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*****I** **REPORT**

on the proposal for a European Parliament and Council regulation establishing a programme for financial and technical assistance to third countries in the area of migration and asylum
(COM(2003) 355 – C5-0267/2003 – 2003/0124(COD))

Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Rapporteur: Giacomo Santini

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 12 June 2003 the Commission submitted to Parliament, pursuant to Articles 251(2) and 179(1) of the EC Treaty, the amended proposal for a European Parliament and Council regulation establishing a programme for financial and technical assistance to third countries in the area of migration and asylum (COM(2003) 355 – 2003/0124(COD)).

At the sitting of 30 June 2003 the President of Parliament announced that he had referred the proposal to the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible and to the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, the Committee on Budgets and the Committee on Development and Cooperation for their opinions (C5-0267/2003).

The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs appointed Giacomo Santini rapporteur at its meeting of 10 July 2003.

The committee considered the Commission proposal and draft report at its meetings of 1 September, 7 October, 3 November and 17 November 2003.

At the last meeting it adopted the draft legislative resolution by 20 votes to 3, with 0 abstentions.

The following were present for the vote: Jorge Salvador Hernández Mollar (chairman), Robert J.E. Evans (vice-chairman), Johanna L.A. Boogerd-Quaak (vice-chairman), Giacomo Santini (vice-chairman and rapporteur), Mary Elizabeth Banotti, Charlotte Cederschiöld, Carmen Cerdeira Morterero, Thierry Cornillet, Giuseppe Di Lello Finuoli, Margot Keßler, Timothy Kirkhope, Ole Krarup, Jean Lambert (for Alima Boumediene-Thiery), Baroness Ludford, Bill Newton Dunn, Marcelino Oreja Arburúa, Elena Ornella Paciotti, Hubert Pirker, Bernd Posselt, Patsy Sørensen, Anna Terrón i Cusí, Christian Ulrik von Boetticher and Olga Zrihen Zaari (for Martin Schulz).

The opinions of the Committee on Budgets and the Committee on Development and Cooperation are attached. The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy decided on 7 October 2003 not to deliver an opinion.

The report was tabled on 19 November 2003.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council regulation establishing a programme for financial and technical assistance to third countries in the area of migration and asylum

(COM(2003) 355 – C5-0267/2003 – 2003/0124(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 355)¹,
 - having regard to Articles 251(2) and 179(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0267/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinions of the Committee on Budgets and the Committee on Development and Cooperation (A5-0405/2003),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital 1

(1) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, underlined the need for a comprehensive approach to migration addressing political, human rights and development issues in third countries and regions and called for a greater coherence of internal and external policies of the Union; it stressed the need for more efficient management of migration flows at all their stages and that the partnership with

(1) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, underlined the need for a comprehensive approach to migration addressing political, human rights and development issues in third countries and regions and called for a greater coherence of internal and external policies of the Union; it stressed the need for more efficient management of migration flows at all their stages and that the partnership with

¹ Not yet published in OJ.

third countries would be a key element for the success of such a policy.

third countries would be a key element for the success of such a policy *with a view to promoting co-development*.

Amendment 2
Recital 4

(4) Improved management of migratory flows, especially certain aspects of migration such as the emigration of highly skilled nationals and the movement of refugees between neighbouring countries, is also a major *challenge* for the development of some countries.

(4) Improved management of migratory flows, especially certain aspects of migration such as the emigration of highly skilled nationals and the movement of refugees between neighbouring countries, is also a major *concern* for the development of some countries.

Amendment 3
Recital 7

(7) Taking account of these preparatory actions, and referring to *its* Communication on integrating migration issues in the European Union's relations with third countries¹, it is considered necessary to endow the Community from 2004 with a multiannual programme designed both to provide a specific, additional response to the needs encountered by third countries in their efforts to manage more effectively all aspects of migration flows, and in particular to stimulate third countries readiness to conclude readmission agreements, and assisting them in coping with the consequences of such agreements.

(7) Taking account of these preparatory actions, and referring to *the Commission* Communication on integrating migration issues in the European Union's relations with third countries², it is considered necessary to endow the Community from 2004 with a multi-annual programme designed both to provide a specific, additional response to the needs encountered by third countries in their efforts to manage more effectively all aspects of migration flows, and in particular to stimulate third countries readiness to conclude readmission agreements, and assisting them in coping with the consequences of such agreements.

¹ COM(2002) 703.

² COM(2002) 703.

Amendment 4
Recital 8a (new)

In its Conclusions on Migration and Development of 19 May 2003, the Council affirmed the need for greater coordination between these separate but interrelated policy areas. The Conclusions highlighted a number of areas of potential synergy where the European Union could focus its activities in support of both policy fields.

Justification

Self-explanatory.

Amendment 5
Recital 9a (new)

The implementation of this programme will benefit from the evaluation of the preparatory actions.

Justification

It is very important to profit from the experience acquired in the context of preparatory measures in order to ensure the smooth operation of the programme.

Amendment 6
Recital 10

(10) ***Since the multiannual work programme is a management measure within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred to the Commission,¹ it should be adopted by use of the management procedure provided for in Article 4 of that Decision. The other measures necessary for the implementation of this Regulation should be adopted by use of the advisory***

(10) ***The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.***

¹ OJ L 184, 17.7.1999, p. 23.

procedure provided for in Article 3 of that Decision.

Amendment 7
Article 1, paragraph 2

It is *in particular*, intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community.

It is *particularly but not exclusively*, intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community.

Justification

The programme should serve to encourage the signing of readmission agreements but other third countries which are the source of migrating flows must not be excluded.

Amendment 8
Article 1, paragraph 3

(3) This Community co-operation programme finances appropriate actions which join in a coherent way national and regional Community co-operation and development strategies regarding the third countries concerned and complete the actions – in particular in the fields of *migration*, asylum, border control, refugees and displaced people – foreseen in the implementation of these strategies and financed from other Community instruments in the field of co-operation and development.

(3) This Community co-operation programme finances appropriate actions which join in a coherent *and complementary* way the general principles of Community cooperation and development policy and national and regional Community co-operation and development strategies regarding the third countries concerned and complete the actions – in particular in the fields of *management of migratory flows, return and reintegration of migrants in their country of origin*, asylum, border control, refugees and displaced people – foreseen in the implementation of these strategies and financed from other Community instruments in the field of co-operation and development. *The actions financed on the basis of this programme will be coherent with the Community efforts which contribute to addressing the root causes of*

migration.

Justification

Amendment 9
Article 1, paragraph 3 a (new)

3a. The respect of democratic principles and rule of law, as well as of human and minority rights and of fundamental freedoms, constitutes an essential element for the application of this Regulation. If necessary, and as far as possible, the actions financed under this Regulation are associated with measures aiming to strengthen democracy, human rights and the rule of law.

Justification

Self-explanatory.

Amendment 10
Article 2, introduction to paragraph 1

(1) The programme aims to promote co-operation between the Community and third countries by contributing in the third countries concerned to the following objectives:

(1) The programme aims to promote co-operation between the Community and third countries by contributing in the third countries concerned, ***and in partnership with those countries,*** to the following objectives:

Justification

More specific wording.

Amendment 11
Article 2, paragraph 1, indent 2

The development of ***regular*** migration ***taking account*** of the demographic, economic and social situation in the countries of origin and in the host countries;

The development of ***legal*** migration ***in accordance with an analysis*** of the demographic, economic and social situation in the countries of origin and in the host countries, ***and of the host countries' reception capacity, as well as raising public***

awareness of the advantages of legal migration and consequences of illegal migration;

Amendment 12

Article 2, paragraph 1, fourth indent

- The establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including ***in particular*** the fight against trafficking in human beings and smuggling of migrants,

- The establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including the fight against trafficking in human beings and smuggling of migrants, ***and the development of relevant legislation,***

Amendment 13

Article 2, paragraph 1, fifth indent

– The ***orderly*** readmission and durable reintegration, into the third country concerned, of persons who have illegally entered or remained on the territory of the ***European Union*** or of persons who ***have remained on the territory of*** the European Union while benefiting from ***any form of*** international protection.

– The readmission, ***in the full respect of law,*** and durable reintegration, into the third country concerned, of persons who have illegally entered or remained on the territory of the ***Member States*** or of persons who have ***unsuccessfully undergone an asylum procedure in*** the European Union ***or benefited*** from international protection ***there.***

Justification

This amendment signals a return to the original purpose of the text.

Amendment 14

Article 2, paragraph 2, first indent

- ***Facilitation of dialogue and exchange of information between the institutions of the third country and the nationals of that country who are considering emigrating***

Delete

Amendment 15
Article 2, paragraph 2, second indent

- Setting up of information campaigns on the consequences of illegal immigration and of clandestine employment in the European Union;

- Setting up of information campaigns **and legal advice** on the consequences of illegal immigration, **including trafficking in human beings and smuggling of migrants**, and of clandestine employment in the European Union;

Justification

Self-explanatory.

Amendment 16
Article 2, paragraph 2, third indent

- Dissemination of information on the possibilities of working legally in the European Union and on the procedures to be followed to this end;

- Dissemination of information **and legal advice** on the possibilities of working legally in the European Union, **both on a short and long-term basis**, and on the procedures to be followed to this end;

Justification

It is important to make a distinction between seasonal work and long-term work opportunities.

Amendment 17
Article 2, paragraph 2, fourth indent

– Development of actions aimed at maintaining links between the local communities in the country of origin and their emigrants;

– Development of actions aimed at maintaining links between the local communities in the country of origin and their **legal emigrants and facilitating the migrant contribution to the social and economic development of communities in their country of origin, including a facilitated utilisation of the remittances for productive investments and development initiatives as well as through support to microcredits programmes**

Justification

Self-explanatory.

Amendment 18

Article 2, paragraph 2, fourth indent a (new)

- Facilitation of dialogue and exchange of information between the institutions of the third country and the nationals of that country who are considering emigrating

Amendment 19

Article 2, paragraph 2, fifth indent

Support for capacity-building in the field of drafting, implementing and ensuring the effectiveness of national legislation and management systems as regards asylum, migration and the fight against criminal activities, organised crime and corruption connected with illegal immigration, and development of training of the staff working in the areas of migration and asylum;

Support for capacity-building in the field of drafting, implementing and ensuring the effectiveness of national legislation and management systems as regards asylum, migration and the fight against criminal activities, organised crime and corruption connected with illegal immigration, ***and development of training of the staff working in the areas of migration and asylum;***

Amendment 20

Article 2, paragraph 2, sixth indent

- Evaluation of the institutional and administrative framework and of the capacities to implement border controls as well as improvement in the management of border controls;

- Evaluation ***and possible improvement*** of the institutional and administrative framework and of the capacities to implement border controls as well as improvement in the management of border controls, ***including by means of operational cooperation;***

Justification

Self-explanatory.

Amendment 21

Article 2, paragraph 2, seventh indent

- **Improvement in the** security of travel documents and visas, **in** their issuing conditions and **in the** detection of false documents and visas;

- **Capacity building in the areas of** security of travel documents and visas, **including** their issuing conditions, **identification and documentation of illegal migrants, including own nationals, and** detection of false documents and visas;

Amendment 22

Article 2, paragraph 2, eighth indent

- Introduction of systems for data collection, **for** observation and analysis of migratory phenomena; identification of the root causes of migratory movements and the definition of measures aiming to tackle them; facilitation of the exchange of information on migratory movements, in particular on migratory flows towards the European Union;

- Introduction of systems for data collection; observation and analysis of migratory phenomena; identification of the root causes of migratory movements and the definition of measures aiming to tackle them; facilitation of the exchange of information on migratory movements, in particular on migratory flows towards the European Union;

Amendment 23

Article 2, paragraph 2, tenth indent

- Assistance in the negotiations by the third countries of their own readmission agreements with **their neighbouring** countries;

- Assistance in the negotiations by the third countries of their own readmission agreements with **relevant** countries;

Justification

Self-explanatory.

Amendment 243

Article 2, paragraph 2, eleventh indent

- Support for capacity-building in the third countries concerned in the fields of reception conditions **of** asylum seekers, of readmission and the durable reintegration of returnees

- Support for capacity-building in the third countries concerned in the fields of reception conditions **and protection capacity for** asylum seekers, of readmission and the

and of resettlement programmes;

lasting reintegration of returnees and of
resettlement programmes;

Amendment 25

Article 2, paragraph 2, eleventh indent a (new)

- Support for targeted socio-economic reintegration of the returned persons into their country of origin, including the training and capacity building aimed at facilitating their integration into the labour market.

Justification

The purpose of this amendment is to introduce one or more elements which will help to define the type of actions which Parliament hopes to see implemented, using the aid made available under the Regulation. In particular, this indent introduces the idea of local economic-development pilot schemes which will help to create a climate favourable to the smooth integration of people who return, thereby creating a link between the measures provided for in the programme and the more general Community cooperation and development programmes implemented in the countries concerned.

Amendment 26

Article 3, paragraph 1, first indent

- Identification of feasibility studies;

- Feasibility studies;

Justification

Self-explanatory.

Amendment 27
Article 4

The respect of democratic principles and rule of law, as well as of human and minority rights and of fundamental freedoms, constitutes an essential element for the application of this Regulation. If necessary, and as far as possible, the actions financed under this Regulation are associated with measures aiming to strengthen democracy and the rule of law.

Deleted

Justification

Article 4 becomes paragraph 3a of Article 1. Respect for democratic principles and human rights is thus one of the general objectives of the programme.

Amendment 28
Article 5, paragraph 1

Partners eligible for financial support under this programme may include regional and international organisations and agencies (in particular, UN agencies), non-governmental organisations (NGOs) or other non-state actors, federal, national, provincial and local governments, their departments and agencies, institutes, associations and public and private operators.

Partners eligible for financial support under this programme may include regional and international organisations and agencies (in particular, UN agencies), *as well as* non-governmental organisations (NGOs) or other non-state actors, federal, national, provincial and local governments, their departments and agencies, institutes, associations and public and private operators, *both in the EU and in the beneficiary third countries, with preference being given to partnership arrangements.*

Amendment 29
Article 6, paragraph 1

(1) Its experience in the field and especially with actions in the area of asylum and migration;

(1) Its experience in the field *specified in Article 2(1)* and especially with actions in the area of asylum and migration;

Amendment 30
Article 7, paragraph 1

(1) *The financial reference amount for the implementation of this Regulation shall be 250 million €.*

(1) *The financial framework for the implementation of this Regulation for the period from 1 January 2004 to 31 December 2008 is set at 250 million €, of which 120 million € is for the period until 31 December 2006.*

For the period following 31 December 2006, the amount shall be deemed to be confirmed if it is consistent for this phase with the financial perspective in force for the period commencing in 2007, in light of information available under the provisions of Article 11(2) and (3).

Amendment 31
Article 7, paragraph 3

(3) *The* co-financing of an action under this programme shall be exclusive of any other financing by another programme financed by the budget of the European Union.

(3) **Community** co-financing of an action under this programme **shall not exceed 80%, without prejudice to the other applicable provisions of the Financial Regulation, notably Article 169.** It shall be exclusive of any other financing by another programme financed by the budget of the European Union.

Justification

Self-explanatory.

Amendment 32
Article 7, paragraph 5

(5) The Commission *may* take any necessary initiative with a view to ensuring good co-ordination with other donors concerned.

(5) The Commission **shall** take any necessary initiative with a view to ensuring good co-ordination with other donors concerned.

Justification

Self-explanatory.

Amendment 33
Article 9, paragraph 2

(2) The Commission shall manage the co-operation programme in accordance with the Financial Regulation.

(2) The Commission shall manage the co-operation programme in accordance with the Financial Regulation **and with the Regulation laying down detailed rules for the implementation of the Financial Regulation, in particular as regards procurement and the award of grants.**

Justification

Self-explanatory.

Amendment 34
Article 9, paragraph 3

(3) To implement the co-operation programme, the Commission shall, in accordance with the procedure referred to in Article 10(2), produce an annual work programme. In accordance with the objectives and criteria of the present regulation, the work programme shall establish the priorities for the actions to be supported in terms of potential geographic and thematic areas of intervention, the specific objectives, the anticipated results as well as indicative amount. The Commission may consult other interested parties in relation to the work programme.

(3) To implement the co-operation programme, the Commission shall, in accordance with the procedure referred to in Article 10(2), produce an annual work programme. In accordance with the objectives and criteria of the present regulation, the work programme shall establish the priorities for the actions to be supported in terms of potential geographic and thematic areas of intervention, the specific objectives, the anticipated results as well as indicative amount. **As far as possible, a general balance between these priorities shall be sought for the establishment of the work programme.** The Commission may consult other interested parties in relation to the work programme.

Justification

It is essential that the programme should maintain a balance in the choice of beneficiary countries and the measures to be funded.

Amendment 35
Article 9, paragraph 5

(5) The work programme will allow for financing operations outside of the work

Deleted

financing operations outside of the work programme for unforeseen contingencies arising from the specific nature of the migratory flows.

Amendment 36
Article 9, paragraph 6

The Commission shall adopt the list of selected projects according to the procedure referred to in **Article 10(3)**

The Commission shall adopt the list of selected projects according to the procedure referred to in **Article 10(2)**

Amendment 37
Article 10, paragraph 2

(2) Where reference is made to this paragraph, **Article 4** of Decision 1999/468/EC shall apply, **in compliance with Article 7** thereof.

(2) Where reference is made to this paragraph, **Articles 4 and 7** of Decision 1999/468/EC shall apply, **having regard to the provisions of Article 8** thereof.

The period provided for in Article 4 paragraph 3 of Decision 1999/468/EC shall be set at three months.

The period provided for in Article 4 paragraph 3 of Decision 1999/468/EC shall be set at three months.

Amendment 38
Article 10, paragraph 3

(3) Where reference is made to this paragraph, Article 3 of Decision 1999/468/EC shall apply, in compliance with Article 7 thereof.

Delete

Amendment 39
Article 10, paragraph 3a (new)

The Committee shall adopt its Rules of Procedure.

Justification

Self-explanatory.

Amendment 40
Article 11, paragraph 2

2. The Commission shall submit ***an*** interim report to the European Parliament and the Council on the implementation of the co-operation programme by 31 December 2006 at the latest, and a final report by 31 December 2010 at the latest.

2. The Commission shall submit ***a preliminary interim evaluation*** report to the European Parliament and the Council on the implementation of the co-operation programme by 31 December 2006 at the latest, and a final report by 31 December 2010 at the latest. ***In addition, the Commission shall communicate to the budgetary authority, at the same time as the preliminary draft budget is presented, the state of implementation of the programme.***

Justification

Provision ought to be made for an annual coordination as part of the budgetary procedure in order to modify Commission programming arrangements if necessary. An evaluation of each programme will be useful, when the negotiations on the next financial perspective take place, in order to substantiate Parliament's requests.

Amendment 41
Article 11, paragraph 3

(3) At the request of the Member States, the Commission may also evaluate the results of the Community's actions and programmes under this Regulation.

(3) At the request of the Member States ***or the European Parliament, in particular in the context of the negotiations for the future financial perspectives***, the Commission may also evaluate the results of the Community's actions and programmes under this Regulation.

Justification

Parliament, which shares legislative power and budgetary authority with other EU institutions, must be able to ask the Commission to evaluate the results of the programme.

EXPLANATORY STATEMENT

Purpose of the regulation

The Commission regulation is to create the legal basis for a multiannual programme of financial aid to third countries for the period 2004-2008, for a total amount of EUR 250 million.

The aim is to help these countries to improve the management of issues related to asylum and migration. The regulation is based on the Commission's determination, in line with the conclusions of the European Councils at Tampere and Seville, to create a close link between development and migration policies.

In the report by Mrs Anna Terrón i Cusi, adopted on 19 June 2003, Parliament stressed the need to tackle the issue of immigration, working in close partnership with the countries of origin and transit of migrants, in order to achieve the greatest possible equilibrium between measures dealing with readmission and combating illegal immigration and those aimed at integration, development and dialogue.

The Commission launched pilot projects for this purpose for three years using budget line B7-667. The line was created in 2001 to promote cooperation with third countries in the area of migration. In 2001 and 2002 the amounts budgeted were EUR 10 and 12.5 million respectively. The amount envisaged for preparatory operations in 2003 is EUR 13 million. In the first year the outcome was not particularly satisfactory, mainly because of a lack of coordination within the Commission's departments. In the last year the projects were successful and proved extremely useful. Of the 22 projects still underway only five have a voluntary return policy as their aim, whilst the others deal with border controls, support for the creation of systems for granting asylum in third countries and co-development. The programme is intended to turn the pilot projects into a proper multiannual financial instrument with a clear legal basis.

Content of the Commission proposal

Balanced approach:

The objectives of the programme, listed in Article 2, were devised in order to ensure a balance between measures to tackle legal immigration, integration and the fight against illegal immigration, including readmission agreements. The Commission rejected the attempt on the part of some Member States to make this financial instrument a means of funding readmission agreements exclusively. They are only one part of the issue, and priorities were deliberately not set for the measures, in order to safeguard their equilibrium. Clearly, the Commission's intention is to create an instrument to compensate third countries for signing readmission agreements. Of the eleven negotiating briefs the Commission received for readmission agreements, only three have so far been concluded - with Hong Kong, Macau and Sri Lanka - whilst the most important ones, such as those with China and Algeria, are still far from ready.

The promise of financial aid and support may provide an incentive for third countries to sign agreements and make them acceptable to public opinion, even though, at present, the sums of money which third countries receive from their immigrants in the Union are much greater than all the aid received from the EU's financial support programmes. Whilst acknowledging the logic of this, your rapporteur intends to try to ensure that the objectives of budget line B7-667 are preserved and incorporated in the measures financed under the regulation, in particular those concerning co-development.

The regulation is also designed to assist institution-building in the third countries which need operational structures to carry out all the tasks involved in successful management of migratory flows, such as border controls and guaranteeing the security of travel documents. Finally, the regulation will fund information and awareness-raising campaigns to acquaint third country citizens with the procedures for legally gaining access to the European Union and the consequences of illegal immigration and clandestine work.

Beneficiaries of the regulation:

Your rapporteur would like to stress that the beneficiaries of the regulation are third countries. Under no circumstances may the funding granted be used by the Member States to finance repatriation policies (such as charter flights to repatriate clandestine workers). The beneficiaries of budget line B7-667 were:

- the countries of origin and transit, for which the Council had drawn up action plans;
- countries with which the European Union intends to step up cooperation for the management of migratory flows;
- countries with which Community readmission agreements have been or are being negotiated;
- countries belonging to the future enlarged Europe, on the basis of the Commission communication of 11 March 2003 (mainly the Balkans and countries in the Mediterranean basin).

The regulation should be guided by these considerations.

Programming:

The programme will last five years and makes provision for the preparation of annual work plans which will guarantee maximum flexibility in the programming of funds. Efficiency and flexibility are particularly important in this sector, where unexpected emergencies may arise and need timely intervention.

The Commission will also take steps to coordinate coherently the projects funded under the regulation with the Community strategies and programmes on cooperation and development for third countries.

Financial perspectives:

The programme allocates EUR 250 million until 2008, which goes beyond the limit set by the financial perspectives for 2006. Hence the proposal necessitates reprogramming, to be discussed from 2007 onwards, subject to the financial perspectives for 2007-2013. Since the final amount has already been allocated, the reprogramming can obviously not exceed EUR 250 million.

The rapporteur's position

Your rapporteur welcomes the Commission proposal. The Union must demonstrate that it is able to provide itself with adequate means to sustain its policy on migration, asylum and partnership with third countries, as requested by the European Council in Tampere in 1999. If the programme turns out to be an effective instrument, Parliament will advocate its renewal, with increased funding.

Parliament will try to ensure that the funds allocated respect equilibrium as regards geographical area and subject, so that they are not concentrated exclusively on countries which sign readmission agreements. Your rapporteur hopes that the regulation will be adopted in the near future, to enable it to come into force in January 2004 as planned. With this in mind the rapporteur intends to restrict the number of amendments to the bare minimum.

6 October 2003

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the proposal for a European Parliament and Council regulation establishing a programme for financial and technical assistance to third countries in the area of migration and asylum (COM(2003) 355 – C5-0267/2003 – 2003/0124(COD))

Draftsman: Juan Andrés Naranjo Escobar

PROCEDURE

The Committee on Budgets appointed Juan Andrés Naranjo Escobar draftsman at its meeting of 10 July 2003.

It considered the draft opinion at its meetings of 6 October 2003.

At that meeting it adopted the following amendments unanimously.

The following were present for the vote: Terence Wynn (chairman), Reimer Böge (vice-chairman), Anne Elisabet Jensen (vice-chairman), Franz Turchi (vice-chairman), Juan Andrés Naranjo Escobar (draftsman), Ioannis Averoff, Joan Colom i Naval, Den Dover, Bárbara Dührkop Dührkop, Catherine Guy-Quint, Jutta D. Haug, María Esther Herranz García, Constanze Angela Krehl, John Joseph McCartin, Jan Mulder, Per Stenmarck, Ralf Walter and Brigitte Wenzel-Perillo.

SHORT JUSTIFICATION

Context

1. Account being taken of the Tampere conclusions, the establishment of an area of freedom, security and justice, and the new powers introduced by the Treaty of Amsterdam, the European Union has developed the concept of partnership with third countries in the field of migration and has stressed the need for a comprehensive approach to migration. In its conclusions, the Seville European Council also called for the fight against illegal immigration to be stepped up and for a targeted approach to be developed to the problem, making use of all relevant instruments. The Thessaloniki European Council reaffirmed that EU dialogue and actions with third countries in the field of migration should be part of an overall, integrated, comprehensive and balanced approach which should be differentiated, taking account of the existing situation in the different regions and in each individual partner country.
2. As announced in the December 2002 communication (COM(2002)703), the Commission is now proposing that a financial and technical assistance programme be established in the area of migration and asylum for the period 2004-2008, with a financial reference amount of EUR 250 m. It would be a multiannual programme for cooperation with third countries with targeted measures complementing existing measures in the same areas which are funded under other cooperation and development instruments. The proposed new programme would replace the present 2001-2003 preparatory action.

The 2001-2003 preparatory action

3. At Parliament's initiative (Jorge Salvador Hernández Mollar report, A5-0057/2000¹), the budgetary authority entered appropriations in Article B7-667 of the Union's 2001 budget which were earmarked for funding preparatory actions concerning migration and asylum involving the third countries for which the Council had adopted migration action plans². The action had three objectives: management of migratory flows, voluntary return and the efficient fulfilment of obligations arising from readmission and combating illegal immigration.

Table 1

Cooperation with third countries in the area of migration (budget Article B7-667)

EUR m

	2001		2002		2003		2004-2005		Total	
	CA	PA	CA	PA	CA	PA	CA	PA	CA	PA
Initial budget	10	5	12.5	15	20	14.6	-	13.9	42.5	48.5
Final budget	2	0	20.5	15			-		42.5	42.5
Outturn*	1.9	0	20.5	4.4	3.5	5.6				

Outturn for this year as at 3 September 2003.

¹ Resolution on asylum-seekers and migrants, paragraph 32, Minutes of the sitting of 30 March 2000.

² Action plans, drawn up by the High Level Working Group on Asylum and Immigration and adopted by the Council, cover Afghanistan and neighbouring areas, Iraq, Morocco, Somalia, Sri Lanka, and Albania and neighbouring areas.

4. Because of a delay in implementing the preparatory action, EUR 8 m in commitment appropriations was carried forward from 2001 to 2002. The 2002 outturn figures were satisfactory:

commitment appropriations: EUR 20.5 m (EUR 12.5 m under the 2002 budget + the EUR 8 m carried forward from 2001), i.e. an implementation rate of 99.4% of the appropriations available;

payment appropriations: EUR 4.4 m (28 % of the appropriations available).

5. The outturn figures for 2003 (at 3 September) are EUR 3.5 m (18% of commitment appropriations) and EUR 5.6 m (25% of payment appropriations).

The Commission proposal for 2004-2008

6. The aim of the proposed multiannual programme is to provide specific and complementary financial and technical aid to third countries in order to support their efforts in better managing migratory flows; it would in particular be intended for the third countries actively engaged in preparing or implementing a readmission agreement initialled, signed or concluded with the Community¹. More specifically, the programme would finance appropriate actions involving, in a coherent way, national and regional Community co-operation and development strategies regarding the third countries concerned and complete the actions – in particular in the fields of migration, asylum, border control, refugees and displaced people – provided for in implementation of those strategies and financed from other Community instruments.

Financial implications

7. The financial reference amount earmarked for the programme between 1 January 2004 and 31 December 2008 is EUR 250 m. It should be noted that observance of democratic principles and the rule of law would be an essential element for application of the proposed regulation.

Table 2

(EUR m)

Year	2004	2005	2006	2007	2008	2009	Total
Commitment appropriations *	30	45	45	60	70		250
Payment appropriations	15	38	45	52	65	35	250

* Financing does not include technical and administrative assistance, support expenditure (not provided for under the programme) or human resources. The overall financial impact of human resources and other administrative expenditure for the period 2004-2009 is EUR 4.7 m.

¹ The Council has authorised the Commission to negotiate Community readmission agreements with 11 third countries or entities: Morocco, Sri Lanka, Russia, Pakistan (September 2000), Hong Kong, Macao (May 2001), Ukraine (June 2002) and Albania, Algeria, China and Turkey (November 2002). To date, the Commission has been able to complete negotiations with Hong Kong (November 2001), Macao (October 2002) and Sri Lanka (May 2002). Formal negotiations have not yet commenced, though there have been informal meetings, with Algeria, Turkey, China and Pakistan.

8. Under the new nomenclature (ABB), the relevant budget heading is 19 02 03. For 2004, the Commission is proposing EUR 30 m in commitment appropriations and EUR 25 m in payment appropriations, of which, according to the Commission, about EUR 10 m is intended to cover outstanding payments under the preparatory action.

Table 3

(€ m)

	Heading	FP	2003 budget		2004 PDB		% change 2004/2003		Previous nomenclature
			CA	PA	CA	PA	CA	PA	
19 02 03	Cooperation with third countries on migration	4	20.000	14.598	30.000	25.000	50.0%	71.3%	B7-667

Conclusions and final appraisal

9. The draftsman considers that the proposal meets one of the political priorities identified by Parliament¹, its prime motivation having been to set in train the 2001-2003 preparatory actions on technical and financial assistance for third countries with regard to migratory flows. The preparatory action is one of the few Parliament-launched projects with legislative follow-up by the Commission. However, the draftsman would point out that, during the decision-taking procedure, the amounts to be laid down must be considered in the light of the analysis of the preparatory actions and the enormous range of measures covered by the programme.
10. It should be stressed that making migration part of the Union's external action should be consistent, overall, with Community policies and external measures.
11. The problem posed by migratory flow management in the medium and long term concerns basic aspects such as demographics, the economic and social balance of our system and harmonious co-existence of Union citizens. The draftsman therefore recommends that the legal basis be adopted as soon as possible so that the projected measures can commence in January 2004.
12. As regards the countries particularly affected by this issue, the draftsman considers that there should be no direct tie-in between the measures taken and the pace at which the projected readmission agreements are negotiated or concluded. For the Union, as regards migration, there are a number of important countries of origin and of transit in collaboration with which an overall policy should be developed.
13. The draftsman notes that the Commission proposal makes no specific reference to cofinancing. That issue ought to be clarified during the legislative procedure.

¹ European Parliament resolution on the Thessaloniki European Council of 19-20 June 2003, para. 26; European Parliament resolution on the outcome of the European Council meeting on 21-22 June 2002 in Seville, paras. 14-22.

AMENDMENT TO THE LEGISLATIVE RESOLUTION

Amendment 1

[The European Parliament,]

Takes the view that the financial statement in the Commission proposal is compatible with the ceiling for heading 4 of the financial perspective without undermining other policies;

Justification

The amount proposed for the specific programme must be compatible with the expenditure ceiling laid down by the financial perspective. Were the legislative authority to propose other amounts when the decision was adopted, the budgetary authority would have to be consulted again. In that instance, the Committee on Budgets would look again at the impact on the ceiling laid down by the present financial perspective, as agreed in the declaration of 20 July 2000.

AMENDMENTS TO THE LEGISLATIVE TEXT

Text proposed by the Commission¹

Amendments by Parliament

Amendment 2 Article 7, paragraph 1

1. The financial reference amount for the implementation of this Regulation shall be 250 million €.

1. The financial reference amount for the implementation of this Regulation shall be 250 million €. ***Commitment appropriations programmed beyond 2006 must be covered by a budgetary authority agreement on the post-2006 financial perspective.***

Justification

Under the interinstitutional agreement, the financial perspective covers the period 2000-2006. Beyond 2006, commitment appropriations must be covered by a budgetary authority agreement on the financial perspective for 2007 and subsequent years.

Amendment 3 Article 9, paragraph 5

¹ OJ C ...

5. The work programme will allow for financing operations outside of the work programme for unforeseen contingencies arising from the specific nature of the migratory flows.

5. The work programme will allow for financing operations outside of the work programme for unforeseen contingencies arising from the specific nature of the migratory flows, ***provided that a supplementary allocation of appropriations is authorised for that purpose.***

Justification

As the work programme is an annual programme, only operations provided for in that programme could be financed unless an allocation of supplementary appropriations were authorised.

Amendment 4 Article 10, paragraph 1

1. The Commission shall be assisted by a Committee composed of ***representatives of the Member States***, and chaired by the representative of the Commission.

1. The Commission shall be assisted by a Committee composed of ***one representative per Member State***, and chaired by the representative of the Commission.

Justification

Each Member State should have a representative in order to facilitate decision-taking in the committee.

Amendment 5 Article 11, paragraph 2

2. The Commission shall submit an interim report to the European Parliament and the Council on the implementation of the co-operation programme by 31 December 2006 at the latest, and a final report by 31 December 2010 at the latest.

2. The Commission shall submit an interim report to the European Parliament and the Council on the implementation of the co-operation programme by 31 December 2006 at the latest, and a final report by 31 December 2010 at the latest. ***In addition the Commission shall communicate to the budgetary authority, at the same time as the preliminary draft budget is presented, the results of the qualitative and quantitative evaluation based on a comparison between the annual implementation plan and performance indicators.***

Justification

Provision should be made for an annual evaluation as part of the budgetary procedure in order, if need be, to modify the Commission's programming arrangements. When the negotiations on the next financial perspective take place, an evaluation of each programme will be useful in order to substantiate Parliament's requests.

3 October 2003

OPINION OF THE COMMITTEE ON DEVELOPMENT AND COOPERATION

for the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

on the proposal for a European Parliament and Council regulation establishing a programme for financial and technical assistance to third countries in the area of migration and asylum (COM(2003) 355 – C5-0267/2003 – 2003/0124(COD))

Draftsman (*): Francisca Sauquillo Pérez del Arco

(*) Enhanced cooperation between committees - Rule 162a

PROCEDURE

The Committee on Development and Cooperation appointed Francisca Sauquillo Pérez del Arco draftsman at its meeting of 9 July 2003.

It considered the draft opinion at its meetings of 10 September and 30 September-1 October 2003.

At the latter meeting, on 1 October 2003, it adopted the following amendments by 16 votes to 7, with no abstentions.

The following were present for the vote: Margrietus J. van den Berg, acting chairman; Marieke Sanders-ten Holte and Anders Wijkman, vice-chairmen; Francisca Sauquillo Pérez del Arco, draftsman; Jean-Pierre Bebear, John Bowis, Carmen Cerdeira Morterero (for Maria Carrilho), John Alexander Corrie, Nirj Deva, Marianne Eriksson (for Joaquim Miranda), Fernando Fernández Martín, Glenys Kinnock, Karsten Knolle, Paul A.A.J.G. Lannoye, Miguel Angel Martínez Martínez, Hans Modrow, Didier Rod, Ulla Margrethe Sandbæk, Michel-Ange Scarbonchi (for Luisa Morgantini), Maj Britt Theorin, Feleknas Uca (for Yasmine Boudjenah), Elena Valenciano Martínez-Orozco (for Marie-Arlette Carlotti) and Jürgen Zimmerling.

SHORT JUSTIFICATION

- (1) In its Seville conclusions the European Council issued a clear call for the European Union to make a greater effort to combat illegal immigration and to develop a specific approach to the phenomenon by using all appropriate instruments in the context of the European Union's external relations. To that end the European Council pointed out that, in accordance with the Tampere European Council conclusions, an integrated, comprehensive and balanced approach designed to tackle the root causes of illegal immigration should remain the European Union's constant long-term objective. The European Council also emphasised the importance of cooperating with third countries as regards the joint management of migratory movements and readmission.
- (2) In reply to the Seville European Council conclusions on the above issues the Commission adopted on 3 December 2002 (and forwarded to Parliament and to the Council) a Communication on integrating migration issues into the European Union's relations with third countries¹. In its Communication the Commission states that cooperation with third countries in the area of migration calls for a three-pronged strategy: a balanced overall approach which addresses the root causes of migratory movements, a partnership on migration stemming from a definition of common interests with third countries, and specific and concrete initiatives to assist third countries in increasing their capacity in the area of migration management.
- (3) Parliament expressed its opinion on the above Communication in its Terrón i Cusi report A5-0224/2003², in which it made the point, inter alia, that the fight against illegal immigration and border checks are only one aspect of EU policy towards third countries, to which should be added an active policy of co-development with countries of origin, partly aimed at keeping the adverse effects of immigration to a minimum.
- (4) As it states in its Communication and taking into account the Seville European Council conclusions, the Commission is proposing, in the document under consideration here, a legal basis and an increase in the appropriations available for a new instrument for cooperation with third countries in the field of migration, with greater complementarity between operations financed under budget heading B7-667 and operations financed under other Community cooperation and development programmes.
- (5) The proposal for a regulation under consideration here provides for an EUR 250 million multiannual programme for the 2004-2008 period which will provide specific and complementary aid to third countries in order to support their efforts to achieve better management of migratory flows in all their dimensions. The programme is intended in particular for third countries which are actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community, thereby giving a tangible expression of solidarity with those countries and encouraging those which have not yet done so to open appropriate negotiations with the European Union.

¹ COM(2002)703

² PE 329.878

- (6) The draftsman of this opinion has considered the proposal for a regulation from a cooperation and development policy viewpoint. The proposed amendments introduce a number of changes which either cater for certain specific needs which are not reflected in the initial draft or bring in objectives and schemes which constitute a link between the projects which are to be financed under the regulation and the cooperation and development programmes which the Community already runs in the countries concerned, in accordance with the principle of consistency and continuity between the various Community schemes and programmes.

AMENDMENTS

The Committee on Development and Cooperation calls on the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible to incorporate the following amendments into its report.

Commission text¹

Parliament's amendments

Amendment 1
Recital 3 a (new)

Following enlargement, the new land border with our eastern neighbours will come together with the European Union's Mediterranean border, which is essentially a sea border, the north-east African Atlantic border in some outermost regions of the Union and the Caribbean border in French overseas departments, whence the need for immigration strategies to be adjusted so as to take account of the differences between these borders.

Justification

To highlight the fact that enlargement will require the new Member States to modernise their administrative, judicial, police, health and social systems in order to meet the objectives of EU immigration policy, in line with the Wider Europe initiative launched by the Commission.

¹ OJ C ... (not yet published in the OJ).

Amendment 2
Recital 4 a (new)

The establishment of an effective prevention policy in the fight against illegal migration should be one of the European Union's priorities.

Justification

To draw attention to the fact that combating illegal migration is one of the priorities of EU foreign policy, based on the awareness that illegal immigration facilitates trafficking in human beings, the exploitation of immigrant workers, corruption and the infiltration of persons who may pose a threat to security.

Amendment 3
Recital 5

The Community's external co-operation and development programmes and policies contribute indirectly to the handling of the main factors of migratory pressure. More specifically, since the Tampere European Council the Commission has been trying to incorporate migration-related concerns into the programming of the Community's external aid in order to give direct support to third countries in their efforts to deal with the problems arising from legal, illegal or forced migration.

The Community's external co-operation and development programmes and policies contribute indirectly to the handling of the main factors of migratory pressure ***and are useful tools for migration policies, which should focus on tackling the causes of migration.*** More specifically, since the Tampere European Council the Commission has been trying to incorporate migration-related concerns into the programming of the Community's external aid in order to give direct support to third countries in their efforts to deal with the problems arising from legal, illegal or forced migration.

Justification

To draw attention to the need to tackle the underlying causes of migration. In a communication published in December 2002, pursuant to the mandate given to it by the Seville European Council the Commission submitted proposals on immigration and development. Developing countries would receive Community aid in three stages: aid to be used specifically for the purpose of immigration management; aid and reconstruction programmes; and long-term aid aimed at focusing EU cooperation policy on the underlying causes and the factors which trigger immigration, with due regard to the overriding purpose of EU cooperation policy, which is to reduce poverty.

Amendment 4
Recital 7 a (new)

In that communication, the Commission points to the need to take account of the enormous financial flows which immigrants' remittances represent, with a view in particular to helping to ensure that these monies are used for the development of countries of origin and are not subject to abusive bank charges.

Justification

To stress the importance of ensuring that the sums sent by immigrants to their countries of origin foster development and are not diminished by transfer charges.

Amendment 5
Article 1, paragraph 2

It is in particular intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community.

It is in particular (*though not exclusively*) intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community.

Justification

The programme should serve to encourage the signing of readmission agreements but other third countries which are the source of migratory flows must not be excluded.

Amendment 6
Article 1, paragraph 3

This Community co-operation programme finances appropriate actions which join in a coherent way national and regional Community co-operation and development strategies regarding the third countries concerned and complete the actions – in particular in the fields of migration, asylum, border control, refugees and displaced people – foreseen in the implementation of these strategies and financed from other Community instruments in the field of co-operation and development.

This Community co-operation programme finances appropriate actions which join in a coherent way ***the general principles of Community cooperation and development policy and*** national and regional Community co-operation and development strategies regarding the third countries concerned and complete the actions – in particular in the fields of migration, asylum, border control, refugees and displaced people – foreseen in the implementation of these strategies and financed from other Community instruments in the field of co-operation and development.

Justification

The purpose of this amendment is to emphasise that the Community programme should be consistent with the general principles of Community development cooperation policy (such as the fight against poverty) and not only with actions which are already underway.

Amendment 7

Article 2, paragraph 1, indent 3 a (new)

- Raising public awareness of the advantages of legal migration when compared with illegal migration;

Justification

Self-explanatory.

Amendment 8

Article 2, paragraph 1, indent 4

- The establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including in particular the fight against trafficking in human beings and ***smuggling of migrants***;

- The establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including in particular the fight against trafficking in human beings and ***illegal immigration***;

Justification

The term 'illegal immigration' is more appropriate than 'smuggling of migrants'.

Amendment 9

Article 2, paragraph 1, indent 5

- The orderly readmission and durable reintegration, into the third country concerned, of persons who have illegally entered or remained on the territory of the European Union or of persons who have remained on the territory of the European Union while benefiting from any form of international protection.

- ***Subject to the provision of the necessary technical assistance, the orderly readmission (with the utmost respect for human rights)*** and durable reintegration, into the third country concerned, of persons who have illegally entered or remained on the territory of the European Union or of persons who have remained on the territory of the European Union while benefiting from any form of international protection.

Justification

To draw attention to the need for the Commission and the Member States to provide the

technical assistance required to facilitate readmission.

The concept of ‘orderly readmission’ is not clear from the legal point of view. The purpose of this amendment is to emphasise that readmissions must not be forced and must be carried out with the utmost respect for the rights of the individual.

Amendment 10

Article 2, paragraph 1, indent 5 a (new)

- Ensuring the legal transfer of remittances by reducing the large profits made by banking intermediaries, and channelling these private financial resources into development initiatives in countries of origin, guaranteeing the control of remittances by the owners and addressees.

Justification

To emphasise the need to take account, in line with the views expressed by the Commission, of the enormous financial flows which immigrants’ remittances represent and to take the initiative to guarantee legal means of transferring remittances that are cheap, flexible and secure.

Amendment 11

Article 2, paragraph 2, indent 2

- Setting up of information campaigns on the consequences of illegal immigration and of clandestine employment in the European Union;

- Setting up of information ***and legal advice*** campaigns on the consequences of illegal immigration and of clandestine employment in the European Union;

Justification

The purpose of this amendment is to introduce one or more elements which will help to define the type of actions which Parliament hopes to see implemented, using the aid made available under the Regulation.

Amendment 12

Article 2, paragraph 2, indent 3

- Dissemination of information on the possibilities of working legally in the European Union and on the procedures to be followed to this end;

- Dissemination of information ***and technical advice*** on the possibilities of working legally in the European Union and on the procedures to be followed to this end;

Justification

To include among the measures funded under this Regulation advice on jobs, possible contracts and management arrangements in countries of destination.

Amendment 13

Article 2, paragraph 2, indent 8

- Introduction of systems for data collection, for observation and analysis of migratory phenomena; identification of the root causes of migratory movements and the definition of measures aiming to tackle them; facilitation of the exchange of information on migratory movements, in particular on migratory flows towards the European Union;

- Introduction of systems for data collection, for observation and analysis of migratory phenomena, ***with consideration being given to measures such as the establishment of a Migration Monitoring Centre, the setting up of port and airport networks and action to promote the establishment of Emigration Institutes in countries of origin and transit;*** identification of the root causes of migratory movements and the definition of measures aiming to tackle them; facilitation of the exchange of information on migratory movements, in particular on migratory flows towards the European Union;

Justification

To include a reference to specific measures that may be taken with a view to the quantification of migratory flows. Amendment 14

Article 2, paragraph 2, indent 11 a (new)

– ***Support for the development and implementation of local pilot schemes designed to create an economic environment which is favourable to the integration of returned persons into their countries of origin. Such schemes could provide a model for future development cooperation projects financed by means of the appropriate budget headings;***

Justification

The purpose of this amendment is to introduce one or more elements which will help to define the type of actions which Parliament hopes to see implemented, using the aid made available under the Regulation. In particular, this indent introduces the idea of local economic-development pilot schemes which will help to create a climate favourable to the smooth

integration of people who return, thereby creating a link between the measures provided for in the programme and the more general Community cooperation and development programmes implemented in the countries concerned.

Amendment 15

Article 2, paragraph 2, indent 11 b (new)

- ***The establishment of education and training centres which will help potential emigrants and returning emigrants to find work in their countries of origin;***

Justification

The purpose of this amendment is to introduce one or more elements which will help to define the type of actions which Parliament hopes to see implemented, using the aid made available under the Regulation.

Amendment 16

Article 2, paragraph 2, indent 11 c (new)

- ***Support for micro-loans and income generation;***

Justification

The likelihood of the Regulation's objectives being met would be increased by the inclusion among the measures eligible for funding of support for measures to enhance the job prospects of potential migrants in their countries of origin. One such measure that has proved effective is micro-loans which enable SMEs to be set up.

Amendment 17

Article 2, paragraph 2, indent 11 d (new)

- ***Support for the introduction of mechanisms to ensure that the conditions inside illegal immigrant reception centres are conducive to respect being shown for individual rights;***

Justification

To make explicit reference to the need to ensure that the conditions inside illegal immigrant reception centres are appropriate.

Amendment 18
Article 2, paragraph 2, indent 11 e (new)

- Resettlement of nationals of third countries in their countries of origin on a strictly voluntary basis and in compliance with all international human rights standards.

Justification

Implementation of this programme must not undermine respect for human rights, especially individual human rights.

Amendment 19
Article 5, paragraph 1

Partners eligible for financial support under this programme may include regional and international organisations and agencies (in particular, UN agencies), non-governmental organisations (NGOs) or other non-state actors, federal, national, provincial and local governments, their departments and agencies, institutes, associations and public and private operators.

Partners eligible for financial support under this programme may include regional and international organisations and agencies (in particular, UN agencies), **as well as** non-governmental organisations (NGOs) or other non-state actors, federal, national, provincial and local governments, their departments and agencies, institutes, associations and public and private operators, **both in Europe and in the beneficiary third countries, with the emphasis being placed on partnership between them.**

Justification

The aim is to include as many actors as possible in the programme's implementation and at the same time to specify that, where international bodies are not involved, the programme is intended in particular to foster partnership between actors in European countries and the beneficiary countries.