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C(2016) 1568 final

ANNEX 1

**ANNEX**

*to the*

**Commission Implementing Decision**

**amending Implementing Decision C(2015)9534 concerning the adoption of the work programme for 2016 and the financing for emergency assistance within the framework of the Asylum, Migration and Integration Fund**

## ANNEX

### **Annual Work Programme for 2016 and the financing for the emergency assistance within the framework of the Asylum, Migration and Integration Fund.**

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 provide emergency assistance.

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 this financial instrument. Entities established in Denmark 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) (5) of Regulation (EU) n° 514/2014<sup>1</sup> (Horizontal Regulation), 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 EEAS and relevant Commission's external relations services, including DG ECHO as far as humanitarian assistance is concerned.

As foreseen in article 21(1) of Regulation (EU) n° 516/2014<sup>2</sup>, 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 Aid.

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 addressed<sup>3</sup>. 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

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<sup>1</sup> 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).

<sup>2</sup> 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).

<sup>3</sup> [http://ec.europa.eu/echo/files/policies/sectoral/gender\\_age\\_marker\\_toolkit.pdf](http://ec.europa.eu/echo/files/policies/sectoral/gender_age_marker_toolkit.pdf)

account also gender and age sensitive indicators. Child protection principles will inform all activities relating to children and UNHCR and activities will be carried out in accordance with child safeguarding policies.

**LEGAL BASIS**

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

| Budget line                                                                                                                                                            | Amount for AWP 2016 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 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 326 500 000     |

| Implementation modalities                      |                                 | Total Amount           | % of the 2016 appropriations for AWP |
|------------------------------------------------|---------------------------------|------------------------|--------------------------------------|
| Direct management to be implemented by DG HOME | Grants – Direct award           | EUR 251 500 000        | 77%                                  |
| Indirect management                            | Delegation Agreement with UNHCR | EUR 75 000 000         | 23%                                  |
| <b>TOTAL</b>                                   |                                 | <b>EUR 326 500 000</b> | <b>100%</b>                          |

**1.1. Introduction**

On the basis of the objectives given in the Article 21 of Regulation (EU) No 516/2014 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 (k) of Article 2 and Article 21 of Regulation (EU) No 516/2014

## Description and objective of the assistance to be provided

- 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/EC<sup>4</sup>, through Emergency Assistance;
- 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 Dublin Regulation (EU) No 604/2013<sup>5</sup>.

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 966/2012<sup>6</sup> (the Financial Regulation) and Article 190(1)(b) of Delegated Regulation (EU) No 1268/2012<sup>7</sup> (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.

<sup>4</sup> 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).

<sup>5</sup> 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).

<sup>6</sup> 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).

<sup>7</sup> 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.)

- 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 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 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/AMIF/AG/EMAS | At the initiative of Member States, International Organisations or Union Agencies | EUR 251 500 000 |

**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 (k) of Article 2 and Article 21 of Regulation (EU) No 516/2014

## Amount

EUR 75 000 000

## 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 II falls under the Asylum Migration and Integration Fund:

### PILLAR II: Support to the emergency relocation schemes

Pursuant to the two Council Decisions of 14 and 22 September 2015<sup>8</sup>, a total of 66,400 asylum seekers are to be relocated from Greece to the Member States of relocation until September 2017. The two relocation schemes have been adopted in application of Article 78(3) of Treaty on the Functioning of the European Union as Greece (and Italy) were considered as being confronted by an emergency situation characterized by a sudden inflow of nationals of third countries (more than 750,000 so far in 2015). Almost 85% of the inflow is originating from the top-10 refugee producing countries according to UNHCR.

<sup>8</sup> OJ 2015 L 248, p. 80 of 24.9.2015; OJ 2015 L 239, p.146 of 15.9.2015

The relocation schemes will be implemented by the Greek Asylum Service under the overall supervision of the Alternate Minister of Interior (portfolio: migration policy). Significant and enhanced support to the Greek authorities for the successful implementation of the relocation scheme is considered by UNHCR a top priority in order to protect refugee rights in the Union through preserving credibility of the Common European Asylum System. For this reason, UNHCR has offered to assist in the provision of rented apartments, hotel vouchers and some host family programmes for at least 20,000 reception places, which are considered an important precondition to make the emergency relocation system work. Under the Delegation Agreement, UNHCR will provide the following support:

**II.a. Support to the relocation process (information, referrals, equipment)**

a) Provision of information to new arrivals concerning the relocation scheme through the deployment of affiliate workforce team on the 5 hotspot locations (20 persons), facilitated by the provision of interpretation services, as well as information material available in different languages.

b) Support the relocation procedures in close cooperation with the Asylum Service, the identification of asylum seekers to be relocated, as well as their referral, as appropriate. A team of 43 affiliate workforce will be deployed to the 5 hotspot locations, including Athens.

**II.b. Establishment of 20,000 reception places**

This activity will be implemented through rental, voucher and family hosting schemes and the envisaged capacity will be gradually reached on a needs basis. The target groups for the reception places are persons who have applied for International protection in Greece, irrespective of whether they qualify for relocation to another Member State. Persons who did not apply for International protection are not included in this scheme. Reception places will be in conformity with the standards and obligations foreseen in the legislation in force.

Support to activities under pillar II will be provided under this Financing Decision, while support to activities under pillar I will be provided under the Financing Decision for emergency assistance under the Internal Security Fund Borders and Visa.

The initial duration of the Delegation Agreement will be 12 months, starting 1<sup>st</sup> 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.