



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**Establishing a programme for financial and technical assistance to third countries in the
area of migration and asylum**

(presented by the Commission)

EXPLANATORY MEMORANDUM

- (1) The conclusions of the Tampere European Council set out the concept of partnership with third countries in the field of migration and in particular stressed the need for the European Union to adopt a comprehensive approach that address political, human rights and development issues in the countries and regions.
- (2) In response to these conclusions and the transfer of new powers to the Community under the Amsterdam Treaty, the Commission started to incorporate migration-related issues into its long-term co-operation policy and programmes for third countries, both at national and regional levels.
- (3) In addition, in 2001, specific appropriations for the financing of preparatory operations concerning migration and asylum were entered by the budgetary authority for the first time under Article B7-667 of the general budget of the European Union,¹ with priority given to operations in association with third countries and regions for which the Council had agreed action plans on migration, as long as there was assurance of adequate political security in the countries concerned.² Three main areas of action were identified: management of migratory flows; voluntary return and the efficient fulfilment of obligations arising from readmission; fight against illegal immigration.
- (4) In 2002 it was agreed to explore the possibilities of co-operation with geographical regions other than the countries of origin covered by the Council's action plans. Priority was given to countries and regions whose strategy papers and other legal bases made provision for the possibility of action on migration. Four areas were identified: operations recommended in the context of immigration action plans for which Community funding was still needed; aid to help Afghanistan and neighbouring countries manage immigration and the return of skilled Afghans under the overall Community policy for that country; analysis of the structural development features linked to migratory flows and pilot projects to design measures upstream of the borders so that clandestine migration could be reduced. The 2003 programming exercise is currently under way: a large proportion of the funds allocated (€7 million) will be used to finance measures under the EU return plan for Afghanistan.
- (5) While it is still too soon to judge the full impact of these preparatory operations, the Commission believes that the Community needs a specific instrument for co-operation on migration with third countries to ensure greater complementarity between budget line B7-667-financed operations and operations financed under other Community co-operation and development programmes.

¹ Under the Interinstitutional Agreement of 6 May 1999 between Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure.

² Action plans drawn up by the High Level Working Group on Asylum and Immigration and adopted by the Council cover Afghanistan and neighbouring areas, Iraq, Morocco, Somalia, Sri Lanka, Albania and neighbouring areas.

- (6) In its conclusions the Seville European Council made a clear call for greater efforts by the EU to combat illegal immigration and to develop a targeted approach to the problem, making use of all appropriate EU external relations instruments. It noted that, in accordance with the Tampere European Council conclusions, an integrated, comprehensive and balanced approach to tackling the root causes of illegal immigration had to remain the European Union's constant long-term objective. It also stressed the need for co-operation with third countries in managing migratory flows and readmission.
- (7) On 3 December 2002, in response to the Seville European Council's conclusions on this subject, the Commission adopted a communication to the Council and Parliament on the integration of migration issues in the European Union's relations with third countries.³ In this communication the Commission stated that co-operation with third countries in the area of migration called for a three-pronged strategy: a balanced overall approach which addressed the root causes of migratory movements; a partnership on migration stemming from a definition of common interests with the countries concerned; and specific and concrete initiatives to help these countries to increase their capacity in the area of migration management. In this context the Commission announced that it would propose a multiannual co-operation programme with third countries with targeted operations to complement others in the same areas financed under other co-operation and development instruments. The Commission also set out a number of principles intended to facilitate an integrated, comprehensive and balanced approach, including the need to tackle migration-related issues in accordance with the strategic approach laid down by the Community for the third countries concerned.
- (8) As announced in that communication, and in accordance with the conclusions of the Seville European Council, the Commission is now proposing a legal framework and increased appropriations for this new instrument of co-operation with third countries in the area of migration.
- (9) The instrument will take the form of a multiannual programme for 2004 to 2008 that will provide specific and complementary financial and technical aid to third countries in order to support their efforts in better managing migratory flows in all their dimensions; it will be in particular intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community.
- (10) The Commission believes that this new, special-purpose instrument is an appropriate complementary response to the European Council's request and a tangible expression of the EU's solidarity with third countries that are resolutely committed to improving management of migratory flows and to readmitting their nationals.

³ COM(2002) 703.

ARTICLE-BY-ARTICLE COMMENTARY

Article 1

sets out the general objective and scope of the co-operation programme that this Regulation proposal aims to establish.

Article 2

sets out the specific objectives pursued and the operations that may be financed under the programme.

Article 3

sets out the activities that may be supported by the Community under this programme.

Article 4

lays down that respect for democratic principles and fundamental rights and freedoms constitutes an essential element for the application of this Regulation.

Article 5

defines the partners eligible for financial support under this programme and establishes that these projects shall be implemented by the Commission;

Article 6

sets out the eligibility criteria for Community cofinancing under this programme.

Article 7

deals with the financing and budgetary rules governing the co-operation programme and specifies the basic principles for the financing of operations.

Article 8

refers to the coherent articulation of this co-operation programme with other Community operations, instruments and policies.

Article 9

deals with the implementation of the programme and lays down the basic rules and steps with which the Commission must comply, plus the relevant committee procedures.

Article 10

provides that the Commission be assisted in implementing the programme by a committee made up of representatives of the Member States.

Article 11

obliges the Commission to monitor and evaluate the programme. It also requires the Commission to submit an interim and a final report to the Parliament and the Council.

Article 12

lays down the duration of the programme.

Article 13

says when the Regulation will enter into force and to whom it is addressed.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

Establishing a programme for financial and technical assistance to third countries in the area of migration and asylum

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 179(1) and Article 181A thereof,

Having regard to the proposal from the Commission⁴,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

- (1) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, underlined the need for a comprehensive approach to migration addressing political, human rights and development issues in third countries and regions and called for a greater coherence of internal and external policies of the Union; it stressed the need for more efficient management of migration flows at all their stages and that the partnership with third countries would be a key element for the success of such a policy.
- (2) The European Council of Seville on 21-22 June 2002 highlighted the integration of immigration into the Union's relations with third countries and the importance of intensified co-operation with third countries for the management of migration, including the prevention and combating of illegal migration and trafficking in human beings.
- (3) In its conclusions of 18 November 2002 the Council asked the Community to consider making appropriate assistance available to third countries for implementing the clause on joint management of migratory flows and compulsory readmission in cases of illegal immigration to be included in any future agreement.
- (4) Improved management of migratory flows, especially certain aspects of migration such as the emigration of highly skilled nationals and the movement of refugees between neighbouring countries, is also a major challenge for the development of some countries.

⁴ OJ C , , p. .

- (5) The Community's external co-operation and development programmes and policies contribute indirectly to the handling of the main factors of migratory pressure. More specifically, since the Tampere European Council the Commission has been trying to incorporate migration-related concerns into the programming of the Community's external aid in order to give direct support to third countries in their efforts to deal with the problems arising from legal, illegal or forced migration.
- (6) To underpin this programming, the budgetary authority entered specific appropriations in the general budgets of the European Union from 2001 to 2003 for the financing of preparatory operations carried out in partnership with third countries and regions in connection with issues of migration and asylum.
- (7) Taking account of these preparatory actions, and referring to its Communication on integrating migration issues in the European Union's relations with third countries⁵, it is considered necessary to endow the Community from 2004 with a multiannual programme designed both to provide a specific, additional response to the needs encountered by third countries in their efforts to manage more effectively all aspects of migration flows, and in particular to stimulate third countries readiness to conclude readmission agreements, and assisting them in coping with the consequences of such agreements.
- (8) To ensure the consistency of the Community's external action, operations financed under this new instrument will be specific and complementary to operations financed under other Community development co-operation instruments.
- (9) The issues arising from migration call for effective, flexible and in some cases speedy decision-making with a view to financing Community operations.
- (10) Since the the multiannual work programme is a management measure within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred to the Commission,⁶ it should be adopted by use of the management procedure provided for in Article 4 of that Decision. The other measures necessary for the implementation of this Regulation should be adopted by use of the advisory procedure provided for in Article 3 of that Decision.
- (11) This Regulation establishes a financial framework for the period 2004 to 2008 which is to be the principal point of reference for the budgetary authority, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure;
- (12) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objectives of the proposed action, namely to promote, within the framework of a comprehensive approach to migration, a more efficient management of migration flows in close co-operation with the countries, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or impact of the action, be better achieved by the Community.

⁵ COM(2002) 703.

⁶ OJ L 184, 17.7.1999, p. 23.

- (13) The protection of the Community's financial interests and the fight against fraud and irregularities form an integral part of this Regulation. In particular, contracts concluded pursuant to this Regulation should authorise the Commission to carry out the measures provided for in Council Regulation (Euratom, EC) n° 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities.

HAVE ADOPTED THIS REGULATION:

Chapter I – The Objectives and Actions

Article 1

- (1) The Community implements a co-operation programme which aims to give specific and complementary financial and technical aid to third countries in order to support their efforts in better managing migratory flows in all their dimensions.
- (2) It is in particular intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community.
- (3) This Community co-operation programme finances appropriate actions which join in a coherent way national and regional Community co-operation and development strategies regarding the third countries concerned and complete the actions – in particular in the fields of migration, asylum, border control, refugees and displaced people – foreseen in the implementation of these strategies and financed from other Community instruments in the field of co-operation and development.

Article 2

- (1) The programme aims to promote co-operation between the Community and third countries by contributing in the third countries concerned to the following objectives:
- The development of their legislation in the field of legal immigration, in particular on admission rules, on the rights and status of persons admitted, on equal treatment of legal residents, on integration and non-discrimination as well as on measures to combat racism and xenophobia;
 - The development of regular migration taking account of the demographic, economic and social situation in the countries of origin and in the host countries;
 - The development of their legislation and national practices as regards international protection, with a view to satisfying the provisions of the Geneva Convention of 1951 on the status of refugees and of the Protocol of 1967 and other relevant international instruments, to ensuring the respect of the principle of « non refoulement » and to improving the capacity of the third countries concerned receiving asylum seekers and refugees;

- The establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including in particular the fight against trafficking in human beings and smuggling of migrants,
 - The orderly readmission and durable reintegration, into the third country concerned, of persons who have illegally entered or remained on the territory of the European Union or of persons who have remained on the territory of the European Union while benefiting from any form of international protection.
- (2) In order to achieve these objectives the programme may in particular support the following actions:
- Facilitation of dialogue and exchange of information between the institutions of the third country and the nationals of that country who are considering emigrating;
 - Setting up of information campaigns on the consequences of illegal immigration and of clandestine employment in the European Union;
 - Dissemination of information on the possibilities of working legally in the European Union and on the procedures to be followed to this end;
 - Development of actions aimed at maintaining links between the local communities in the country of origin and their emigrants;
 - Support for capacity-building in the field of drafting, implementing and ensuring the effectiveness of national legislation and management systems as regards asylum, migration and the fight against criminal activities, organised crime and corruption connected with illegal immigration;
 - Evaluation of the institutional and administrative framework and of the capacities to implement border controls as well as improvement in the management of border controls;
 - Improvement in the security of travel documents and visas, in their issuing conditions and in the detection of false documents and visas;
 - Introduction of systems for data collection, for observation and analysis of migratory phenomena; identification of the root causes of migratory movements and the definition of measures aiming to tackle them; facilitation of the exchange of information on migratory movements, in particular on migratory flows towards the European Union;
 - Development of regional and subregional dialogue in the field of asylum and migration, including illegal migration;
 - Assistance in the negotiations by the third countries of their own readmission agreements with their neighbouring countries;
 - Support for capacity-building in the third countries concerned in the fields of reception conditions of asylum seekers, of readmission and the durable reintegration of returnees and of resettlement programmes.

Article 3

With a view to pursuing the objectives and actions laid down in Article 2, this programme may support, inter alia:

- (1) Measures needed for the identification and preparation of actions, inter alia:
 - Identification of feasibility studies;
 - The exchange of technical know-how and experiences between Member States, third countries, European organisations and bodies and international organisations;
 - General studies concerning the Community's action within the scope of this Regulation.
- (2) Implementation of projects
 - Technical assistance to help implement the actions, including expatriate and local staff;
 - Training and other services;
 - Purchasing and/or delivering any product or equipment, supplies and investment expenditure strictly necessary for the implementation of the actions, including in exceptional circumstances, and when duly justified, the purchasing or leasing of premises.
- (3) Measures to monitor, audit and evaluate actions.
- (4) Activities to explain the objectives and results of these actions to the general public.
- (5) Actions to assess the implementation of these operations, as well as technical assistance, for the benefit of either of the Community or of third countries.

The necessary measures shall be taken to emphasise the Community character of the assistance provided under this Regulation.

Article 4

The respect of democratic principles and rule of law, as well as of human and minority rights and of fundamental freedoms, constitutes an essential element for the application of this Regulation. If necessary, and as far as possible, the actions financed under this Regulation are associated with measures aiming to strengthen democracy and the rule of law.

Chapter II - The Procedures for the Implementation of the Programme

Article 5

- (1) Partners eligible for financial support under this programme may include regional and international organisations and agencies (in particular, UN agencies), non-governmental organisations (NGOs) or other non-state actors, federal, national, provincial and local governments, their departments and agencies, institutes, associations and public and private operators.
- (2) Operations financed by the Community under this Regulation shall be implemented by the Commission.

Article 6

Without prejudice to the institutional and political environment in which the partners referred to in Article 5 operate, the following factors shall in particular be considered when determining a body's suitability for Community funding:

- (1) Its experience in the field and especially with actions in the area of asylum and migration;
- (2) Its commitment to defending, respecting and promoting human rights and democratic principles in a non-discriminatory manner;
- (3) Its administrative and financial management capacities;
- (4) Its technical and logistical capacity in relation to the planned action;
- (5) The results, where relevant, of any previous actions carried out, in particular those financed by the Community, the Member States and International Organisations.

Chapter III – The Procedures for the Implementation of Operations

Article 7

- (1) The financial reference amount for the implementation of this Regulation shall be 250 million €.
- (2) The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.
- (3) The co-financing of an action under this programme shall be exclusive of any other financing by another programme financed by the budget of the European Union.
- (4) Community funding under this Regulation shall be awarded in accordance with the provisions of the Financial Regulation. The financing decisions and contracts arising therefrom shall be subject to financial control by the Commission and to audits by the Court of Auditors.

- (5) The Commission may take any necessary initiative with a view to ensuring good co-ordination with other donors concerned.

Article 8

- (1) The Commission shall ensure overall consistency and complementarity with other relevant Community policies, instruments, actions and programmes.
- (2) In order to strengthen consistency and complementarity between actions financed by the Community and those financed by Member States with the aim of guaranteeing optimal effectiveness of these actions, the Commission takes all necessary co-ordination measures.

Article 9

- (1) The Commission shall be responsible for the management and implementation of this co-operation programme.
- (2) The Commission shall manage the co-operation programme in accordance with the Financial Regulation.
- (3) To implement the co-operation programme, the Commission shall, in accordance with the procedure referred to in Article 10(2), produce an annual work programme. In accordance with the objectives and criteria of the present regulation, the work programme shall establish the priorities for the actions to be supported in terms of potential geographic and thematic areas of intervention, the specific objectives, the anticipated results as well as indicative amount. The Commission may consult other interested parties in relation to the work programme.
- (4) The work programme must be articulated in a consistent and complementary way with the Country Strategy Papers and the Regional Strategy Papers and the development co-operation programmes drawn up in the framework of the Community policy for co-operation and development.
- (5) The work programme will allow for financing operations outside of the work programme for unforeseen contingencies arising from the specific nature of the migratory flows.
- (6) The Commission shall adopt the list of selected projects according to the procedure referred to in Article 10(3).

Article 10

- (1) The Commission shall be assisted by a Committee composed of representatives of the Member States, and chaired by the representative of the Commission.
- (2) Where reference is made to this paragraph, Article 4 of Decision 1999/468/EC shall apply, in compliance with Article 7 thereof.

The period provided for in Article 4 paragraph 3 of Decision 1999/468/EC shall be set at three months.

- (3) Where reference is made to this paragraph, Article 3 of Decision 1999/468/EC shall apply, in compliance with Article 7 thereof.

Chapter IV – Reporting

Article 11

- (1) The Commission shall monitor and regularly evaluate the implementation of the present co-operation programme on a continuous basis.
- (2) The Commission shall submit an interim report to the European Parliament and the Council on the implementation of the co-operation programme by 31 December 2006 at the latest, and a final report by 31 December 2010 at the latest.
- (3) At the request of the Member States, the Commission may also evaluate the results of the Community's actions and programmes under this Regulation.

Chapter V – Final Provisions

Article 12

The programme established by the present regulation shall operate from 1 January 2004 to 31 December 2008.

Article 13

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX 1

LEGISLATIVE FINANCIAL STATEMENT

Policy area(s): 19 - External relations

Activity(ies): 19 02 03

TITLE OF ACTION:

PROGRAMME FOR FINANCIAL AND TECHNICAL ASSISTANCE TO THIRD COUNTRIES IN THE AREA OF MIGRATION AND ASYLUM

1. BUDGET LINE(S) + HEADING(S)

19 02 03 (ex B7-667) – Co-operation with third countries in the area of migration

2. OVERALL FIGURES

2.1 Total allocation for action (Part B): € 250 million for commitment

2.2 Period of application: 2004 - 2008

2.3 Overall multiannual estimate of expenditure:

a) Schedule of commitment appropriations/payment appropriations (financial intervention)

€ million

	Year n 2004	n + 1 2005	n + 2 2006	n + 3 2007	n + 4 2008	n + 5	Total
Commitments	30	45	45	60	70		250
Payments	15	38	45	52	65	35	250

b) Technical and administrative assistance and support expenditure

Commitments	-	-	-	-	-	-	-
Payments	-	-	-	-	-	-	-

Subtotal a+b							
Commitments	30	45	45	60	70		250
Payments	15	38	45	52	65	35	250

c) Overall financial impact of human resources and other administrative expenditure

Commitments/ payments	0,811	0,811	0,811	0,811	0,811	0.648	4,703
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TOTAL a+b+c							
Commitments	30,811	45,811	45,811	60,811	70,811	0.648	254,703
Payments	15,811	38,811	45,811	52,811	65,811	35,648	254,703

2.4 Compatibility with financial programming and financial perspective

Proposal compatible with the existing financial programming

Compatible for years 2004 to 2006: new programming to be discussed in 2007 in the light of the financial perspectives for 2007-2013.

Proposal will entail reprogramming of the relevant heading in the financial perspective.

Proposal may require application of the provisions of the Interinstitutional Agreement.

2.5 Financial impact on revenue

No financial implications on revenue.

3. BUDGET CHARACTERISTICS

Type of expenditure		New	EFTA contribution	Contribution from applicant countries	Heading in financial perspective
Non-diff	Diff	YES	NO	NO	No 4

4. LEGAL BASIS

Article 179(1) and Article 181A of the EC Treaty.

5. DESCRIPTION AND GROUNDS

5.1 Need for Community intervention

5.1.1 Objectives pursued

The expected continuation, or even acceleration, of international migratory flows will have major consequences for both the European Union and third countries. As stated in the Tampere and Sevilla European Council conclusions, to successfully address these consequences, it will be necessary to strengthen policies that focus on the root causes of international migration while at the same time working to strengthen the migration management capacity of third countries through reinforced specific measures. It is on that purpose that the Commission, as announced in communication to the Council and the European Parliament on the integration of migration issues in the European Union's relations with third countries adopted on 3 December 2002, present this Regulation proposal which aims to provide a legal framework for a multiannual programme of co-operation with third countries in the area of migration and asylum.

The general objective of this co-operation programme is to give specific and complementary financial and technical aid to third countries in order to support their efforts in better managing migratory flows in all their dimensions. It is in particular intended for the third countries actively engaged in the preparation or in the implementation of a readmission agreement initialled, signed or concluded with the European Community. The programme aims to promote co-operation between the Community and third countries by contributing in the third countries concerned to the following objectives:

- The development of their legislation in the field of legal immigration, in particular on admission rules, on the rights and status of persons admitted, on equal treatment of legal residents, on integration and non-discrimination as well as on measures to combat racism and xenophobia;
- The development of regular migration taking account of the demographic, economic and social situation in the countries of origin and in the host countries;
- The development of their legislation and national practices as regards international protection, with a view to satisfying the provisions of the Geneva Convention of 1951 on the status of refugees and of the Protocol of 1967 and other relevant international instruments, to ensuring the respect of the principle of « non refoulement » and to improving the capacity of the third countries concerned receiving asylum seekers and refugees;
- The establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including in particular the fight against trafficking in human beings and smuggling of migrants,
- The orderly readmission and durable re-integration of persons who have illegally entered or remained on the territory of the European Union into the third country concerned.

Third countries' greater capacity to manage migratory flows should have a beneficial impact on their own development or situation (some third countries are faced with major migratory flows that are sources of instability, illicit trafficking and economic, social and other

difficulties). Community co-operation should also help to strengthen third countries' capacity to fulfil their international obligations in the areas of asylum and migration, including illegal migration and readmission.

5.1.2 Measures taken in connection with ex ante – ex post evaluation

The co-operation programme that the Commission proposes to set up follows on from the preparatory operations on migration and asylum financed in 2001-2003 with appropriations entered by the budgetary authority under budget line B7-667 of the general budget of the European Union. While it is still too soon to judge the full impact of the preparatory operations in 2001-2003 (most of the 2001 projects are still under way), mid-term reports on some operations will soon be available. In addition, an overall evaluation of the preparatory operations will start at the end of the year under the aegis of the Commission services.

5.2 Operations envisaged and budget intervention arrangements

Specific operations and objectives

In order to achieve the objectives described above the co-operation programme may in particular support the following actions:

- Facilitation of dialogue and exchange of information between the institutions of the third country and the nationals of that country who are considering emigrating;
- Setting up of information campaigns on the consequences of illegal immigration and of clandestine employment in the European Union;
- Dissemination of information on the possibilities of working legally in the European Union and on the procedures to be followed to this end;
- Development of actions aimed at maintaining links between the local communities in the country of origin and their emigrants;
- Support for capacity-building in the field of drafting, implementing and ensuring the effectiveness of national legislation and management systems as regards asylum, migration and the fight against criminal activities, organised crime and corruption connected with illegal immigration;
- Evaluation of the institutional and administrative framework and of the capacities to implement border controls as well as improvement in the management of border controls;
- Improvement in the security of travel documents and visas, in their issuing conditions and in the detection of false documents and visas;
- Introduction of systems for data collection, for observation and analysis of migratory phenomena; identification of the root causes of migratory movements and the definition of measures aiming to tackle them; facilitation of the exchange of information on migratory movements, in particular on migratory flows towards the European Union;

- Development of regional and subregional dialogue in the field of asylum and migration, including illegal migration;
- Assistance in the negotiations by the third countries of their own readmission agreements with their neighbouring countries;
- Support for capacity-building in the third countries concerned in the fields of reception conditions of asylum seekers, of readmission and the durable reintegration of returnees and of resettlement programmes.

Target population:

Notably:

- people in third countries wishing to emigrate;
- staff of third countries working in the field of asylum and migration;
- the authorities in third countries responsible for asylum and migration and the management of borders;
- third-country nationals being readmitted or having opted for voluntary return;
- refugees and persons seeking international protection.

Expected outcomes

The expected outcomes are varied but complementary: greater capacity of third countries to manage migratory flows; third countries more able to handle requests for asylum efficiently and fairly, plus a better general knowledge of migration and related issues; a growth of third countries' administrative, legislative and practical capacity to handle asylum and migration issues (including readmission) and to meet their obligations in these fields; better organisation of legal migration in third countries; more frequent recourse to legal channels by candidates for emigration from third countries; reduction in the trafficking in migrants and related criminal activities; drop in illegal immigration to the EU.

5.3 Implementation arrangements

Direct management by the Commission using regular and external staff.

6. FINANCIAL IMPACT

6.1 Total financial impact on Part B - (over the entire programming period)

The breakdown of financing by action and the cost calculation by measure will be decided on drawing up the work programme provided for in Article 9 of this legal basis, taking into account the appropriation for the programme each year. The work programme shall establish the priorities for the actions to be supported in terms of potential geographic and thematic areas of intervention, the specific objectives, the anticipated results as well as indicative amount.

6.2. Calculation of costs by measure envisaged in Part B (over the entire programming period)

The cost calculation by measure will be decided on drawing up the work programme provided for in Article 9 of this legal basis, taking into account the appropriation for the programme each year. The work programme shall establish the priorities for the actions to be supported in terms of potential geographic and thematic areas of intervention, the specific objectives, the anticipated results as well as indicative amount.

7. IMPACT ON STAFF AND ADMINISTRATIVE EXPENDITURE

7.1. Impact on human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources		Total	Description of tasks deriving from the action
		Number of permanent posts	Number of temporary posts		
Officials or temporary staff	A	1 A (RELEX)		1A	Programming, chairing committee, following up implementation
	B	1 A (JAI)		1A	
	C	-		-	
		4 A (AIDCO)		4A	Identification, preparation, financing, implementation and evaluation
Other human resources					
Total		6 A		6 A	

7.2 Overall financial impact of human resources

Type of human resources	Amount €	Method of calculation*
Officials Temporary staff	648.000	6 X 108 000
Other human resources (give budget line)		
Total	648.000	

The amounts are total expenditure for twelve months.

7.3 Other administrative expenditure deriving from the action

Budget line (number and heading)	Amount €	Method of calculation
Overall allocation (Title A7)		
A0701 - Missions	50 500	8 X 1250 (EU)
-	-	17 X 2500 (outside EU)
A07030 - Meetings	5000	5 X 1000
A07031 - Compulsory committees (1)	37 500	3 meetings X 25 MS X 500
A07032 - Non-compulsory committees (1)	-	-
A07040 - Conferences	20 000	1 X 20 000
A0705 - Studies and consultations	50 000	1 X 50 000
Other expenditure (state which)		
Information systems (A-5001/A-4300)	-	-
Other expenditure - Part A (state which)	-	-
Total	163.000	

The amounts are total expenditure for twelve months.

(1) Specify the type of committee and the group to which it belongs.

I.	Annual total (7.2 + 7.3)	€811 000
II.	Duration of action	5 years + 1 year staff only
III.	Total cost of action (I x II)	€4 055 000 + € 648 000 = € 4 703 000

8. FOLLOW-UP AND EVALUATION

8.1 Follow-up arrangements

Each measure taken under this programme will have an internal monitoring and evaluation system that will determine and check the specific results and impact indicators. AIDCO will also organise mid-term and final monitoring and evaluation missions for the more important operations.

8.2 Arrangements and schedule for the planned evaluation

There will be a mid-term report and ex post evaluation for each operation financed under this programme. Article 11 of the legal basis obliges the Commission to monitor and evaluate the programme. It requires the Commission to send Parliament and the Council an interim and final report on the implementation of the co-operation programme.

9. ANTI-FRAUD MEASURES

The protection of the Community's financial interests and the fight against fraud are an integral part of this Regulation. The EuropeAid Co-operation Office will administer the contracts and payments. Each of the operations financed under this programme will be supervised by AIDCO throughout all the project cycles. This supervision will take account of contractual obligations and the principles of cost/benefit analysis and sound financial management. Any agreement or contract concluded under this Regulation shall expressly provide for monitoring of the expenditure authorised in the course of projects/programmes and the implementation of activities, and for financial control by the Commission, in particular the European Anti-Fraud Office.