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ANNEX 1

ANNEX

to the

Commission Implementing Decision

amending Implementing Decision C(2015)9531 concerning the adoption of the work programme for 2016 and the financing for the emergency assistance within the framework of the Internal Security Fund – the instrument for financial support for external borders and visa

ANNEX

Annual Work Programme for 2016 and the financing for the emergency assistance within the framework of the Internal Security Fund – Borders and Visa¹

On the basis of the objective to address the urgent and exceptional migratory pressure faced by some Member States at their external borders and to enhance solidarity by providing additional support to address emergency situations at the EU external border covered by this budget line, this work programme contains the actions to provide emergency assistance.

All Member States, with the exception of United Kingdom and Ireland, as well as the Schengen Associated Countries are participating in the "ISF – Borders and Visa": hence entities established in these participating countries can take part as beneficiaries in the actions that are supported under this financial instrument. Entities established in the United Kingdom or Ireland can only participate on a no-cost basis.

All activities implemented under this work programme shall respect and shall be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union, and shall promote gender equality, applying a full gender mainstreaming perspective, and the rights of the child.

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

As foreseen in Article 3(4) and (5) of Regulation (EU) No 514/2014² (Horizontal Regulation), actions in and in relation with 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 EEAS and relevant Commission's external relations services. Activities falling within the scope of humanitarian aid and civil protection shall not be funded under this programme.

Gender-age markers should be used in EU-funded actions, to assess whether the needs and vulnerabilities of males and females of all ages have been identified and addressed³. All foreseen monitoring and evaluation activities will be done on the basis of data and indicators disaggregated by sex and age whenever activities are linked to individuals and will take into account also gender and age sensitive indicators.

¹ Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014, establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa repealing decision No 574/2007/EC (OJ L 150, 20.5.2014, p. 143).

² 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).

³ http://ec.europa.eu/echo/files/policies/sectoral/gender_age_marker_toolkit.pdf

LEGAL BASIS

Articles 6, 7 and 8 of Regulation (EU) No 514/2014; point (f) of Article 2 and Article 14 of Regulation (EU) No 515/2014

Budget lines	Amount for AWP 2016
Budget line 18 02 01 01 – Support of border management and a common visa policy to facilitate legitimate travel	EUR 137 980 000

Implementation modalities		Total Amount	% of the 2016 appropriations for AWP
Direct management to be implemented by DG HOME	Grants – Direct award	EUR 132 980 000	96.4%
Indirect management	Delegation Agreement with UNHCR	EUR 5 000 000	3.6%
TOTAL		EUR 137 980 000	100%

1.1. Introduction

On the basis of the objectives given in the Article 14 of Regulation (EU) No 515/2014 this work programme contains the actions to be financed and the budget breakdown for year 2016 as follows:

- for grants (implemented under direct management (1.2):
- for actions implemented under indirect management modes (1.3):

1.2. Grants

1.2.1. Direct award of action grants to provide emergency assistance

Legal Basis

Articles 6, 7 and 8 of Regulation (EU) No 514/2014; point (f) of Article 2 and Article 14 of Regulation (EU) No 515/2014

Description and objective of the assistance to be provided

The ISF Borders and Visa shall provide financial assistance to address urgent and specific needs in the event of an emergency situation, resulting from an urgent and exceptional pressure where a large or disproportionate number of third country nationals cross or are expected to cross the external border of one or more Member States or any other duly substantiated situation requiring urgent action at external borders.

The emergency assistance shall be provided for as long as the emergency situation prevails, in principle with a maximum duration of 12 months.

The emergency assistance will be provided in the form of action grants awarded directly without a call for proposals, following a request for funding submitted to the Commission, in accordance with the provisions of Article 128 of Regulation (EU, Euratom) No 966/2012⁴ (the Financial Regulation) and Article 190(1)(b) of Delegated Regulation (EU) No 1268/2012⁵ (the Rules of Application).

Essential eligibility, selection and award criteria

Eligibility criteria

- Applications for emergency assistance can be submitted only by Member States, International Organisations or Union agencies. Other entities can be involved in the implementation of the action as co-applicants.

Selection criteria

In accordance with Article 132 of the Financial Regulation and Article 202 of the Rules of Application, 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 during which the activity is being carried out and to participate in its funding.
- Operational capacity - Applicants and co-applicants must have the professional resources, competences and qualifications required to complete the proposed action.
- The verification of the financial and operational capacity shall not apply to public bodies and international organisations.

Award criteria

In accordance with Article 132 of the Financial Regulation and Article 203 of the Rules of Application, proposals for an action shall be evaluated on the basis of relevance of the proposal with regards to the objectives and the expected impact of the proposed activities on the situation in the countries concerned.

Rate of co-financing and other information

Maximum possible rate of co-financing of the eligible costs

⁴ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 150, 20.5.2014, p. 112).

⁵ Commission Delegated Regulation (EU, Euratom) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1.)

Up to 100% of the total eligible costs

Other information

The grant shall be covered by a written agreement.

The indicative maximum duration of the assistance will be 12 months.

Emergency assistance may support expenditure which was 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.

The indicative time table for grants to be awarded: Q1–Q4.

Reference	Date	Amount
HOME/2016/ISFB/AG/EMAS	At the initiative of Member States, International Organisations or Union Agencies	EUR 132 980 000

1.3. *Actions implemented in indirect management*

1.3.1. *Support to UNHCR for the creation of 20,000 reception places for the implementation of the hotspot/relocation scheme and for the increase of asylum reception capacity in Greece*

Legal basis

Articles 6 and 7 of Regulation (EU) No 514/2014; point (f) of Article 2 and Article 14 of Regulation (EU) No 515/2014

Amount

EUR 5 000 000

Implementing entity

A Delegation Agreement with the United Nations High Commissioner for Refugees (UNHCR) will be signed in order to contribute to the development, in Greece, of the hotspot/relocation scheme as well as to the increase of asylum reception capacity through rental schemes, hotel vouchers and family host programmes. In order to implement these activities, UNHCR shall be entrusted with budget implementation tasks to finance through grants and procurement. Funding for the envisaged activities will come primarily from AMIF and be complemented by support through ISF-Borders and Visa for the hotspots related

actions (single delegation agreement based on two funds).

UNHCR was selected as the best placed body to implement the above activities due to their specific nature which requires a high degree of specialisation on migration and asylum issues. Through its mandate as received from the UN General Assembly in 1950, as well through the 1951 Geneva Convention on the status of refugee that bestows a direct role on UNHCR in this regard, UNHCR has been able to acquire a unique expertise in international actions to protect refugees and resolve refugee problems worldwide.

This was also recognised in the Leaders' Statement following the Leaders' Meeting held on 25 October 2015 on refugee flows along the Western Balkans Route, which welcomed Greece's intention to increase reception capacity to 30,000 places and committed to supporting Greece and UNHCR to provide rent subsidies and host family programmes for another 20,000 places. This was regarded as an important precondition to make the emergency relocation system work.

Overall objective and purpose of the action

UNHCR will engage itself in the implementation in Greece of the emergency hotspot/relocation scheme and the provision of additional asylum reception capacity through some key activities planned under different pillars and chapters of interventions.

UNHCR is planning to work on two pillars, of which Pillar I falls under the ISF-Borders and Visa:

PILLAR I: Infrastructural support to the Greek Government for the establishment of the Hotspots (contribution towards the 30,000 places). (Lesvos, Samos, Leros, Chios and Kos)

The Greek authorities have committed to create “hotspots” for the registration and first reception of new arrivals in 5 island locations in Greece (Lesvos, Kos, Leros, Chios, Samos). The total number of first reception places needed at the “hotspots” are estimated at around 7,000 (of which 6,300 have been identified) and this figure is included in the 30,000 places, being the reference of Greece’s commitment in the Leaders’ Meeting on refugee flows along the Western Balkans Route.

UNHCR has already supported the Greek Government in the improvement/upgrading of existing facilities on some of the islands. Under the Delegation Agreement, UNHCR will implement, in cooperation with the Greek authorities, the necessary activities (site-planning, some construction works and supplies) to support the establishment of the remaining places.

The initial duration of the Delegation Agreement will be 12 months, starting 1st January 2016. However, taking into account the two-year duration of the emergency relocation schemes and depending on the needs, a continuation of the Agreement for another year might be included in the Financing Decision for emergency assistance under the Asylum, Migration and Integration Fund as well as the Internal Security Fund Borders and Visa for the year 2017.