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ANNEX

ANNEX

to the

COMMISSION IMPLEMENTING DECISION

amending Commission Implementing Decision C(2020) 4360 on the adoption of the work programme for 2020 and the financing for emergency assistance within the framework of the Asylum, Migration and Integration Fund

ANNEX

Annual work programme for 2020 and the financing for emergency assistance within the framework of the Asylum, Migration and Integration Fund.

1. INTRODUCTION

On the basis of the objective of strengthening and developing the Common European Asylum System and enhancing solidarity and responsibility sharing between Member States covered by this budget line, this work programme contains the actions to be financed for 2020 as follows:

- a) for grants
- b) for actions implemented under indirect management

All Member States, with the exception of Denmark, are participating in the "Asylum, Migration and Integration Fund": hence, entities established in the participating Member States can take part as beneficiaries in the actions that are supported under that fund. Entities established in Denmark can only participate on a no-cost basis.

Emergency assistance may consist of assistance in Member States and in third countries. Any actions in and in relation to third countries under this work programme will be carried out in synergy and in coherence with other actions outside the Union supported through Union funds, in particular external assistance instruments. The identification and implementation of such actions is fully coordinated with the European External Action Service and relevant Commission's external relations services, including the Directorate-General for European Civil Protection and Humanitarian Aid Operations as far as humanitarian assistance is concerned.

As provided for in Article 21(1) of Regulation (EU) No 516/2014¹, the implementation of emergency assistance in third countries is consistent with, and, where relevant, complementary to the Union humanitarian policy and respects the humanitarian principles as set out in the European Consensus on Humanitarian Aid².

All activities implemented under this work programme will respect and will be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union, and will promote gender equality, applying a full gender mainstreaming perspective, and the rights of the child and will be disability inclusive and accessible in line with the UN Convention on the Rights of Persons with Disabilities.

Consistency, complementarity and synergies with other Union instruments will be ensured.

¹ 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 European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

² Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission (OJ C 25, 30.1.2008, 8, p. 1–12)

Legal basis

Articles 6, 7 and 8 of Regulation (EU) No 514/2014³; point (k) of Article 2 and Article 21 of Regulation (EU) No 516/2014

Budget line

Budget line	Amount for Annual Work Programme 2020
Budget line 18 03 01 01 – Strengthening and developing the Common European Asylum System and enhancing solidarity and responsibility sharing between the Member States	EUR 740 049 610.04

Objectives pursued

Provide support in response to an emergency situation as defined in point (k) of Article 2 and Article 21 of Regulation (EU) No 516/2014 in accordance with the framework set up on in to Articles 6, 7 and 8 of Regulation (EU) No 514/2014.

Expected results

20 to 30 projects selected for emergency assistance, in direct management or in indirect management.

Under emergency assistance, actions defined in Regulation (EU) No 516/2014 will be supported to address urgent and specific needs in the event of an emergency situation. These actions may include, but are not limited to, provision of support services such as translation/interpretation, legal assistance, identification of vulnerable groups and specific assistance for vulnerable persons, the establishment, maintenance and improvement of accommodation services, the provision of social assistance, measures necessary for the preparation of return operations, pre-departure measures such as health checks or cultural orientation, as well as the physical transfer of applicants and/or beneficiaries of international protection (hereinafter "relocation") between Member States.

Reference	Date	Global budgetary envelope reserved
HOME/2020/AMIF/AG/EMAS	At the initiative of the entities concerned	EUR 740 049 610.04

³ Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150, 20.5.2014, p. 112).

2. GRANTS

Types of applicants targeted by the direct award for emergency assistance

The following entities can submit applications for emergency assistance: Member States, International Organisations or Union agencies. Other entities can be involved in the implementation of the action as co-applicants.

N.B. For entities referred to Article 8, paragraph 2, points (d) and (e) of Regulation (EU) No 514/2014, namely international organisations and organisations assimilated with international organisations in accordance with Article 156 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁴ ('the Financial Regulation'), the budget will be implemented in indirect management (See point 3).

Description

- Enhance solidarity by ensuring consistency and complementarity with EU humanitarian assistance, by providing additional support to address emergency situations of heavy migratory pressure in Member States or third countries, or in the event of mass influx of displaced persons, pursuant to Council Directive 2001/55/EC⁵, through emergency assistance, including relocation between Member States;
- Support ad hoc humanitarian admission programmes aimed at allowing temporary stay on the territory of a Member State in the event of an urgent humanitarian crisis in third countries, and also provide support in specific situations covered by Article 33 of the Regulation (EU) No 604/2013⁶.

The emergency assistance will be provided for as long as the emergency situation lasts.

The emergency assistance will be provided in the form of action grants awarded directly without a call for proposals, following a proposal for action, including a request for funding, submitted to the Commission by one of the eligible entities.

Selection and award criteria

Selection criteria

In accordance with Article 198 of the Financial Regulation, proposals for action shall be evaluated on the basis of the following selection criteria:

- Financial capacity - Applicants and co-applicants must have stable and sufficient sources of funding to maintain their activity throughout the period for which the

⁴ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 13163/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014 and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

⁵ 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).

⁶ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

grant is awarded and to participate in its funding.

- Operational capacity - Applicants and co-applicants must have the professional competencies and qualifications required to complete the proposed action.

In accordance with Article 198(5) of the Financial Regulation, the verification of the financial and operational capacity shall not apply to public bodies and international organisations.

Award criteria

In accordance with Article 199 of the Financial Regulation, proposals for an action will be evaluated on the basis of relevance of the proposal with regards to the objectives and the expected impact of the proposed activities on addressing the emergency situation in the countries concerned.

Rate of co-financing and other information

Maximum possible rate of co-financing of the eligible costs

Up to 100% of the total eligible costs.

Other information

The grant will be covered by a written agreement.

Emergency assistance may support expenditure incurred prior to the date of submission of the request for assistance, if this is necessary for the successful implementation of the action and it is demonstrated that the emergency situation prevailed earlier than the submission of the request.

In the case of emergency actions related to relocation, such actions will have the same nature as the actions envisaged under Article 7 of Regulation (EU) 516/2014⁷. In this respect, considering that the fixed contribution of EUR 6 000 established by Article 18 of the same regulation was already used in the context of the emergency relocation scheme financed under shared management in application of Article 10 of Council Decision (EU) 2015/1523 and Article 10 of Council Decision (EU) 2015/1601, by analogy, the Member States of relocation may request under this Annual Work Programme the same fixed contribution of EUR 6 000 per each relocated person.

In accordance with Article 25 of Regulation (EU) 516/2014, this amount is "granted provided that the person in respect of whom the fixed contribution is allocated was effectively resettled and/or transferred".

The approach is justified due to the equivalence of the operations financed under emergency assistance and shared management and to ensure respect for the principle of equal treatment of beneficiaries for the same category of actions in accordance with Article 188 of Regulation.

⁷ Article 7 of Regulation (EU) 516/2014 "...the fund shall also support actions similar to those listed in paragraph 1 of this Article, where deemed appropriate in the light of policy development within the implementation period of the fund or where the national programme of a Member State makes such provisions, in relation to the transfer of applicants for and/or beneficiaries of international protection."

3. ACTIONS IMPLEMENTED IN INDIRECT MANAGEMENT

3.1 Entities selected following other applications

Implementing entity

International organisations and entities assimilated with international organisations in accordance with Article 156 of the Financial Regulation, which submit an application for which the action is awarded. This concerns in particular international organisations which have been subject to an ex-ante assessment pursuant to Article 154 of the Financial Regulation, including those that are signatories of a framework partnership agreement in force concluded with the Commission pursuant to Council Regulation (EU) 2016/369⁸, or are covered by the Financial and Administrative Framework Agreement concluded with the United Nations.

Such organisations will have to demonstrate specific technical competence and experience appropriate for the action.

Description

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- Support ad hoc humanitarian admission programmes aimed at allowing temporary stay on the territory of a Member State in the event of an urgent humanitarian crisis in third countries, and also provide support in specific situations covered by Article 33 of Regulation (EU) No 604/2013.

The emergency assistance will be provided for as long as the emergency situation lasts.

Proposals for an action will be evaluated on the basis of relevance of the proposal with regard to the objectives and the expected impact of the proposed activities on addressing the emergency situation in the countries concerned.

Other information

Emergency assistance may support expenditure incurred prior to the date of submission of the request for assistance, if this is necessary for the successful implementation of the action and it is demonstrated that the emergency situation prevailed earlier than the submission of the request.

⁸ Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union (OJ L 70, 16.3.2016, p. 1).