EUROPEAN COMMISSION

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Launch of the call for expression of interest under the "Specific Action MS under pressure – support for Ukraine" under the Asylum, Migration and Integration Fund (AMIF) – Reference AMIF/2023/SA/1.2.3

1. INTRODUCTION

Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund (AMIF) provides that Member States may receive funding for specific actions in addition to their initial allocations in their respective programmes.

Specific actions aim to fund transnational or national projects that bring Union added value in accordance with the objectives of the Fund for which one, several or all Member States may receive an additional allocation to their programmes.

They will be implemented as one of the components of the Thematic Facility in line with Art. 11 AMIF Regulation and the relevant financing decisions and work programmes for the AMIF Thematic Facility.

By the present note, the Commission launches a call for expression of interest for Specific Action "MS under pressure – support to Ukraine", in line with the actions listed in the above-mentioned work programme.

2. GENERAL PRINCIPLES

Specific actions will be implemented by Member States participating in the AMIF via funding received in addition to the allocation under their AMIF programmes.

Funding for specific actions is added to the Member States' programme allocations by means of a programme amendment. That additional funding is earmarked for the specific action concerned and shall not be used for other actions in the Member State's programme, except in duly justified circumstances and as approved by the Commission through the amendment of the programme.

Whereas the regular EU co-financing rate under the Member States' programmes will not exceed 75% of total eligible expenditure, projects implemented under specific actions may benefit from an increased co-financing rate of 90% of total eligible expenditure.

The specific action must be implemented by the Member States in accordance with the AMIF Regulation¹ and the Common Provisions Regulation (EU) 2021/1060 (CPR)².

Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund

Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund

Your attention is drawn in particular to one provision of the CPR. As regard the value added tax ("VAT") eligibility regime, Article 64 (1)(c) of the CPR provides that VAT is not eligible, except:

- (i) "for operations the total cost of which is below EUR 5 000 000 (including VAT);
- (ii) for operations the total cost of which is at least EUR 5 000 000 (including VAT) where it is non-recoverable under national VAT legislation".

3. CALL FOR EXPRESSION OF INTEREST

3.1. Budget availability

The indicative amount envisaged for the call AMIF/2023/SA/1.2.2. is EUR 50 million.

The requested amount (i.e., the Union contribution to the Member State's AMIF programme under the specific action, including technical assistance):

- should not be lower than EUR 7 million per application and
- should not be higher than EUR 20 million per application, except in duly justified cases (for instance in the case of a high number of beneficiaries of temporary protection, strong implications on availability of collective accommodation, significant appropriation of public resources).

Proposals that do not meet the minimum pass score of 30 out of 40 for relevance (see section 4.2) will be excluded from funding.

Given the limited budget, DG HOME can decide to reduce the total budget of individual applications.

DG HOME can set up a reserve list for applications that do not meet the relevance criterion relating to the existence of a clear government framework (see section 3.3.1).

3.2. Background for the specific action

Since the start of the Russian war of aggression against Ukraine on 24 February 2022, 21,1 million entries were recorded from Ukraine and Moldova into the EU, including 18,2 million entries by displaced persons from Ukraine.

On 4 March 2022, the Council adopted Council Implementing Decision (EU) 2022/382 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, the **Temporary Protection Directive**³,

Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy.

³ 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

having the effect of introducing temporary protection. The Council Decision entered into force on the same day. The Directive allowed the Union to provide immediate protection while reducing formalities to the minimum. It complemented such protection with a comprehensive and harmonised set of rights, including residency rights, suitable accommodation, access to education and vocational training, healthcare and social assistance and to the labour market.

On 21 March 2022, the Commission issued <u>operational guidelines</u> for temporary protection, to help EU Member States in implementing the Directive and the Council Implementing Decision.

On 31 March 2022, the Commission adopted a <u>10-Point Action Plan for stronger European coordination on welcoming those fleeing Ukraine</u>.

As of 13 June 2023, the estimated number of active registrations for temporary protection in 27 Member States is 3.965 076.

The Commission set up a Solidarity Platform with a view to coordinate the operational response among Member States as per Article 3(2) of the Council Decision. The Platform works alongside the Migration Blueprint Network, taking account of the situational information received in that network. Over the past 16 months, the Solidarity Platform has been collecting information and examining the needs identified in the Member States along with coordinating the operational follow-up in response to those needs.

The Solidarity Platform has played a crucial role in ensuring a coordinated response. The framework allows for topical discussions with Member States, Schengen Associated Countries, EU-agencies, international partners, and UN agencies on a wide range of issues. During the meetings topics such as border management, the protection of minors and vulnerable people, access to rights and services, as well as contingency planning are discussed, and Member States can identify specific gaps and needs.

According to the Temporary Protection Directive, beneficiaries entitled to this protection can work, have access to social services and education. The Temporary Protection Directive provides that Member States shall ensure that persons enjoying temporary protection have access to suitable accommodation or, if necessary, receive the means to obtain housing. The Member States shall make provision for persons enjoying temporary protection to receive necessary assistance in terms of social welfare and means of subsistence, if they do not have sufficient resources as well as for medical care. Where persons enjoying temporary protection are engaged in employed or self-employed activities, account shall be taken, when fixing the proposed level of aid, of their ability to meet their own needs.

With more than 480 days in the war, Member States have shown unwavering support to Ukraine and to welcome people fleeing the war but at the same time it has been a major societal and financial undertaking.

In the March 2023 <u>Communication marking one year of implementation of the Temporary Protection Directive</u>, the Commission outlined the main challenges that lie ahead for sustaining the extraordinary efforts made by Member States to welcome displaced persons from Ukraine.

During the discussions in the Solidarity Platform Member States have also given accounts of the challenges providing sufficient support to beneficiaries of temporary protection with specific needs as well as the challenges for them to regain their autonomy.

The purpose of this call is to contribute to the ongoing efforts of Member States to sustain the welcome provided by the host society so far and maintain the financial sustainability of access by beneficiaries of temporary protection to adequate support, services and assistance. As part of these efforts, Member States are launching measures to encourage further the integration of displaced persons from Ukraine and their active contribution to the host society.

The activities to be supported under the call should aim at supporting these existing measures that focus on encouraging economic self-reliance and financial independence among the target population, including by obtaining autonomous housing. The specific action should be seen as a stepping stone in the process of transition to sustainable midto long-term solutions by the Member States concerned.

The introduction or further expansion of such measures directly targeted to the persons concerned could among other, have positive benefits on their living conditions and reinforce action taken by governments in general to avert saturation of the collective accommodation available.

3.2.1. Complementarity

The actions to be financed under this call should be complementary to any actions that individual Member States may finance on the integration of displaced persons from Ukraine under the AMIF 2021-2027 programmes and other EU funding instruments, in particular the ESF+, the ERDF, as well as TSI⁴.

3.3. Scope of the specific action: Member States under pressure

This call for specific action is part of a number of specific actions that seek to address the challenges identified at the European Council on migration of February 2023. These specific actions aim to support Member States under migratory pressure, in accordance with the work programmes for AMIF and BMVI of the Thematic Facility.

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⁴ The Commission has published a toolkit on the use of EU funds for the integration of people with a migrant background: 2021–2027 programming period in order to assist all relevant stakeholders at European, national, regional and local levels in the design and implementation of integration policies targeted at people with a migrant background, through the coordinated use of EU funds: https://op.europa.eu/en/publication-detail/-/publication/55dffdce-5d5c-11ec-9c6c-01aa75ed71a1/language-en/format-PDF/source-245933748

The invasion of Ukraine by Russia on 24 February 2022 and the ongoing armed conflict in Ukraine has led to a mass influx of displaced persons from Ukraine, requiring a significant increase in the capacity of Member States, especially those at the frontline of the crisis in Ukraine. As the war in Ukraine runs in its second year and more than 4 million displaced persons from Ukraine continue to remain in EU Member States as beneficiaries of temporary protection, the needs of these persons are evolving and impact differently Member States' capacities and specialised support services.

Building on lessons learnt, several Member States are adjusting public policies for aid and services to beneficiaries of temporary protection, and in some cases, are enacting legislation to amend modalities for public support to encourage beneficiaries towards more self-reliance.

Considering the limited budget available under the AMIF, funding under this specific action is made eligible to Member States exposed to heavy migratory pressure and bearing a high share of responsibility on behalf of the Union as a whole.

What is common for Member States facing this pressure is the **high number of temporary protection beneficiaries being hosted** (administrative burden in accommodation and services), a significant **impact on the host society** (ability to host and integrate the beneficiaries, bearing in mind the country's population) **and the overall economic context and pressure on public finance** (financial solidarity among Member States).

Using objective criteria to reflect these factors, five Member States (Bulgaria, Czechia, Poland, Romania and Slovakia) are considered eligible for this specific action. These Member States have a GDP per capita that is lower than the average of the EU (EUR 29.191), have a higher number of beneficiaries of temporary protection than other Member States, with more than 100 000 temporary protection beneficiaries registered (as per the Blueprint report of 13 June 2023) and have an index that is above 0,5% (temporary protection population as a percentage of the total population).

3.3.1. Distinction from programmes and emergency assistance

The scope of the support for Member States under pressure under these specific actions needs to be well defined and a clear delineation must be drawn with funding opportunities under:

- a. Member States' Programmes (National Programmes); and
- b. Emergency assistance (EMAS),

as well as direct awards provided to international organisations and non-profit organisations at all levels assimilated with international organisations in accordance with Article 156 of the Financial Regulation for this same purpose.

Since specific action funding should provide support that is additional and of added value to activities that can be covered under national programmes and/or regular activities, proposals will be considered not sufficiently relevant in the absence of a clear governmental framework for support for the transition to self-reliance for the target population, and thus excluded from funding.

In this regard, the relevance will be determined taking into account elements in the base line situation such as the size and composition of the population of temporary protection beneficiaries and the limitations to the availability of public accommodation, and the existence of a government strategy, national legislation and/or specific (funding) mechanisms put in place to facilitate the transition of the target population, including vulnerable groups, to a higher degree of autonomy and /or self-reliance. This last element, namely the existence of a clear governmental framework is the most important one.

Member States may submit under this call applications that do not yet have such a clear governmental framework in place. In the absence of such a clear governmental framework, proposals would need to be accompanied by a commitment by the Member State that there will soon be in place such a framework and the proposals should include a description of the plans. In this case, successful proposals can be put in a reserve list and be attributed funding- if available- at a later stage. Funding will remain conditional upon the entry into force of the above plans.

3.3.2. General principles for specific actions Member States under Pressure

The following general principles should be taken into account for specific action addressed to Member States under pressure:

- The actions should serve to cover <u>additional structural or exceptional needs</u> and running costs, including contingency, stemming from the additional burden resulting from the continuous migratory pressure in the Member State concerned or at its external borders.
- The request for funding should demonstrate that <u>national funds and/or funds under Member States' programmes or other sources of funding are not sufficient</u> over the 7 years period to carry out the proposed actions, or that the proposed actions deliver additional EU added value to the actions funded under the Member State programme.
- The <u>complementarities</u> between the different funding tools should be explained in the proposal to avoid potential overlaps.
- The actions deliver particularly <u>high EU-added value</u> considering recent developments and demonstrate EU solidarity with Member States under pressure in line with the specific objectives of the Fund-specific Regulations.
- The actions are <u>foreseeable</u> and of <u>medium or long-term nature</u>. The needs are predictable and can be planned by the Member States authorities.
- The applicant should ensure that the proposed action will be implemented in full respect of the <u>Charter of Fundamental Rights of the European Union</u> and in line with <u>EU acquis</u>.

3.3.3. Requirements relating to Member State under pressure

For this specific action, proposals should provide information on the <u>baseline situation</u> relating to the reception and hosting capabilities for beneficiaries of temporary protection and the governmental measures to provide this target population with other forms of support, such as schemes and programmes to provide lump sums to the beneficiaries,

private service providers etc. Information on these measures should include indications on the timeline and duration and, where available, plans for sustainability. In light of what is indicated under 3.3.1 for relevance, the presentation in the baseline situation of the governmental framework is very important.

Furthermore, Member States are invited to present detailed data about the target population in the description of the baseline situation, such as data on the number of persons from the target population in collective (state-run and managed by non-profit organisations) and autonomous housing, the share and categories of persons with specific needs among them etc.

Data may also relate to concerns about shortcomings in the system or risks of not complying fully with the Union acquis.

The above data and other information could demonstrate the existence a notable increase of the pressure on their reception/hosting capacity and care system due to one or more of the following circumstances:

- 1. Continued high migratory pressure on the system.
- 2. High pressure on specific features of the system in light of the nature and/or specific needs of the target population (e.g., percentage of persons with specific needs, categories of persons with specific needs requiring particular attention and assistance such as serious medical conditions);
- 3. Other factors, including developments relating to assistance provided by civil society or government support schemes, an uneven geographical distribution over the territory impacting on social cohesion, limitations affecting public bodies competent for providing basic services, information, or assistance etc.

Reference should be made to how the data was collected, measured or calculated.

3.4. Objectives and activities of the specific action

The objective of this specific action is to finance proposals aiming to alleviate pressure on the collective accommodation and care/social protection system through a set of additional measures that accompany and/or reinforce ongoing efforts by the government to support integration and encourage self-reliance for beneficiaries of temporary protection and at least a higher degree of autonomy for persons with specific needs. The specific actions should aim as much as possible to ensure effective access by displaced persons from Ukraine to the services offered to the rest of the population, migrants or natives.

The specific action proposed may include activities such as:

- Capacity building measures for service providers such as training and support (including financial, but also of other types) to social workers, medical and psychosocial staff providing individualised support to persons with specific needs in the target population
- Activities amounting to new and targeted services for the target population concerned (integration assistance, language courses, cultural orientation courses, administrative counselling, activation programmes, such as coaching and job search support)

• Direct measures such as vouchers and lump sums, provided that they constitute a temporary additional measure essential to foster self-reliance and targeted to categories of vulnerable persons (considered necessary to overcome specific challenges these persons face).

Given the limited resources under this call and considering the scope of the AMIF and other EU funding instruments, the specific action proposed should not include activities related to:

- The design and full roll-out of mainstream education, social assistance, health care and childcare measures not specifically targeting temporary protection beneficiaries, that in principle should be funded by other EU funding instruments, such as ESF+.
- Projects that are in part already financed under other EU funding instruments, such as ESF+, ERDF and TSI, except where the proposed actions have a new element and can be clearly delineated under the AMIF⁵.
- Projects that have already received EU financing for the same actions and objectives except where the need to continue financing is demonstrated with external objective factors, which are not related to the failure of the beneficiary to ensure tenure and sustainability of the previous projects.

3.5. Expected results following the call

The proposals to be financed under this call must explain in detail under part 2 "Presentation of the proposal" in the application form how the proposal will contribute to the capacity of the national system to provide adequate support to temporary protection beneficiaries through the set-up of new accompanying measures or the expansion of existing accompanying measures.

4. PROCEDURE FOR APPLICATION

4.1. Application content

Each Member State is entitled to submit **one application only.**

4.2. Admissibility and assessment aspects

The EU Member States participating in AMIF indicated in section 3.3.1 are eligible to this call. DG HOME will assess the proposals submitted by the Member States.

To be considered admissible, a proposal has to

1. be submitted within the deadline (see below) to the AMIF specific actions functional mailbox HOME-AMIF-SPECIFIC-ACTIONS@ec.europa.eu in the official AMIF/2021/SA/1.2.3 Application Form attached to this note, together with its annexes, and readable and complete (all fields necessary for assessment are filled in),

⁵ Applicants can consult <u>Toolkit on the use of EU funds for the integration of people with a migrant background - Publications Office of the EU (europa.eu)</u>

- 2. be submitted by the Managing Authority on behalf of the entity in the Member State that will be responsible for the implementation of the specific action,
- 3. identify a project beneficiary (an entity) that will be responsible for the implementation of the specific action in the Member State (in the lead for the action),

Other entities can be involved in the implementation of the specific action as cobeneficiaries.

DG HOME will assess admissible proposals based on the following criteria:

A. Relevance and content (40 points – minimum 'pass score': 30 points):

- 1. Degree to which the Member State concerned is under pressure (description of the baseline situation) and the proposal outlines accompanying measures to address the pressure in line with the objectives of the call
- 2. Compliance with the minimum requirements for relevant proposals under this call, in particular the existence of a clear governmental framework (see section 3.3.1)
- 3. Clarity and consistency of the objectives and scope of the proposal against the objectives and expected results identified in this call for expression of interest

B. Quality (30 points – minimum 'pass score': 15 points):

- 1. Maturity of the proposal: appropriateness of the design; planned implementation (timetable), considering the envisaged activities; organisation of work and strategy for project management (operational and financial) and monitoring, measures undertaken to mitigate the identified risks, communication, awareness raising and evaluation
- 2. Complementarity of the proposal with current and/or past use of national budget or other EU funding instruments; degree to which the proposal will build on actions funded previously or ensure synergies with ongoing projects

C. Impact (30 points – minimum 'pass score': 15 points):

- 1. The impact or effect of the proposal in relation to the objective of the call for expression of interest in terms of:
 - a. the number of temporary protection beneficiaries benefitting from the proposal
 - b. scope and size of changes made at national level to alleviate pressure on the system
- 2. The expectations for the sustainability of improvements achieved with the proposal.

Member State(s) should also ensure respect for the horizontal principles described in Article 9 of Regulation (EU) 2021/1060.

4.2. Application procedure

<u>Deadline for the application</u>: Member States are invited to submit their proposals by 22/09/2023 at the latest, using the official AMIF/2023/SA/1.2.2. Application Form attached to this Note, together with its annexes.

The proposals should be submitted to the AMIF specific actions functional mailbox <u>HOME-AMIF-SPECIFIC-ACTIONS@ec.europa.eu</u>. Member States may submit additional documentation if necessary.

<u>Deadline for any clarification requests on this Note:</u> Member States can send requests by 01/09/2023 at the latest to the above functional mailbox.

The Commission may also contact the Member State to request further specific information. A reply should be provided by the Member State within 3 working days.

In order to ensure equal and fair treatment of the proposals and allow the Commission to allocate at the same date all the available funding, DG HOME will assess all proposals simultaneously. Therefore, proposals submitted after the deadline won't be admissible.

The Members of the Committee for the Home Affairs Funds are informed at the latest 10 working days before the deadline for the submission of the proposals in case the deadline for the submission of proposals is extended.

DG HOME will inform Member States of the outcome of the assessment of the proposals towards October 2023.

5. AMENDMENT OF THE <u>AMIF</u> PROGRAMMES AND ELIGIBILITY OF EXPENDITURE

After having been informed of the outcome of the call for expression of interest, each successful Member State shall submit to the Commission a request to amend its AMIF programme via SFC. The amended programme should include a short description of the specific action, adjust the output and result indicators and include the costs and codes linked to this specific action (respectively in the description and under tables 1, 2 and 3 of the relevant specific objectives, and table 6 of the programme).

Yours faithfully,

Silvia MICHELINI

Enclosure: Annex 1: Application form

Annex 2: Budget form

c.c.: Permanent Representations – JHA Counsellors