

ANNEX 1

SPECIAL MEASURE ON MIGRATION MANAGEMENT IN TURKEY, TO BE FINANCED FROM THE GENERAL BUDGET OF THE EUROPEAN UNION

1 IDENTIFICATION

Beneficiary	Turkey
CRIS/ABAC Commitment references	Level 2 budgetary commitment of EN type will be created after the adoption of this special measure and before conclusion of the grant contract
Total cost	EUR 60 million
EU Contribution Budget line	22.02 03 02
Management mode/ Entrusted Entity	Direct management by the European Commission
Final date for contracting including the conclusion of delegation agreements	31 December 2016
Final date for operational implementation	31 December 2017
Programming Unit	NEAR A5 – Turkey
Implementing Unit/ EU Delegation	EU Delegation to Turkey

2 Description of the Special Measure

2.1 PROBLEM ANALYSIS AND RATIONALE

Due to its geographical position Turkey is a major first reception and transit country for migrants that is hosting more than 2.5 million of asylum seekers and refugees, the highest number in the world. Turkey is making commendable efforts to provide massive humanitarian aid and support to an unprecedented and continuously increasing influx of people seeking refuge and has already spent significant amounts of its own resources on addressing this crisis.

The EU and Turkey are determined to confront and surmount the migration challenges in a concerted manner. To this end, a policy document reflecting the understanding between the European Union and the Republic of Turkey to step up their cooperation on support of Syrians under temporary protection and migration management in a coordinated effort to address the crisis (hereinafter: "the EU-Turkey Joint Action Plan"), agreed ad referendum by Turkey on 15 October 2015 and activated by the EU-Turkey Summit on 29 November 2015, aims to address the refugee crisis and migration management in a cooperative manner. The European Council Conclusions on 15 October 2015 welcomed *"the joint Action Plan with Turkey as a part of a comprehensive cooperation based on shared responsibility, mutual commitments and delivery"* and stated that *"the EU and its Member States stand ready to increase cooperation with Turkey and step up their political and financial engagement substantially within the established framework"*. It was agreed that bold moves are needed to close down people smuggling routes, to break the business model of smugglers, to protect EU external borders and to take action to end the migration crisis in Europe. The European Council of 15 October 2015 agreed to step up the EU political and financial engagement to support Turkey in hosting more than 2.5 million refugees. In response, the Commission has established a coordination mechanism, the Facility for Refugees in Turkey (the Facility) which allows mobilising contributions from the EU budget and the Member States, amounting to initial additional resources of EUR 3 billion.

The assistance coordinated under the Facility should support the provision of humanitarian, development and other assistance to refugees and host communities, national and local authorities in managing and addressing the consequences of the inflows of refugees.

As indicated in the third Joint Action Plan implementation report¹, the legislative and operational measures taken by the Turkish authorities to stem irregular migration appeared to have had some first impact on the migratory flows. Nevertheless, the number of people arriving irregularly to the EU from Turkey was still high for the period covered by the report (1 February – 2 March 2016) when winter conditions were expected to contribute to a decrease in the number of arrivals.

In order to break the business model of the smugglers and to offer migrants an alternative to putting their lives at risk, the EU and Turkey decided at the occasion of the EU-Turkey Summit on 18 March 2016 to end the irregular migration from Turkey to the EU. To achieve this goal, one of the action points agreed is that all migrants not applying for asylum or whose application have been assessed unfounded or inadmissible, crossing from Turkey into Greek islands as from 20 March 2016, will be returned to Turkey. This measure has started to be implemented as of 4 April 2016.

¹ COM (2016) 144 final of 4.03.2016

The EU should support the efforts of Turkey in hosting in appropriate conditions the migrants returned to Turkey. The Ministry of Interior of the Republic of Turkey has submitted a proposal for an action aiming at supporting the reception of the migrants returned from Greece to Turkey in appropriate conditions.

2.2 PAST AND ONGOING SUPPORT

The Special Measure is in line with the objectives of the Facility and will be financed by the funding coordinated through this mechanism. The assistance already allocated or planned to be allocated addresses the needs of the refugees in Turkey but does not cover so far the specific needs of migrants returned to Turkey. The special measure is designed to address those specific needs.

2.3 DESCRIPTION AND IMPLEMENTATION OF THE SPECIAL MEASURE

Special Measure	Migrants returned to Turkey	Direct management	EUR 60 million
------------------------	-----------------------------	--------------------------	-----------------------

(1) Description, objective, expected result and key performance indicator

The overall objective of the special measure is to provide assistance to migrants in Turkey. The specific objective is to support the reception and hosting of the migrants returned from Greece to Turkey.

Expected result:

The reception and hosting of migrants returned from Greece to Turkey is done in appropriate conditions.

Key performance indicator:

Number of refugees returned from Greece to Turkey received and hosted in appropriate conditions.

(2) Assumption and conditions

All migrants returned to Turkey should be treated in accordance with relevant international standards including where appropriate access to individual asylum process and respect of non refoulement principle.

The EU and relevant actors should be guaranteed access to all reception and hosting facilities including registration procedures for returned migrants.

The specific needs of women and men, girls and boys, should be taken into consideration in needs analysis, project design, implementation and monitoring/evaluation.

(3) Implementation arrangement

The Special Measure is implemented by direct management by the EU Delegation to Turkey.

(4) Essential elements for direct management

Grant – Direct Grant Award

a. Objectives and foreseen results: see point 1.

b. Justification for the use of an exception to calls for proposals:

Art 190 (1)(b) of Regulation (EU) No 1268/2012 in exceptional and duly substantiated emergencies. The EU and Turkey decided at the occasion of the EU-Turkey Summit on 18 March 2016 that all migrants not applying for asylum or whose application have been assessed unfounded or inadmissible, crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey. This measure has started being implemented as of 4 April 2016. This exceptional combination of circumstances satisfies the emergency test and therefore the special measure will have to be implemented on a direct award basis with the cost incurrent as of 4 April 2016 eligible for financing under this special measure.

c. Name of beneficiary and co-beneficiaries: Directorate General for Migration Management (DGMM) of the Ministry of Interior of the Republic of Turkey.

d. The essential selection criteria are financial and operational capacity to perform the necessary interventions by the applicants.

The essential award criteria are relevance, effectiveness and feasibility, sustainability and cost-effectiveness.

e. Indicative amount of the grant: EUR 60 million

f. Maximum rate of EU co-financing: The maximum possible rate of EU financing will be 100% of the total cost of the action. Full financing of the action is essential for the action to be carried out because of urgency and EU visibility reasons. The amounts foreseen are exclusively related to the additional activities linked to this exceptional migration crisis. It is therefore indispensable to ensure the necessary financial commitment by the EU in order to support DGMM, and more generally the Turkish Government in dealing with this situation.

g. indicative timetable: grant to be signed in Q2 2016. Provided that the conditions foreseen in Article 130(1) of the Financial Regulation are respected, retroactivity of eligibility of expenditures will be possible.

3. BUDGET

3.1 INDICATIVE BUDGET TABLE – SPECIAL MEASURE ON MIGRANTS RETURNED TO TURKEY

	Union contribution (Amount in million EUR)	Management mode	Contracting authority
Special Measure	60	Direct management	EU Delegation in Turkey

4. IMPLEMENTATION MODALITIES AND GENERAL RULES FOR PROCUREMENT AND GRANT AWARD PROCEDURES

DIRECT MANAGEMENT:

This special measure shall be implemented by direct management by the European Union Delegation to Turkey in accordance with article 58(1)(a) of the Financial Regulation and the corresponding provisions of its Rules of Application.

Grant award procedures shall follow the provisions of Part Two Title IV Chapter 4 of the Financial Regulation No 966/2012 and Part Two Title II Chapter 4 of its Rules of Application.

Under the Financial Regulation, Parts One and Three of the Financial Regulation and its Rules of Application shall apply to external actions except as otherwise provided in Part Two, Title IV.

The European Commission may also use services and supplies under its Framework Contracts concluded following Part One of the Financial Regulation.

5. PERFORMANCE MONITORING ARRANGEMENTS

As part of its performance measurement framework, the European Commission shall monitor and assess progress towards achievement of the specific objectives set out in the IPA II Regulation on the basis of pre-defined, clear, transparent measurable indicators. The progress reports referred to in Article 4 of the IPA II Regulation shall be taken as a point of reference in the assessment of the results of IPA II assistance.

The European Commission will collect performance data (process, output and outcome indicators) from all sources, which will be aggregated and analysed in terms of tracking the progress versus the targets and milestones established for each of the activities.