



EUROPEAN COMMISSION
DIRECTORATE-GENERAL HOME AFFAIRS

Directorate E – Migration and Security Funds

Unit E.2: National programmes for South and East Europe, evaluation, AMIF/ISF Committee
Unit E.3: National programmes for North and West Europe, budget, MFF, agencies

Note to the Member States

Launch of pledging exercise under AMIF for Specific Actions
in the area of Return

Introduction

On 2 March 2017 the Commission presented its Communication "A more effective return policy in the European Union – A renewed Action Plan"¹. In the Communication, it is indicated that 533,395 irregular migrants were ordered to leave the EU in 2015, compared to 470,080 in 2014. But, with more than 2.6 million asylum applications in 2015/2016 alone, and considering that the recognition rate stands at 50-60% in 2016, Member States may have more than 1 million people to return in the coming months and years, i.e. once applications will have been processed. At the same time, return rates at EU level have not improved.

In order to address those challenges to the EU's return policy, it is important to maximise the use of EU financial or operational instruments in order to increase the exchange of information and for improving cooperation and coordination among Member States' and EU competent bodies.

In the letter to the AMIF/ISF Committee on the allocation of additional amounts in 2017 to the AMIF and ISF national programmes (AMIF-ISF/2017/02), it was indicated that the Budgetary Authority has allocated EUR 200 million to support measures that implement the EU Action Plan on return, of which up to EUR 80 million will be allocated through 'Specific Actions'.

The present note sets out how this additional amount will be allocated to the Member States, in particular how and when Member States can apply, preferences for assessing the applications, some implementation rules as well as the model application form.

¹ COM(2017) 200

1. General principles

The AMIF offers the possibility to provide additional funding to Member States in the form of Specific Actions². They are actions which require cooperative effort amongst Member States and generate significant added value for the Union. The Specific Actions are defined exhaustively in Annex II of Regulation (EU) No 516/2014 (the AMIF Regulation).

The additional amounts available for Specific Actions are allocated to Member States on the basis of their pledges, i.e. applications that will be assessed by the Commission. If an application for a Specific Action is accepted by the Commission, the action and the corresponding amount in EU contribution will be included in the relevant AMIF national programme.

Since the Specific Actions for return are joint actions, the application for Specific Action(s) is to be presented by a lead Member State on behalf of the other participating Member States ('partners'). Nevertheless, the participation and role of each participating Member State must be described in their respective national programmes. If accepted, additional funding will be allocated to the AMIF national programme of the lead Member State who will be responsible for the implementation of the joint action.

2. Pledging exercise

In order to allow the Commission to allocate the available additional funding, all applications by Member States for Specific Actions must be assessed at the same time. Member States are invited to submit their proposals by **21 April 2017**, using the application form in Annex.

The applications should be submitted through SFC2014 as an 'other Member State document' attached to the approved AMIF national programme of the lead Member State. Member States may submit additional documentation if so desired.

In the event that one or more Specific Actions are over-subscribed or confirmations of participation are needed, a two-step procedure may be used to refine the selection, where the Commission may ask for further information.

² Articles 15(1)(b), 15(2)(a) and 16 of Regulation (EU) No 516/2014.

2.1 Preferences

When assessing the submitted applications, the Commission will look in particular for the following:

- a) Number of Member States involved in the action;
- b) Duration of the action with a preference for long-term actions over short-term actions;
- c) Diversity of actions (comparative assessment will be organised for the same type of Specific Action);
- d) Expected impact of the action in terms of results and persons affected;
- e) Feasibility of the action and likelihood of success;
- f) Level of development and planning of the action / complementarity with other initiatives.

The support for Specific Actions is intended to target, on the one hand, the new operational needs of the already on-going Specific Actions in the area of return and, on the other hand, to encourage the development of targeted cooperation amongst the Member States for the benefit of the EU as a whole.

2.2 Specific Actions for Return

Member States are invited to submit applications for the following Specific Actions, as per Annex II of the AMIF Regulation:

- Specific Action 5:
Joint return operations, including joint actions on the implementation of Union readmission agreements.
- Specific Action 6:
Joint reintegration projects in the countries of origin with a view to sustainable return, as well as joint actions to strengthen third countries' capacities to implement Union readmission agreements.
- Specific Action 7:
Joint initiatives aimed at restoring family unity and reintegration of unaccompanied minors in their countries of origin.

Member States may submit an application that covers actions which fall under more than one of the Specific Actions listed above.

3. Implementation issues

The duration of Specific Actions may cover the full 2014-2020 programming period; the Specific Action should start in 2017 and implementation can run until 31 December 2022³.

The additional funding allocation for a Specific Action to the national programme of a Member State may not be used for any other purpose than that of implementing the Specific Action awarded. This means that in case of underspending or non-implementation of the Specific Action, the corresponding amount cannot be transferred to any other part of the national programme. Any unused amounts for which payments have been made by the Commission will have to be reimbursed to the Union budget.

Whereas the standard co-financing rate under the national programmes is 75%, the contribution from the Union budget for Specific Actions may be increased to 90%⁴.

Since the additional funding allocated for the Specific Action will be included in the national programme of the lead Member State, that Member State will be responsible for presenting all the costs of the Specific Action as part of the requests for payment of the annual balance and report on its implementation as part of the Annual Implementation Reports⁵. With regard to costs linked to the participation of other Member States, the lead Member State may choose to cover these:

- Directly, by paying for all the costs and thereby incurring all the expenditure itself. In this case, only the lead Member State is responsible for complying with all audit requirements.
- Indirectly, by reimbursing the partner Member States for the expenditure incurred by them upon presentation of a declaration of expenditure approved by their respective audit authorities. In this case, the partner Member States are responsible for complying with all audit requirements.

In the event a partner Member State leaves a Specific Action, the remaining Member States may either find a new participating Member State or reassign the tasks of the Member State that left to the remaining participants. The main objectives of the Action should remain essentially unchanged.

³ In accordance with Article 17(3)(a) and (b) of Regulation (EU) No 514/2014.

⁴ Article 16(4) of Regulation (EU) No 514/2014.

⁵ In accordance with Articles 44 and 54 of Regulation (EU) No 514/2014.

The additional amounts allocated for (a) Specific Action(s) to the AMIF national programmes are taken into account for the calculation of the maximum level of technical assistance to which the lead Member State is entitled, as it is part of the total allocation.

Annex

Application form for Specific Actions

Lead Member State:		Date:				
Fund: <i>Asylum, Migration and Integration Fund</i>	Specific Objective: <i>Return (SO3)</i>	Specific Action Number:				
Total budget (EUR): EUR ...		Location:				
Total EU contribution requested (EUR): EUR ...						
Title of Specific Action:						
<p><i>Please describe how the action will be carried out and provide a justification for the budgeted amount.</i></p> <p><i>Joint initiatives: for the lead Member State only – list the participating Member States, including their role and possible financial contribution to the action (if applicable).</i></p>						
<p>Other information (for the assessment):</p> <p><i>Please provide the expected results and outcomes as well as risks and mitigating factors.</i></p>						
Indicative timetable and financial plan	2017	2018	2019	2020	2021	2022
Actors / actions:						
Actors / actions:						
Actors / actions:						
n.....						
Financial plan						