ANNEX

to the

COMMISSION IMPLEMENTING DECISION

amending Commission Implementing Decision C(2017)3045 concerning the adoption of the work programme for 2017 and the financing for emergency assistance within the framework of the Asylum, Migration and Integration Fund
ANNEX

Annual work programme for 2017 and the financing for 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\(^1\) (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\(^2\), 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.

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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

<table>
<thead>
<tr>
<th>Budget line</th>
<th>Amount for AWP 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget line 18 03 01 01 – Strengthening and developing the Common European Asylum System and enhancing solidarity and responsibility sharing between the Member States</td>
<td>EUR 402 500 000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Implementation modalities</th>
<th>Total Amount</th>
<th>% of the 2017 appropriations for AWP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct management to be implemented by DG HOME</td>
<td>Grants – Direct award</td>
<td>EUR 402 500 000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>EUR 402 500 000</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

1.1. Introduction

Based on 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 2017 as follows:

- for grants implemented under direct management (1.2.1)

1.2. Grants

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

1.2.1. 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, through emergency assistance, including relocation from Greece and Italy to other 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 Dublin Regulation (EU) No 604/2013.

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

### 1.2.2. 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.

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.

Under emergency assistance, actions defined in Regulation (EU) 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.

In the case of emergency actions related to relocation, these will have the same nature as the actions envisaged under Article 7 of Regulation (EU) 516/2014. 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

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4 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).

5 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."
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 lump sum is allocated was effectively resettled and/or transferred".

The use of unit costs 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 124 (1) of Regulation (EU, Euratom) No 966/2012.

The indicative time table for grants: Q1–Q4.

1.2.3. Implementation mode - direct award of action grants

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 defined here below, in accordance with the provisions of Article 128 of Regulation (EU, Euratom) No 966/2012 (the Financial Regulation) and Article 190(1)(b) of Delegated Regulation (EU) No 1268/2012 (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. Applications can also be submitted by any other entity, either public law bodies or by private law bodies with public service mission, provided that the entity concerned operates under the effective control of a Member State.

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

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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.

<table>
<thead>
<tr>
<th>Reference</th>
<th>Date</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>HOME/2017/AMIF/AG/EMAS</td>
<td>At the initiative of Member States, including their specialized agencies, International Organisations or Union Agencies</td>
<td>EUR 402 500 000</td>
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</tbody>
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