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#### NOTE

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|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| From:    | Presidency                                                                                                                                                                |
| To:      | Delegations                                                                                                                                                               |
| Subject: | Proposal for a Regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund<br>– Examination of the Presidency compromise proposal |

Delegations will find attached compromise proposals by the Presidency. Changes vis-à-vis the original Commission proposal are highlighted in ***bold italics*** or ~~strikethrough~~.

Other comments from the Presidency appear in *italics*.

Both recitals and bracketed provisions are out of the scope of this compromise.

2018/0248 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**establishing the Asylum, ~~and~~ Migration and Integration Fund**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 78(2) and Article 79(2) and (4) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the ordinary legislative procedure,

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<sup>1</sup> OJ C , , p. .

<sup>2</sup> OJ C , , p. .

HAVE ADOPTED THIS REGULATION:

## CHAPTER I

### GENERAL PROVISIONS

#### *Article 1*

##### **Subject matter**

1. This Regulation establishes the Asylum, ~~and~~ Migration *and Integration* Fund ('the Fund').
2. This Regulation lays down the objectives of the Fund, the budget for the period from 2021 to 2027, the forms of Union funding and the rules for providing such funding.

#### *Article 2*

##### **Definitions**

For the purpose of this Regulation, the following definitions shall apply:

- (a) 'applicant for international protection' means an applicant as defined in point [x] of Article 2 of Regulation (EU) ... [Asylum Procedure Regulation]<sup>3</sup>;
- (b) 'beneficiary of international protection' within the meaning of point (2) of Article [2] of Regulation (EU) ... [Qualification Regulation]<sup>4</sup>;

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<sup>3</sup> OJ C , , p. .

<sup>4</sup> OJ C , , p. .

- (c) 'blending operation' means actions supported by the Union budget, including within blending facilities as defined in point (6) of Article 2 of *pursuant to Article 2(6) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council*<sup>5</sup> the Financial Regulation, combining non-repayable forms of support or financial instruments from the Union budget with repayable forms of support from development or other public finance institutions, as well as from commercial finance institutions and investors;
- (d) 'family member' means any third-country national as defined under the Union law relevant to the policy area of action supported under the Fund;
- (e) 'humanitarian admission' within the meaning of Article [2] of Regulation (EU) ../.. [Union Resettlement [and Humanitarian Admission] Framework]<sup>6</sup>;
- (f) 'removal' means 'removal' as defined in point (5) of Article 3 of Directive 2008/115/EC;
- (g) 'resettlement' means 'resettlement' as defined in Article [2] of Regulation (EU) ../.. [Union Resettlement [and Humanitarian Admission] Framework];

<sup>5</sup> *Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).*

<sup>6</sup> OJ C , , p. .

- (h) 'return' means 'return' as defined in point (3) of Article 3 of Directive 2008/115/EC;
- (i) 'third-country national' means any person who is not a citizen of the Union as defined in Article 20(1) of the TFEU. Reference to third-country nationals shall be understood to include stateless persons and persons with undetermined nationality;
- (j) 'vulnerable person' means any person as defined under the Union law relevant to the policy area of action supported under the Fund. <sup>7</sup>

### *Article 3*

#### **Objectives of the Fund**

1. The policy objective of the Fund shall be to contribute to an efficient management of migration flows, ***including their external dimensions***, in line with the relevant Union *acquis* and in compliance with the Union's commitments on fundamental rights.
2. Within the policy objective set out in paragraph 1, the Fund shall contribute to the following specific objectives:
  - (a) to strengthen and develop all aspects of the Common European Asylum System, including its external dimension;
  - (b) to support legal migration to the Member States ~~including~~ ***and*** to contribute to the integration of third-country nationals;
  - (c) to contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries.
3. Within the specific objectives set out in paragraph 2, the Fund shall be implemented through the implementation measures listed in Annex II.

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<sup>7</sup> *A new recital will elaborate on the need to support the implementation of the Union acquis and the interpretation of the term 'vulnerable person' in line with the relevant legal acts.*

#### *Article 4*

##### **Scope of support**

1. Within the objectives referred to in Article 3, and in line with the implementation measures listed in Annex II, the Fund shall in particular support the actions listed in Annex III.
2. To achieve the objectives of this Regulation, the Fund may support the actions in line with the Union priorities as referred to in Annex III in relation to and in third countries, where appropriate, in accordance with Article 5 and 6.
3. The objectives of this Regulation shall support actions focusing on one or more target groups within the scope of Articles 78 and 79 of the Treaty on the Functioning of the European Union.

#### *Article 5*

##### **Third countries associated to the Fund**

The Fund shall be open to third countries in accordance with the conditions laid down in a specific agreement covering the participation of the third country to the ~~Asylum and Migration~~ Fund, provided that the agreement:

- ensures a fair balance as regards the contributions and benefits of the third country participating in the Fund;
- lays down the conditions of participation in the Fund, including the calculation of financial contributions to the Fund and their administrative costs. These contributions shall constitute assigned revenues in accordance with Article [21(5)] of *Regulation (EU, Euratom) 2018/1046* ~~the Financial Regulation~~;

- does not confer to the third country a decisional power on the Fund;
- guarantees the rights of the Union to ensure sound financial management and to protect its financial interests.

#### *Article 6*

#### **Eligible entities**

1. The following entities may be eligible:
  - (a) legal entities established in any of the following countries:
    - (1) a Member State or an overseas country or territory linked to it;
    - (2) *a* third country associated to the Fund;
    - (3) *a* third country listed in the work programme under the conditions specified therein;
  - (b) any legal entity created under Union law or any international organisation.
2. Natural persons are not eligible.
3. Legal entities established in a third country are ~~exceptionally~~ eligible to participate where this is necessary for the achievement of the objectives of a given action.
4. Legal entities participating in consortia of at least two independent entities, established in different Member States or *in* overseas countries or territories linked to those states or in third countries are eligible.

## CHAPTER II

# FINANCIAL AND IMPLEMENTATION FRAMEWORK

### SECTION 1

#### COMMON PROVISIONS

#### *Article 7*

##### **General principles**

1. Support provided under this Regulation shall complement national, regional and local intervention, and shall focus on adding value to the objectives of this Regulation.
2. The Commission and the Member States shall ensure that the support provided under this Regulation and by the Member States is consistent with the relevant activities, policies and priorities of the Union and is complementary to other Union instruments.
3. The Fund shall be implemented in shared, direct or indirect management in accordance with Articles [62(1) (a), (b) and (c)] of **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~.

#### *Article 8*

##### **Budget**

1. The financial envelope for the implementation of the Fund for the 2021-2027 period shall be EUR [10 415 000 000] in [current prices].

2. The financial resources shall be used as follows:

- (a) EUR [6 249 000 000] shall be allocated to the programmes implemented under shared management;
- (b) EUR [4 166 000 000] shall be allocated to the thematic facility.

***[2a. The above amounts include a dedicated, significant envelope for external migration management.]***

3. Up to 0.42 % of the financial envelope shall be allocated for technical assistance at the initiative of the Commission as referred to in Article 29 of the Regulation EU ../.. [Common Provisions Regulation].

#### *Article 9*

#### **General provisions on the implementation of the thematic facility**

1. The financial envelope referred to in Article 8(2)(b) shall be allocated flexibly through the thematic facility using shared, direct and indirect management as set out in work programmes.<sup>8</sup> Funding from the thematic facility shall be used for its components:
  - (a) specific actions;
  - (b) Union actions;
  - (c) emergency assistance;

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<sup>8</sup> *A new recital will indicate that the financial envelope allocated to the thematic facility will primarily serve to reinforce programmes (through top-ups, emergency assistance and specific actions).*

- (d) resettlement;
  - (e) support to Member States contributing to solidarity and responsibility efforts;
- ~~and~~
- (f) **and** European Migration Network.

Technical assistance at the initiative of the Commission shall also be supported from the financial envelope for the thematic facility.

2. Funding from the thematic facility shall address priorities with a high added value to the Union or be used to respond to urgent needs in line with agreed Union priorities as outlined in Annex II. ***Without prejudice to Article 13, the external dimension aspects referred to in Article 3(1) will be tackled and financed through the components of the thematic facility.***
3. When funding from the thematic facility is granted in direct or indirect management to Member States, it shall be ensured that selected projects are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of projects.
4. When funding from the thematic facility is implemented in shared management, the Commission shall, for the purposes of Articles 18 and 19(2) of Regulation EU ../.. [Common Provisions Regulation], assess whether the foreseen actions are not affected by a reasoned opinion by the Commission in respect of an infringement under Article 258 of the TFEU that puts at risk the legality and regularity of expenditure or the performance of the projects.

5. The Commission shall establish the overall amount made available for the thematic facility under the annual appropriations of the Union budget. The Commission shall ***by means of implementing acts*** adopt financing decisions as referred to in Article [110] of ***Regulation (EU, Euratom) 2018/1046*** ~~the Financial Regulation~~ for the thematic facility identifying objectives and actions to be supported and specifying the amounts for each of its components as referred to in paragraph 1. Financing decisions shall set out, where applicable, the overall amount reserved for blending operations. ***Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 33(2).***
6. The thematic facility shall in particular, support actions falling under the implementation measure 2(b) of Annex II that are implemented by the local and regional authorities or civil society organisations.
7. Following the adoption of a financing decision as referred to in paragraph 5, the Commission may amend the programmes implemented under shared management accordingly.
8. These financing decisions may be annual or multiannual and may cover one or more components of the thematic facility.

## SECTION 2

### SUPPORT AND IMPLEMENTATION UNDER SHARED MANAGEMENT

#### *Article 10*

##### **Scope**

1. This section applies to the part of the financial envelope referred to in Article 8(2)(a), and additional resources to be implemented under shared management according to the Commission decision for the thematic facility referred to in Article 9.
2. Support under this section shall be implemented under shared management in accordance with Article [63] of **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~ and the Regulation EU ../.. [Common Provisions Regulation].

#### *Article 11*

##### **Budgetary resources**

1. Resources referred to in Article 8(2)(a) shall be allocated to the national programmes (the 'programmes') implemented by Member States under shared management indicatively as follows:
  - (a) EUR [5 207 500 000] to the Member States in accordance with [Annex I];
  - (b) EUR [1 041 500 000] to the Member States for the adjustment of the allocations for the programmes as referred to in Article 14(1).

2. Where the amount referred to in paragraph 1(b) is not allocated, the remaining amount may be added to the amount referred to in Article 8(2)(b) *allocated to the Member States that meet the criteria referred to in Article 14(2) according to the updated data at the mid-term review.*

## Article 12

### Co-financing rates

1. The contribution from the Union budget shall not exceed 75 % of the total eligible expenditure of a project.
  2. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for projects implemented under specific actions.
  3. The contribution from the Union budget may be increased to 90 % of the total eligible expenditure for actions listed in Annex IV.
  4. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for operating support.
  5. The contribution from the Union budget may be increased to 100 % of the total eligible expenditure for emergency assistance.
- 5a. *Within the limits set out in Article 31(2)(d) of the Regulation (EU) No [CPR], technical assistance of Member States may be financed up to 100 % of the Union budget contribution.***

6. The Commission decision approving a programme shall set the co-financing rate and the maximum amount of support from this Fund for the types of actions referred to in paragraphs 1 to 5.
7. For each specific objective, the Commission decision shall set out whether the co-financing rate for the specific objective is to be applied to:
- (a) the total contribution, including the public and private contributions; or
  - (b) the public contribution only.

### *Article 13*

#### **Programmes**

1. Each Member State shall ensure that the priorities addressed in its programme are consistent with, and respond to, the Union priorities and challenges in the area of migration management and are fully in line with the relevant Union *acquis* and agreed Union priorities. In defining the priorities of their programmes Member States shall ensure that the implementation measures set out in Annex II are adequately addressed.
2. ~~The Commission shall ensure that the European Union Agency for Asylum and the European Border and Coast Guard Agency are associated to the process of developing the programmes at an early stage, as regards the areas of their competence.~~ The Commission shall consult the European Border and Coast Guard Agency and the European Union Agency for Asylum ***as regards the areas of their competence*** on the draft programmes to ensure consistency and complementarity of the actions of the agencies and those of the Member States. ***The consultation shall be conducted in a timely manner without delaying the approval and implementation of the programmes.***

3. The Commission may associate the European Union Agency for Asylum and European Border and Coast Guard Agency in monitoring and evaluation tasks as referred to in Section 5 where appropriate in particular in view of ensuring that the actions implemented with the support of the Fund are compliant with the relevant Union *acquis* and agreed Union priorities.
4. Further to a monitoring exercise as carried out in accordance with Regulation (EU) [ ../..] [EUAA Regulation] or the adoption of recommendations in accordance with Regulation (EU) No 1053/2013 which are within the scope of this Regulation, the Member State concerned shall examine, together with the Commission, ~~and where relevant with the European Union Agency for Asylum and the European Border and Coast Guard Agency,~~ how to address the findings, including any shortcomings or issues of capacity and preparedness, and shall implement the recommendations through its programme.
5. Where necessary, the programme in question shall be amended to take into account the recommendations referred to in paragraph 4. Depending on the impact of the adjustment, the revised programme may be approved by the Commission.
6. In cooperation and consultation with the Commission and the relevant agencies in accordance with their competence, as applicable, resources under the programme may be reallocated with the aim of addressing recommendations, as referred to in paragraph 4 that have financial implications.

7. Member States shall in particular pursue the actions eligible for higher co-financing as listed in Annex IV. In the event of unforeseen or new circumstances or in order to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of actions eligible for higher co-financing as listed in Annex IV.
8. Whenever a Member State decides to implement **new** projects with or in a third country with the support of the Fund, the Member State concerned shall ~~consult~~ **inform** the Commission prior to the start of the project.
9. Programming as referred to in Article 17(5) of Regulation (EU) .../2021 [Common Provisions Regulation], shall be based on the types of intervention set out in Table 1 of Annex VI.

#### *Article 14*

#### **Mid-term review**

1. In 2024, the Commission shall allocate to the programmes of Member States concerned the additional amount referred to in Article 11(1)(b) in accordance with the criteria referred to in paragraphs 1(b) to 5 of Annex I. Funding shall be effective for the period as of the calendar year 2025.
2. ***Without prejudice to paragraph 2a, if*** at least 10 % of the initial allocation of a programme referred to in Article 11(1)(a) has not been covered by payment applications submitted in accordance with Article [85] of Regulation (EU) .../2021 [Common Provisions Regulation], the Member State concerned shall not be eligible to receive the additional allocation for the programme referred to in paragraph 1. ***The Commission shall consult the Member States concerned.***
- 2a. ***Paragraph 2 only applies where all regulatory framework and associated acts serving as the basis for the programming period 2021-2027 have entered into force by 1 January 2021.***

3. The allocation of the funds from the thematic facility as of 2025 shall, where appropriate, take into account the progress made in achieving milestones of the performance framework as referred to in Article [12] of Regulation (EU) .../2021 [Common Provisions Regulation] and identified implementation shortcomings.

#### *Article 15*

#### **Specific actions**

1. Specific actions are transnational or national projects in line with the objectives of this Regulation for which one, several or all Member States may receive an additional allocation to their programmes.
2. Member States may in addition to their allocation calculated in accordance with Article 11(1), receive an additional amount, provided that it is earmarked as such in the programme and is used to contribute to the implementation of the objectives of this Regulation.
3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.

#### *[Article 16*

#### **Resources for the Union Resettlement [and Humanitarian Admission] Framework**

1. Member States shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR [10 000] for each resettled person in accordance with the targeted Union resettlement scheme. That contribution shall take the form of financing not linked to costs in accordance with Article [125] of the Financial Regulation.

2. The amount referred to in paragraph 1 shall be allocated to the Member States through the amendment of their programme provided that the person in respect of whom the contribution is allocated was effectively resettled in accordance with the Union Resettlement [and Humanitarian Admission] Framework.
3. The funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.
4. Member States shall keep the information necessary to allow the proper identification of the resettled persons and of the date of their resettlement./

*[Article 17*

**Resources to support the implementation of Regulation ../. [Dublin Regulation]**

1. A Member State shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR ~~[[10 000]]~~ for each applicant for international protection for whom that Member State becomes responsible as from when that Member State is in challenging circumstances as defined in Regulation (EU) ../. [Dublin Regulation].
2. A Member State shall receive, in addition to their allocation calculated in accordance with Article 11(1)(a), a contribution of EUR ~~[[10 000]]~~ for each applicant for international protection allocated to that Member State who is above the benefitting Member State's fair share.

3. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR ~~[[10 000]]~~ per applicant who has been granted international protection for the implementation of integration measures.
4. A Member State referred to in paragraphs 1 and 2 shall receive an additional contribution of EUR ~~[[10 000]]~~ per person for whom the Member State can establish on the basis of the updating of the data set referred to in Article 11(d) of Regulation (EU) ~~../..~~ [Eurodac Regulation] that the person has left the territory of the Member State, on either a compulsory or voluntarily basis in compliance with a return decision or a removal order.
5. A Member State shall receive, in addition to its allocation calculated in accordance with Article 11(1)(a), a contribution of EUR ~~[[500]]~~ for each applicant of international protection transferred from one Member State to another, for each applicant transferred pursuant to point (c) of the first paragraph of Article 34(i) of Regulation (EU) ~~../...~~ [Dublin Regulation] and, where applicable, for each applicant transferred pursuant to point (g) of Article 34 (j) of Regulation (EU) ~~../..~~ [Dublin Regulation].
6. The amounts referred to in this Article shall take the form of financing not linked to costs in accordance with Article ~~{125}~~ of the Financial Regulation.

7. The additional amounts referred to in paragraphs 1 to 5 shall be allocated to the Member States in their programmes provided that the person in respect of whom the contribution is allocated was, as applicable, effectively transferred to a Member State, effectively returned or registered as an applicant in the Member State responsible in accordance with Regulation (EU) ... [Dublin Regulation].
8. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme./

### *Article 18*

#### **Operating support**

1. Operating support is a part of a Member State's allocation which may be used as support to the public authorities responsible for accomplishing the tasks and services which constitute a public service for the Union;
2. A Member State may use up to ~~40~~ **20** % of the amount allocated under the Fund to its programme to finance operating support under objectives in Article 3(2)(a) and (c).
3. The Member States using operating support shall comply with the Union *acquis* on asylum and return.

4. Member States shall justify in the programme and in the annual performance report as referred to in Article 30 the use of operating support to achieve the objectives of this Regulation. Before the approval of the programme, the Commission shall, ~~with the European Union Agency for Asylum and the European Border and Coast Guard Agency in line with Article 13,~~ assess the baseline situation in the Member States which have indicated their intention to use operating support. The Commission shall take into account the information provided by those Member States and, where relevant, the information available in the light of the monitoring exercises, as carried out in accordance with Regulation (EU) ... [EUAA Regulation] and Regulation (EU) No 1053/2013, which are within the scope of this Regulation.
5. Operating support shall be concentrated on specific tasks and services as laid down in Annex VII.
6. To address unforeseen or new circumstances or to ensure the effective implementation of funding, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend the list of specific tasks and services in Annex VII.

## SECTION 3

### SUPPORT AND IMPLEMENTATION UNDER DIRECT AND INDIRECT MANAGEMENT

#### *Article 19*

##### **Scope**

Support under this section ~~Union~~ shall be implemented either directly by the Commission in accordance with point (a) of Article 62(1) of **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~, or indirectly in accordance with point (c) of that Article.

#### *Article 20*

##### **Union actions**

1. Union actions are transnational projects or projects of particular interest to the Union implemented in line with the objectives of this Regulation.
2. At the Commission's initiative, the Fund may be used to finance Union actions concerning the objectives of this Regulation as referred to in Article 3 and in accordance with Annex III.
3. Union actions may provide funding in any of the forms laid down in **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~ in particular grants, prizes and procurement. They may also provide financing in the form of financial instruments within blending operations.

4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~.
5. The evaluation committee assessing the proposals may be composed of external experts.
6. Contributions to a mutual insurance mechanism may cover the risk associated with the recovery of funds due by recipients and shall be considered a sufficient guarantee under **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~. The provisions laid down in [Article X of] Regulation (EU) ../.. [successor of the Regulation on the Guarantee Fund] shall apply.

#### *Article 21*

### **European Migration Network**

1. The Fund shall support the European Migration Network and provide the financial assistance necessary for its activities and its future development.
2. The amount made available for the European Migration Network under the annual appropriations of the Fund and the work programme laying down the priorities for its activities shall be adopted by the Commission, after approval by the Steering Board in accordance with Article 4(5)(a) of Decision 2008/381/EC (as amended). The decision of the Commission shall constitute a financing decision pursuant to Article [110] of the Financial Regulation. To ensure the timely availability of resources, the Commission may adopt the work programme for the European Migration Network in a separate financing decision.

3. Financial assistance provided for the activities of the European Migration Network shall take the form of grants to the national contact points referred to in Article 3 of Decision 2008/381/EC and procurements as appropriate, in accordance with the Financial Regulation.

#### *Article 22*

#### **Blending operations**

Blending operations<sup>9</sup> decided under this Fund shall be implemented in accordance with the [InvestEU regulation] and Title X of **Regulation (EU, Euratom) 2018/1046** ~~the Financial Regulation~~.

#### *Article 23*

#### **Technical assistance at the initiative of the Commission**

The Fund may support technical assistance measures implemented at the initiative of, or on behalf of, the Commission. Those measures may be financed at the rate of 100%.

#### *Article 24*

#### **Audits**

Audits on the use of the Union contribution carried out by persons or entities, including by other than those mandated by the Union institutions or bodies, shall form the basis of the overall assurance pursuant to Article 127 of Regulation (EU, **Euratom**) 2018/1046 ~~[Regulation on the financial rules applicable to the general budget of the Union]~~.

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<sup>9</sup> *A recital will elaborate on the voluntary character of blending operations.*

*Article 25*

**Information, communication and publicity**

1. The recipients of Union funding shall acknowledge the origin and ensure the visibility of the Union funding, in particular when promoting the actions and their results, by providing coherent, effective and proportionate targeted information to multiple audiences, including the media and the public.
2. The Commission shall implement information and communication actions relating to the Fund and its actions and results. Financial resources allocated to the Fund shall also contribute to the corporate communication on the political priorities of the Union, as far as they are related to the objectives of this Regulation.

**SECTION 4**

**SUPPORT AND IMPLEMENTATION UNDER SHARED,  
DIRECT AND INDIRECT MANAGEMENT**

*Article 26*

**Emergency assistance**

1. The Fund shall provide financial assistance to address urgent and specific needs in the event of an emergency situation resulting from one or more of the following:

- (a) heavy migratory pressure in one or more Member States characterised by a large or disproportionate inflow of third-country nationals, which places significant and urgent demands on their reception and detention facilities, asylum and migration management systems and procedures;
- (b) ***an event of mass influx of displaced persons*** ~~the implementation of temporary protection mechanisms~~ within the meaning of Directive 2001/55/EC<sup>10</sup>;
- (c) heavy migratory pressure in third countries, including where persons in need of protection may be stranded due to political developments or conflicts, notably where it might have an impact on migration flows towards the EU.
2. Emergency assistance may take the form of grants awarded directly to the decentralised agencies.
3. Emergency assistance may be allocated to Member States' programmes in addition to their allocation calculated in accordance with Article 11(1) and Annex I, provided that it is earmarked as such in the programme. This funding shall not be used for other actions in the programme except in duly justified circumstances and as approved by the Commission through the amendment of the programme.
4. Grants implemented under direct management shall be awarded and managed in accordance with [Title VIII] of ***Regulation (EU, Euratom) 2018/1046*** ~~the Financial Regulation~~.

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<sup>10</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).

**Cumulative, complementary and combined funding**

1. An action that has received a contribution under the Fund may also receive a contribution from any other Union programme, including Funds under shared management, provided that the contributions do not cover the same costs. The rules of each contributing Union programme shall apply to its respective contribution to the action. The cumulative funding shall not exceed the total eligible costs of the action and the support from the different Union programmes may be calculated on a pro-rata basis in accordance with the documents setting out the conditions for support.
2. Actions awarded a seal of Excellence certification, or which comply with the following cumulative comparative conditions:
  - (a) they have been assessed in a call for proposals under the instrument;
  - (a) they comply with the minimum quality requirements of that call for proposals;
  - (b) they may not be financed under that call for proposals due to budgetary constraints.

may receive support from the European Regional Development Fund, the Cohesion Fund, the European Social Fund+ or the European Agricultural Fund for Rural Development, in accordance with paragraph 5 of Article [67] of Regulation (EU) ../.. [Common Provisions Regulation] and Article [8] of Regulation (EU) ../.. [Financing, management and monitoring of the Common Agricultural Policy], provided that such actions are consistent with the objectives of the programme concerned. The rules of the Fund providing support shall apply.

## SECTION 5

### MONITORING, REPORTING AND EVALUATION

#### SUB SECTION 1

#### COMMON PROVISIONS

#### *Article 28*

#### ***Monitoring and reporting***

1. In compliance with its reporting requirements pursuant to Article [43(3)(h)(i)(iii)] of ***Regulation (EU, Euratom) 2018/1046*** ~~the Financial Regulation~~, the Commission shall present to the European Parliament and the Council information on performance in accordance with Annex V.
2. The Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex V in order to make the necessary adjustments to the information on performance to be provided to the European Parliament and the Council.
3. The indicators to report on progress of the Fund towards the achievement of the objectives of this Regulation are set in Annex VIII. For output indicators, baselines shall be set at zero. The milestones set for 2024 and targets set for 2029 shall be cumulative.

4. The performance reporting system shall ensure that data for monitoring programme implementation and results are collected efficiently, effectively, and in a timely manner. To that end, proportionate reporting requirements shall be imposed on recipients of Union funds and where relevant Member States.
5. In order to ensure effective assessment of the progress of the Fund towards the achievement of its objectives, the Commission shall be empowered to adopt delegated acts in accordance with Article 32 to amend Annex VIII to review and complement the indicators where necessary and to supplement this Regulation with provisions on the establishment of a monitoring and evaluation framework, including for project information to be provided by the Member States.

#### *Article 29*

#### **Evaluation**

1. The Commission shall carry out a mid-term and a retrospective evaluation of this Regulation, including the actions implemented under the Fund.
2. The mid-term and the retrospective evaluation shall be carried out in a timely manner to feed into the decision-making process *in accordance with the timeline set out in Article 40 of Regulation (EU) No .../... [CPR]*.

**SUB SECTION 2**  
**RULES FOR SHARED MANAGEMENT**

*Article 30*

**Annual performance reports**

1. By 15 February 2023 and by the same date of each subsequent year up to and including 2031, Member States shall submit to the Commission the annual performance report as referred to in Article 36(6) of Regulation (EU).../2021 [Common Provisions Regulation]. The report submitted in 2023 shall cover the implementation of the programme in the period to 30 June 2022.
2. The annual performance report shall in particular set out information on:
  - (a) progress in the implementation of the programme and in achieving the milestones and targets, taking into account the latest data as required by Article [37] of Regulation (EU) .../2021 [Common Provisions Regulation];
  - (b) any issues affecting the performance of the programme and the action taken to address them;
  - (c) the complementarity between the actions supported by the Fund and support provided by other Union funds, in particular those in or in relation to third countries;
  - (d) contribution of the programme to the implementation of the relevant Union *acquis* and action plans;

- (e) the implementation of communication and visibility actions;
  - (f) the fulfilment of the applicable enabling conditions and their application throughout the programming period;
  - (g) the number of persons resettled with the help of the Fund in line with the amounts referred to in Article 16(1);
  - (h) the number of applicants for or beneficiaries of international protection transferred from one Member State to another in line with Article 17.
3. The Commission may make observations on the annual performance report within two months of the date of its receipt. Where the Commission does not provide observations by that deadline, the report shall be deemed to have been accepted.
4. In order to ensure uniform conditions for the implementation of this Article, the Commission shall adopt an implementing act establishing the template for the annual performance report. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 33(2).

### *Article 31*

#### **Monitoring and reporting**

1. Monitoring and reporting in accordance with Title IV of Regulation (EU) .../... [Common Provisions Regulation] shall be based on the types of intervention set out in Tables 1, 2 and 3 in Annex VI. To address unforeseen or new circumstances or to ensure the effective implementation of the funding, the Commission shall be empowered to adopt delegated acts to amend the types of intervention in accordance with Article 32.
2. These indicators shall be used in accordance with Articles 12(1), 17 and 37 of Regulation (EU) .../2021 [Common Provisions Regulation].

## **CHAPTER III**

### **TRANSITIONAL AND FINAL PROVISIONS**

#### *Article 32*

##### **Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 13, 18, 28 and 31 shall be conferred on the Commission until 31 December 2028.
3. The delegation of powers referred to in Articles 13, 18, 28 and 31 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

5. As soon as it adopts a delegated act, the Commission shall simultaneously notify the European Parliament and to the Council thereof.
6. A delegated act adopted pursuant to Articles 13, 18, 28 and 31 shall enter into force only if neither the European Parliament nor the Council has expressed an objection within two months of being notified of it or if, before the expiry of that period, they have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

### *Article 33*

#### **Committee procedure**

1. The Commission shall be assisted by the Coordination Committee for the ~~Asylum and Migration~~ Fund, the Internal Security Fund and the Border Management and Visa Instrument. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.
3. ~~Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act. This shall not apply to the implementing act referred to in Article 30(4).~~

*Article 34*

**Transitional provisions**

1. This Regulation shall not affect the continuation or modification of the actions concerned under the Asylum, Migration and Integration Fund for the period 2014-2020 established by Regulation (EU) No 516/2014, which shall continue to apply to the actions concerned until their closure.
2. The financial envelope for the Fund may also cover technical and administrative assistance expenses necessary to ensure the transition between the Fund and the measures adopted under its predecessor, the Asylum, Migration and Integration Fund established by Regulation (EU) No 516/2014.

*Article 35*

**Entry into force and application**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2021.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Strasbourg,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

**[ANNEX I]**

**[Criteria for the allocation of funding to the programmes under shared management]**

1. [The available resources referred to in Article 11 shall be broken down between the Member States as follows:
  - (a) Each Member State shall receive a fixed amount of EUR 5 000 000 from the Fund at the start of the programming period only;
  - (b) The remaining resources referred to in Article 11 shall be distributed based on the following criteria:
    - 30 % for asylum;
    - 30 % for legal migration and integration;
    - 40% for countering irregular migration including returns.
2. The following criteria in the area of asylum will be taken into account and shall be weighted as follows:
  - (a) 30 % in proportion to the number of persons who fall into one of the following categories:
    - Any third-country national or stateless person having been granted the status defined by the Geneva Convention;

- Any third-country national or stateless person enjoying a form of subsidiary protection with the meaning of recast Directive 2011/95/EU<sup>11</sup>;
  - Any third-country national or stateless person enjoying temporary protection within the meaning of Directive 2001/55/EC<sup>12</sup>
- (b) 60 % in proportion to the number of third-country nationals or stateless persons who have applied for international protection.
- (c) 10 % in proportion to the number of third-country nationals or stateless persons who are being or have been resettled in a Member State.
3. The following criteria in the area of legal migration and integration will be taken into account and shall be weighted as follows:
- (a) 40 % in proportion to the total number of legally residing third-country nationals in a Member State.
- (b) 60 % in proportion to the number of third-country nationals who have obtained a first residence permit.

<sup>11</sup> Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9–26).

<sup>12</sup> Data to be taken into account only in case of the activation of the 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. 12–23).

(c) However, for the purpose of the calculation referred to in paragraph 3(b), the following categories of persons shall not be included:

- Third country nationals being issued a work-related first residence permits valid for less than 12 months;
- Third-country nationals admitted for the purposes of studies, pupil exchange, unremunerated training or voluntary service in accordance with Council Directive 2004/114/EC<sup>13</sup> or when applicable the Directive (EU) 2016/801<sup>14</sup>;
- Third-country nationals admitted for purposes of scientific research in accordance with Council Directive 2005/71/EC<sup>15</sup> or when applicable the Directive (EU) 2016/801.

4. The following criteria in the area of countering irregular migration including returns will be taken into account and shall be weighted as follows:

- (a) 50% in proportion to the number of third-country nationals who do not or no longer fulfil the conditions for entry and stay in the territory of the Member State and who are subject to a return decision under national and / or Community law, i.e. an administrative or judicial decision or act, stating or declaring the illegality of stay and imposing an obligation to return;

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<sup>13</sup> Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (OJ L 375, 23.12.2004, p. 12–18).

<sup>14</sup> Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21–57).

<sup>15</sup> Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research (OJ L 289, 3.11.2005, p. 15–22).

- (b) 50% in proportion to the number of third-country nationals who have actually left the territory of the Member State following an administrative or judicial order to leave, whether undertaken voluntarily or under coercion.
5. For initial allocation the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years on the basis of data provided by Member States on the date of the applicability of this Regulation in accordance with Union law. For the mid-term review, the reference figures shall be the latest annual statistical data produced by the Commission (Eurostat) covering the preceding three calendar years available at the time of the mid-term review in 2024 on the basis of data provided by Member States in accordance with Union law. Where Member States have not supplied the Commission (Eurostat) with the statistics concerned, they shall provide provisional data as soon as possible.
6. Before accepting these data as reference figures, the Commission (Eurostat) shall evaluate the quality, comparability and completeness of the statistical information in accordance with normal operational procedures. At the request of the Commission (Eurostat), Member States shall provide it with all the necessary information to do so.]

**ANNEX II**  
**Implementation measures**

1. The Fund shall contribute to the specific objective set out in Article 3(2)(a) by focusing on the following implementation measures:
  - (a) ensuring a uniform application of the Union *acquis* and of the priorities related to the Common European Asylum System;
  - (b) supporting the capacity of Member States' asylum systems as regards infrastructures and services where necessary;
  - (c) enhancing solidarity and responsibility-sharing between the Member States, in particular towards those most affected by migratory flows, as well as providing support to Member States contributing to solidarity efforts;
  - (d) enhancing solidarity and cooperation with third countries affected by migratory flows, including through resettlement and other legal avenues to protection in the Union as well as partnership and cooperation with third countries for the purpose of managing migration *including its external dimension*.
2. The Fund shall contribute to the specific objective set out in Article 3(2)(b), by focusing on the following implementation measures:
  - (a) supporting the development and implementation of policies promoting legal migration and the implementation of the Union legal migration *acquis*;

- (b) promoting ~~early~~ integration measures for the social and economic inclusion of third-country nationals, preparing their active participation in and their acceptance by the receiving society, in particular with the involvement of local or regional authorities and civil society organisations ***in synergy with the European Social Fund (ESF+)*** ***which funds measures supporting access of migrants to the labour market.***

3. The Fund shall contribute to the specific objective set out in Article 3(2)(c), by focusing on the following implementation measures:

- (a) ensuring a uniform application of the Union *acquis* and policy priorities regarding infrastructure, procedures and services;
- (b) supporting an integrated and coordinated approach to return management at the Union and Member States' level, to the development of capacities for effective and sustainable return and reducing incentives for irregular migration;
- (c) supporting assisted voluntary return and reintegration;
- (d) strengthening ***the external dimension through*** cooperation with third countries and their capacities to implement readmission agreements and other arrangements, and enable sustainable return.

### ANNEX III

#### Scope of support

1. Within the policy objective referred to in Article 3(1), the Fund shall in particular support the following:
  - (a) the establishment and development of national strategies in asylum, legal migration, integration, return and irregular migration;
  - (b) the setting up of administrative structures, *and* systems, *including the development of IT systems and the interoperability of databases* ~~and~~, tools and training of staff, including local authorities and other relevant stakeholders;
  - (c) the development, monitoring and evaluation of policies and procedures including on collection, ~~and~~ exchange *and analysis* of information and data, ~~development~~ and application of common statistical tools, methods and indicators for measuring progress and assessing policy developments;

- (d) the exchanges of information, best practices and strategies, mutual learning, studies and research, the development and implementation of joint actions and operations and the setting-up of transnational cooperation networks;
- (e) assistance and support services consistent with the status and the needs of the person concerned, in particular the vulnerable groups;
- (f) actions aimed at enhancing awareness of asylum, integration, legal migration and return policies among stakeholders and the general public;
- (g) ***actions to enhance the external dimension of migration management.***<sup>16</sup>

2. Within the specific objective referred to in Article 3(2)(a), the Fund shall in particular support the following actions:

- (a) providing material aid, including assistance at the border;
- (b) conducting asylum procedures ***(i.e. staff, operational needs) to ensure compliance with the asylum acquis;***
- (c) identifying applicants with special procedural or reception needs;

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<sup>16</sup> *A recital will elaborate on the actions under the external migration management, in synergy with external action instruments, including inter alia agreements and cooperation with third countries, sustainable reintegration and return measures, measures preventing irregular migration, resettlement and pre-departure measures and information campaigns in third countries,*

- (d) establishing or improving reception accommodation infrastructure, including the possible joint use of such facilities by more than one Member State;
  - (e) enhancing the capacity of Member States to collect, analyse and disseminate country of origin information;
  - (f) actions related to the conducting of procedures for the implementation of the Union Resettlement [and Humanitarian Admission] Framework or national resettlement schemes that are compatible with the Union Resettlement Framework;
  - (g) transfers of beneficiaries of international protection;
  - (h) enhancing capacities of third countries to improve the protection of persons in need of protection;
  - (i) establishing, developing and improving effective alternatives to detention, in particular in relation to unaccompanied minors and families.
3. Within the specific objective referred to in Article 3(2)(b), the Fund shall in particular support the following:
- (a) information packages and campaigns to raise awareness of legal migration channels to the Union, including on the Union legal migration *acquis*;
  - (b) development of mobility schemes to the Union, such as circular or temporary migration schemes, including training to enhance employability;

- (c) cooperation between third countries and the recruitment agencies, the employment services and the immigration services of Member States;
- (d) the assessment of skills and qualifications acquired in a third country, as well as their transparency and compatibility with those of a Member State;
- (e) assistance in the context of applications for family reunification within the meaning of Council Directive 2003/86/EC<sup>17</sup>;
- (f) assistance in relation to a change of status for third-country nationals already legally residing in a Member State, in particular in relation to the acquisition of a legal residence status defined at Union level;
- (g) ~~early~~ integration measures such as tailored support in accordance with the needs of third-country nationals and integration programmes focusing on education, language and other training such as civic orientation courses and professional guidance, ***administrative and legal guidance, one-stop shops for integration providing general advice and assistance to third country nationals in areas such as housing, means of subsistence, psychological care, health care, etc;***<sup>18 19</sup>

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<sup>17</sup> Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, (OJ L 251, 03/10/2003 p. 12 – 18.).

<sup>18</sup> *A recital will indicate that every integration measure that can be funded within the current AMIF (2014-2020) will continue to be eligible in the next programming period 2021-2027.*

<sup>19</sup> *New recital: Actions in complementarity with the European Social Fund (ESF+) are welcomed taking into account that the ESF+ is explicitly funding measures that can target both EU and third-country nationals such as improving access to the labour market and promote employment, vocational training and job placement, promoting social inclusion and access to services, improving living and working conditions while combating discrimination and inequalities, thus contributing to the long-term socio-economic integration of third-country nationals.*

- (h) actions promoting equality in the access and provision of public and private services to third-country nationals, including adapting them to the needs of the target group;
  - (i) cooperation between governmental and non-governmental bodies in an integrated manner, including through coordinated integration-support centres, such as one-stop shops;
  - (j) actions enabling and supporting third-country nationals' introduction to and active participation in the receiving society and actions promoting acceptance by the receiving society;
  - (k) promoting exchanges and dialogue between third-country nationals, the receiving society and public authorities, including through the consultation of third-country nationals, and intercultural and inter-religious dialogue.
4. Within the specific objective referred to in Article 3(2)(c), the Fund shall in particular support the following:
- (a) infrastructure for reception or detention, including the possible joint use of such facilities by more than one Member State;
  - (b) introduction, development and improvement of effective alternative measures to detention, in particular in relation to unaccompanied minors and families;
  - (c) introduction and reinforcement of independent and effective systems for monitoring forced return, as laid down in Article 8(6) of Directive 2008/115/EC<sup>20</sup>;

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<sup>20</sup> Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

- (d) countering incentives for irregular migration, including the employment of irregular migrants, through effective and adequate inspections based on risk assessment, the training of staff, the setting-up and implementation of mechanisms through which irregular migrants can claim back payments and lodge complaints against their employers, or information and awareness-raising campaigns to inform employers and irregular migrants about their rights and obligations pursuant to Directive 2009/52/EC<sup>21</sup>;
- (e) preparation of return, including measures leading to the issuing of return decisions, the identification of third-country nationals, the issuing of travel documents and family tracing;
- (f) cooperation with the consular authorities and immigration services or other relevant authorities and services of third countries with a view to obtaining travel documents, facilitating return and ensuring readmission including through the deployment of third-country liaison officers;
- (g) return assistance, in particular assisted voluntary return and information about assisted voluntary return programmes;
- (h) removal operations, including related measures, in accordance with the standards laid down in Union law, with the exception of coercive equipment;
- (i) measures to support the returnee's durable return and reintegration;

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<sup>21</sup> Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009., p. 24–32).

- (j) facilities and services in third countries ensuring appropriate temporary accommodation and reception upon arrival, including for unaccompanied minors and other vulnerable groups in line with international standards;
- (k) cooperation with third countries on countering irregular migration and on effective return and readmission, including in the framework of the implementation of readmission agreements and other arrangements;
- (l) measures aimed at raising awareness of the appropriate legal channels for immigration and the risks of illegal immigration;
- (m) support for and actions in third countries, including on infrastructure, equipment and other measures, provided these contribute to enhancing effective cooperation between third countries and the Union and its Member States on return and readmission.

## **ANNEX IV**

### **Actions eligible for higher co-financing in line with Articles 12(2 3) and 13(7)**

- Integration measures implemented by local and regional authorities and civil-society organisations;
- Actions to develop and implement effective alternatives to detention;
- Assisted Voluntary Return and Reintegration programmes and related-activities;
- Measures targeting vulnerable persons and applicants for international protection with special reception and/or procedural needs, including measures to ensure effective protection of children in migration, in particular those unaccompanied;
- ***Projects in third countries that aim at tackling high migration pressure on Member States.***

## **ANNEX V**

### **Core performance indicators referred to in Article 28(1)**

**Specific objective 1:** To strengthen and develop all aspects of the Common European Asylum System, including its external dimension:

1. Number of persons resettled with the support of the Fund.

**Data source:** *Member States*

2. Number of persons in the reception system as compared to the number of asylum applicants.

**Data source:** *Eurostat*

3. Convergence of protection recognition rates for asylum seekers from the same country.

**Data source:** *Eurostat*

**Specific objective 2:** To support legal migration to the Member States including to contribute to the integration of third-country nationals:

1. Number of persons who participated in pre-departure measures supported by the Fund.

**Data source:** *Member States*

2. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund.

**Data source:** *Member States*

**Specific objective 3:** To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:

1. **Overall** Number of returns following an order to leave compared to the number of third-country nationals ordered to leave.

**Data source:** *Eurostat*

2. Number of returnees who have received pre or post-return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.

**Data source:** *Member States*

**ANNEX VI**  
**Types of intervention**

**TABLE 1: CODES FOR THE INTERVENTION FIELD DIMENSION**

| <b>I. CEAS</b>                             |                                                                                                       |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 001                                        | Reception conditions                                                                                  |
| 002                                        | Asylum procedures                                                                                     |
| 003                                        | Implementation of the Union acquis                                                                    |
| 004                                        | Children in migration                                                                                 |
| 005                                        | Persons with special reception and procedural needs                                                   |
| 006                                        | Resettlement <i>[or humanitarian admissions]</i>                                                      |
| 007                                        | Solidarity efforts between Member States                                                              |
| 008                                        | Operating support                                                                                     |
| <b>009</b>                                 | <b><i>Vulnerable persons</i></b>                                                                      |
| <b>II. Legal migration and integration</b> |                                                                                                       |
| 001                                        | Development of integration strategies                                                                 |
| 002                                        | <b><i>Vulnerable persons/ UAMs especially</i></b> <del>✓</del> victims of trafficking in human beings |
| 003                                        | Integration measures – information and orientation, one stop shops                                    |
| 004                                        | Integration measures – language training                                                              |
| 005                                        | Integration measures – civics and other training                                                      |

|                    |                                                                            |
|--------------------|----------------------------------------------------------------------------|
| 006                | Integration measures – Introduction, participation, exchanges host society |
| 007                | Integration measures – basic needs                                         |
| 008                | Pre-departure measures                                                     |
| 009                | Mobility schemes                                                           |
| 010                | Acquisition of legal residence                                             |
| <b>III. Return</b> |                                                                            |
| 001                | Alternatives to detention                                                  |
| 002                | Reception/detention conditions                                             |
| 003                | Return procedures                                                          |
| 004                | Assisted voluntary return                                                  |
| 005                | Reintegration assistance                                                   |
| 006                | Removal/Return operations                                                  |
| 007                | Forced-return monitoring system                                            |
| 008                | Vulnerable persons/UAMs                                                    |
| 009                | Measures addressing incentives for irregular migration                     |
| 010                | Operating support                                                          |

|     |                                                     |
|-----|-----------------------------------------------------|
|     | <b>IV. Technical assistance</b>                     |
|     |                                                     |
| 001 | Information and communication                       |
| 002 | Preparation, implementation, monitoring and control |
| 003 | Evaluation and studies, data collection             |
| 004 | Capacity building                                   |

**TABLE 2: CODES FOR THE TYPE OF ACTION DIMENSION**

|     |                                                                  |
|-----|------------------------------------------------------------------|
| 001 | Development of national strategies                               |
| 002 | Capacity building                                                |
| 003 | Education and training for third-country nationals               |
| 004 | Development of statistical tools, methods and indicators         |
| 005 | Exchange of information and best practices                       |
| 006 | Joint actions/operations (between MS)                            |
| 007 | Campaigns and information                                        |
| 008 | Exchange and secondment of experts                               |
| 009 | Studies, pilot projects, risk assessments                        |
| 010 | Preparatory, monitoring, administrative and technical activities |
| 011 | Provision of assistance and support services to TCN              |
| 012 | Infrastructure                                                   |
| 013 | Equipment                                                        |

**TABLE 3: CODES FOR THE IMPLEMENTATION MODALITIES DIMENSION**

|     |                                  |
|-----|----------------------------------|
| 001 | Specific action                  |
| 002 | Emergency assistance             |
| 003 | Cooperation with third countries |
| 004 | Actions in third countries       |
| 005 | Strategic Union priorities       |

## **ANNEX VII**

### **Eligible actions for operating support**

Within the specific objective to strengthen and develop all aspects of the Common European Asylum System, including its external dimension, and the specific objective to contribute to countering irregular migration, ensuring effectiveness of return and readmission in third countries, operating support shall cover:

- staff costs;
- service costs, such as maintenance or replacement of equipment *or IT systems*;
- service costs, such as maintenance and repair of infrastructure.

## **ANNEX VIII**

### **Output and result indicators referred to in Article 28(3)**

**Specific objective 1:** To strengthen and develop all aspect of the Common European Asylum System, including its external dimension:

1. Number of target group persons provided with assistance with the support of the Fund:
  - (a) Number of target group persons benefiting from information and assistance throughout the asylum procedures;
  - (b) Number of target group persons benefiting from legal assistance and/ *or* representation;
  - (c) Number of vulnerable persons, victims of trafficking in human beings, and unaccompanied minors benefiting from specific assistance.
2. Capacity (number of places) in new reception accommodation infrastructure set up in line with the common requirements for reception conditions set out in the Union acquis and of existing reception accommodation infrastructure, improved in accordance with the same requirements as a result of the projects supported by the Fund and percentage in the total reception accommodation capacity;

3. Number of places adapted for unaccompanied minors (UAM) supported by the Fund as compared to the total number of places adapted for unaccompanied minors;
4. Number of persons trained in asylum-related topics with the assistance of the Fund, and that number as a percentage of the total number of staff trained in those topics;
5. Number of applicants for international protection transferred from one Member State to another with support of the Fund;
6. Number of persons resettled with the support of the Fund.

**Data source: Member States**

**Specific objective 2:** To support legal migration to the Member States including to contribute to the integration of third-country nationals:

1. Number of persons who participated in pre-departure measures supported by the Fund.
2. Number of local and regional authorities that have implemented integration measures with the support of the Fund.
3. Number of persons who participated in measures supported by the Fund focusing on:
  - (a) education, and training ***and measures that lead to labour market integration;***
  - ~~(b) labour market integration;~~
  - (c) access to basic services; and
  - (d) active participation and social inclusion.

4. Number of persons who participated in integration measures supported by the Fund reporting that the measures were beneficial for their early integration as compared to the total number of persons who participated in the integration measures supported by the Fund;

**Data source:** *Member States*

**Specific objective 3:** To contribute to countering irregular migration and ensuring effectiveness of return and readmission in third countries:

1. Number of places in detention centres created/renovated with support from the Fund, as compared to the total number of created/renovated places in detention centres.
2. Number of persons trained on return-related topics with the assistance of the Fund.
3. Number of returnees whose return was co-financed by the Fund as compared to the total number of returns following an order to leave:
  - (a) persons who returned voluntarily;
  - (b) persons who were removed.
4. Number of returnees who have received pre or post return reintegration assistance co-financed by the Fund, as compared to the total number of returns supported by the Fund.

**Data source:** *Member States*

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