



Brussels, 26.11.2021
C(2021) 8464 final

COMMISSION IMPLEMENTING DECISION

of 26.11.2021

on the financing of the European Migration Network as a component of the thematic facility under the Asylum, Migration and Integration Fund and the adoption of the work programme for 2021 and 2022

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, 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, and in particular Article 110 thereof,

Having regard to Council Decision 2008/381/EC of 14 May 2008 establishing the European Migration Network, and in particular Article 4(5) thereof,

Having regard to Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund¹ and in particular Articles 11 and 26 thereof,

Whereas:

- (1) In order to ensure the proper functioning of the European Migration Network ('EMN'), it is necessary to adopt a multiannual financing decision, which constitutes the multiannual work programme, for 2021 and 2022. Article 110 of Regulation (EU, Euratom) 2018/1046 ('the Financial Regulation') establishes detailed rules on financing decisions.
- (2) The Asylum, Migration and Integration Fund for the period 2021-2027 (hereafter "AMIF") was adopted by the legislative authority on 7 July 2021. Given the late adoption of the AMIF and in view of ensuring continuous funding for the EMN National Contact points, it is necessary to adopt this Work Programme, which is a component of the AMIF thematic facility, separately before the adoption of the Work Programme for other components of the AMIF thematic facility.
- (3) In accordance with Article 39(3) of the AMIF Regulation (EU) 2021/1147 and point (a) of the second subparagraph of Article 193(2) of the Financial Regulation, and in order to avoid any disruption in Union support which could be prejudicial to the Union's interests, costs incurred in respect of actions supported under this Decision under direct management and which have already begun may be considered eligible for financing as of 1 January 2021, even if those costs were incurred before the grant application or the request for assistance was submitted.
- (4) The envisaged assistance is to comply with the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU.

¹ OJ L 251, 15.07.2021, p. 1.

- (5) It is appropriate to authorise the award of grants without a call for proposals and to provide for the conditions for awarding those grants.
- (6) Pursuant to Article 62(1)(c) of the Financial Regulation indirect management is to be used for the implementation of the programme.
- (7) The Commission is to ensure a level of protection of the financial interests of the Union with regards to entities and persons entrusted with the implementation of Union funds by indirect management as provided for in Article 154(3) of the Financial Regulation. To this end, such entities and persons are to be subject to an assessment of their systems and procedures in accordance with Article 154(4) of the Financial Regulation² and, if necessary, to appropriate supervisory measures in accordance with Article 154(5) of the Financial Regulation before a contribution agreement can be signed.
- (8) It is necessary to allow for the payment of interest due for late payment on the basis of Article 116(5) of Regulation Financial Regulation.
- (9) In order to allow for flexibility in the implementation of the work programme, it is appropriate to allow changes which should not be considered substantial for the purposes of Article 110(5) of the Financial Regulation.
- (10) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark did not take part in the adoption of Regulation (EU) No 2021/1147 and is not bound by it or subject to its application. Denmark is therefore not bound by this Decision or subject to its application.
- (11) In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in Regulation (EU) 2021/1147 and is not bound by it or subject to its application.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Steering Board of the European Migration Network ('EMN SB') established by Article 4 of Council Decision 2008/381/EC.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Committee for the Home Affairs Funds established by Article 38 of Regulation (EU) 2021/1147.

HAS ADOPTED THIS DECISION:

Article 1
The work programme

The financing decision, constituting the multiannual work programme for the implementation of the European Migration Network as a component of the thematic facility under the Asylum, Migration and Integration Fund for years 2021-2022, as set out in the Annex, is adopted.

² Except for the cases of Article 154(6) of the Financial Regulation, where the Commission may decide, not to require an ex ante assessment

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for the years 2021-2022 is set at EUR 22 976 000, and shall be financed from from the appropriations entered in the following line of the general budget of the Union:

- (a) budget line 10 02 01 Asylum, Migration and Integration Fund: EUR 22 976 000 for 2021.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

Article 3
Methods of implementation and entrusted entities or persons

The implementation of the actions carried out by way of indirect management, as set out in the Annex, may be entrusted to the entities or persons referred to or selected in accordance with the criteria laid down in point 4 of that Annex.

Article 4
Flexibility clause

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not be considered to be substantial for the purposes of Article 110(5) of the Financial Regulation, where those changes do not significantly affect the nature of the actions and the objective of the work programme. The increase of the maximum Union contribution set in the first paragraph of Article 2 of this Decision shall not exceed 20%.

The authorising officer responsible may apply the changes referred to in the first paragraph. Those changes shall be applied in accordance with the principles of sound financial management and proportionality.

Article 5
Grants

Grants may be awarded without a call for proposals in accordance with the conditions set out in the Annex. Grants may be awarded to the bodies referred to in the Annex.

Done at Brussels, 26.11.2021

For the Commission
Ylva JOHANSSON
Member of the Commission



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ANNEX

ANNEX

to the

Commission Implementing Decision

on the financing of the European Migration Network as a component of the Thematic Facility under the Asylum, Migration and Integration Fund and the adoption of the work programme for 2021 and 2022

ANNEX

to the Commission Implementing Decision on the financing of the European Migration Network as a component of the thematic facility under the Asylum, Migration and Integration Fund and the adoption of the work programme for 2021 and 2022

1. Introduction

On the basis of the objectives given in the in Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund¹, this work programme contains the actions to be financed and the budget breakdown for years 2021 and 2022 as follows:

- for grants implemented under direct management (point 2),
- for procurement implemented under direct management (point 3),
- for actions implemented under indirect management (point 4),
- for other actions or expenditure (point 5).

¹ OJ L 271, 15.07.2021, p. 1.

(a) Legal basis

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

Detailed priorities of the EMN for 2021–2022 and indicative grant allocations for the EMN National Contact Points ('EMN NCPs') were discussed in the 28th EMN Steering Board meeting of 23 April 2021 and subsequently endorsed on 7 May 2021.

Budget line

10 02 01

Implementation arrangements	Amounts in EUR
Grants:	15 962 000
Procurement:	3 100 000
Indirect management:	2 414 000
Other actions or expenditures:	1 500 000
TOTAL:	22 976 000

Objectives pursued and expected results

As stated in Council Decision 2008/381/EC, the objective of the EMN shall be to meet the information needs of Union institutions and of Member States' authorities and institutions on migration and asylum, by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the European Union in these areas. The EMN shall also serve to provide the wider public with such information.

Referring to Article 2 of Council Decision 2008/381/EC, this shall be achieved by:

- collecting and exchanging up-to-date and reliable data and information from a wide range of sources;
- analysing such data and information and provide this in a readily accessible format;
- in collaboration with other relevant EU bodies, contributing to the development of indicators and criteria that will improve the consistency of information and helping in the development of Union activities related to migratory statistics;
- producing and publishing periodic reports on the migration and asylum situation in the Union and the Member States;
- maintaining the existing Internet-based information exchange system which provides access to relevant documents and publications in the area of migration and asylum;
- raising awareness of the EMN, by providing access to the information it gathers and disseminating the output of the EMN, unless this information is of a confidential nature;
- co-ordinating information and cooperating with other relevant European, national and international bodies.

The EMN adds a unique added value to the realisation of the above objectives, due to the presence of a national contact point in each Member State and through the quality of its

outputs shared under an EU-wide coverage, with a strong focus on analysis and the public availability of its outputs.

The EMN shall continue to enhance cooperation, strengthen synergies with, and avoid duplicating the work of existing EU instruments or structures (e.g. FRA, EUROPOL, EASO, FRONTEX), other DGs (e.g. DG JUST, DG EMPL, DG INTPA, DG REGIO, DG JRC) and other networks (e.g. European Network on Integration) as well as with international organisations (e.g. UNHCR, IOM, UNICEF, International Committee of the Red Cross, OECD, Council of Europe, the World Bank) and civil society (i.e. European Network on Statelessness, Missing Children Europe, Save the Children, Terre des Hommes, International Committee of the Red cross, PICUM). As part of the collaboration with DG JRC, the EMN will systematically cooperate with the Knowledge Centre on Migration and Demography (KCMD) on topics of mutual interest, particularly related to the development of EMN studies, to benefit from its expertise and data collection tools.

A new external evaluation will be undertaken at the end of the work programme 2021-2022.

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The work programme for the EMN for 2021-2022 includes the action grants to the EMN NCPs of the EU Member States participating in the Asylum, Migration and Integration Fund (AMIF), actions implemented through procurement and other actions or expenditures including a co-delegation with the Directorate-General for Justice and Consumers (JUST).

Consistency and co-ordination with the relevant Union instrument and structures in the area of migration and asylum will be ensured.

2. Grants

The global budgetary envelope reserved for grants under this work programme is EUR 15 962 000.

2.1. Direct Awards of Action grants to EMN National Contact Points

Type of applicants targeted by the direct award

Entities appointed, by each Member State participating in AMIF, as EMN NCPs for 2021-2022 as main applicants and possibly other entities, only as co-applicants, belonging to the national administration to be identified in the grant agreement.

Description of the activities to be funded by the grants awarded without a call for proposals on the basis of Article 195(d) of the Financial Regulation

The main objective for the EMN Work Programme 2021-2022 is to produce up-to-date, objective, reliable, relevant and comparable information to support policymakers, practitioners, academia and the wider public by:

- Providing up-to-date, objective, reliable, relevant and comparable information, in response to identified needs in the migration and asylum field while **ensuring complementarity with other Member States and EU institution initiatives**. Where deemed relevant, in the analysis and studies made in this context, the use of AMIF in supporting national migration policies will be taken into account. Special attention should be given to vulnerable groups e.g. children in migration, particularly unaccompanied minors.

- **Identifying information / knowledge of policy relevance** at national/EU levels that is needed in view of contributing to:
 - Finding **innovative solutions to migration management**, including **new technologies** (e.g. artificial intelligence, while taking into consideration the need for relevant safeguards associated with the deployment of such technologies), **new legal pathways** (e.g. talent partnerships) and **new narratives** around migration.
 - Analysing the impacts and addressing challenges **on asylum and migration, linked to emerging situations** such as the COVID-19 pandemic.
 - Reform of the **asylum and migration system** and enhancing the preparedness of the EU to respond to future migration challenges, while safeguarding the rights enshrined in the Charter of Fundamental Rights.
 - Practical responses on the ability to **return** those asylum applicants whose application was unsuccessful as well as irregular migrants detected in the Member States, taking into account the rights enshrined in the Charter of Fundamental Rights.
 - New integration priorities stemming from the impacts of COVID-19 pandemic, for migrant workers employed in exposed sectors (e.g. agriculture, healthcare, tourism) and seasonal workers the enhancement of legal migration channels (i.e. law skilled, highly skilled and skilled workers, employees, students, researchers, family reunification, intra-corporate transferees, posted workers, etc.).
 - Practical responses to the current challenges rising from the **determination procedure of statelessness** persons and all comprehensive rights that derive from this recognition (i.e. residence permit, access to the labour market, to education and training, to housing, to healthcare and to citizenship).
- Increasing the EMN's ability to **react quickly to emerging policy priorities** at national and EU levels, which requires a response from policy makers or other actors, addressing both short and longer-term strategic objectives. The EMN should also become more proactive in identifying and responding to emerging developments in the field of asylum and migration.
- Sharing good practices and contributing to the development of practical cooperation and knowledge building on migration and asylum at both EU and national levels to overcome identified challenges and barriers, including the pooling of resources and expertise.
- Engaging with third countries within the EU enlargement, neighbourhood and eastern partnership policies with the aim to share information and improve mutual understanding on asylum and migration issues in a view to increase capacity and contribute to improved migration management.

To achieve these objectives, the **specific priorities** shall be:

- Timely provision of relevant information in an appropriate, concise format in response to policy makers' needs;
- To identify and suggest innovative methods and approaches with specific recommendations that the EMN network could produce on innovation in migration. This should encompass four areas of interest:
 - New technologies (digital, artificial intelligence). In particular, the analysis shall address migration and asylum forecasting projects at EU Member States level, as well as the integration of digital technologies in existing asylum procedures, while taking into consideration the need for relevant safeguards associated with the deployment of such technologies.
 - New legal pathways to fill labour market needs and their financing (public/private)

- New approaches (sponsorship, role of communities, refugee leadership etc...)
- New governance (future of the multilateral management of migration etc...).
- Encouraging **greater use and facilitate access** to EMN publications, documents, networking, platforms (mainly through the EMN Information Exchange System (IES)) and websites;
- Further develop **networking, support practical cooperation and encourage mutual learning** at both national and European level on migration and asylum **using the EMN as a platform for raising awareness about migration, asylum and statelessness issues**;
- Cooperate with **EU enlargement and partnership countries** in order to exchange information and good practices, where appropriate, after assessment and approval by the Steering Board through formal cooperation agreements. Fact-finding visits of EMN NCPs should be encouraged in this context;
- Where deemed needed, justified and of added value, foster exchanges and cooperation also with **wider third countries**, for example relevant countries of origin or transit, on an ad hoc basis;
- Gather information on Member States' practices and **facilitate practitioner cooperation** with Member States on specific aspects of migration including identifying and sharing innovative best practices as well as promising and innovative ideas and proposals to the challenges faced by policy makers and practitioners;
- **Contribute to the improvement of comparability** of statistics and other information at EU-level, including continued cooperation with Eurostat and the on-going development of the **EMN Glossary** also by means of a further use and development of the **EMN Glossary APP**;
- **Increase further the impact/effectiveness of the EMN by means of** targeted communication **and strategic dissemination** of EMN outputs in appropriate formats both at EU and National levels;
- Develop **IT-tools** and make available statistical data in the migration, integration and statelessness context (together with the KCMD where needed).

Actions shall be implemented in line with the detailed priorities and objectives for the EMN for 2021–2022 as endorsed of 7 May 2021 following the 28th EMN SB meeting of 23 April 2021.

Implementation

The action will be implemented directly by the Directorate-General for Migration and Home Affairs.

Essential eligibility, selection and award criteria

Main applicants must be the entities appointed, by each Member State participating in AMIF, as EMN NCPs for 2021-2022.

Indicative budgetary allocations for the EMN NCPs

In accordance with Article 4(5) of Council Decision 2008/381/EC the indicative budgetary allocations for the EMN NCPs in the EU Member States have been endorsed of 7 May 2021 following the 28th EMN SB meeting of 23 April 2021.

3. Procurement

The global budgetary envelope reserved for procurement contracts in 2021 and 2022 is EUR 3 100 000.

3.1. Actions implemented by procurement contracts

General description of the contracts envisaged

Technical assistance: service provider activities to assist the Commission in the organisation of the work of the EMN
Communication services: organization of EU level events for the dissemination of the main results of the EMN activities
Studies: evaluation study of the EMN.

Implementation

These actions will be implemented directly by the Directorate-General for Migration and Home Affairs

4. Actions implemented in indirect management

The global budgetary envelope reserved for actions implemented in indirect management under this work programme is EUR 2 414 000.

4.1. Contribution agreements with EMN National Contact Points

Implementing entities

International organisations and entities assimilated with international organisations in accordance with Article 156 of the Financial Regulation, which are appointed, by each Member State participating in AMIF, as EMN NCPs for 2021-2022 as main applicants, and in particular the International Organization for Migration.
This concerns in particular organisations which have been subject to an ex ante assessment pursuant to Article 154 of the Financial Regulation, including those that are signatories of a framework partnership agreement in force concluded with the Commission pursuant to Council Regulation (EU) 2016/3694, or those that are covered by the Financial and Administrative Framework Agreement concluded with the United Nations.
In case it is not possible to sign a contribution agreement with the selected participants, the Commission reserves the right to sign a grant agreement under the same conditions provided for in point 2.1.

Description of the activities to be funded by the contribution agreements.

The main objective for the EMN Work Programme 2021-2022 is to produce up-to-date, objective, reliable, relevant and comparable information to support policymakers, practitioners, academia and the wider public by:

- Providing up-to-date, objective, reliable, relevant and comparable information, in response to identified needs in the migration and asylum field while **ensuring complementarity with other Member States and EU institution initiatives**. Where deemed relevant, in the analysis and studies made in this context, the use of AMIF in supporting national migration policies will be taken into account. Special attention should be given to vulnerable groups e.g. children in migration, particularly unaccompanied minors.
- **Identifying information / knowledge of policy relevance** at national/EU levels that is needed in view of contributing to:
 - Finding **innovative solutions to migration management**, including **new technologies** (e.g. artificial intelligence, while taking into consideration the need for relevant safeguards associated with the deployment of such technologies), **new legal pathways** (e.g. talent partnerships) and **new narratives** around migration.
 - Analysing the impacts and addressing challenges **on asylum and migration, linked to emerging situations** such as the COVID-19 pandemic.
 - Reform of the **asylum and migration system** and enhancing the preparedness of the EU to respond to future migration challenges, while safeguarding the rights enshrined in the Charter of Fundamental Rights.
 - Practical responses on the ability to **return** those asylum applicants whose application was unsuccessful as well as irregular migrants detected in the Member States, taking into account the rights enshrined in the Charter of Fundamental Rights.
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 - Practical responses to the current challenges rising from the **determination procedure of statelessness** persons and all comprehensive rights that derive from this recognition (i.e. residence permit, access to the labour market, to education and training, to housing, to healthcare and to citizenship).
- Increasing the EMN's ability to **react quickly to emerging policy priorities** at national and EU levels, which requires a response from policy makers or other actors, addressing both short and longer-term strategic objectives. The EMN should also become more proactive in identifying and responding to emerging developments in the field of asylum and migration.
- Sharing good practices and contributing to the development of practical cooperation and knowledge building on migration and asylum at both EU and national levels to overcome identified challenges and barriers, including the pooling of resources and expertise.
- Engaging with third countries within the EU enlargement, neighbourhood and eastern partnership policies with the aim to share information and improve mutual understanding on asylum and migration issues in a view to increase capacity and contribute to improved migration management.

To achieve these objectives, the **specific priorities** shall be:

- Timely provision of relevant information in an appropriate, concise format in response to

policy makers' needs;

- To identify and suggest innovative methods and approaches with specific recommendations that the EMN network could produce on innovation in migration. This should encompass four areas of interest:
 - New technologies (digital, artificial intelligence). In particular, the analysis shall address migration and asylum forecasting projects at EU Member States level, as well as the integration of digital technologies in existing asylum procedures, while taking into consideration the need for relevant safeguards associated with the deployment of such technologies.
 - New legal pathways to fill labour market needs and their financing (public/private)
 - New approaches (sponsorship, role of communities, refugee leadership etc...)
 - New governance (future of the multilateral management of migration etc...).
- Encouraging **greater use and facilitate access** to EMN publications, documents, networking, platforms (mainly through the EMN Information Exchange System (IES)) and websites;
- Further develop **networking, support practical cooperation and encourage mutual learning** at both national and European level on migration and asylum **using the EMN as a platform for raising awareness about migration, asylum and statelessness issues**;
- Cooperate with **EU enlargement and partnership countries** in order to exchange information and good practices, where appropriate, after assessment and approval by the Steering Board through formal cooperation agreements. Fact-finding visits of EMN NCPs should be encouraged in this context;
- Where deemed needed, justified and of added value, foster exchanges and cooperation also with **wider third countries**, for example relevant countries of origin or transit, on an ad hoc basis;
- Gather information on Member States' practices and **facilitate practitioner cooperation** with Member States on specific aspects of migration including identifying and sharing innovative best practices as well as promising and innovative ideas and proposals to the challenges faced by policy makers and practitioners;
- **Contribute to the improvement of comparability** of statistics and other information at EU-level, including continued cooperation with Eurostat and the on-going development of the **EMN Glossary** also by means of a further use and development of the **EMN Glossary APP**;
- **Increase further the impact/effectiveness of the EMN by means of targeted communication and strategic dissemination** of EMN outputs in appropriate formats both at EU and National levels;
- Develop **IT-tools** and make available statistical data in the migration, integration and statelessness context (together with the KCMD where needed).

Actions shall be implemented in line with the detailed priorities and objectives for the EMN for 2021–2022 as endorsed of 7 May 2021 following the 28th EMN SB meeting of 23 April 2021.

Implementation

The action will be implemented directly by the Directorate-General for Migration and Home

Affairs.

Essential eligibility, selection and award criteria

Main applicants must be the entities appointed, by each Member State participating in AMIF, as EMN NCPs for 2021-2022.

Indicative budgetary allocations for the EMN NCPs

In accordance with Article 4(5) of Council Decision 2008/381/EC the indicative budgetary allocations for the EMN NCPs in the EU Member States have been endorsed of 7 May 2021 following the 28th EMN SB meeting of 23 April 2021.

5. Other actions or expenditure

5.1. IT services provided by the Commission's Directorate-General for Justice and Consumers

Amount

The global budgetary envelope reserved for other actions or expenditure under this work programme is EUR 1 500 000.

Description

This action allows further development of IT migration management tools for the Member States and the Commission. The action will also help the EMN in meeting information needs on migration and asylum, through the EMN IES referred to above.