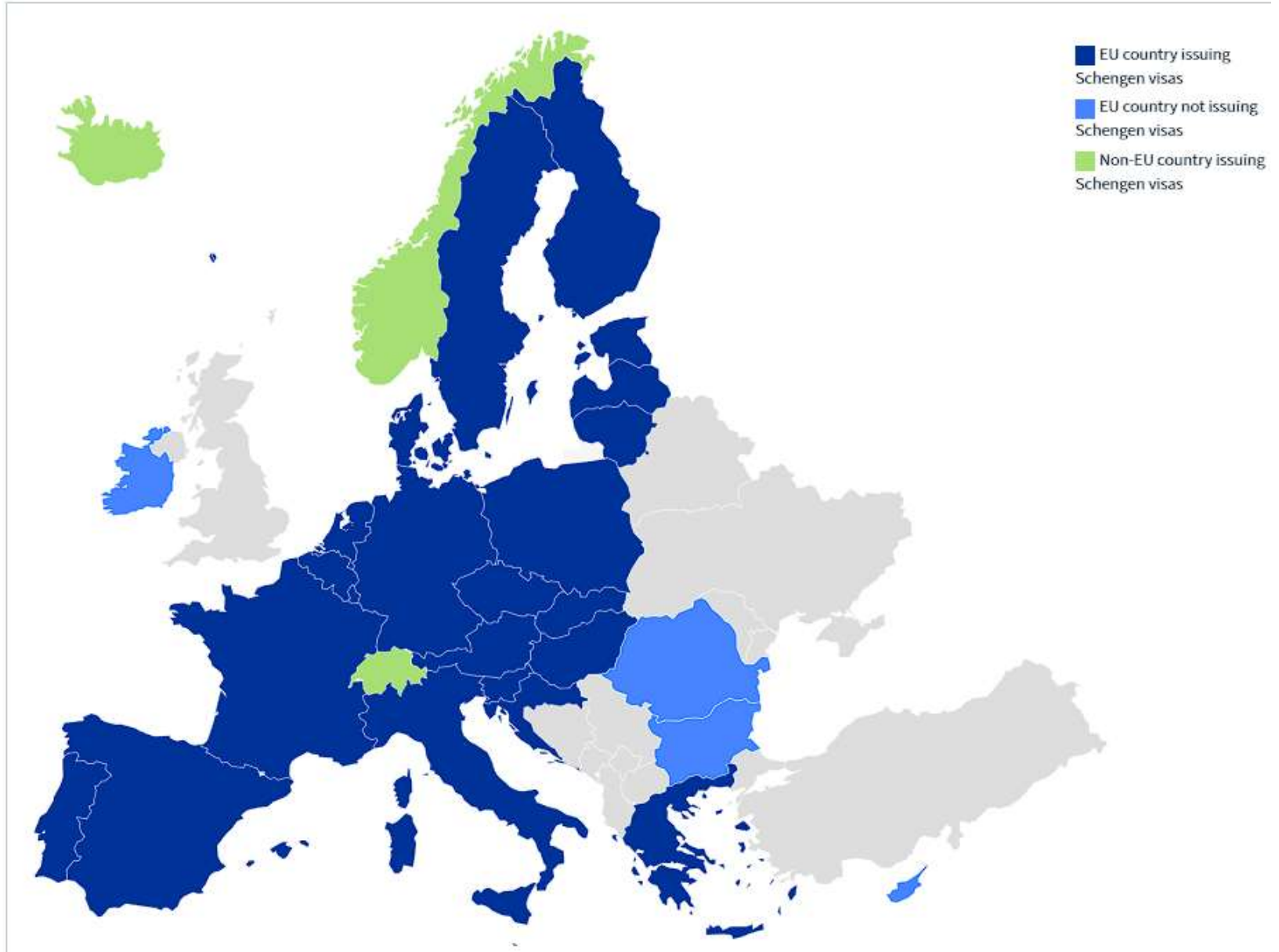
Country	Data Date	Refugees from Ukraine recorded in country as of date <sup>(1)</sup>	Refugees from Ukraine who applied for Asylum, TP or similar national protection schemes to date <sup>(3)</sup>
Albania	7/11/2023	7.495	35
Armenia	17/7/2023	605	605
Austria	4/12/2023	81.870	107.530
Azerbaijan	2/11/2023	4.500	105
Belgium	23/8/2023	73.095	73.425
Bosnia and Herzegovina	26/11/2023	205	205
Croatia	1/12/2023	23.995	25.045
Cyprus	12/11/2023	18.230	20.500
Denmark	3/12/2023	36.635	48.380
Finland	24/9/2023	61.520	65.620
France	31/10/2023	69.495	98.455
Georgia	10/9/2023	27.400	650
Germany	24/11/2023	1.123.640	1.025.720
Greece	31/10/2023	26.945	27.430
Iceland	20/9/2023	3.250	3.345
Ireland	3/12/2023	101.530	101.530
Italy	10/11/2023	168.725	187.205
Liechtenstein	15/11/2023	545	775
Luxembourg	30/9/2023	4.215	6.025
Malta	29/10/2023	2.070	2.170
Montenegro	4/12/2023	63.790	10.115
Netherlands	30/9/2023	136.460	136.470
North Macedonia	14/11/2023	18.680	405
Norway	4/12/2023	61.005	69.675
Portugal	31/10/2023	55.440	65.075
Serbia and Kosovo: S/RES/1244 (1999)	31/10/2023	4.525	2.245
Slovenia	4/12/2023	10.515	10.410
Spain	3/12/2023	185.870	193.055
Sweden	30/11/2023	41.520	63.610
Switzerland	17/11/2023	66.505	94.735
Türkiye	23/11/2023	42.720	4.475
United Kingdom	21/11/2023	246.760	1.260
<b>Σύνολο</b>		<b>2.769.755</b>	<b>2.446.285</b>

# The Law...

- There are TWO main strategic approaches on migration by the EU, that can be identified so far. These two approaches are **distinct** and yet **mutually influential**, as their elements interact.
- The **first**, reflecting a point of view based on the concept of “**Sovereignty Approach**”, tackles migration as a source of external (initially) and internal (subsequently) danger for the security of the EU Member States and the safety of their people, and it is being developed within the framework of the **European (now Common) Security and Defense Policy** (e.g, Operation SOPHIA, Operation IRINI, etc.)
- The **second**, reflecting a “**Humanitarian Approach**” by focusing on issues arising from the impact of the EU activities on migrants, is being developed within the framework of the EU Policy on Migration, as this is a field of shared competence between the Union and its Member States, and it entails a) **measures of managing migratory flows** and b) **measures for controlling and averting migration** (e.g. FRONTEX has implemented 19 principle Joint Operations Actions and has undertaken several secondary actions along with national authorities)

- The legal context, within which the EU has been called to act in order to manage migration, has been the following:
- Managing migration in the EU **falls within the so called “shared” competences of the EU** (Art. 4 para 2 TFEU), ie both the EU and the Member States may adopt legislation or issue legally binding decisions and take legally binding actions in this sector.
- According to the **principle of subsidiarity** (Art. 5 para 3 TEU), in such competences, the EU shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.
- The main issues which are seen as challenges for the EU’s institutional framework in its efforts for managing migration, entail the following:
  - The Schengen Area
  - The “Dublin” System
  - The EU-Turkey Statement (“Agreement”)
  - FRONTEX - European Border and Coast Guard Agency and its operations
  - The reform of the EU’s legal regime on migration

• The Schengen Area



- The main objective of the EU is to promote European integration by establishing a single internal market in its Member States based on the free movement of goods, persons, services and capital.
- Thus, during the 1980s, five Member States (Belgium, France, Germany, Luxembourg and the Netherlands) created a territory without internal borders by signing an agreement in a small town in Luxembourg called Schengen, hence the “Schengen area” – a territory in which the free movement of persons is guaranteed.
- The original agreement was complemented in 1990 by a convention, which entered into force in 1995, abolishing checks at the internal borders and created a single external border. Whatever their location (land or sea), officers working at the external border perform border checks in accordance with identical procedures. The rules governing visas and the right to asylum are also common for all Schengen countries.
- In order to keep a balance between freedom and security, participating member states agreed to introduce so-called “compensatory measures”. These are focused on cooperation and coordination of the work of the police and judicial authorities, especially in order to combat organised crime networks and safeguard internal security.
- In 1997, the Treaty of Amsterdam incorporated into the EU framework these arrangements.
- In 2015 due to terrorist attacks and the dramatic increase of migration flows, and in 2020 due to the COVID-19 pandemic, internal border controls were reintroduced by some EU member states. The occasional prolongation of these extraordinary measures has caused concerns which lead the European Commission and the European Parliament to condemn them [*“when Schengen dies, Europe dies”*].
- Schengen significance: More than 400 million people are allowed to travel freely between member states without going through border controls. Every day around 3.5 million people cross internal borders for work/study/visits and almost 1.7 million people reside in one Schengen country while working in another. Europeans make an estimated 1.25 billion journeys within the Schengen area every year, which also greatly benefits the tourism and cultural sector.



# Security controls when arriving and leaving the Schengen area

## BEFORE TRAVELLING



**NO REQUIREMENTS**

European Economic Area (EEA) countries :  
Iceland, Liechtenstein, and Norway



**IN NEED OF  
A VISA**



Requests a visa

**NOT REQUIRING  
A VISA**



Requests travel  
authorisation online\*



## AT THE BORDER CROSSING



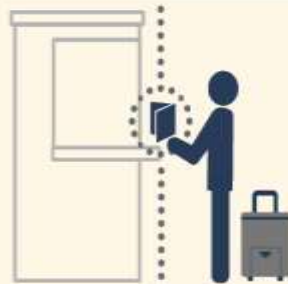
Individual is checked against relevant databases



Individual is checked against relevant databases



Compliance with Schengen entry conditions is checked



Entry or refusal of entry is registered in the entry/exit system\* (subject to certain exceptions)



## WHEN LEAVING THE SCHENGEN AREA



Individual is checked against relevant databases



Individual is checked against relevant databases



Exit registered in the entry/exit system\* (subject to certain exceptions)

\* Not yet in place

## IRREGULAR ARRIVALS

Individual is:



checked against national, European and international databases



identified and fingerprinted



Return home if no right to stay in the Schengen area



- **The Dublin System**

- **The Dublin System (Dublin Convention 1990, Dublin II Regulation - 343/2003, Dublin III Regulation 604/2013)** establishes the criteria and mechanisms for determining which EU Member State is responsible for examining an asylum application. The rules aim to ensure quick access to asylum procedure and the examination of an application in substance by a single, clearly determined, Member State.
- The **core principle** under the current Dublin regime is that **the responsibility for examining an asylum claim lies first and foremost with the Member State which played the greatest part in the applicant's entry to the EU. In most cases this means the Member State of first entry, or a Member State which issued a visa or residence permit to a third country national, who then decided to stay and apply for asylum when this authorization expired.** Family unity and protection of unaccompanied minors allow for derogation from these rules. This principle is based on the **assumption that all EU Member States are considered to be "safe states"** i.e. they meet the criteria set by the 1951 Geneva Convention on Refugees and Asylum Seekers.
- In practice, this means the responsibility for the vast majority of asylum claims is placed on a small number of Member States (such as those in Southern Europe), stretching their capacity beyond limits. In time, it became evident that the Dublin system **could not ensure a sustainable sharing of responsibilities** for asylum applicants across the EU.
- Thus the entire system was put on hold (by several countries ie Germany, Sweden, UK, Austria, Finland, Denmark, etc) when the ECHR (**Case M.S.S. vs Belgium and Greece, No. 30696/09, 21<sup>st</sup> January 2011**) and the CJEU (**Cases C-411/2010 & C-493/2010**) found that the national systems on granting asylum to immigrants have severe problems, cause lengthy delays, and provide very limited possibilities for a successful application. In April 2011, the **European Parliament recommended the non-implementation** of the relevant provisions for the above mentioned reasons. Since 2011 **the Dublin System is under review for a complete reform**, especially taking into account the lessons from the recent migration crisis.

## CURRENT EU RULES

### Determining the EU country responsible for the asylum claim



When applying the Dublin rules, the country of arrival is, in most cases, identified as the one responsible for the asylum application.

## CHALLENGES AND SHORTCOMINGS

### Pressure on a small number of Member States



The vast majority of arrivals are currently registered in just a few Member States (e.g. Greece and Italy), putting the asylum systems of these countries of first entry under immense pressure. This is not a fair distribution of responsibility.

### Harmonised conditions of reception throughout the EU



The EU has common standards to ensure that asylum seekers are treated equally in an open and fair system – wherever their application is made. According to the Dublin system, asylum seekers cannot choose the EU country where their application will be processed. However, discretionary provisions under EU legislation and lack of full implementation have resulted in some EU countries offering more attractive reception and asylum systems than others, creating an incentive for asylum shopping.

### Uneven implementation of EU rules leads to imbalances and secondary movements



Some migrants seek to avoid registration and fingerprinting and then move on to the state where they wish to settle and where they want to get asylum. These secondary movements create unbalances in the distribution of asylum seekers and place disproportionate pressure on the favoured destination countries.

## • The EU-Turkey Statement (“Agreement”)

• On 18 March 2016, EU Heads of State or Government and Turkey agreed on the **EU-Turkey Statement to end the flow of irregular migration from Turkey to the EU and replace it with organised, safe and legal channels to Europe.**

• **Core principle of the EU-Turkey Statement:** All new irregular migrants or asylum seekers crossing from Turkey to the Greek islands will be returned to Turkey, after an individual assessment of their asylum claims in line with EU and international law, **Turkey being considered a “safe country” under international humanitarian law.** For every Syrian being returned to Turkey, another Syrian will be resettled to the EU from Turkey directly (**1:1 mechanism**). In parallel, the **EU will make available significant resources under the Facility for Refugees in Turkey to support refugees in Turkey** (see above), it will **re-examine the visa regime for Turkish nationals to enter the EU**, it will **upgrade the EU-Turkey customs union**, and it will **open Chapter 33 (budget) of the negotiations on Turkey’s accession in the EU.**

• Everyone who applies for asylum in Greece has his/her **application treated on a case-by-case basis**, in line with EU and international law requirements and the **principle of non-refoulement.** In each case there are **individual interviews, individual assessments** and rights of appeal. There are **no blanket or automatic returns** of migrants or asylum seekers.

• **Critical Development:** In 2017 the CJEU, adjudicating on the actions of three immigrants against the EU-Turkey Agreement, found (Cases **T-192/16, T-193/16 & T-257/16 / Joined Cases C-208/17 P to C-210/17 P,**) that this agreement, despite its expressed wording (“... *the EU and Turkey today decided to end the irregular migration from Turkey to the EU. In order to achieve this goal, they agreed on the following additional action points...*”), was actually a Statement **that it is was not part of EU Law, but a simple international law agreement, which imposes no obligations on the EU itself but only on its Member States and Turkey.** Thus any violation of this agreement’s terms must be examined by the national courts or the International Court of Justice.



## The EU-Turkey refugee deal

... was signed in 2016. The agreement includes the following points:

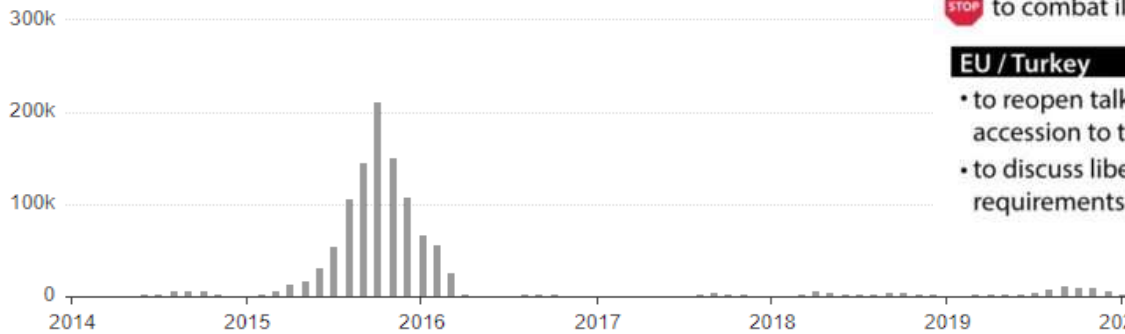
- EU**
  - to return all migrants illegally arriving to the Greek islands via Turkey
  - to provide financial aid for refugees in Turkey
  - to regularly accept Syrian refugees from Turkey

- Turkey**
  - to combat illegal migration

- EU / Turkey**
  - to reopen talks over Turkey's accession to the EU
  - to discuss liberalization of visa requirements for Turkish citizens



### Sea and land arrivals monthly



## Returns from Greece to Turkey

In the framework of the EU-TUR Statement. Source: Greek Ministry of Citizen Protection.

### Overview

The majority of those returned to Turkey are **Pakistani nationals (35 percent of total)**. **Syrians** constitute **19 percent** of the total number of those returned, and are followed by **Algerians, Afghans** and **Iraqis**.

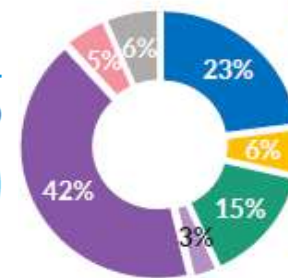
In total, **404 Syrians** have been returned to Turkey to date. **44** of them have been returned on the basis that their asylum claims were found inadmissible at 2nd instance.

Of all those returned, **44 percent** did not express a will to apply for asylum or **withdrew their will to apply for asylum** or **withdrew their asylum claims** in Greece.

### Total returns by age and gender April 2016 to 31 March 2020

2,140

- Men 91%
- Children 5%
- Women 4%



- No will to apply for asylum
- Withdrew their will to apply for asylum
- Withdrew their asylum claim
- Negative decision on asylum claim at 1st instance
- Negative decision on asylum claim at 2nd instance
- Case closed for other reasons\*
- Information not available\*\*

- **FRONTEX-European Border & Coast Guard**
- Since 1999 strengthening cooperation in the area of migration, asylum and security became a priority for the EU, and this led to the creation of various schemes in that direction, but all fell short of actually establishing an EU Coast Guard or a Border Guard. The **EU Members remained in charge of managing their external borders**, which also constitute the EU's borders based on the Schengen Borders Code. The EU provided financial support to such Member States.
- In 2004, with the objective of promoting further cooperation and coordination between the national border guard authorities through joint operations **the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)** was established by Regulation 2007/2004.
- While **it remained the task of each member state to control its own borders**, Frontex was vested to ensure that they all do so with the same high standard of efficiency. Its main tasks were:
  - coordinating cooperation between member states in external border management.
  - assisting member states in training of national border guards.
  - carrying out risk analyses.
  - following research relevant for the control and surveillance of external borders.
  - helping member states requiring technical and operational assistance at external borders.
  - providing member states with the necessary support in organising joint return operations.
- In 2015, the migration crisis prompted swift action by the EU institutions, mainly in order to improve the security of the EU's external borders, as the crisis demonstrated FRONTEX's limited mandate, authority and capacity in supporting the Member States to secure their external borders. The political pressure caused a speedy legislative process that led to the evolution of FRONTEX into the EBCG through Regulation 1624/2016.
- The new regime included steps of **unifying the EBCG and the Member States' authorities responsible for border management**, but the former's enhanced features caused concerns.

- Its **supervisory role**, through a monitoring and risk analysis center that will assess the vulnerability of the Member States' capacities to control their external borders of the Member States, should not affect the terms of operational cooperation with the national authorities.
- Its **regulatory role** calls for the provision of information by the national authorities for its risks analysis, however the nature of information had to be clarified.
- More importantly, its **operational role**, was initially suggested to include that the Agency's legal competence to be deployed at the behest of the Commission on the territory of a Member State, even against the wishes of said State ("*right to intervene*"). This approach was not finally adopted but other tasks were given to FRONTEX, including the right to intervene, based on a Council's decision upon a Commission's proposal, in order to provide assistance when a Member State does not comply (within a set time limit) with a binding decision of the Agency to address vulnerabilities in its border management or in the event of specific and disproportionate pressure at the external border that would put the functioning of the Schengen area at risk. Thus FRONTEX adopted a much more operational stance than before.
- **In 2019**, further competences were given to FRONTEX with Regulation 1896/2019, expanding its capacities and authority mandate so as
  - to allow it to develop integrated planning (such as capability development planning, contingency planning, and operational planning),
  - to be capable to conduct operations in non-EU countries not neighbouring the EU,
  - to provide operational support on land, at sea, and in the air,
  - to provide experts and training in order to further contribute to the fight against cross-border crime,
  - to assist national authorities in effective returns of those persons not eligible to remain in the EU,
  - to focus on post-arrival/post-return assistance,
  - to provide ongoing situation monitoring at external borders, risk analyses, and information
  - to enhance its fundamental rights monitoring scheme.



- The new regime also means that Europe's first uniformed service is in place, with a significant increase to its human resources, scheduled to amount to 10.000 people as a standing corps by 2027. FRONTEX is expected to work more closely with national authorities in order to prepare a systemic EU response to challenges at its borders, rather than merely reacting to crises.
- However, in recent years, FRONTEX has come under significant scrutiny for its alleged role in illegally turning migrants away at the EU's borders, a practice known as pushbacks. FRONTEX has also faced allegations of harassment and misconduct within the agency itself.
- FRONTEX's executive director, faced heavy criticism, including from a special committee at the European parliament that accused the agency of failing to protect the human rights of asylum seekers. The committee said FRONTEX had carried out only a superficial investigation into alleged illegal pushbacks at the EU's borders. Furthermore there was severe criticism for the failure to appoint 40 human rights monitors as required under EU law. This resulted in the EP not granting the agency's executive director a discharge with regard to the management of the agency's budget (Art. 319 TFEU).
- Furthermore, the EU anti-fraud office, OLAF, after investigating accusations for over a year called for disciplinary action against the executive director and two other officials. This development caused the executive director's resignation.

- **The review of EU's legal regime on migration**
- In 2020, the European Commission proposed a new comprehensive common European framework for migration and asylum management, including several legislative proposals, under the overall title “New Pact on migration and asylum”.



> A new asylum and migration management regulation



> New rules governing migration crisis and force majeure situations



> Update of EU fingerprinting database



> A new EU asylum agency



> A new screening regulation



> A common asylum procedure



> Uniform rules on asylum applications



> Better reception conditions



> A new EU resettlement framework

- There are already a few outcomes but negotiations are still ongoing on many of the proposals. Final adoption of the complete package is expected by April 2024. The results so far include:
- A Recommendation on an EU mechanism for preparedness and management of crises related to migration: This has developed an early warning and forecasting system allowing prompt identification of migration situations, enabling effective preparedness and response.
- A Recommendation on cooperation on search and rescue and guidance on non-criminalisation of search and rescue: This recommendation improves cooperation among EU Member States in managing private vessels involved in Search and Rescue (SAR) operations. It has set the ground for the regular meetings of the European Contact Group on SAR. The guidance prevents the criminalization of SAR humanitarian operations.
- The European Union Agency for Asylum (EUAA) replaced the European Asylum Support Office (EASO) with more tools to support Member States in bringing greater convergence to asylum and reception practices at the EU's high standards.
- Return Coordinator: The EU Return Coordinator was appointed on 2 March 2022 to establish an effective and common European return system and improve the coordination of actions between the EU and the Member States.
- Voluntary Solidarity Mechanism: 23 EU Member States and associated countries have agreed since 22 June 2022 to support Member States under pressure, including by pledging to relocate some of their asylum seekers and through financial contributions. With relocations ongoing, more than 1000 asylum seekers have been relocated from Cyprus, Greece, Italy, Malta and Spain by early 2023.

- The road map for the subsequent steps is as follows:

# NEW PACT ON MIGRATION AND ASYLUM: TIMELINE AND MAIN ACHIEVEMENTS



# The (In)Action...

- **The EU Agenda on Migration**

- In 2015, the **European Agenda on Migration**, entailing a **comprehensive approach to migration management was adopted**. The Agenda comprises **immediate action** aimed at, for example, saving lives at sea, targeting criminal smuggling networks, and helping frontline Member States cope with the high numbers of arrivals, **as well as longer-term measures**, e.g. to secure Europe's external borders (by improving border management), reduce the incentives for irregular migration (by addressing the root causes of irregular migration) and design a new policy on legal migration.
- The **key operational measure** proposed in the Agenda is to set up a new **“hotspot” approach** towards managing the large inflow of migrants, as an immediate response. **A hotspot was defined as an area at the EU's external border which faces disproportionate migratory pressure**. Most migrants enter the Union at these hotspots and, according to the Commission, it is there that the EU needs to provide operational support to ensure arriving migrants are registered and channelled, as appropriate, into the relevant national follow-up procedures.
- The hotspot approach was described as follows: *“the European Asylum Support Office (EASO), Frontex and Europol will work on the ground with frontline Member States to swiftly identify, register and fingerprint incoming migrants. The work of the agencies will be complementary to one another. Those claiming asylum will be immediately channeled into an asylum procedure where EASO support teams will help to process asylum cases as quickly as possible. For those not in need of protection, Frontex will help Member States by coordinating the return of irregular migrants. Europol and Eurojust will assist the host Member State with investigations to dismantle the smuggling and trafficking networks.”*

## Immediate response

- Triple the capacities and assets for the Frontex joint operations Triton and Poseidon in 2015 and 2016.
- Activation of the Emergency system under Article 78(3) of the Treaty to better distribute Asylum seekers in Europe.
- A new "Hotspot" concept: under the coordination of the Commission, EASO, Frontex and EUROPOL will be working on the ground in frontline Member States to swiftly identify, register and fingerprint migrants arriving and coordinate returns.
- Mobilising additional € 60 million in emergency funding for frontline Member States.
- A € 50 million resettlement scheme to transfer 20 000 persons to Europe in a safe and legal manner.
- € 30 million for the Regional Development and Protection Programmes (RDPPs) starting from North Africa and the Horn of Africa in 2015/2016.
- Information pooling by Europol with the contribution of all EU agencies to dismantle criminal networks, Frontex and EUROPOL to develop profiles of vessels traffickers could potentially use.
- Common Security and Defence Policy (CSDP) operations in the Mediterranean to capture and destroy boats.
- Migration to become a specific component of ongoing Common Security and Defence policy (CSDP) missions already deployed in Niger and Mali, which will be strengthened on border management.
- Establishment of pilot multi-purpose centre in Niger in cooperation with IOM and UNHCR.
- Deployment of European Migration Officers to EU delegations in key countries of transit.

## The way forward

### Reducing the incentives for irregular migration

**283 532 detected irregular border crossings in 2014 (164% increase on previous year)**

- An Action Plan to step up investigation and prosecution of criminal networks of smugglers, to help disrupt them, bring the perpetrators to justice and seize their assets.
- A return handbook to align return practices in all Member States.
- Stronger partnerships with Third Countries in the field of smuggling and return.
- A stronger engagement of EU delegations in key countries.
- Stronger role of Frontex in return operations, also by establishing a dedicated department to support Member States in implementing the Return Directive.

### Saving lives and securing the external borders

**Out of the 24 000 migrants rescued in the Channel of Sicily since the beginning of 2015, nearly 7300 persons were saved by means deployed by Frontex**

- Revised proposal on Smart Borders.
- Finance initiatives to strengthen the capacities of countries in North Africa to intervene and save lives of migrants in distress.
- Reflection on the establishment of a European System of Border Guards.
- Stronger role of Frontex.

### A strong asylum policy

**626 715 asylum applicants in 2014 (45% increase on previous year)**

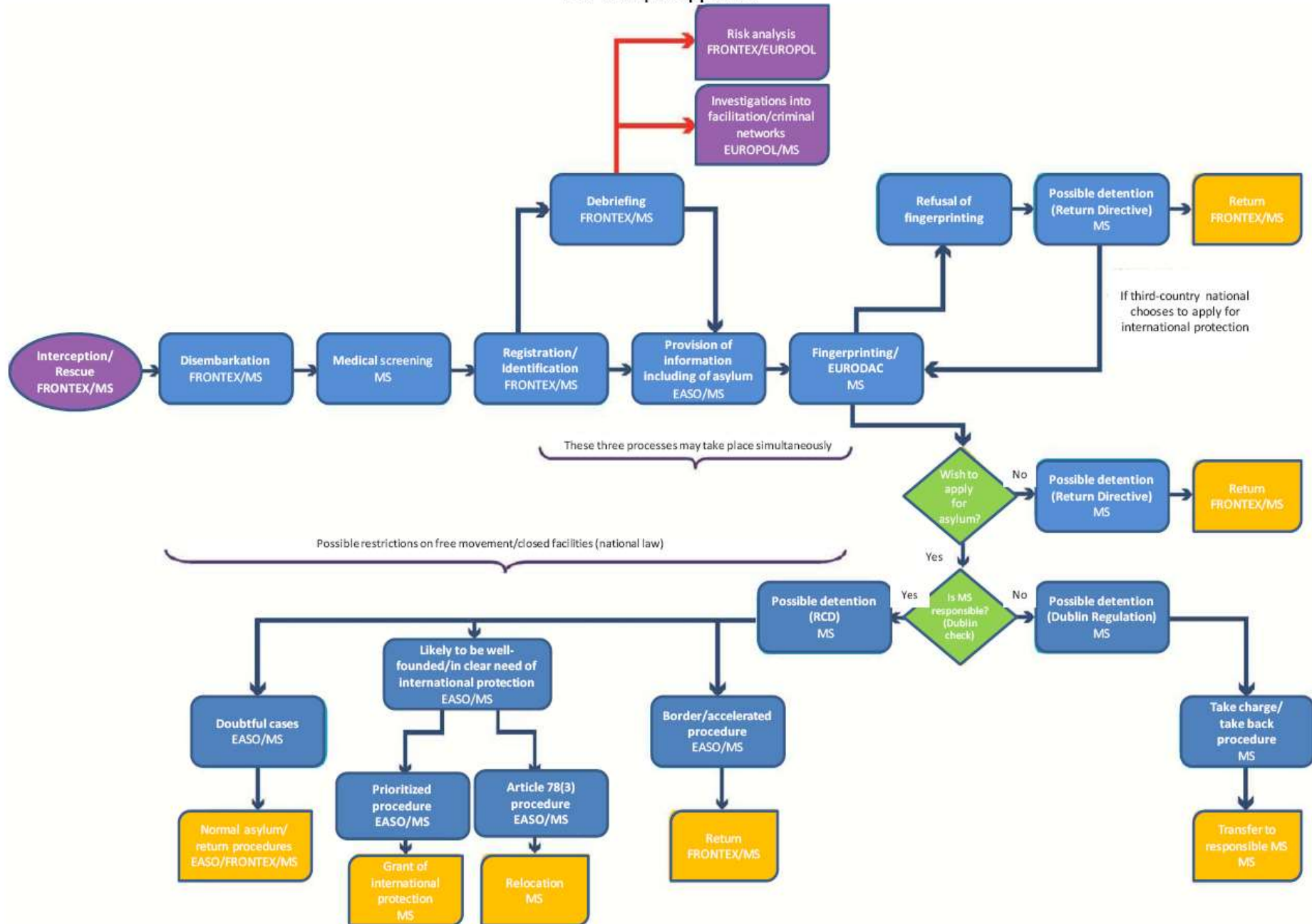
- Full implementation of the Common European Asylum system through a new monitoring mechanism.
- Evaluation of the Dublin system by mid-2016 in view of its revision.
- Decisive initiatives to fight abuses of the asylum system.
- Reflection on the establishment of a single asylum decision process to guarantee equal treatment of asylum seekers throughout Europe.

### A new policy on legal migration

**17 million Schengen visas issued in 2013  
2.3 million residence permits issued in 2013**

- Review the Blue Card directive.
- Establishment of a dedicated platform of cooperation with Member States, businesses and trade unions on economic migration.
- Cheaper, faster and safer remittance transfers.
- Reflect on the development of an "expression of interest system" which would use verifiable criteria to automatically make an initial selection of potential migrants.
- Maximising the development benefits for countries of origin.

## The 'Hotspot approach'



Source: European Commission, Explanatory note dated 15 July 2015.

- **Following their registration and fingerprinting**, non EU nationals arriving irregularly should then be channeled into one of three following processes:
- A) **the national asylum system of the country of arrival** (if a migrant is applying for asylum and considered to be in need of international protection),
- B) **the Emergency relocation scheme**, or
- C) **the return system** (if a migrant does not ask for, or is considered not to be in need of international protection).
- The asylum system (A) and the return system (C) are complementary parts of a management system of migratory flows, governed by a series of European regulations and directives, such as the EURODAC Regulation (on fingerprinting) and the Dublin System, the Asylum Procedures Directive, the Reception Conditions Directive and the Return Directive.
- The relocation scheme, on the other hand, **is a temporary mechanism aiming to redistribute people in clear need of international protection, so as to ensure fair burden-sharing among Member States** and decrease the pressure on the frontline Member States. This scheme is actually a temporary exemption from the Dublin mechanism. It entails the **relocation of 160,000 applicants** in clear need of international protection, from Greece and Italy to other Member States during the period September 2015 –September 2017, in order to reduce the extreme pressure on these two States' asylum systems and reception facilities; these Member States would then become responsible for examining their asylum applications. The scheme is based on the **voluntary participation** of the Member States, as they will inform the Commission on their capacity for receiving refugees, and they will designate the national coordination points. **So far only, 34,704 persons have been relocated** from Italy and Greece to other European countries, including Norway and to Switzerland, with the support of EU agencies and EU funding.



- In late 2019, the European Commission took stock of the efforts to implement the EU Migration Strategy. Its findings identified the **operational support** provided to Member States, in particular by FRONTEX, the European Asylum Support Office and Europol and the **increased funding** to Member States as a demonstration of EU solidarity and a major tool to deliver policy outcomes. In particular it was found that:
  - Irregular border crossings into the EU fell significantly.
  - EU action helped to save more than 750,000 people at sea.
  - Hotspots are established (5 in Greece, 4 in Italy) as an operational model to quickly and efficiently bring support to key locations.
  - EU internal funding for migration and borders has more than doubled since the start of the crisis to over €10 billion
  - The European Border and Coast Guard Agency has supported Member States to protect the EU external borders
  - Resettlements were increase as 63,000 people in need of international protection to Member States, were resettled.
  - Support was provided in third countries: a) The Facility for Refugees in Turkey supported 90 projects entailing almost 1.7 million refugees on a daily basis and building new schools and hospitals; b) The EU Regional Trust Fund in Response to the Syrian Crisis delivered more than 75 projects providing health, education, livelihoods and socio-economic support to Syrian refugees, internally displaced persons and hosting communities across the region, c) 210 projects in 26 countries under the EU Trust Fund for Africa delivered basic support to over 5 million vulnerable people.
  - Action to disrupt smuggling networks on all routes (Operation SOFIA).

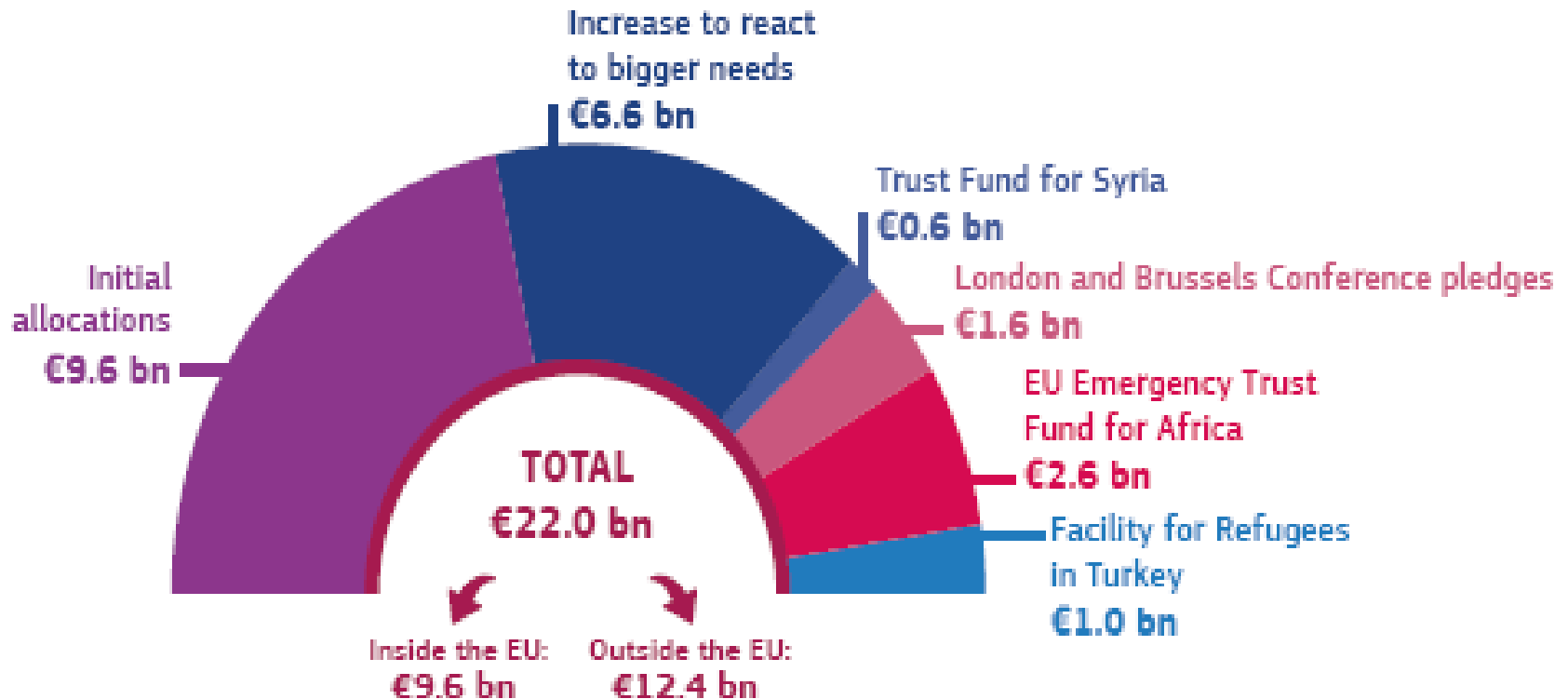
- The **proposal for the New Pact on migration and asylum** changed the policy making agenda of the EU in the field of migration, and a lengthy negotiation started, with limited success.
- A promising development occurred, in **June 2023**, when the Council agreed on a **negotiating position** on the asylum procedure regulation and on the asylum and migration management regulation, that will be the basis of legislative negotiations with the European Parliament.
- Streamlining of asylum procedure
- The asylum procedure regulation (APR) establishes a common procedure across the EU that member states need to follow when people seek international protection. It streamlines the procedural arrangements (e.g. the duration of the procedure) and sets standards for the rights of the asylum seeker (e.g. being provided with the service of an interpreter or having the right to legal assistance and representation).
- Border procedures
- The APR also introduces mandatory border procedures, aiming to quickly assess at the EU's external borders whether applications are unfounded or inadmissible. Persons subject to the asylum border procedure are not authorized to enter the member state's territory. The border procedure would apply when an asylum seeker makes an application at an external border crossing point, following apprehension in connection with an illegal border crossing and following disembarkation after a search and rescue operation. The procedure is mandatory for member states if the applicant is a danger to national security or public order, he/she has misled the authorities with false information or by withholding information and if the applicant has a nationality with a recognition rate below 20%. The total duration of the asylum and return border procedure should be not more than 6 months.

- Adequate capacity
- In order to carry out border procedures, member states need to establish an adequate capacity, in terms of reception and human resources, required to examine at any given moment an identified number of applications and to enforce return decisions. At EU level this adequate capacity is 30 000. The adequate capacity of each member state will be established on the basis of a formula which takes account of the number of irregular border crossings and refusals of entry over a three-year period.
- Modification of the Dublin System
- The asylum and migration management regulation (AMMR) should replace, once agreed, the current Dublin regulation. Dublin sets out rules determining which member state is responsible for the examination of an asylum application. The AMMR will streamline these rules and shorten time limits. For example, the current complex take back procedure aimed at transferring an applicant back to the member state responsible for his or her application will be replaced by a simple take back notification. [no change of responsibility]
- New solidarity mechanism
- To balance the current system whereby a few member states are responsible for the vast majority of asylum applications, a new solidarity mechanism is being proposed that is simple, predictable and workable. The new rules combine mandatory solidarity with flexibility for member states as regards the choice of the individual contributions. These contributions include relocation, financial contributions or alternative solidarity measures such as deployment of personnel or measures focusing on capacity building. Member states have full discretion as to the type of solidarity they contribute. No member state will ever be obliged to carry out relocations.

- There will be a minimum annual number for relocations from member states where most persons enter the EU to member states less exposed to such arrivals. This number is set at 30 000, while the minimum annual number for financial contributions will be fixed at €20 000 per relocation. These figures can be increased where necessary and situations where no need for solidarity is foreseen in a given year will also be taken into account. In order to compensate for a possibly insufficient number of pledged relocations, responsibility offsets will be available as a second-level solidarity measure, in favour of the member states benefitting from solidarity. This will mean that the contributing member state will take responsibility for the examination of an asylum claim by persons who would under normal circumstances be subject to a transfer to the member state responsible (benefitting member state). This scheme will become mandatory if relocation pledges fall short of 60% of total needs identified by the Council for the given year or do not reach the number set in the regulation (30 000).
- Preventing abuse and secondary movements
- The AMMR also contains measures aimed at preventing abuse by the asylum seeker and avoiding secondary movements (when a migrant moves from the country in which they first arrived to seek protection or permanent resettlement elsewhere). The regulation for instance sets obligations for asylum seekers to apply in the member states of first entry or legal stay. It discourages secondary movements by limiting the possibilities for the cessation or shift of responsibility between member states and thus reduces the possibilities for the applicant to choose the member state where they submit their claim. The time limits for reviewing application are modified:
  - the member state of first entry will be responsible for the asylum application for a duration of two years
  - when a country wants to transfer a person to the member state which is actually responsible for the migrant and this person absconds (e.g. when the migrant goes into hiding to evade a transfer) responsibility will shift to the transferring member state after three years
  - if a member state rejects an applicant in the border procedure, its responsibility for that person will end after 15 months (in case of a renewed application)

# The Money...

- The 2015 migration crisis and the challenges it posed, caused an unprecedented increase of funds to be spent for the **period 2015-2018 on migration**, as the relevant **resources from the EU Budget**, were **more than doubled** to €22 billion from the original allocation of €9.6 billion.



## EU funding inside and outside the EU for the period 2015-2018

### Planned funding inside the EU

AMIF (Asylum, Migration and Integration Fund), ISF (Internal Security Fund) and Emergency Support Instrument .....	€8.2 bn
<i>Emergency funding</i> .....	€1.8 bn
<i>Long-term measures</i> .....	€6.4 bn
<hr/>	
Support to agencies and their operations .....	€1.4 bn
<b>TOTAL</b> .....	<b>€9.6 bn</b>

### Planned funding outside the EU

Humanitarian aid <sup>1</sup> .....	€3.5 bn
Support to border and migration management in Turkey and the Western Balkans .....	€0.3 bn
Support to livelihood opportunities, health, education for refugees and mobility policy .....	€0.8 bn
Return of refugees and displaced persons, aid and support to migrants, fight against root causes of migration <sup>2</sup> .....	€1.6 bn
Support to stabilisation and peace, security and border management of third countries .....	€0.4 bn
Trust Fund for Syria (MADAD Fund) <sup>3</sup> .....	€0.6 bn
Pledges from the London Conference in February 2016 and the Brussels Conference in April 2017 supporting the future of Syria and the region <sup>4</sup> .....	€1.6 bn
EU Emergency Trust Fund for Africa <sup>5</sup> .....	€2.6 bn
Facility for Refugees in Turkey (FRIT) <sup>6</sup> .....	€1.0 bn
<b>TOTAL</b> .....	<b>€12.4 bn</b>

- Migration has been on the EU's funding agenda for a long time. The main concern was, initially, the integration of the migrants in EU society, as their numbers at the time were deemed tolerable.
- Thus, two instruments of the General Programme on Solidarity and Management of Migration Flows for the period 2007–13 (known as SOLID), ie **the European Integration Fund and the European Refugee Fund** contributed to the integration of third-country nationals.
- However, **it had not been possible for the Commission or Member States to assess the contribution of the funds to integration** because the Member States **did not set proper targets or indicators** for their own annual programmes, and the relevant reports did not provide enough information for the Funds to be evaluated or steered.
- The effectiveness of the Funds has been also **hampered by the design of the programmes, which were fragmented, burdensome and inadequately coordinated with other EU funds**. The **splitting of funding for target groups**, which had similar needs, created problems for authorities and beneficiaries, as **it caused the establishment of multiple chains of fund management and controls**, thus leading to excessive administration, out of proportion to the size of the funds involved. The insufficient coherence and complementarity with other EU funds caused **overlaps**, missed opportunities for synergy and **risks of double-funding**.

#### SOLID PROGRAMME FUNDS, 2007–13

Financial Instrument	Implementation	EU funds (million euro)
European Integration Fund (EIF)	2007–13	830
European Refugee Fund (ERF)	2008–13	623
External Borders Fund (EBF)	2007–13	1 908
European Return Fund (RF)	2008–13	681
<b>Total</b>		<b>4 043</b>

Source: ECA Special Report 22/2012

- The EU's has also supported financially the external dimension of its migration policy, **aiming to promote effective management of migration flows in partnership with countries of origin and transit**, using mainly two instruments, the Thematic Programme for Migration and Asylum (TPMA), and the European Neighbourhood and Partnership Instrument (ENPI), both established for the 2007-2013 period.
- Given the **wide range of general objectives** of the instruments, the total **amount of expenditure charged to the EU budget could not be established**. Also, it was **not clear whether expenditure had been directed in line with the intended geographical and thematic priorities**, as there were not **quantitative and results-oriented indicators**.
- The relevant spending was **implemented by a wide range of stakeholders**, and this **necessitated coordination** between the Commission's various departments, in particular its directorates-general, the European External Action Service, EU delegations in non-EU countries and a number of EU agencies, in partnership with Member States, neighbourhood countries and third countries. This **complex governance required stronger coordination**, at all levels, and better involvement of EU delegations in migration issues.

**Amounts committed, contracted and paid in the external dimension of migration policy during the 2007-2013 period (million euro)**

**TPMA:** Thematic Programme for Migration and Asylum  
**ENPI:** European Neighbourhood (and Partnership) Instrument  
**DCI:** Development Cooperation Instrument  
**EDF:** European Development Fund  
**EIDHR:** European Instrument for Democracy and Human Rights  
**IFS:** Instrument for Stability  
**IPA:** Instrument for Pre-accession Assistance

	Budget commitments	Contracts by value	Number of contracts	Payments
TPMA	379.78	375	256	304.30
ENPI		376	64	
DCI (excl. TPMA)		190	64	
EDF		156	27	
EIDHR		7	43	
IFS		5	4	
IPA		309	76	
<b>TOTAL</b>		<b>1 418</b>	<b>534</b>	<b>304.30</b>

Data not available

Source: ECA Special Report 9/2016



- As already mentioned, the main feature of the EU Migration Policy to tackle the migration crisis has been the so called **“hotspot approach”**.
- This approach has helped to improve migration management** in the two Member States involved (Greece and Italy), under very challenging and constantly changing circumstances, by increasing their reception capacities, improving registration procedures, and by strengthening the coordination of support efforts. **It ensured** that most of the arriving **migrants were properly identified, registered and fingerprinted and that their data were checked** against relevant security databases.
- However, **setting up the “hotspots” took longer than planned** and the **reception facilities in both countries were not yet adequate** to properly receive (Italy) or accommodate (Greece) the number of migrants arriving, while for accommodating and processing unaccompanied minors **the facilities did not meet international standards**.
- The hotspot approach further requires that migrants be channeled into appropriate follow-up procedures, e.g. an asylum application, relocation to another Member State (where appropriate) or return to the country of origin. **Implementation of these follow-up procedures is often slow and subject to various bottlenecks**, which has repercussions on the proper functioning of the hotspots.

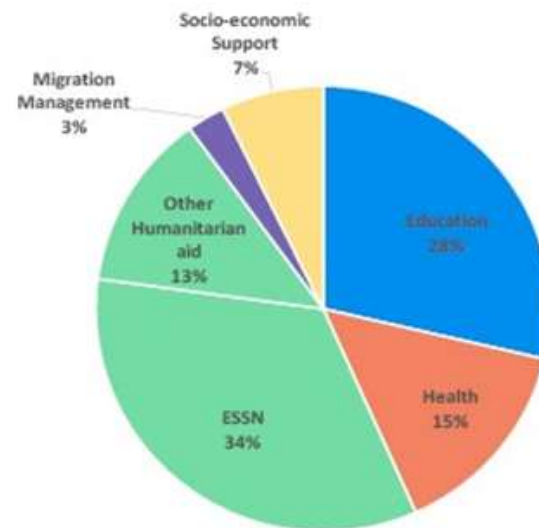
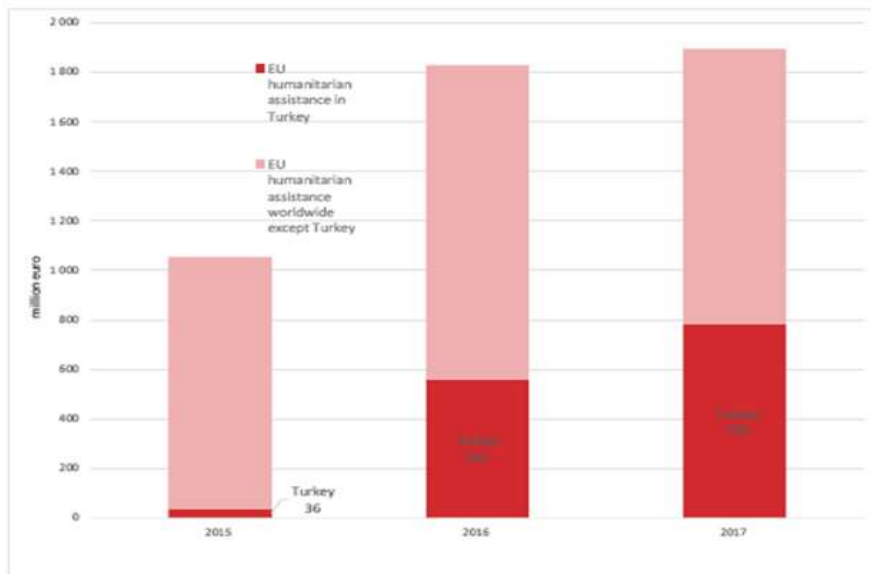
Programmes	GREECE		ITALY	
	Awarded	Disbursed	Awarded	Disbursed
AMF	585	247	365	55
AMF National Programmes 2014-2020	295	45	348	44
AMF Emergency Assistance to MS	120	101	16	10
AMF Emergency Assistance to IO/EU Agencies	165	101	1	1
ISF	277	75	291	36
ISF National Programmes 2014-2020	215	26	245	29
ISF Emergency Assistance to MS	52	42	46	7
ISF Emergency Assistance to IO/EU Agencies	10	7	0	0
Emergency Support Instrument (contracted)	192	127	0	0
<b>TOTAL</b>	<b>1 055</b>	<b>448</b>	<b>656</b>	<b>91</b>

Source: ECA Special Report 6/2017



<sup>2</sup> For Italy, the six originally proposed hotspot locations are shown, two of which (Augusta and Porto Empedocle) were not made hotspots.

- Turkey has played an crucial role in managing migration flows towards Europe, due to its geographic position. Thus, the EU established in 2016 a financing instrument, the Facility for Refugees in Turkey, to **coordinate and streamline an amount of €3 billion (an additional €3 billion was given after the EU-Turkey Statement)**. The support covers **humanitarian and non-humanitarian activities**, aiming to **enhance the efficiency and complementarity of support provided to refugees and host communities** in Turkey.
- Although, the Facility for Refugees in Turkey **rapidly mobilised its resources, it did not fully achieve its objectives, as the financed projects provided helpful support and achieved their outputs, but half of them did not achieve their expected outcomes and nine out of ten had to be extended**. The Facility **helped refugees to address their basic needs, but did not always deliver the expected value for money, due to disagreements between Turkey and the EU on how to address the priority needs** (for instance the indirect costs paid for implementing large cash-assistance projects were high, and the advance payments were not aligned with the actual cash outflows). The **Turkish authorities refused to grant access to beneficiary data for cash-assistance projects**, thus the EU was **unable to track the project beneficiaries from registration to payment**.



Source: ECA Special Report 27/2018

- As seen above, Africa is the place of origin for a significant number of migrants towards Europe.
- The EU decided in 2015 to establish the **Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa (the ‘EUTF for Africa’)**, aiming at **fostering stability and helping to better manage migration by addressing the root causes of destabilisation, forced displacement and irregular migration**. It has a budget of €5 billion.
- The EUTF for Africa supports activities in 26 countries across **three regions of Africa (referred to as ‘windows’)**: the Sahel and Lake Chad, the Horn of Africa and North of Africa. It a **flexible tool**, with an **overall fast rate** of launching projects, signing of contracts and making advance payments.
- However, it **did not have a specific strategy** for its actions, the **needs to be addressed by the Trust Fund were not comprehensively analyzed and quantified**, and the pooling of resources was not sufficiently effective. The **procedures for selecting projects varied between the windows** and that **the criteria for assessing project proposals were not sufficiently clear or documented**.
- Overall, The EUTF for Africa **contributed to reducing the number of irregular migrants** passing from Africa to Europe, but **this contribution cannot be measured precisely**.

Phase	Definition	EUTF for Africa, all windows (in days)	EU Budget and EDF (in days)	Time saved on average (in days)
1. Identification/formulation	Average number of days between Quality Support Group and approval by OpComs or EDF/DCI Committee	33	133	100
2. Contracting	Average number of days between approval by OpComs or EDF/ENI/DCI Committee, and contract signature	270	423	153
3. First payment	Average number of days between signature of contract and authorisation of first payment	30	42	12

Source: ECA Special Report 32/2018



Figure 5 - Illegal 1

- Some of the **main channels** through which the EU Budget provides support for the implementation of the EU Migration Agenda entail the Asylum, Migration and Integration Fund -AMIF, as well as the resources allocated to the (former) European Asylum Support Office –EASO (now European Union Agency for Asylum -EUAA) and the European Border and Coast Guard Agency (FRONTEX).

### AMIF EMAS:

Annual Work Programmes	2014	2015	2016	2017	2018	2019	Total
AMIF EMAS	25.0	131.5	414.9	402.5	126.6	25.0	1 125.5

Source: EU Commission based on published Annual Work Programmes.

### AMIF NP Greece:

Specific objective	NP allocation	Planned commitments end 2018 (**)	Actual commitments end 2018	Actual payments end 2018	Planned commitment level	Actual commitment level	Difference between planned and actual commitments
SO1 Asylum	129.7	98.2	101.7	23.6	76 %	78 %	-3 %
SO2 Integration	25.2	18.7	15.5	3.9	74 %	62 %	13 %
SO3 Return	132.9	98.6	73.8	51.2	74 %	55 %	19 %
<b>Total (*)</b>	<b>287.8</b>	<b>215.6</b>	<b>191.0</b>	<b>78.7</b>			

(\*) Total AMIF NP allocation for Greece is €323,3 million (including solidarity and technical assistance).

(\*\*) Calculated based on multi annual planning of commitments in the National programme.

Source: AMIF Responsible Authority, Greece.

### AMIF NP Italy:

Specific objective	NP allocation	Planned commitments end 2018 (**)	Actual commitments end 2018	Actual payments end 2018	Planned commitment level	Actual commitment level	Difference between planned and actual commitments
SO1 Asylum	131.3	99.3	88.6	51.0	75.6 %	67.5 %	-8.1 %
SO2 Integration	159.0	115.0	144.1	63.6	72.3 %	90.7 %	18.3 %
SO3 Return	40.4	29.2	20.9	15.3	72.3 %	51.7 %	-20.6 %
<b>Total (*)</b>	<b>330.7</b>	<b>243.5</b>	<b>253.6</b>	<b>130.0</b>			

(\*) Total AMIF NP allocation for Italy is €394,2 million (including special cases and technical assistance).

(\*\*) Calculated based on multi annual planning of commitments in the National programme.

Source: AMIF Responsible Authority, Italy.

## EASO Operational support:

EASO		2015	2016 <sup>(1)</sup>	2017	2018
Greece	Initial budget		8,6	27,2	24,5
	Latest amended budget		45,4	34,0	27,5
	Executed regular budget commitments	Budget and commitments figures not available per country	25,2	33,4	26,9
	Unused initial budget		0,0	0,0	0,0
Italy	Initial budget		8,6	8,0	14,5
	Latest amended budget		45,4	14,5	19,5
	Executed regular budget commitments	6,3	14,4	22,4	
	Unused initial budget	0,0	0,0	0,0	

(1) In 2016, the budget was not split by countries. The 2016 initial and amended budget figures cover the entire operational support including other countries and horizontal costs.

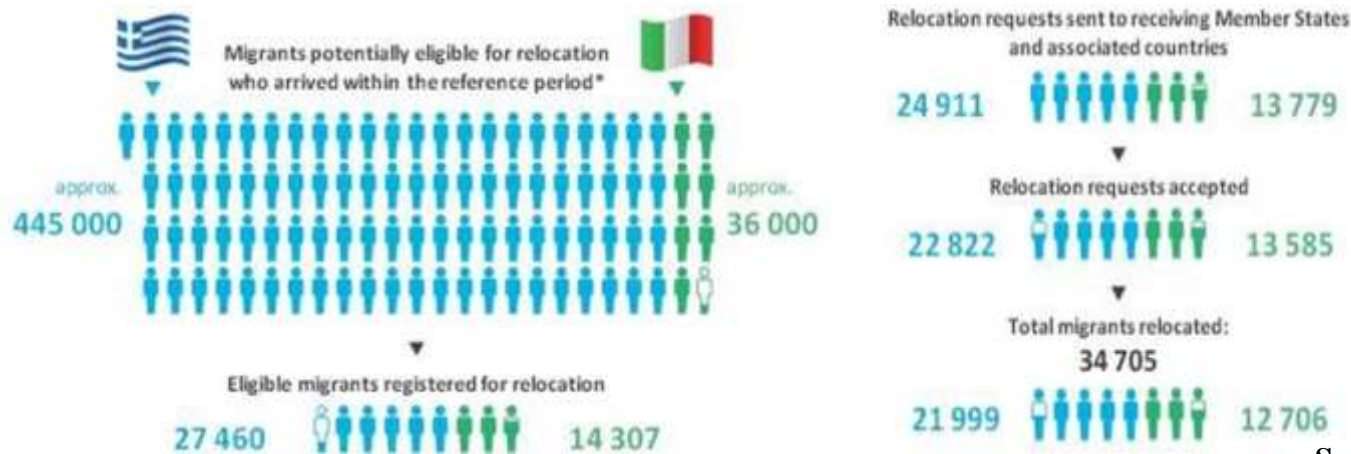
Source: EASO.

## Frontex Return support:

Budget line 18 02 03, Return support	2015	2016	2017	2018
Initial budget	9.5	66.6	66.6	53.8
Latest amended budget	13.2	38.5	53.1	49.4
Executed regular budget commitments	13.2	38.5	53.1	49.4
Unused initial budget	0.0	28.1	13.5	4.4

Source: EBCGA.

- These figures demonstrate that **the financial resources made available by the AMIF had not been used by Greece to address the country's needs arising from the migration crisis.** The commitments' rate was improved later, but the **payments' rate remained quite low.** Italy caught up on delays in implementing commitments under special objectives 1 and 2, but commitments under specific objective 3 were lagging behind. As for the **EASO's deployment in Greece and Italy, the operating plans were adhered to,** as spending exceeded the initial budget every year.
- The **high percentage of Frontex's unused initial budget is due to the Member States' inability to exploit Frontex's potential to support return operations.** Greece and Italy did not make full use of Frontex's potential due to the low number of returnees from both countries (68 and 2,089 persons respectively). Additionally, both these countries opted for streamlining return through operation financed under their AMIF National Plans instead of Frontex support for forced returns.
- As for the **emergency relocation scheme** mentioned above, the total relocation target of 160,000 persons (a figure resulting mainly from political negotiations rather than a in-depth analysis of forecast migratory flows) was never reached as only 34,705 persons were relocated.
- However, the budgetary cost for this scheme amounted to €225.6 million for all relocated migrants from AMIF, entailing €500 per migrant to Greece or Italy to cover travel costs and €6,000 per migrant to the receiving Member State for reception costs.



As for the **EU budgetary expenditure for FRONTEX**, it has been increased gradually to meet the expansion of the agency's mandate and functions (from €19 million in 2006 to €460 million in 2020). All amendments or reforms of FRONTEX's structure and operational mandates have a **specific axis**: tackling the need of **providing more staff to this agency** in order to be able to perform its duties without being completely dependent on the support of the Member States. This entails the **increase of the agency's budget** to cover the corresponding expenditure.

Figure 1 – Frontex's actual workforce, 2005-2019

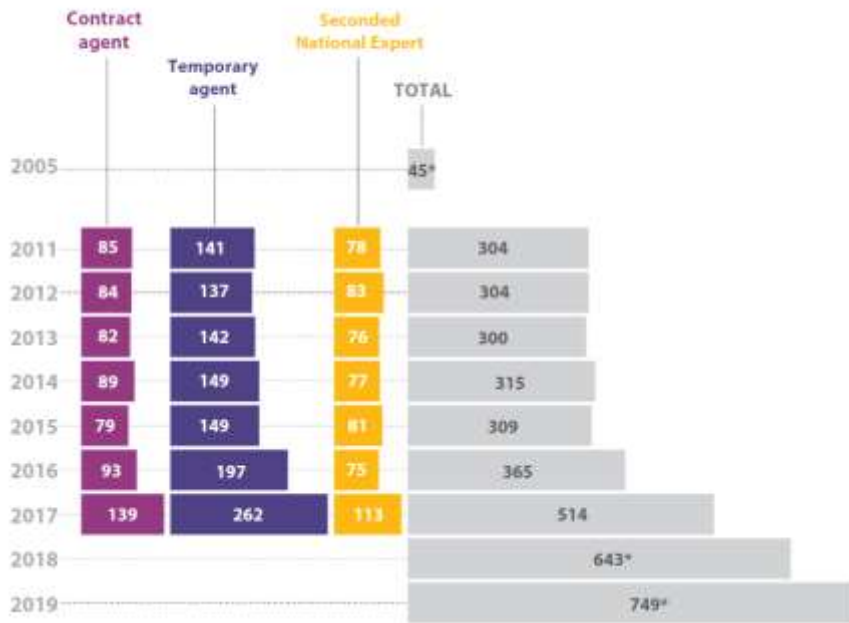


Figure 3 – Frontex's Annual Budget

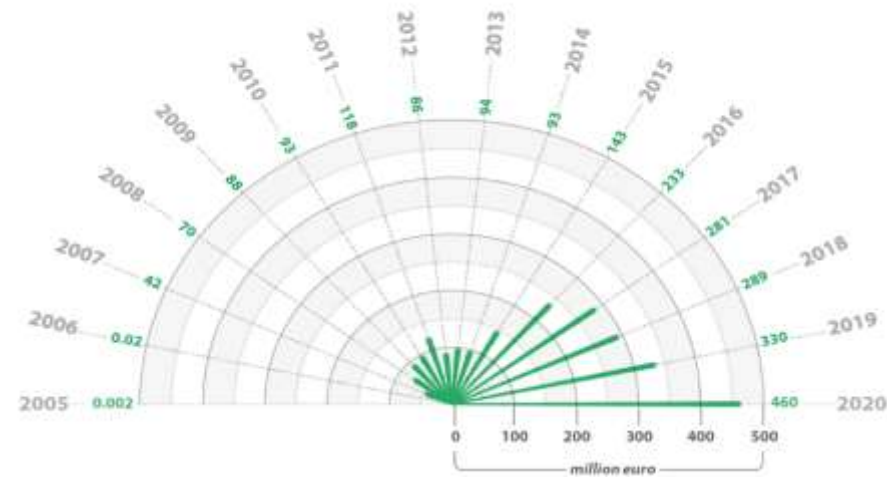
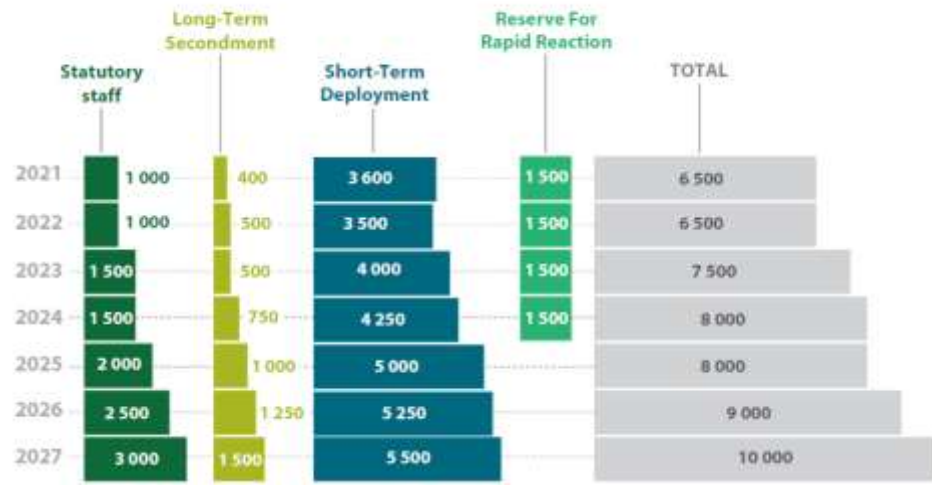


Figure 2 – Capacity of the standing corps per year and category



Source: ECA Special Report 08/2021

**The EU budget resources for the management of external borders, migration and asylum are significantly reinforced, overall, for the period 2021-2027.**

The Commission's initial proposal provided for an amount of more than €34.9 billion, compared to €13 billion for the period 2014-2020.

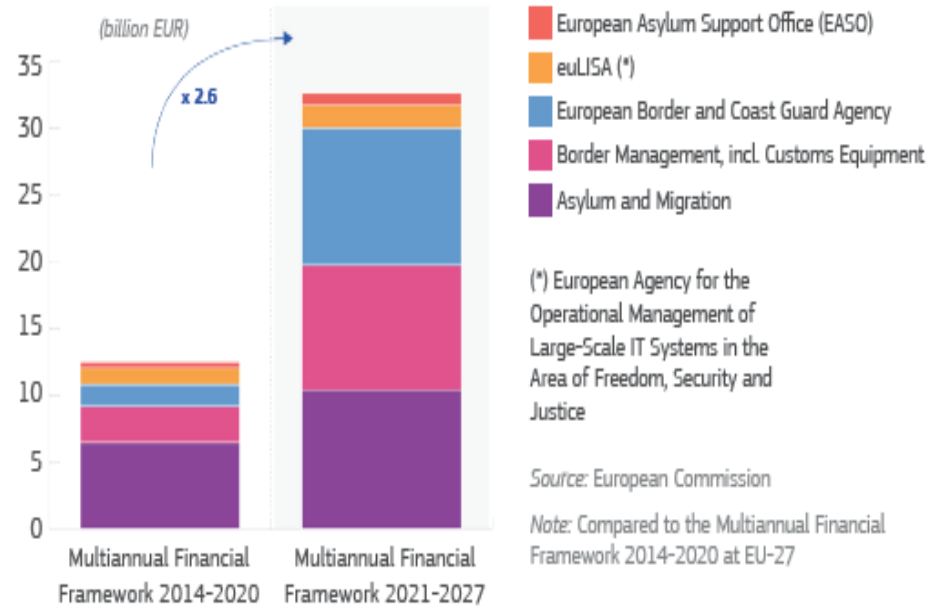


Figure 1 – 2021-2027 MFF by heading



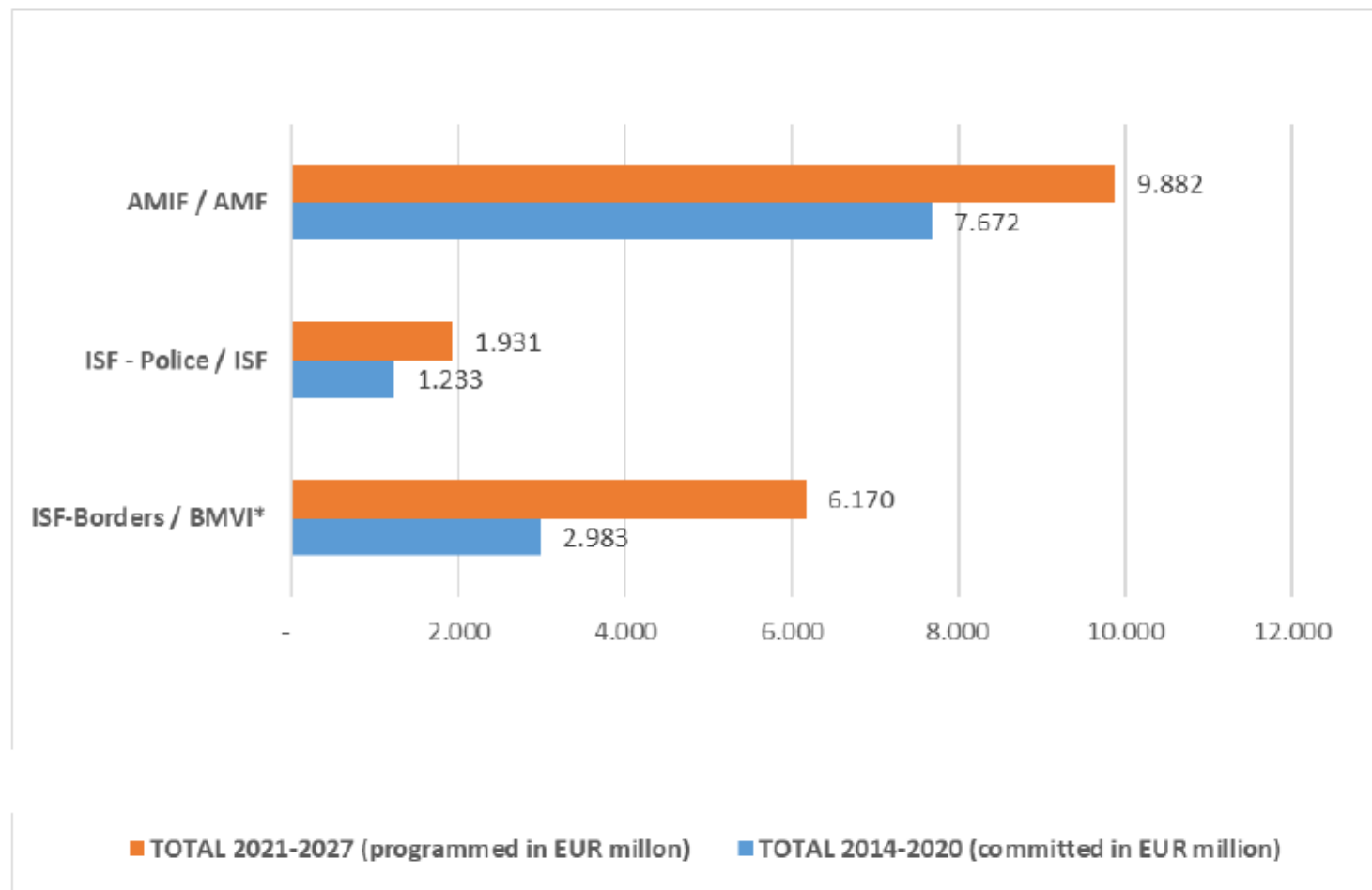
Source: EPRS, based on draft MFF Regulation, 2020.

Following the negotiations between the Council and the European Parliament, the so called “popular” categories of spending, such as Cohesion Policy and Agriculture were increased (by 2.2 % and 0.9 % respectively).

“Migration and Border Management” was significantly reduced, in comparison to the Commission’s proposal, but it received higher allocations than in 2014-2020.



# Comparison of funding to HOME Funds between MFFs



## Financial envelopes 2021 - 2027

	Total of which:	- for Member States programmes	- for the Thematic Facility	Thematic Facility as share of Total
AMIF	9.9	6.3	3.6	36.5%
BMVI (*)	6.4	3.7	2.7	42.5%
ISF	1.9	1.4	0.6	30.0%
Total	18.2	11.3	6.9	37.8%

(\*) including additional allocations of EUR 1.1 billion agreed in November 2020

**Programming is split** between Member States and the Commission (Thematic Facility)

In addition: EUR 11 billion for HOME **agencies**



•The three Funds amount to **€18.2 billion**, of which 62.2% will be allocated to national programmes that are jointly managed by the EU, and 37.8% (the so called ‘Thematic Facility’) will be directly managed by the EU and dedicated to actions such as emergency assistance, resettlement and humanitarian admission from non-EU countries, relocation of asylum-seekers and refugees to other EU member states, “*as part of solidarity efforts*”.

•There is an **increase of the lump-sum payments provided per every resettled person** (€10.000, up from the €7.000 intended by the Council). The **same amount will be provided for every person relocated** from another member state. While in 2014-2020 countries did not receive funds for humanitarian admission, they will now obtain €6.000 for every person they welcome under this mechanism (€8.000 if it is a vulnerable person).

# Concluding Reflections

- **Using the resources of the EU Budget** has been seen by the EU as the the main instrument available to formulate and implement migration policy.
- The sense of “emergency” caused by the 2015 migration crisis allowed for **a re-organization and re-prioritization of the EU Budget’s appropriations** and the corresponding funding tools.
- The EU’s persistence in committing appropriations is seen as **an effort to cover the gaps created by its reduced competences in the field of migration, or by the difficulties it encountered** when it tried to exercise its competences during the crisis, especially with regard to border management and to asylum and migration policies. **The capability of providing funding replaces the inability to take legal or political action.**
- Furthermore, all these **funding activities have been a useful and critical tool in terms of communicating information** in order to reassure the national authorities as well as the peoples of the Member States that the EU has been mobilized in order to tackle the problem. This symbolic function of funding activities justifies also the fact that the European Commission often refers to them and invokes them as proof of its actions.
- It should be noted, however, that these funding activities by the EU to tackle the migration crisis have created a **situation of contradicting public interests**. On the **one side**, there is the **need for flexible action** to meet urgent humanitarian and operational needs and on the **other side** there is the **override of the legislation and the audit** procedures. This is an “**instrumentalization**” of **EU funding** for immediate priorities, beyond the medium and long term objectives foreseen in the statutory texts of the various funding schemes employed. E.g. in the case of humanitarian assistance resources which were initially committed to be given to third countries, were eventually used to cover the needs of migrants in the EU.

- Thus, a **“monetisation” of legal and political issues regarding asylum and migration policies is being identified.** A very characteristic example is the **EU-Turkey “Statement”**, due to the problems it caused with regard to its legal nature and its contents (especially considering Turkey’s poor record of adhering international law on respecting human life and dignity), as well as to its dependence on the successful implementation of a European policy (migration) by a third country, having as the most basic point the funding of this country by the EU. Taking into account the judicial development on the legal nature of the **“Statement”** (see above), which entails the conclusion that this is not even an act of the EU, there have been serious concerns on the legality of providing funding to Turkey based on this particular **“Statement” (lack of legal basis)**.
- **Establishing new funding instruments** under pressure to meet current needs sets – as experience has shown – the **conditions of overriding the mechanisms of democratic control as well as financial audit** for such instruments. If the inevitability of their establishment is verified and the existing instruments do not suffice to cover the needs, **the European Commission should take the necessary action** ie to undertake feasibility studies, impact assessments, ex ante evaluations etc **in order to establish the resulting added value for the EU** from the establishment of the new funding instruments as well as the adherence of the principles of economy, efficiency and effectiveness.
- In this direction, the European Parliament, through the discharge procedure (Art. 319 TFEU) and the European Court of Auditors must secure as much complete accountability and legality, regularity and sound financial management control as possible for the funding instruments.

- Taking into account the above reflections, it is obvious that the main concern facing the EU migration policy is **not only the amount of the resources made available and spent** by the EU budget for this issue, but also **whether these resources contribute substantively to the achievement of the objectives for which they are being committed and paid.**
- The findings of the European Court of Auditors on various occasions, demonstrate that **value for money has not been achieved, nor at least verified.**
- The EU can boast that **it has mobilised a substantive amount of resources**, both for the Member States involved, as well as for third countries that play a significant role in managing the migratory flows towards the EU, however **the actual outcomes of this very expensive effort has not yet been established.**
- The **variety of instruments** established demonstrate a extensive capacity and creativity on behalf of the Union and its Agencies in employing and committing large amounts of money in addressing multifaceted crises such as the migration/refugee crisis, however **the resulting reality is not as colourful.**
- After all, **the success or failure of EU migration policy is not going to be measured by the money spent but by the lives saved and the viable opportunities given for a new start.**

**Thank you for your attention!!!**