



International Organization for Migration (IOM)  
Kansainvälinen siirtolaisuusjärjestö (IOM)  
Internationella migrationsorganisationen (IOM)

SISÄMINISTERIÖ

02. 05. 2014

INRIKESMINISTERIET

Ms. Laura Yli-Vakkuri  
Ministry of the Interior  
P.O Box 26  
00023 GOVERNMENT

Helsinki, 2 May 2014

**Re: Comments of IOM Helsinki on the draft Government proposal to the Parliament regarding the European Union Home Affairs Funds (2014-2020)**

Dear Ms. Yli-Vakkuri,

On behalf of the International Organization for Migration (IOM) in Helsinki, I would like to thank for the opportunity to provide comments on the Government proposal to the Parliament regarding the national law on the European Union Home Affairs Funds (2014-2020). Please find below IOM's comments on the proposed legislative changes.

1. IOM welcomes the general approach of the proposed law to further enhance long-term impact and sustainability as well as policy coherence of actions funded by the Home Affairs Funds. To this end, it is useful to link the priorities of the Funds closer to national priorities and action plans, such as The Future of Migration 2020, while allowing sufficient flexibility for the Funds to be able to reflect the changing realities and needs in the field of migration management.
2. We also acknowledge with satisfaction that the need to address also the external dimension of migration is recognized, enabling strengthened coherence between internal and external EU migration funding.
3. It is also a welcomed development that the management of the Funds will be made less complicated, thus lowering the access to funding. We believe and hope that this would lead to increased participation of migrant organizations, which we strongly encourage.

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### Chapter 2 § 3 – National Programmes/Action Plans

4. IOM agrees with the stated aim to develop the national programme and action plans by involving a broad range of stakeholders. In particular, experiences and perspectives of international organizations present in Finland can provide valuable and relevant inputs for the development of national programmes by taking into account, for example, international migration trends as well as good practices implemented in other countries, in EU Member States and beyond.

### Chapter 3 § 7 – Cooperation

5. Furthermore, IOM appreciates that the planning, implementation and monitoring of the national programme and action plans would be done in cooperation with actors of central importance to the management of migration flows. IOM, of which Finland is a member state, is an international organization with a distinct mandate to contribute to humane and orderly migration management, which is also reflected in the Organization's substantive operational portfolio, both in Finland and on an European and global scale. Against this backdrop, IOM Helsinki would like to restate its commitment to participate in the aforementioned processes relating to the national programmes and action plans.

To this end, IOM Helsinki would propose to explicitly mention "international organizations" in the list of stakeholders laid out in Chapter 3 § 7 – Cooperation.

### Chapter 4 § 9 - Beneficiaries

6. Paragraph 9 defines the requirements for the beneficiaries of the funds. The paragraph concludes that further provisions on this would be laid out by a government decree to be issued. IOM notes that the current definition of beneficiaries does not include provisions for the status, privileges and immunities of intergovernmental organizations which have been granted to these organizations through international conventions and bilateral agreements between the organizations and their member states.

### Chapter 4 § 17 – Use of Funds and Accounting

7. Paragraph 17 of the proposal defines the requirements for the accounting standards of the implementing body. The definition of the proposal does not include provisions for the status, privileges and immunities granted to intergovernmental organizations through international conventions and bilateral agreements between the organizations and their member states. Based on these conventions and agreements, intergovernmental organizations apply international accounting standards and their own administrative, human resources and procurement procedures, and maintain only one consolidated global accounting system and external audit function for the whole organization. These organizations are thus not subject to accounting standards and legislation of any particular country, and would therefore not be eligible for funding from AMIF if the requirements of the proposal were to be implemented without due consideration of the particular status of international organizations.

Based on the previous comments (7 and 8), IOM kindly suggests that the status, privileges and immunities of intergovernmental organizations – as well as the related particular features of their administrative, human resources, procurement and accounting procedures – are duly considered in the present legal proposal and/or ensuing government decrees, so as to ensure that intergovernmental organizations are not excluded from among potential beneficiaries of the funds.

IOM encourages the Ministry of the Interior to use IOM's considerable and long-standing expertise in preparing the legislative proposal to be submitted to Parliament, as well as in the forthcoming preparations of the national programme and action plans. We also take this opportunity to restate the Organization's commitment and willingness to closely work with the Government of Finland in migration questions.

My office remains available to elaborate on any of the above comments upon request.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'S' followed by a horizontal line and a small loop.

Simo Kohonen  
Officer in Charge a.i.  
IOM Helsinki