

BUDGETING FOR ASYLUM, MIGRATION AND INCLUSION IN EUROPE AFTER 2027

**ECRE'S ANALYSIS OF THE EUROPEAN
COMMISSION'S PROPOSAL FOR THE NEXT
MULTIANNUAL FINANCIAL FRAMEWORK AND
ITS IMPLICATIONS FOR EU FUNDING FOR
ASYLUM, MIGRATION AND INCLUSION IN
EUROPE.**

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INTRODUCTION

In July 2025, the European Commission (EC) presented the bulk of the legislative proposals for the EU's seven yearlong budget from 2028 onwards. What the EC proposed represents a significant change to the way the EU's budget is structured, managed and spent in at least the following four ways:

First, the proposal foresees the merging of what used to be separate streams (currently called instruments), which will result in a total of 16 programmes instead of the currently 50 instruments. To illustrate, the proposed European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034 (EU Fund) brings together what currently is the European Social Fund Plus (ESF+), European Regional Development Fund (ERDF), Asylum, Migration and Integration Fund (AMIF), Border Management and Visa Instrument (BMVI), Internal Security Fund – Policy (ISF-P), Common Agricultural Policy (CAP), Fisheries Policy and also includes the proposed Social Climate Fund.

Second, the proposals suggest that a large part of EU funding, namely everything covered in the EU Fund would be managed centrally at national level through National and Regional Partnership (NRP) Plans, which will be drawn up by Member States and which will determine all spending under the proposed EU Fund. This constitutes a significant departure from the current situation where multiple authorities at the national, regional and local level are involved in managing and spending EU budget in the different domains covered by the EU Fund.

Third, the MFF proposal significantly increases the flexibility of EU funding for managing authorities. Most specific funding targets which require EU Member States or the EC to dedicate and spend a set amount of budget on specific activities have been scrubbed. With only certain spending targets remaining, this provides an extraordinary room for manoeuvre for Member States.

Finally, the proposal introduces a budget expenditure and performance evaluation framework that includes sector specific indicators as well as horizontal principles to be respected in EU funding, such as 'do no significant harm' and gender equality. This sits alongside the idea that EU funding is supposed to be "performance based". Project will be required to meet certain target indicators and Member States are supposed to present reform plans together with the NRP Plans so that EU funding is connected to Member States achieving reform priorities.

This policy paper analyses how these changes and the EC's proposal for the MFF as a whole will impact EU funding for asylum in Europe. It focusses on the elements that will most likely determine how much money is spent on activities related to asylum, reception and inclusion, by whom and for which activities. The policy paper also includes specific recommendations to inform the negotiations on the legislative proposals, covering the following files:

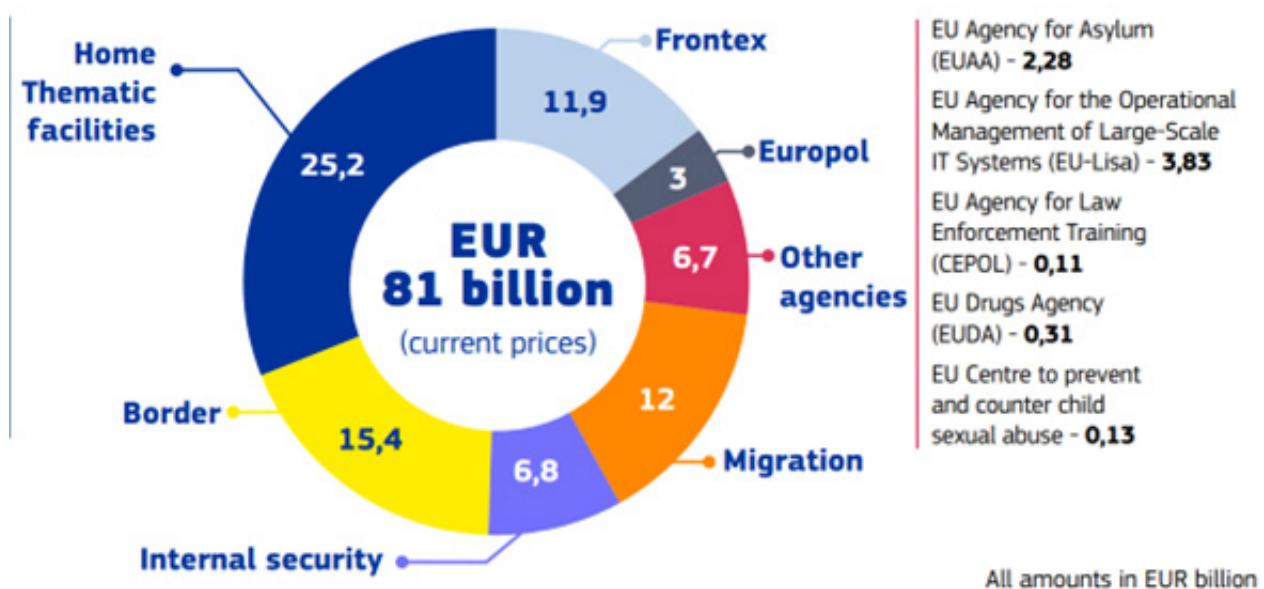
- » [Proposal for a Regulation establishing a European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034 \(EU Fund\)](#) and its Annex
- » [Proposal for a Regulation establishing a budget expenditure tracking and performance framework and other horizontal rules for the Union programmes and activities \(Performance Framework\)](#) and its Annex
- » [Proposal for a Regulation establishing the Union support for asylum, migration and integration for the period from 2028 to 2034 \(Union Support for AMI\)](#)
- » [Proposal for a Regulation establishing the Union support for the Schengen area, for European integrated border management and for the common policy on visas for the period from 2028 to 2034 \(Union Support for Schengen and EIBM\)](#)

ANALYSIS

I. AMOUNTS: HOW MUCH MONEY IS BEING PROPOSED?

The EC proposal constitutes a significant increase of EU resources for asylum and migration, particularly border management. The proposed EU's next Multiannual Financial Framework (MFF) is worth EUR 2 trillion over seven years. A total of EUR 81 billion is proposed for home affairs across funding in direct, indirect and shared management as well as funding for EU agencies.

This is the break-down of the funding proposed by the European Commission for home affairs:



Source: European Commission: Directorate-General for Migration and Home Affairs, *Europe's budget – Home affairs funds – Migration borders security*, Publications Office of the European Union, 2025, <https://data.europa.eu/doi/10.2837/2444147>

- » **EUR 12 billion for asylum, migration and integration¹** implemented via National and Regional Partnership (NRP) Plans [compared to EUR 10.94 billion under the Asylum, Migration and Integration Fund (AMIF) currently]
- » **EUR 15 billion for Schengen, integrated border management and common visas²** implemented via National and Regional Partnership (NRP) Plans [compared to EUR 7.92 billion under the Border Management and Visa fund (BMVI) currently]
- » **EUR 6.8 million for internal security implemented via** National and Regional Partnership (NRP) Plans [compared to EUR 1.91 billion under the Internal Security Fund (ISF) currently]
- » **EUR 25.2 billion will go to the Home Affairs Thematic Facilities** to support Union actions [compared to EUR 3.6 billion in the AMIF Thematic Facility, EUR 2.5 billion in the BMVI Facility and EUR 579 million in the Internal Security Fund (ISF) Facility currently which amounts to a total of EUR 6.6 billion]. This is part of the EUR 72 billion for the EU Facility budget.
- » **EUR 11.9 billion for Frontex** compared to EUR 5.9 billion in the current funding period.³
- » **EUR 2.28 billion for the EU Agency for Asylum** compared with EUR 1.36 billion in the current budget.⁴

1. The calculation of the detailed breakdown of funding allocated to each Member State is done via a Home Affairs Key which can be found in Annex I of EU Fund

2. Ibid

3. European Commission (2025). Statement of Estimates of the European Commission for the financial year 2026, p. 168, Available here: [525beef4-12c6-4bac-9dc0-e48282def1db_en](https://data.europa.eu/doi/10.2837/2444147)

4. Ibid.

Looking at the increase in budget that has been proposed, the main sectors and activities that are reinforced relate to border management and internal security with budget lines being doubled in the case of Schengen, integrated border management and common visas and Frontex and growing threefold in the case of the Internal Security Fund. In the case of asylum, migration and integration, a much more modest increase of 9.6 % is proposed. The support to the EU Asylum Agency (EUAA) is proposed to grow at 67% compared to the doubling of the Frontex budget. Overall, the proposal continues the unbalanced expansion of operating budget for Frontex and EUAA with the Frontex budget proposed to be five times that of the EUAA.

With the implementation of the Pact on Asylum and Migration (The Pact) and the significant challenges the introduction of a new and incredibly complex asylum system will bring, this imbalance should be addressed to ensure that national actors involved in asylum, reception and integration have adequate resources at their disposal. This also requires the EUAA budget to be commensurate with its expanded role and responsibilities related to the implementation of the Pact. It is therefore essential that the overall budget for Home Affairs is recalibrated to ensure that proprieties related to asylum and inclusion receive adequate amounts of funding.

An extraordinary increase can be observed related to the proposed Home Affairs Thematic Facility which is suggested to grow by 273% compared to similar funding modalities in the current MFF. Future sections will look into the Home Affairs Thematic Facility in more detail.

This table provides a quick comparison between current and proposed funding levels:

	Current MFF (2021-2027)	Next MFF (2028-2035)
Asylum, Migration & Integration	EUR 10.94 billion	EUR 12 billion
Border management and visa	EUR 7,92 billion	EUR 15 billion
Internal Security	EUR 1,91 billion	EUR 6,8 billion
Thematic facility for home affairs	EUR 6,6 billion [EUR 3,6 billion for AMIF; EUR 2,5 billion for BMVI and EUR 579 million for ISF]	EUR 25,2 billion [Part of EUR 72 billion for the EU facility]
Frontex	EUR 5,9 billion	EUR 11,9 billion
EU Agency for Asylum	EUR 1,26 billion	EUR 2,28 billion

The significant increase of funding for home affairs is contrasted by a decrease of funding for social objectives. It is proposed that 14% of the NRP Plans, approximately **EUR 100 billion will be dedicated to social objectives** which is less than the current ESF+, if one considers inflation related adjustments. In addition, the amount proposed is supposed to cover costs related to social infrastructure currently covered under the European Regional Development Fund (ERDF) as well as housing which is not included in the ESF+. Thus, the proposal is to deliver on more objectives and cover an increased number of activities [with less money](#). This risks to aggravate the already difficult situation regarding poverty, homelessness, inequality and marginalisation in many Member States and needs to be rectified by making more funding available for social objectives.

Recommendations:

EU Fund (Article 10):

- » Recalibrate spending across the home affairs funds to address the imbalance between spending on border management and investment in asylum, integration and migration, by increasing the budget available for asylum, integration and migration.
- » Increase the overall amount of funding available for social objectives to at least 20% of the NRP Plans.

EU Asylum Agency:

- » Ensure that funding allocated to the EU Asylum Agency is commensurate with its increased role under the Pact implementation and expand the proposed budget accordingly.

II. OBJECTIVES: WHAT IS EU FUNDING SUPPOSED TO CONTRIBUTE TO?

As mentioned above, EU funding in relation to asylum and migration will be spent at the Member State level via National and Regional Partnership (NRP) plans. The specific objectives related to **asylum, migration and integration** can be found in Article 3(1) Union Support for AMI:

- (a) *strengthening and developing all aspects of the Common European Asylum System;*
- (b) *enhancing effective, safe and dignified return and readmission, promoting and contributing to the effective reintegration in third countries, and contributing to countering irregular migration by preventing and combating migrant smuggling and trafficking in human beings as well as instrumentalisation and weaponisation of irregular migration;*
- (c) *strengthening and developing legal migration to the Member States in accordance with their needs, and promoting and contributing to the effective integration and social inclusion of third-country nationals during the early phases of settlement;*
- (d) *ensuring solidarity and fair sharing of responsibility between the Member States, including through practical cooperation innovative methods and new technologies, and contributing to a comprehensive approach for the internal and external components of migration and asylum management.*

There are a number of changes compared to the objectives that the AMIF currently operates under.

- » Return has increased in prominence; it is now featuring as the second objective which has been expanded to also cover activities related to smuggling and trafficking.
- » The terms “instrumentalization” and “weaponisation of irregular migration” have been introduced.
- » Support to inclusion has been reduced to the early phases only, making it impossible for EU funding under AMI to support longer-term inclusion needs. Given the reduced overall budget for social inclusion and the lack of a specific objective related to long-term social inclusion of third country nationals (see more on this below), this is a serious concern.
- » On solidarity, the mention of “innovative methods and new technologies, and contributing to a comprehensive approach for the internal and external components of migration and asylum management” have been added. These risk diluting what solidarity between Member States and with people seeking protection in the EU should look like.

The specific objectives related to **Schengen and border management** which should guide funding through the NRP Plans can be found in Article 3(1) of the proposal for Union Support for Schengen and EIBM:

- (a) *supporting the effective implementation, application and development of the Schengen framework and strengthening the governance, integrity and security of the Schengen area without internal borders;*
- (b) *supporting effective European integrated border management at the external borders, implemented by the European Border and Coast Guard as a shared responsibility of the European Border and Coast Guard Agency and the national authorities responsible for border management, including through innovative methods and new technologies, to facilitate legitimate border crossings, to prevent and detect illegal immigration, cross-border crime, and instrumentalisation and weaponisation of irregular migration, to contribute to effective return;*
- (c) *supporting the common visa policy to ensure a harmonised approach with regard to the timely issuance of visas and to facilitate legitimate travel, while preventing migratory and security risks and contributing to the security and a well-functioning of the Schengen area.*

Also here, the terminology of “instrumentalisation and weaponisation of irregular migration” has been introduced in addition to opening up the possibility for the funding to support innovative methods and new technologies as well as return. Considering the latter already forms part of a separate objective of the Union Support for AMI, this seems repetitive and redundant.

Funding that is spent via the Home Affairs Facility also refers back to the objectives set out in Article 3 of the Regulation for Union Support to AMI and Union Support for Schengen and EIBM (See Annex XV of EU Fund).

The objectives related to **social inclusion** have been significantly reduced compared to the current provisions under ESF+. No specific objective related to the social inclusion of marginalised groups, including third country nationals is included (see Article 3(1b) of EU Fund) which means that the vital support that ESF+ currently provides to people who are seeking protection and have received refugee status as well as others who have recently arrived in the EU is at risk.

Recommendations:

Union Support for Asylum, Migration and Integration (Article 3):

- » Include a reference to strengthened asylum systems, reception and legal aid under the objective of CEAS.
- » Delete references to “instrumentalisation and weaponisation of irregular migration”.
- » Delete reference to “early phase” in relation to social inclusion to ensure that AMI is able to provide longer-term support for people arriving in the EU.
- » Delete references to “innovative methods and new technologies” in relation to solidarity.

Union Support for Schengen and Border Management (Article 3):

- » Delete references to “instrumentalisation and weaponisation of irregular migration” and return.

EU Fund (Article 3):

- » Introduce the promotion of social inclusion of marginalised groups, including third country nationals as a specific objective of the Fund.
- » Emphasise the promotion of social inclusion and fighting poverty and homelessness by addressing the multicausality of exclusion and poverty as a specific objective of the EU Fund.

III. EARMARKING OR SPENDING TARGETS: WHAT WILL THE MONEY ACTUALLY BE SPENT ON?

The EC's proposal for the new MFF significantly reduces the number of spending targets that are included in the EU's budget. This is a substantial change. In the realm of home affairs, it means that the targets that are currently included in the AMIF and BMVI and which require Member States to spend a certain amount of their national programmes on specific objectives have been removed. In the case of AMIF this includes 15% of the national programmes for MS to be spent on the objective related to CEAS and on the objective on legal migration and inclusion respectively.

Instead, Articles 3 of the Union Support for AMI and the Union fund for Schengen and EIBM respectively state that *“The Member States shall ensure that the priorities of their National and Regional Partnership Plans include actions to achieve each of the objectives of the Union support under this Regulation, and, that the allocation of resources between objectives is proportionate to the identified challenges and needs.”*

The removal of spending targets goes beyond the home affairs funds. Different than under the current budget, there is no earmarking for dedicated spending on the reduction of child poverty and to address material deprivation in the ESF+.

The absence of dedicated spending targets on asylum and inclusion is hugely problematic as it enables a situation where Member States who do not have an interest in functioning and well-resourced asylum systems and inclusion have wide-open manoeuvre space to invest EU funds elsewhere. Past research conducted by ECRE in cooperation with UNHCR has analysed Member States programming and spending under AMIF in four consecutive reports in the Follow the Money Series. The research underlined the *importance of having allocation and spending targets* for objectives related to asylum and inclusion to ensure that these areas received adequate funding and to address the risk of a *singular focus* of AMIF funds on return. The removal of spending targets poses a significant risk to ensuring a functioning and common European asylum system. The mere call by the EC to Member States to spend resources between the objectives in a proportionate way and corresponding to needs will not be sufficient to guarantee that funding goes where it is most needed. ECRE's research has demonstrated that only a handful of Member States in the past have spent their funding in a balanced way.⁵

Another concern relates to the fact that a large amount of money, namely EUR 25 billion in the Home Affairs Facility has no single earmarking attached to it. To have such a large part of the home affairs budget without any allocation specifications may lead to unbalanced and untransparent spending.

For spending on social objectives, the same holds true. The current 25% ear-marking for social inclusion within ESF+ has guaranteed that EU funding targets people affected by marginalization, discrimination and extreme poverty in European societies. Without a specific target, there is a risk that funding is redirected from this group, irrespective of the fact that it has the highest need.

5. See Chapter IV Follow the Money II: Out of the 26 Implementing Member States analysed, only 5 were found to have spent the funding in a balanced way. Full report available here: Follow-the-Money-II_AMIF_UNHCR_ECRE.pdf

What role the newly proposed performance framework and the sector specific indicators contained therein will play in relation to funding allocations is unclear. There should be some relation as they are used to track expenditure for reimbursement by the EC. However, as suggested in the Performance Framework, “*the eligibility of an activity under the budget shall be based solely on the sector-specific rules and it shall not be restricted by the definition of intervention fields, which are established only for the purposes of tracking expenditure and monitoring the performance of the budget.*” (Art 8). This suggests that Member States can spend money on activities not covered by the indicators but how those will then be accounted for in the monitoring is unclear.

As it stands now, the proposal’s performance framework may have a chilling effect on investments that focus on marginalised groups. If meeting the indicators is a prerequisite for obtaining EU funding, there is a risk that organisations will target groups where they can be certain that indicators will be reached, rather than those who are in most need of interventions. More clarification and clearer guidance on how the performance framework will be applied is necessary to avoid creating a system which has a limiting and chilling effect on interventions in challenging circumstances, and which may also stifle more innovative approaches being supported by EC funding. It is therefore important that co-legislators specify how it will be ensured that indicators do not pre-determine and limit the scope of activities that EU funding can support and introduce relevant safeguards.

In addition, a system that is not based on the reimbursement of costs incurred but of indicators met creates uncertainty for organisations carrying out activities supported by EU funds. The responsibility for reaching indicators should therefore be clearly assigned to national authorities.

Recommendations:

Union Support for AMI (Article 3):

- » Introduce a spending target of 20% for the CEAS objective and the legal migration and inclusion objective respectively as part of Member State’s National and Regional Partnership Plans.

EU Fund:

- » Define expenditure under the Home Affairs Facility to ensure an adequate amount of funding is dedicated to asylum and integration in Title IV.
- » Introduce 25% earmarking for social inclusion as part of spending on social objectives in the NRP Plans.
- » Introduce an obligation to assess the impact and usefulness of the sector specific indicators during the Mid-Term review in Article 25.

Performance Framework (Article 8):

- » Clarify that the sector specific indicators included in the Annex of the Performance Framework shall not limit the activities that can be supported by EU funding.
- » Introduce exceptions for AMIF and ESF funding or ensure specific indicators that are flexible enough to accommodate for uncertainty and marginalised groups.
- » Ensure liability for missing target indicators lies with the national authorities and relates to a programme’s overall performance, not individual projects.

IV. LUMP-SUMS: INCENTIVISING RELOCATION AND RESETTLEMENT

The Union Support for AMI refers to the specific amounts that Member States can receive from the EU to support the functioning of the solidarity mechanism established under the Asylum and Migration Management Regulation, including: EUR 10.000 per applicant for or beneficiary of international protection that the MS becomes responsible for and EUR 12.000 in the case the person concerned is an unaccompanied child (Article 6 Union Support for AMI).

It also echoes the amounts that have been set in the Union Resettlement and Humanitarian Admission Framework as EUR 10.000 per resettled person and EUR 6000 per humanitarian admission with additional EUR 8000 in case of particular vulnerability (Article 7 Union Support for AMI).

ECRE and UNHCR [past research](#) has demonstrated the incentivising effect that lump sum payments as those proposed have for resettlement, notwithstanding the broader political context of whether a Member State is supportive of resettlement.

For the most effective use of resources and to ensure sustainable and successful resettlement and relocations, it will be important to ensure that the benefits of the lump-sums (e.g. reduced administrative burden, increased flexibility) are passed onto national actors. In addition, the specific lump sum for relocation should be considered as a way to ensure more comparable treatment of people who have been relocated to different Member States.

V. THE NATIONAL AND REGIONAL PARTNERSHIP (NRPS) PLANS: HOW WILL MEMBER STATES PLAN TO SPEND THE MONEY?

The bulk of funding for asylum, migration, integration, border management and social inclusion is proposed to be administered by the National and Regional Partnership (NRP) Plans in shared management.

Member States and third countries who benefit from funding streams have to develop NRP Plans. It is welcome that the proposal underlines that the Plans should be drawn up in partnership with the partners that are detailed within the EU Fund (see section 7 below). To ensure that this becomes a reality, more guidance is needed to illustrate how to fulfil the requirement. This could take the form of a specific Annex to the EU Fund where it is outlined how the partnership principle should be applied in the development of the NRP Plans. To assess whether the requirement has been fulfilled, a checklist to be completed by relevant authorities and partners could be envisaged. These two independent assessments would then be submitted to the European Commission alongside the NRP Plan to assess the qualitative involvement of stakeholders. Examples of such [checklists](#) already exist and the new MFF presents an opportunity to apply them more widely.

For the area of home affairs, the NRPs are supposed to address challenges that have been identified by the Schengen evaluations, Frontex vulnerability assessments and EUAA monitoring mechanism (Article 22 EU fund). In the realm of social inclusion, reference is made to ensuring that the NRPs contributes to the EU's social objectives and the European Semester (Article 22 EU fund).

How the Member States structure their NRP Plans is left for a large part to their discretion. For instance, while there is a reference to chapters that should structure the NRP, the number of chapters and what each of them covers is for the decision of Member States. This will make it extremely difficult to assess and compare Member States spending of EU money.

The European Commission reviews the NRP Plans and may request additional measures or modification (Article 23 EU Fund). However, even in cases where the NRP Plans continues to not meet the European Commission's expectations, it proceeds to the stage of a Council Implementing Decision, albeit with a reference that provide "an identification of the deficiencies affecting those measures." (Article 23.5 EU Fund).

Recommendations:

EU Fund (Article 21):

- » Specify how Member States have to apply the partnership principle in the development of the NRP Plan through a dedicated Annex which also includes a questionnaire that allows for an independent assessment of the process by national authorities and partners.
- » Introduce a minimum of standardised structure and format for the NRP Plans, including specification that all home affairs funds should be treated within the same chapter and overseen by at least one monitoring committee.

VI. CO-FINANCING RATES: WHO WILL BE ABLE TO AFFORD RECEIVING EU FUNDING FOR ASYLUM AND MIGRATION?

Whether organisations can benefit from EU funding depends on a range of different parameters, importantly their financial and administrative capacity to apply and manage EU funding due to the onerous requirements and rules that are in place. Another relevant factor that determines whether organisations are able to apply for EU funding are the co-financing rates, meaning the amount of money that organisations have to contribute to the overall budget of the activity funded with EU money. Under the current AMIF, requirements of co-financing can be up to 25%. However, for various activities, including measures on inclusion and targeted support for vulnerable people with specific needs, co-financing can be reduced to 10%. This can be interpreted as a recognition that the actors involved in carrying out these activities, mainly civil society organisations, would otherwise not be able to be involved as they cannot contribute these significant amounts of funding.

The EC's proposal for the next MFF suggests a radical departure from this understanding. What the proposal puts forward is that all activities covered by the NRPs Plans comply with the co-financing rate modelled after the cohesion funds, which depend on the level of development in the specific region. This would mean that at the minimum, the national contribution to the estimated cost should be: (a) 15% for less developed regions; (b) 40% for transition regions; (c) 60% for more developed regions (Article 20 EU Fund).

If this proposal was agreed, it will significantly reduce the number of civil society organisations who can consider applying for activities covered by the EU Fund. This affects all civil society organisations, but is a particular blow to refugee and migrant-led organisations who often run on a much smaller budget.

If the proposed changes were agreed, they would have a significant impact on the effectiveness of EU funding in a wide range of policy areas where civil society is the best suited actor to deliver activities, due to expertise, insights and relations to local contexts. The repercussions go beyond EU funding however and may impact civil society activity in European societies and participation in policy-making more broadly. It would run counter to the [EU's Strategy for Civil Society](#) which was recently adopted and which recognizes the need to support and strengthen civil society, including as a way to facilitate engagement between European citizens and the EU.

Instead of further restricting access for civil society to EU funding, co-legislators should propose measures that reduce the bureaucratic hurdles that need to be overcome for civil society organisations to access and manage EU funding, by for instance making simplified cost options more widely available and applied.

Recommendations:

EU Fund:

- » Ensure that co-financing rates for activities that support inclusion, targeted support for vulnerable people remain at 10% irrespective of the development of the level of economic development of the project's region in Article 20.
- » Ensure that for actions covered by Union Support for AMI, co-financing rates do not go beyond 25% in Article 20.
- » Introduce an additional paragraph in Article 78 so that simplified cost options are considered in all interventions related to asylum, inclusion and migration.

VII. PARTNERSHIP: STRONG IN PRINCIPLE BUT EASY TO UNDERMINE?

The proposed EU Fund reiterates the commitment to the European Code of Conduct on Partnership and specifies that Member States have the obligation to set up comprehensive partnerships for each chapter of the NRP Plan with the caveat that this should be done in accordance with the Member State's institutional and legal framework (Article 6 EU Fund).

The partnerships shall include a balanced representation of the following partners:

- (a) *regional, local, urban, rural and other public authorities or associations representing such authorities;*
- (b) *economic and social partners, including farmers, fishers and their organisations;*
- (c) *relevant bodies representing civil society, such as environmental partners, nongovernmental organisations, youth organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination, national human rights institutions and organisations;*
- (d) *research organisations and universities, where appropriate*

The newly introduced specific reference to national human rights institutions and organisations is welcome as they can play an important role in supporting and monitoring rights-compliant use of EU funds.

In addition to the generic reference to partners, it is specified that for activities supported under the Regulation for Union Support for AMI partnership should include “*regional, local, urban and other public authorities or associations representing such authorities, civil society organisations, such as refugee organisations and migrant-led organisations, as well as national human rights institutions and equality bodies, and, where appropriate, international organisations and economic and social partners*” (Article 6.5 EU Fund). This is particularly welcome as the explicit reference to civil society organisations, including refugee or migrant-led organisations may serve as a way to facilitate participation of those organisations in shaping, implementing and monitoring EU funds. This is desirable as it renders EU funding more representative of existing needs and makes it more effective.

However, the same Article also grants Member States the possibility to derogate from the requirements on partnership in relation to funding for border management and internal security. If this proposal was agreed, it would constitute a real set-back for the important advances that civil society has made in several Member States in trying to become more involved in both of these funds.

Given the fact that the proposal suggests a doubling of funding amounts in the case of border management and tripling in the case of internal security, introducing a way in which Member States can opt out of applying the partnership principle to such significant parts of the home affairs funding seems imprudent and disproportionate.

This is particularly concerning as both funds are supporting activities that carry significant risk for human rights and for which an inclusive application of the partnership principle, including the involvement of civil society organisations and national human rights institutions, would be desirable to highlight, assess, mitigate and prevent risk for fundamental rights. Given the *obligation* of national authorities and EU institutions to respect and uphold the Charter, ensuring the involvement of relevant actors in the oversight of the funds is important.

Even in the current funding period, where Member States are not provided with an exemption for involving civil society in funds related to asylum and migration, [analysis of ECRI and PICUM found](#) that civil society working on asylum and migration is not systematically included in programming of related EU funds and that they are only marginally represented in the respective monitoring committees. In response to this, more needs to be done in the next MFF to reiterate and strengthen the partnership principle by underlying that this is a mandatory requirement for EU funding and by providing financial support to civil society or other partners to strengthen their capacity to engage in monitoring committees.

Recommendations:

EU Fund (Article 6):

- » Maintain the strong references to partnership principle and the broad range of civil society organisations and national human rights institutions to be included in Article 6(1).
- » Confirm the list of organisations referenced in relation to Union Support for AMI, particularly refugee and migrant-led organisations in Article 6(5).
- » Delete the following line in Article 6(5): Member States may derogate from the requirements on partnership and multi-level governance for the purposes of the Union support established by Regulation (EU) 202X/XX [border management] and Regulation (EU) 202X/XX [internal security] if duly reasoned and substantiated by the Member State in its Plan.
- » Specify that diverse and independent civil society participation in the monitoring committees is a mandatory requirement for Member States to realise the partnership principle.
- » Introduce a paragraph that specifies that EU funding, including from the NRP Plans should be made available to support the realisation of the partnership principle, including where relevant financial support to civil society or fundamental rights organisations to build their capacity to engage or cover related costs.

VIII. MANAGING AND MONITORING THE NRPS: WHO IS IN CHARGE?

The centralisation of the planning and managing of EU funding is one of the significant shifts in the proposed budget. Each MS is supposed to decide on one or several managing authorities to be involved in the National and Regional Partnership Plan (NRP Plan). If several are involved, one will be designated as the coordinating authority; also, one or more paying agencies and one or more audit authorities should be identified for the NRP Plan. All of the authorities are able to communicate with the European Commission directly (Article 49 EU Fund). While the functions of the managing, paying and audit authorities are described in separate articles, how the different authorities are supposed to engage with each other is not specified but is left for the Member States to establish.

Member States are supposed to set up one or more monitoring committees for the different chapters of the NRP Plan. While the proposal requires that all chapters of the Plan are covered by a monitoring committee, no more detail is specified. Thus, the EC's proposal provides MS with complete freedom to structure their NRP Plans and in turn, also does not prescribe the number and scope of monitoring committees. There is therefore no certainty that the Union Support for AMI of Union Support for Schengen and EIBM will be covered by separate monitoring committees, whether Home Affairs Funds will all be covered by the same monitoring committee or whether the respective monitoring committee will cover home affairs funds and other policy areas. What is suggested is that where more than one monitoring committee is established, a coordinating committee should be set up (Article 54 EU Fund).

The current proposal thus foresees an enormous amount of flexibility for Member States which will make external oversight and monitoring of EU funding extremely challenging. It will also lead to significant de-harmonisation within the EU funding structure which will make comparative analysis and learning across Member States very difficult.

The composition of the monitoring committees shall be decided by Member States in a public procedure and based on objective and transparent criteria. Reference is also made to the partnerships and who they should cover, which includes representatives of civil society. As mentioned in section 7 above, provisions for the AMI Fund are positive, but the fact that Member States can derogate from the partnership requirements for funding for border management and internal security is very problematic. Instead of providing more leeway to Member States, EU rules should specify that participation of civil society organisations in the monitoring committees is a mandatory requirement.

What is missing compared to the current Common Provision Regulation is a deadline by which Member States are supposed to have set up the monitoring committees. To ensure that the monitoring committees are established in time to support the successful and inclusive implementation of the EU Fund, this should be introduced in the proposal.

Recommendations:

EU Fund (Article 54):

- » Specify that there should at least be one monitoring committee for home affairs funds.
- » Reiterate that compliance with the partnership principle in the monitoring committee, including involvement of civil society is a mandatory requirement for all Member States.
- » Include a requirement for the monitoring committees to be set up within 3 months of the NRP Plan being approved.

IX. MANAGING AND MONITORING THE THEMATIC HOME AFFAIRS FACILITY: WHO IS IN CHARGE?

The Thematic Home Affairs Facility covers over 30% of the EU's home affairs budget. Considering this significant amount, very little information about the way in which the money will be managed and spent is available. Article 26 of the EU Fund sets out that the Facility shall be implemented under shared, direct or indirect management and that it may also provide funding in the form of budgetary guarantees and financial instruments.

Given the 4-fold increase of funding under the Home Affairs Facility compared to current funding levels, a better understanding of how the money will be allocated, programmed, implemented and monitored is necessary. In addition, it is not specified how the partnership principle applies to this important amount which leaves a significant amount of funding in the realm of home affairs potentially void of partnership involvement. It is therefore reasonable to expect that a monitoring committee, similar to those involved in overseeing the different chapters of the NRP Plans, is established.

Recommendations:

EU Fund (Article 26)

- » Specify how the Home Affairs Facility will decide on its annual priorities and the break-down between funding in direct, indirect and shared management.
- » Include an obligation for the implementation of the EU Facility to comply with the principles of partnership as set out in Article 6 of the EU Fund.
- » Introduce the obligation to establish a monitoring committee for the Home Affairs Facility.

X. FUNDAMENTAL RIGHTS: STRENGTHENING THEIR APPLICATION IN EU FUNDING

The proposed MFF replaces the current system of four “horizontal principles” and two “horizontal enabling conditions” set out in the Common Provisions Regulation that applies to all funds under shared management with “horizontal principles” some of which can be found in the Regulation establishing the EU Fund and some in the Regulation for the Performance Framework. Currently, the respect for fundamental rights and the application and implementation of the Charter is reflected as both a principle and enabling condition.⁶ In the proposal for the new MFF, it appears only in the horizontal principles set out in the EU Fund in Article 7 and 8. The fact that different set of principles appear in different funding instruments gives the impression that there are different levels of fundamental rights scrutiny which as the [FRA previously highlighted](#) is misleading given the crosscutting nature of the Charter obligations.

As currently, Member States are asked to assess their compliance with the Charter and also Rule of Law requirements as part of their submission of the National and Regional Partnership Plans (NRP Plans) (Article 22 EU Fund). In case of non-fulfilment, payments can be suspended after a Council Implementing Decision. As currently, the monitoring committee plays a key role in overseeing that during the implementation of EU funding, the horizontal principle related to the Charter and Rule of Law are applied (Article 56 EU Fund).

Detailing how continuous monitoring can be ensured and how EU funding can react to changes in the political context is important given the ongoing obligation to comply with the horizontal principles and the fact that the NRP Plan, where the Member State is providing information on how it meets the principles, is a punctual activity. It is therefore desirable to specify in more detail based on which information and criteria, the European Commission would reassess and if relevant withhold EU funding.

Recommendations:

- » Clarify the relation between horizontal principles contained in the EU Fund (Article 7-9) and those in the Performance Framework (Chapter 2 Horizontal Principles)

EU Fund:

- » Amend Article 8 so it reads: “Where the Commission considers that a Member State does not fulfil or no longer fulfils the Charter horizontal condition, as provided for in paragraph 1, it shall notify the Member State concerned of its assessment, based on information provided by the Member State concerned in its NRP Plan, in response to Commission observations, and taking into account relevant information, including the Rule of Law and European Semester country-specific reports **and information provided by national and international human rights organisations and bodies.**”

6. A detailed analysis of Fundamental rights compliance of funding supporting migrants, asylum applicants and refugees inside the European Union can be found in ECRE and PICUM’s Policy Note on this subject from March 2023 available [here](#).

CONCLUSIONS

Much is at stake in the negotiations for the next MFF: Will the EU collectively and Member States individually invest in functioning asylum systems, legal aid, reception and social inclusion? Can the ambition of a Common European Asylum System be reconciled with increased and wide-ranging flexibility for Member States on how they spend EU funds in the realm of home affairs? Will the excessive focus on border management and internal security at the cost of a more balanced budget be maintained? Will the opportunity to firmly anchor and realise the Partnership Principle be realised? Will the MFF ensure that civil society is recognised and empowered to play its role as key actor of democracy as set out in Article 11 of the Treaty of the EU? Can it be ensured that fundamental rights compliance is the starting point and continuous benchmark for spending of EU funds and that closer links are made between the MFF and the EU's obligations under the Charter?

These are just some of the questions that co-legislators will need to find answers to throughout the negotiations. The new MFF architecture means that certain legislative files such as the proposed Regulations for the EU Fund and for the Performance Framework are determining modalities of spending for all other thematic funds but may be negotiated in isolation from each other, particularly in the European Parliament where not all relevant committees are involved in e.g. providing opinions on the EU Fund. This only further complicates the picture.



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