



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate E – HOME Affairs Funds
The Director

Brussels
HOME.E.2/JG

NOTE FOR THE ATTENTION OF THE MEMBERS OF THE COMMITTEE FOR THE HOME AFFAIRS FUNDS

Ref.: HOME-Funds/2024/45

Subject: Launch of the call for expression of interest “Specific Action - Incentivising assisted voluntary returns for Member States under pressure” under the Asylum, Migration and Integration Fund (AMIF) – Reference AMIF/2024/SA/3.3.1

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)⁽¹⁾ 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 for the work programme 2023-2025 for the AMIF Thematic Facility⁽²⁾.

By the present note, the Commission launches a call for expression of interest for Specific Action on “new models for incentivising assisted voluntary returns from Member States under pressure”, in line with the actions listed in the above-mentioned Commission financing decisions.

⁽¹⁾ Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund.

⁽²⁾ https://home-affairs.ec.europa.eu/funding/asylum-migration-and-integration-funds/asylum-migration-and-integration-fund-2021-2027_en

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 (Art. 18(2) of the Regulation).

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 Regulation ⁽³⁾ and the Common Provisions Regulation (EU) 2021/1060 (CPR) ⁽⁴⁾.

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 and reserve list

3.1.1. Indicative budget available

The indicative amount envisaged for the call AMIF/2024/SA/3.3.1 is **EUR 25 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 2 million per application and
- should not be higher than EUR 8 million per application.

⁽³⁾ Regulation (EU) 2021/1147 of the European Parliament and of the Council of 7 July 2021 establishing the Asylum, Migration and Integration Fund

⁽⁴⁾ 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 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.

3.2. Background for the specific action

The extraordinary JHA Council of 25 November 2022 examined the situation of increasing migratory pressure along all migratory routes, including the particularly challenging situation in the Mediterranean and in the Western Balkans, and the largest refugee crisis since the Second World War in Europe, which had seen, by that date, around 4.3 million persons fleeing the war in Ukraine and having been granted temporary protection in the EU. All subsequent JHA Councils in 2023, emphasised the need for joint efforts and solidarity, bearing in mind the need for a whole-of-route approach to finding solutions.

Starting with the European Council of 9 February 2023, President von der Leyen has been addressing letters on migration to Leaders, ahead of respective European Council meetings, emphasising that migration is a European challenge and the need to focus on European solutions.

The EU endorsed Action Plans on the Western Balkans, Eastern Mediterranean, Central Mediterranean and Western Mediterranean routes, with a view to quickly alleviating the pressure on the Member States most affected.

As part of a functioning asylum and migration system, third country nationals who have no right to stay in Europe must return. The Council regularly reiterates the urgent need to strengthen the national return systems, as they constitute a central pillar of effective and credible migration and asylum systems, as well as of a functioning Schengen area, and of the comprehensive approach of the New Pact on Migration and Asylum. However, the number of return decisions that are effectively implemented remains low across the EU. Lack of cooperation from both the individual subject to return and his/her country of origin is one of the challenges that limits the number of returns.

Voluntary and forced returns are key elements of an effective return policy and efficient voluntary return is dependent on a credible forced return option. Voluntary return gives the returnees concrete opportunities and considers their prospects, expectations and needs. It is considered easier and less costly for governments. Voluntary return is the preferred option and accompanied by effective reintegration measures can help returnees and the country of return participate in and take ownership of the process thus rendering the process more efficient.

Active participation from Member States builds trust in the system and makes it more effective. Despite the achievements made in recent years, there is still potential to maximise the benefits of voluntary return for irregular migrants in Europe. Developing new and tailored models for incentivising voluntary returns will increase the attractiveness of the voluntary return option for the people in the situation to be returned and will also help Member States overcome the lack of cooperation of some third countries on readmission. Return counsellors play a central role in promoting voluntary returns: significant work needs to be dedicated in many Member States to establishing key tools for improving and enhancing return counselling. Tailored assisted voluntary return programmes and incentives have the potential to increase the number of returns, also toward more challenging destinations.

Some Member States have introduced or strengthened return counselling and set up tailored assisted voluntary return programmes to increase the effectiveness of their return systems and consequently to increase the number of returns. As a result, some Member States have exceeded their forecast for yearly returns. As an example, Cyprus has achieved 9.193 effective returns in 2023 - representing a 66% increase compared to 2022. So far this

year, up to 31st July 2024 effective returns had already reached over 6.000, with a constant average pace 200 of returns / week. An increasing trend is expected for the rest of 2024 and for 2025. Such an increase requires adequate resources.

A call for actions to support return capacity for Member States will contribute to the efforts to address the challenges identified above. Such a call would also be an opportunity for Member States to prepare for the implementation of the Pact, ensuring efficient returns.

Furthermore, the call will allow Member States to implement activities from action 2 under the Return Roadmap steered by the EU Return Coordinator (Guideline for incentivising voluntary returns) and act as an outcome/follow up of the recent workshop on incentivising voluntary returns organised in April 2024 by the Return Coordinator in cooperation with Cyprus and where 20 Member States/ Schengen Associated Countries took part, including four which presented their Assisted Voluntary Return programmes. These discussions led by Cyprus in cooperation with Austria, Switzerland, France and Denmark, supported by the European Commission, have helped explore the various facets of the voluntary return processes and identify key areas of improvement. During the discussions, it became evident that voluntary returns are not just a matter of policy efficiency, but they require innovative, flexible approaches and forward thinking. The result of these discussions was the development of a Guideline to an Optimal Assisted Voluntary Returns System, that encapsulates Member States' best practices identified during the workshop. The call will give the opportunity to put into practice the good practices and activities identified and compiled in the Guideline to an Optimal Assisted Voluntary Returns System, across more Member States.

The call will invite Member States to launch initiatives to set up and test particular models of incentives for assisted voluntary return (i.e degressive model for cash incentives), including for people who are in the forced return procedure but who decide to cooperate, and to share the results in the framework of the High-Level Network for Returns and Frontex.

These models can be further tested with a view to setting up additional options under the current Frontex catalogue.

3.2.1 EU legal and policy framework

Establishing an effective common EU system for returns is one of the core elements of the New Pact on Migration and Asylum. Voluntary return and sustainable reintegration are key components of the common EU system on returns. Assisted voluntary return and reintegration programmes give returnees the possibility to safely return home in a dignified manner, and take into account their needs, expectations and prospects once returned. Effective reintegration can help them overcome socio-economic and psychosocial difficulties when returning. This can encourage more voluntary returns and avoid costly forced returns, thereby also increasing overall returns. Focus on voluntary return and effective reintegration is also an important aspect in improving cooperation with third countries and promoting ownership and sustainability of the process.

The EU strategy on voluntary return and reintegration adopted in April 2021 ⁽⁵⁾ seeks to develop a more uniform and coordinated approach among Member States and unlock the

⁽⁵⁾ Communication from the Commission to the European Parliament and the Council on the EU strategy on voluntary return and reintegration (COM(2021) 120 final)

full potential, effectiveness and sustainability of voluntary return and reintegration for the mutual benefit of returnees, the EU and third countries.

The Return Coordinator plays an important role in the new governance framework to support cooperation between Member States in this area. The Return Coordinator, who took office on 16 May 2022, is supported by the High-Level Network for Returns, where all Member States are represented. The work of the EU Return Coordinator and the High-Level Network for Returns is guided by the [Operational Strategy for More Effective Returns](#) ⁽⁶⁾. Responding to immediate needs and obstacles with targeted return actions is an important aspect of the work of the EU Return Coordinator and the High-Level Network. The aim is to ensure that Member States join forces and that there is seamless coordination and coherence among all actors, to ensure that collective efforts focus on the returns to identified third countries in line with political priorities. Action 2 from the Return Coordinator's Return Roadmap refers to actions to increase voluntary returns (both in absolute terms and as share of total returns) and reintegration, fostering more sustainable returns within the general objective of increasing returns overall.

Frontex has in the past year made important progress in developing its structural capacities to support Member States on voluntary return and reintegration. More than half of the returns facilitated by Frontex are now voluntary.

3.2.2 Current challenges and gaps

Promoting voluntary return and reintegration is a key strategic objective as set out in the New Pact on Migration and Asylum.

The EU has been promoting voluntary return as it is an easier and more cost-effective option to return third country nationals with no legal right to stay in the EU. Also, this option is preferred by third countries.

The challenges faced by return systems are complex and require political buy-in and cooperation at all levels to be addressed effectively. Developing and implementing tailored and innovative methods for incentivising voluntary returns will increase the attractiveness of assisted voluntary return programmes and contribute to the level of cooperation from third country nationals in return process. Furthermore, degressive models will incentivise potential returnees to follow up quickly on the voluntary return options and consequently reduce the pressure on the reception capacity and alternative to detention systems from member States. Overall, this will contribute to the EU objective of having better systems to encourage assisted voluntary return as also set out in the EU strategy on voluntary return and reintegration.

Incentives can take many forms – positive or negative, from financial assistance to the provision of reintegration support, including housing, education, training, medical support and job placement services to reducing allowances and imposing duties/ obligations/ control measures. These include measures that need to be taken both before and after return.

Member States need to provide appropriate information on prospects for return through return counseling and enough possibilities to opt for voluntary return. Developing models to incentivise voluntary return can alleviate some of the pressure on Member States.

⁽⁶⁾ Towards an operational strategy for more effective returns COM(2023) 45 final

Furthermore, some Member States have in the last year exceeded the targets established in Asylum and Migration Funds national Programmes (AMIF programme) as regards the number of returns and have almost exhausted the budget allocated for returns, despite internal reallocation from other areas. Therefore, immediate action is necessary in order to avoid the impossibility to implement returns due to lack of funding.

3.2.3. Complementarity and sustainability

The actions to be financed under this call should be complementary to any actions that Member States may finance under the AMIF 2021-2027 National Programmes or other EU funding instruments and Frontex assistance for the objective of implementing returns.

Applications for financing under the present call should not seek re-funding of previous EU projects that have not been successful nor well assimilated.

The proposals should describe how the sustainability of the measure will be ensured after the finalisation of the project and how the project would complement other sources of funding.

3.2.4. Minimum requirements for the proposals

The call will invite the Member States under pressure in their return system (see also section 3.3.3 below) to launch initiatives to make procedural improvements by testing a particular model for encouraging and incentivising voluntary returns, taking also into consideration the shortcomings identified in the national return systems. Such a particular model of AVR must aim to increase the number of returns.

The proposals should be aligned with any existing national plan/strategy in relation to the return of illegally staying third country nationals who arrive after crossing the external borders and thus contribute to increasing the effectiveness of the return systems in general. The application should describe the baseline situation, the plan concerned and the expected results. This means that proposals should indicate how the project fits into the (broader) plans of the national authorities for improving the return system in the mid to long term. For instance, the project could contribute to better implementation of existing policies, for instance by upscaling activities related to the assisted voluntary returns, or prepare for other forms of support, by testing a new initiative, which would then be continued and/or replicated in a sustainable manner afterwards with national budget or future AMIF programme budget.

The proposals should consider existing guidance from Frontex in what regards actions related to return counseling.

The proposals should support measures that are in line with EU law and standards and guidance and, where appropriate, build on good practices in other Member States ⁽⁷⁾.

(7) For example :

- Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals
- COMMISSION RECOMMENDATION of 16.3.2023 on mutual recognition of return decisions and expediting returns when implementing Directive 2008/115/EC of the European Parliament and of the Council C(2023) 1763 final

Furthermore, the applicants could involve Frontex to support the proposal with the design of the initiative, its testing and roll-out.

Moreover, with particular reference to the investments on staffing/ services (such as return counselling), the proposals should refer to the measures to be put in place to ensure the sustainability of the foreseen interventions under the project at national level. To this end, proposals will need to outline the cooperation and active participation, and at the very least contain the written agreement of all the national administrations and/or institutions benefitting from it.

The proposals should also include a description about steps to be taken after the end of the project.

3.3. Scope and purpose of the specific action

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. A clear delineation must be drawn between 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 assimilated with international organisations in accordance with Article 156 of the Financial Regulation for this same purpose.

3.3.2. General principles for specific actions incentivising voluntary returns from Member States under pressure.

The following general principles should be considered for Specific Actions under the concept of incentivising voluntary returns from Member States under pressure:

- The request for funding should demonstrate that the proposal is not overlapping with actions financed by national funds and/or funds under Member States' programmes or other sources of funding, or that **the proposed actions deliver additional EU added value to the actions funded under the Member State programme**.
- The actions deliver particularly high EU-added value 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 foreseeable and of medium or long-term nature. 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 Charter of Fundamental Rights of the European Union and in line with the EU acquis.

- Towards an operational strategy for more effective returns COM(2023) 45 final
- Return Roadmap Workshop – Guideline to an Optimal Assisted Voluntary Return System

3.3.3. Requirements relating to Member States with return systems under pressure

For this specific action, proposals should provide a justification that the Member State concerned is facing pressure on its return system, and is bearing a high share of responsibility on behalf of the Union as a whole.

The description of the baseline situation at the time of the application in the proposal should provide data for this purpose.

Data can include for instance data on arrivals, the number of new and/or pending asylum applications, number of negative decisions on applications for international protection followed by a return decision, number of returns, rate of absorption of other available funds, ratio available return counsellors vs needs assessment, potential returnees and other criteria justifying the relevance of the proposal in the specific national context (see also section 3.4).

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

Data should be comparable, and reference should be made to how the data was collected, measured or calculated.

3.4 Objective and activities of the specific action

This call targets Member States under pressure on their return system (due to the number of arrivals, implementing new incentives for assisted voluntary returns including for people who are in the forced return procedure but who decide to cooperate, and lack of funding to sustain the pace of returns) and invites these Member States to test a particular model of incentives for voluntary returns including for people who are in the forced return procedure but who decide to cooperate (i.e. with degressive model for cash incentives) and implement actions from the Guideline to an Optimal Assisted Voluntary Returns System, that encapsulates the best practices and key insights highlighted during the “Return Roadmap workshop on incentivising voluntary returns”. The specific action proposed must include one or more of the following activities:

- test a particular model of **incentives for voluntary return** (e.g. with degressive model for cash incentives).
- capacity building to **hire or train more return counsellors / return specialists**.

Exceptionally, a proposal may include services related to forced returns, like small cash assistance for people who are in the forced return procedure but who decide to cooperate. Such services should serve the purpose of alleviating the pressure on their return system in accordance with this call. These services can be financed for up to 2 years and should not exceed 30% of the EU contribution of the proposal.

In order to ensure complementarity with the assistance provided by Frontex on enforcement of returns, the specific action proposed should not include activities related to chartering airplanes, acquisition of tickets for commercial flights for organising returns or the organisation of identification missions to Member States.

The activities in the proposals should include an activity to summarise / identify or discuss the application of the model, allow for sharing this information and thus provide a

contribution to the cooperation and mutual learning among Member States about return systems. Frontex may be involved in the activity, where appropriate.

3.5. Expected results following the call

The aim of the specific action is to finance three to five proposals aimed at implementing innovative models of incentives for voluntary return.

The proposals must provide figures and indications on the proposed model of incentives for voluntary return, i.e. targeted number of returns, targets for the increase in quantity or quality of services such as return counselling, and how the new program will affect the overall national capacity for implementing returns.

The proposals should also explain, and where possible quantify, how the proposed addition will contribute to structural improvements in the national return systems (the nature or scope of the impact on the overall return system).

The implementation of the actions following from the call should assist the applying Member States in increasing the coverage of the return counselling provided, increasing the number of returns and avoid facing the situation of impossibility to implement returns due to lack of funding in Member States reporting high absorption of the funding available under the AMIF programme.

4 PROCEDURE FOR APPLICATION

4.1. Admissibility and assessment aspects

Member States participating in the AMIF are eligible.

DG HOME will assess the proposals submitted by the Member States.

To be considered admissible, a proposal must:

1. be submitted within the deadline (see below) to the AMIF specific actions functional mailbox HOME-AMIF-SPECIFIC-ACTIONS@ec.europa.eu
2. consist of the official AMIF / 2024 / SA / 3.3.1. Application Form attached to this note together with its annexes, which must be readable and complete (all fields necessary for assessment are filled in),
3. 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,
4. identify a project beneficiary (an entity) that will be responsible for the implementation of the specific action in the Member State (ie. the entity leading on the action);
5. has to comply with the budget ceiling, as indicated under point 3 of the present call.
6. in case of a transnational project: include partnership declaration forms signed by the Managing Authorities of all participating Member States

Other entities can be involved in the implementation of the specific action as co-beneficiaries.

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

A. Relevance and content (50 points – minimum ‘pass score’: 30 points):

1. Degree to which the Member State concerned is under pressure in line with the requirements of the call (section 3.3.3)
2. Clarity and consistency of the objectives and scope of the proposal against the objectives identified in this call (section 3.4)
3. Compliance with the minimum requirements of the call, including with the EU acquis, recommendations, guidance and good practices established by the EU (section 3.2.4)
4. State of implementation of SO3 of the Member State’s AMIF programme in light of the additional needs presented in the proposal
5. Linkage between the proposed intervention and the implementation of the European Pact for asylum and migration, as well as the Member State’s national plan/strategy for return.

B. Quality (20 points):

1. Maturity of the proposal: organisation of work and strategy for project management (operational and financial) and monitoring planned implementation (timetable), considering the envisaged activities, measures undertaken to mitigate the identified risks, communication, awareness raising and the activity envisaged to summarise / identify the application of the model.
2. Cost-effectiveness: reasonability and feasibility of the estimated costs, and the methodology for the calculation of the costs.
3. Consultation of relevant entities in the design of the proposal (in particular but not exclusive to section 3.2.3.)

C. Impact (30 points):

1. The impact or effect of the proposal in relation to the expected result of the call for expression of interest (section 3.5) (scope and size of improvements made by the proposal).
2. The degree to which the pressure on the return capacity and the return system is alleviated .
3. The degree of potential for sustainability of the improvements achieved with the proposal after the end of the project.

Member States must ensure respect for the horizontal principles described in Article 9 of Regulation (EU) 2021/1060, including respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union. Moreover, Member States must ensure that the envisaged actions are not affected by a reasoned opinion delivered by the Commission in respect of infringement proceedings under Article 258 of the Treaty on the Functioning of the European Union (TFEU) that put in doubt the legality and regularity of expenditure or the performance of the actions ([Article 11(6) of Regulation (EU) 2021/1147] [Article 8(5) of Regulation (EU) 2021/1149] [Article 8(5) of Regulation (EU) 2021/1148]).

4.2. Application procedure

Deadline for the application: Member States are invited to submit their proposals by **15/11/2024** at the latest, using the official AMIF/2024/SA/3.3.1 Application Form attached to this Note, together with its associated annexes. The applicant can submit an application in any official EU language (project abstract/summary should however always be in

English). For reasons of efficiency, it is strongly advised to use English for the entire application.

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 will **not be admissible**.

The Members of the Committee for the Home Affairs Funds will be 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.

E-mail address for the application: The proposals should be submitted to the AMIF specific actions functional mailbox HOME-AMIF-SPECIFIC-ACTIONS@ec.europa.eu. Member States may submit additional documentation if necessary.

No modification to the application is allowed once the deadline for submission has elapsed. However, if there is a need to clarify certain aspects or to correct clerical mistakes, the Commission may contact the applicant/ lead Member State during the evaluation process. A reply should be provided by the Member State within 3 working days from the request date.

Any requests for clarification of the Member States on this call for the expression of interest may be sent by 23/10/2024 at the latest, to the same AMIF specific actions functional mailbox HOME-AMIF-SPECIFIC-ACTIONS@ec.europa.eu.

Requests should only be sent **by the Managing authority**. The Managing Authority has an important role to explain to the potential beneficiaries the applicable rules and specificities of the programmes in general and of a specific action in particular and to help prepare applications for a specific action. The Managing Authority should be the contact point and take the responsibility to review questions from potential beneficiaries and raise questions to or request clarifications from the Commission services where necessary. As projects under specific actions are managed at national level, according to national rules, specific questions on eligibility of costs should be addressed first to the Managing Authority.

To respect the equal treatment and transparency, the replies to the written requests for clarification received will be sent to all Member States, via HOME-AFFAIRS-FUNDS-COMMITTEE@ec.europa.eu

DG HOME will inform Member States of the outcome of the assessment of the proposals towards December 2024.

6. AMENDMENT OF THE AMIF 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 objective, and table 6 of the programme).

Silvia MICHELINI
Chair of the Committee for the
Home Affairs Funds

