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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Union support for asylum, migration and integration for the period from 2028 to 2034 - Bracketed provisions

In the context of the discussions on the Multiannual Financial Framework (MFF), delegations will find in annex the bracketed proposal in subject. Brackets in the text are indicated in **bold and underline**.

Bracketed provisions/elements are those most likely to form part of horizontal negotiations on the MFF and may feature in the future MFF Negotiating Box (NB).

The AHWP MFF will examine 'bracketed' parts of the proposals, while the relevant working parties will examine the remaining parts of these proposals. The Presidency of the JHA Counsellors on Financial Instruments will therefore not conclude discussions on those provisions at the level of the JHA Counsellors on Financial Instruments.

All Presidency compromises prepared at sectoral level, including partial general approaches, will maintain the brackets as long as horizontal negotiations on the MFF are not finalised as nothing is agreed until everything is agreed. Bracketed provisions may be reviewed, if necessary, as negotiations progress.

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ANNEX

EUROPEAN
COMMISSION

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Brussels, 16.7.2025
COM(2025) 540 final

2025/0540 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing the Union support for asylum, migration and integration for the period from 2028 to 2034

2025/0540 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing the Union support for asylum, migration and integration for the period from 2028 to 2034

PUBLIC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 78(2) and Article 79(2) and (4) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure[2],

Whereas:

(1) The purpose of this Regulation is to contribute to the Union's objective of constituting an area of freedom, security and justice in accordance with the Treaty on the Functioning of the European Union (TFEU) through provision of Union support for the development of a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement in accordance with Article 77 TFEU, and a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings in accordance with Article 79 TFEU.

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1 OJ C […], […], p. […].

2 Position of the European Parliament of […] and position of the Council of […].

(2) The entry into force of the Pact on Migration and Asylum in June 2024 has reshaped the Union's asylum and migration policy. To foster the implementation of the Pact and to support efforts to ensure a comprehensive approach to the management of migration that is grounded on solidarity and fair sharing of responsibility between Member States, Union institutions and agencies, Member States should be supported by adequate financial resources. [This Union support will be provided under the horizontal rules of the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security established by Regulation (EU) […].]

(3) This Regulation lays down the objectives of the Union support on asylum, migration and integration policy. Member States should ensure that their National and Regional Partnership Plans address each of the objectives set out by this Regulation.

(4) [The amounts to be allocated per Member State should be set out by the Commission in accordance with the allocation methodology laid down in Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security through a single implementing decision. That decision should as a rule also cover the amounts under the Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, the Regulation (EU) […] establishing the Union support for the Schengen area, for European integrated border management and for the common policy on visas and the Regulation (EU) […] establishing the Union Support for internal security.]

(5) The Union support should build on the results and investments in the areas of asylum and migration from the previous programming periods: (i) the European Refugee Fund established by Decision No 573/2007/EC of the European Parliament and of the Council[3] for the period 2008-2013; (ii) the European Fund for the Integration of third-country nationals established by Council Decision 2007/435/EC[4] for the period 2007-2013; (iii) the European Return Fund established by Decision No 575/2007/EC of the European Parliament and of the Council[5] for the period 2008-2013; (iv) the Asylum, Migration and Integration Fund established by Regulation (EU) No 516/2014 of the European Parliament and of the Council[6] for the period

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3 Decision No 573/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' and repealing Council Decision 2004/904/EC (OJ L 144, 6.6.2007, p. 1, ELI: http://data.europa.eu/eli/dec/2007/573/oj).

4 Council Decision 2007/435/EC of 25 June 2007 establishing the European Fund for the Integration of third-country nationals for the period 2007 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' (OJ L 168, 28.6.2007, p. 18, ELI: http://data.europa.eu/eli/dec/2007/435/oj).

5 Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General Programme 'Solidarity and Management of Migration Flows' (OJ L 144, 6.6.2007, p. 45, ELI: http://data.europa.eu/eli/dec/2007/575/oj).

6 Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the

2014-2020, and (v) the Asylum, Migration and Integration Fund for the period 2021-2027, established by Regulation (EU) 2021/1147 of the European Parliament and of the Council[7]. The scope of the Union support should also allow for new developments to be taken into account.

(6) Europe's geopolitical context has significantly changed, profoundly affecting the Union's migration management, also due to the role of State actors in artificially creating and facilitating irregular migration, instrumentalising migratory flows as a tool for political purposes, and to the use of hybrid warfare tactics, such as the weaponisation of migration[8], to destabilise the European Union and its Member States. Member States need to be able to rapidly and effectively respond to developments of migratory flows and receive Union support for that purpose. To respond to these European challenges, the allocation of Union support should reflect the Union's priorities. Therefore, the Union support implemented under the rules governing the Member States National and Regional Partnership Plans should contribute to effectively addressing the challenges identified in the context of the long-term European Asylum and Migration Management Strategy and the annual migration management cycle established in accordance with Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024[9], including the annual solidarity mechanism and the Union Resettlement and Humanitarian Admission Framework.

This Union support under this Regulation should finance measures tailored to the needs of third-country nationals that are generally implemented in the early stages of integration, as well as horizontal measures supporting Member States' capacities in the field of integration, whereas interventions for third-country nationals with a longer-term impact should be pursued under other Union supports.

(7) As challenges in the area of migration and asylum are constantly evolving, there is a need to adapt the allocation of the Union support under this Regulation to the changes in migration flows and asylum. To respond to pressing needs and changes in policy and Union priorities, and to steer funding towards actions with a high level of Union added value, part of the Union support under this Regulation should be implemented in direct, shared and indirect management via the EU Facility established pursuant to Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security. The EU Facility offers flexibility in the management

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European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168, ELI: http://data.europa.eu/eli/reg/2014/516/oj).

7 Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing Asylum Migration and Integration Fund (OJ 251, 15.07.2021, p.1-47, ELI: http://data.europa.eu/eli/reg/2021/1147/oj).

8 Communication from the Commission to the European Parliament and the Council on countering hybrid threats from the weaponisation of migration and strengthening security at the EU's external borders (COM(2024) 570 final of 11.12.2024).

9 Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, OJ L, 2024/1351, 22.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1351/oj).

of the Union support, and, for shared management, it should be implemented through the Member States' National and Regional Partnership Plans.

(8) The Commission and the Member States should ensure that the knowledge, expertise and experience of relevant Union bodies, offices and agencies are taken into account in the development of Member States' National and Regional Plans and when implementing measures or addressing challenges in relation to migration management, border control and management and internal security. Where appropriate, the Commission should also be able to involve the relevant Union bodies, offices and agencies in activities aiming to ensure that the measures supported by the Union support comply with the relevant Union acquis and agreed Union priorities.

(9) The Union support should also contribute to the implementation of temporary protection in relation to Council Directive 2001/55/EC[10] in the event of a mass influx of displaced persons, including of temporary protection introduced and extended by past Council decisions, and the implementation of measures to promote a balance of efforts between the Member States hosting such persons.

(10) The Member States should build on the principle of partnership in the implementation of the Union support to ensure continuity in the governance approach.

(11) The Union support should contribute to ensuring consistency, coherence, synergies and complementarities between the Union's internal and external policies. An increased coherence is needed between migration, asylum, return and external policies and it is important to ensure that the Union's external assistance and Union support under this Regulation contribute to a coordinated, holistic and structured approach to migration, maximising synergies and increasing leverage. Union support under this Regulation may also include support to the relevant resources of the EU delegations in duly justified cases, and be coordinated between the Member States and the Commission in programming and implementation stages.

(12) Europe must protect its security interests against suppliers which could represent a persistent security risk due to the potential interference from third countries as well as their cybersecurity practices. It is therefore necessary to reduce the risk of persisting dependency on high-risk suppliers in the internal market, as they could have potentially serious negative impacts on security for users, companies and authorities across the EU in terms of the integrity of data and services as well as the availability of service. This exclusion should be based on a proportionate risk assessment and associated mitigation measures as defined in the Union policies and laws.

(13) Resettlement and humanitarian admission are safe and legal alternatives to irregular migration and a tool of European solidarity with countries that are not Member States and which host large numbers of persons fleeing war or persecution. Resettlement and humanitarian admission efforts by the Member States undertaken in the framework of Regulation (EU)

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[10] Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, (OJ L 212, 7.8.2001, p. 12–23, ELI: http://data.europa.eu/eli/dir/2001/55/oj).

2024/1350 of the European Parliament and of the Council[11] should be supported by appropriate funding from the Union's budget. In view of the specific nature of the support needed for purposes of resettlement and humanitarian admission and for the transfer of applicants for international protection or of beneficiaries of international protection, it is necessary to provide in this Regulation for pre-identified amounts per unit for such support.

(14) This Regulation should also ensure the continuation of the European Migration Network set up by Council Decision 2008/381/EC[12] in accordance with its objectives and tasks.

(15) Given that Member States subject to migratory pressure should be able to rely on Union support, this Regulation should set out the rules in order to make available to benefitting Member States the respective share of the financial contributions included in the Annual Solidarity Pool established by Regulation (EU) 2024/1351[13].

(16) A third country that has concluded an agreement with the Union on the criteria and mechanisms for establishing the State responsible for examining an application for international protection registered in a Member State or registered in that third country should be allowed to participate in the Union support through this Regulation provided certain conditions are fulfilled.

(17) All actions supported in accordance with the Union support under this Regulation should be implemented in compliance with the rights and principles enshrined in the Union *acquis* and the Charter of Fundamental Rights of the European Union and should be in line with the international obligations of the Union and the Member States arising from the international instruments to which they are party.

(18) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(19) [In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union (TEU) and the TFEU, Ireland has notified [, *by letter of* ...,] its wish to take part in the adoption and application of this Regulation.

OR

In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty of the European Union (TEU) and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland

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11 Regulation (EU) 2024/1350 of the European Parliament and of the Council of 14 May 2024 establishing a Union Resettlement and Humanitarian Admission Framework, and amending Regulation (EU) 2021/1147, (OJ L, 2024/1350, 22.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1350/oj, ELI: http://data.europa.eu/eli/dec/2008/381/oj).

12 Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7, ELI: http://data.europa.eu/eli/dec/2008/381/oj).

13 Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, OJ L, 2024/1351, 22.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1351/oj).

is not taking part in the adoption of this Regulation and is not bound by it or subject to its application],

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down the objectives and financing of the Union support for the implementation, strengthening and development of the common policy on asylum and the common immigration policy [for the period from 1 January 2028 to 31 December 2034]. The Union support shall contribute to the efficient management of migration flows and asylum, including by providing support for the implementation, strengthening and development of the Pact on Migration and Asylum, and the common system of temporary protection for displaced persons in the event of a mass influx.

[This Union support shall be provided under the horizontal rules of the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security established by Regulation (EU) […].]

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) 'applicant for international protection' means an applicant as defined in Article 2, point (4) of Regulation (EU) 2024/1351;

(2) 'beneficiary of international protection' means a beneficiary of international protection as defined in Article 2, point (7) of Regulation (EU) 2024/1351;

(3) 'temporary protection' means temporary protection as defined in Article 2, point (a) of Directive 2001/55/EC[14];

[14] Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a

(4) 'family member' means a family member as defined in Article 2, point (8) of Regulation (EU) 2024/1351;

(5) 'humanitarian admission' means humanitarian admission as defined in Article 2, point (3) of Regulation (EU) 2024/1350 ;

(6) 'resettlement' means resettlement as defined in Article 2, point (1) of Regulation (EU) 2024/1350;

(7) 'third-country national' means third country national as defined in Article 2, point (1) of Regulation (EU) 2024/1351;

(8) 'unaccompanied minor' means an unaccompanied minor as defined in Article 2, point (11) of Regulation (EU) 2024/1351;

(9) 'vulnerable person' means any person defined as a vulnerable person under the Union law relevant to the policy area of action supported under the Union support;

(10) 'benefitting Member State' means a benefitting Member State as defined in Article 2, point (19) of Regulation (EU) 2024/1351;

(11) 'contributing Member State' means a contributing Member State as defined in Article 2, point (20) of Regulation (EU) 2024/1351;

(12) 'financial contributions' means financial contributions in accordance with Article 56, point (b) of paragraph 2 of Regulation (EU) 2024/1351.

Article 3

Objectives for the Union support for asylum, migration and integration

1. In order to ensure an efficient management of migration flows, the Union support shall contribute to each of the following objectives:

(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;

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balance of efforts between Member States in receiving such persons and bearing the consequences thereof.

(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.*

2. The Union support shall be implemented in accordance with the relevant Union acquis and in full respect of the international obligations of the Union and the Member States arising from the international instruments to which they are party.

3. 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.

Article 4

Financing

1. [The indicative financial envelope for the implementation of the objectives set out in Article 3 for the period from 2028 to 2034 is set at EUR 11 975 428 500 in current prices. It shall be implemented in compliance with the horizontal rules for the National and Regional Partnership Plans laid down in Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security.]

2. The Commission shall adopt an implementing act to establish the amount per Member State by applying the allocation methodology set out in Section B, Annex I of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security.

3. In addition, the budgetary appropriations for the objectives set out in Article 3 of this Regulation, implemented through the EU Facility under Title IV of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, shall be established in the framework of the annual budgetary procedure provided for in Article 314 TFEU.

4. For measures that relate to the objectives set out in Article 3 of this Regulation, where the Commission concludes that those measures comply with the requirements laid down in this Regulation and Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, and where the Commission proposes a Council implementing decision approving the National and Regional Partnership Plan of the concerned Member State in accordance with the procedure set out in Article 23 of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, it shall make a proposal for a Council implementing decision on the approval of those measures.

5. When making a proposal for a Council implementing decision on the measures that relate to the objectives set out in Article 3 of this Regulation, the Commission proposal shall lay down the elements referred to in Article 23(4) of the Regulation (EU) […] establishing the

European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, with regard to the objectives set out in Article 3.

6. The Council shall adopt the implementing decision referred to in paragraph 4, as a rule, within four weeks of the adoption of the Commission proposal and together with the implementing decisions referred to in Article 23(1) of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security.

7. Article 24 of the Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security on the amendment of Plans shall apply, provided that the Commission proposal and the Council Implementing Decision approving amendments of the elements listed in Article 23(4) only cover the objectives referred to in Article 3 of this Regulation.

Article 5

Resources for resettlement and humanitarian admission

1. Member States shall receive, in addition to their allocation under Article 4(1) and (2) of this Regulation, an amount of EUR 10 000 for each person admitted through resettlement under the Union Resettlement and Humanitarian Admission Framework established by Regulation (EU) 2024/1350.

2. Member States shall receive, in addition to their allocation under Article 4(1) and (2) under this Regulation, an amount of EUR 6 000 for each person admitted through humanitarian admission under the Union Resettlement and Humanitarian Admission Framework established by Regulation (EU) 2024/1350 or admitted under a national resettlement scheme.

3. The amount referred to in paragraph 2 shall be increased to an amount of EUR 8 000 for each person admitted through humanitarian admission or admitted under a national resettlement scheme who belongs to one or more of the following vulnerable groups:

   (a) women and children at risk;

   (b) unaccompanied minors;

   (c) persons having medical needs that can be addressed only through humanitarian admission;

   (d) persons in need of humanitarian admission for legal or physical protection needs, including victims of violence or torture.

4. Where a Member State admits a person belonging to more than one of the categories referred to in paragraphs 2 and 3, it shall receive the amount only once in respect of that person.

5. Where appropriate, Member States may also be eligible to receive the respective amounts for family members of persons referred to in paragraphs 1, 2 and 3 if those family members are admitted to ensure family unity.

6. The amounts referred to in paragraphs 1, 2, 3 and 5 shall be allocated from the EU Facility to the Member State's National and Regional Partnership Plan pursuant to Article 31 of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security. Those amounts may be included in the payment applications to the Commission in accordance with Article 65 of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, provided that the person in respect of whom the amount is allocated was effectively resettled or admitted.

7. For audit and control purposes, Member States shall retain the information necessary to allow the proper identification of the persons resettled or admitted and of the date of their resettlement or admission.

8. To take account of current inflation rates, relevant developments in the field of resettlement and humanitarian admission, and other factors which might optimise the use of the financial incentive brought by the amounts referred to in paragraphs 1, 2 and 3 of this Article, the Commission is empowered to adopt delegated acts to adjust those amounts, if deemed appropriate, and within the limits of available resources.

Article 6

Resources for the transfer of applicants for international protection or of beneficiaries of international protection

1. A Member State shall receive, in addition to its allocations under Article 4(1) and (2) of this Regulation, an additional amount of:

   (a) EUR 10 000 per applicant for international protection for whom that Member State becomes responsible as a result of relocation in accordance with Articles 67 and 68 of Regulation (EU) 2024/1351;

   (b) EUR 10 000 per beneficiary of international protection relocated to that Member State in accordance with Articles 67 and 68 of Regulation (EU) 2024/1351.

2. The amounts referred to in points (a) and (b) of the first subparagraph shall be increased to an amount of EUR 12 000 for each applicant for international protection or beneficiary of international protection, respectively, who is an unaccompanied minor relocated to that Member State in accordance with Articles 67 and 68 of Regulation (EU) 2024/1351.

3. The Member State covering the cost of transfers referred to in paragraph 1 shall receive an amount of EUR 500 for each applicant for international protection or beneficiary of international protection transferred to another Member State.

4. The Member State covering the costs of transfers referred to in point (a), (b) or (c) of Article 36(1) of Regulation (EU) 2024/1351, and carried out in accordance with Article 46 of that Regulation, shall receive an amount of EUR 500 for each applicant for international protection transferred to another Member State.

5. The amounts referred to in paragraphs 1 to 3 of this Article shall be allocated from the EU Facility to the Member State's National and Regional Partnership Plan pursuant to Article 31 of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security, provided that the person in respect of whom the amount is allocated was effectively transferred to that Member State or was registered as an applicant in the Member State responsible in accordance with Regulation (EU) 2024/1351, as applicable.

6. For audit and control purposes, Member States shall retain the information necessary to allow the proper identification of the persons transferred and of the date of their transfer.

7. To take account of current inflation rates, relevant developments in the field of relocation and other factors which might optimise the use of the financial incentive brought by the amounts referred to in paragraphs 1, 2 and 3 of this Article, the Commission is empowered to adopt delegated acts to adjust those amounts, if deemed appropriate, and within the limits of available resources.

Article 7

Third countries associated to the Union support

1. The Union support under this Regulation shall be open to third countries that fulfil the criteria listed in paragraph 2, in accordance with the conditions laid down in a specific agreement covering the participation of the third country in the Union support.

2. In order for a third country to be eligible to be associated to the Union support as referred to in paragraph 1, it shall have concluded with the Union an agreement on the criteria and mechanisms for establishing the State responsible for examining an application for international protection registered in a Member State or registered in that third country.

3. The specific agreement referred to in paragraph 1 shall at a minimum:

   (a) enable cooperation with the Member States and the Union institutions, bodies, offices and agencies in the area of asylum, migration and return in the spirit of the principle of solidarity and fair sharing of responsibility;

   (b) be underpinned, throughout the duration of the Union support, by the principles of non-refoulement, democracy, the rule of law and respect for human rights;

   (c) ensure a fair balance as regards the contributions made by, and the benefits received by, the third country participating in the Union support;

   (d) lay down the conditions of participation in the Union support, including the calculation of financial contributions to the Union support, and its administrative costs;

   (e) not confer on the third country any decision-making power in respect of the Union support;

   (f) guarantee the rights of the Union to ensure sound financial management and to protect its financial interests;

(g) provide that the third country grants the necessary rights and access required for the authorising officer responsible, the European Anti-Fraud Office (OLAF) and the European Court of Auditors in accordance with Article 28(2), point (d) of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security.

The contributions referred to in point (d) of the first subparagraph shall constitute assigned revenues in accordance with Article 21(5) of the Regulation (EU, Euratom 2024/2509).

Article 8

European Migration Network

Union support shall be provided for the European Migration Network activities and future development.

The amount to be made available, subject to the availability of funding, for the European Migration Network under the annual appropriations of the EU Facility and the work programme laying down the priorities for its activities shall be adopted by the Commission after approval by the Steering Board in accordance with point (a) of Article 4(5) of Council Decision 2008/381/EC. The decision of the Commission shall constitute a financing decision in accordance with Article 31(1) of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security.

Financial assistance provided for the activities of the European Migration Network shall take the form of grants to the National Contact Points referred to in Article 3 of Decision 2008/381/EC or procurements, as appropriate, in accordance with the Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council.

Article 9

Financial contributions for the Annual Solidarity Pool

The Commission shall calculate and make available to each benefitting Member State the respective share of the financial contributions transferred by the contributing Member States in accordance with Article 64(1) of Regulation EU 2024/1351 for the purpose of implementing the actions set out in Article 56(2)(b) of Regulation (EU) 2024/1351.

Article 10

Transitional provisions

This Regulation shall not affect the continuation or modification of the actions initiated under Regulation (EU) 2021/1147, which shall continue to apply to the actions concerned until their closure.

Article 11

Entry into force and application

This Regulation shall enter into force on the [twentieth] day following that of its publication in the *Official Journal of the European Union*.

It shall apply from the date of application of Regulation (EU) […] establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

PUBLIC