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**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT AND THE COUNCIL**

**Thematic programme for the cooperation with third countries in the areas of
migration and asylum**

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1. INTRODUCTION

With the aim of rationalising and simplifying the current legislative framework governing external actions of the Community, the European Commission proposed a new set of six instruments under the Financial Perspectives 2007 to 2013. Three instruments (humanitarian aid, stability and macro-financial assistance) are of horizontal nature in order to respond to particular needs and circumstances. Three instruments (pre-accession assistance, support to the European neighbourhood and development cooperation and economic cooperation) are designed to implement particular policies and have a defined geographical coverage. In future, these instruments will provide the basic legislative acts for Community expenditures in support of external cooperation programmes including thematic programmes and will replace the existing thematic regulations.

According to these proposals, thematic programmes provide a distinctive value added and comprise activities complementing geographical programmes, which remain the privileged framework for Community cooperation with third countries¹.

The Commission has committed itself to enter into discussions with the European Parliament and the Council on the scope, objectives and priorities for each thematic programme on the basis of formal communications to both Institutions. The result of this process will provide the political orientations for the subsequent stages of programming, notably the thematic strategy papers to be drawn up in accordance with the provisions of the above instruments.

The aim of this Communication is to propose the features of the thematic programme for the cooperation with third countries in the areas of migration and asylum.

2. CONTEXT

2.1. Analysis of the theme

Migration is at the heart of the political debate in Europe and is one of the strategic priorities in the external relations of the Union. After having been for more than two centuries a region of emigration, Europe has become one of the main destinations for international migrations. The imbalances between on the one hand rich, democratic and stable European states in which the population is ageing, and, on the other hand, poorer, less stable states with young and fast growing populations, explain this development which can be expected to continue in the years ahead.

¹ See Communication from the Commission to the Council and the European Parliament on "External Actions through Thematic Programmes under the Future Financial Perspectives 2007-2013" - COM(2005) 324, 3.8.2005.

The present migration situation is marked by the rise in the absolute number of migrants, including in the number of women, the multiplication of the types of migration, the increase in trafficking in human beings, the growth of diasporas, the integration challenges for the migrants and the host countries, the strengthening of ties with people who have stayed in the country of origin, the diversification of destinations and origins, and the multiplication of migration routes. The migratory pressure is increasingly heavy on Europe and other industrialised countries, while south/south migration constitutes an important phenomenon (underlining the importance of also considering south/south migration and related factors). In some cases, countries which until recently were only origin and/or transit countries have also become transit or host countries, e.g. certain Central and Eastern European and North African countries. However, these countries are not always equipped and their infrastructure and staff in charge of managing migration are sometimes inadequate for coping with these situations. At the same time, people who are planning to emigrate need advice and practical help, while those returning to their country of origin may in many cases need support for their reintegration.

In this context, and although it is impossible to give reliable estimates, illegal immigration constitutes an increasingly widespread phenomenon. While an important part of illegal migrants work in the European economies and labour markets, illegal immigration, part of which is a result of smuggling of and trafficking in human beings, is also a source of various problems. Destination countries, including all European Union countries, are developing specific policies to fight illegal immigration, while at the same time making more coherent their policies to manage migration and to promote its social and development dimensions. However, to be effective and efficient, these policies require the cooperation of the third countries of origin and transit.

Migration is also part of the developing countries' modernisation process and an intensive debate is currently ongoing on the question of how migration can better contribute to development. Within the framework of these reflections, a first issue is the potential of migrants' remittances and, in particular, how to reduce the transfer costs of migrant workers' remittances and to examine ways of encouraging development-oriented investment. Though developing countries may see benefits from emigration of low-skilled citizens, the emigration of medium and high-skilled workers can be a loss of human resources. The search for measures to address this problem of "brain drain" and to promote brain circulation instead constitutes a second strand as regards migration and development discussions. Lastly, attention is also paid to encouraging the contribution from the diasporas to the development of their country of origin.

Contrary to economic migration or migration for family reasons, migration caused by conflict and insecurity is usually of a more cyclical nature. Mass departure is often followed by mass return once the security situation has improved. This type of forced migration generates refugees who move to nearby regions where protection or immediate refuge can be found. Refugees can put strain on the political, economic and social structures of the host countries, which do not always have the infrastructure and the legislative and administrative means to cope. Protracted refugee situations can increase pressure on economic and environment resources and can sometimes create tensions, as well as generating secondary movements.

All these developments affect the bilateral and regional relations of the European Union with third countries.

2.2. Political framework in place

The Amsterdam Treaty created the legal bases for a Community policy on immigration and asylum. The goals of this policy, as laid down by the Treaty, were concretized by the European Council of Tampere (October 1999) and, after having been further developed through successive European Councils, were re-examined by the European Council of The Hague (November 2004). They concern the management of migratory flows, the setting up of a common asylum regime, the equitable treatment of the third-country nationals and the partnership with third countries within an overall, coherent and balanced approach. As regards cooperation with third countries, the Hague Programme stated in particular that the “EU should aim at assisting third countries, in full partnership, using existing Community funds where appropriate, in their efforts to improve their capacity for migration management and refugee protection, prevent and combat illegal immigration, inform on legal channels for migration, resolve refugee situations by providing better access to durable solutions, build border-control capacity, enhance document security and tackle the problem of return”².

The Commission responded to these calls by incorporating the questions related to migration and on asylum in its political dialogues with third countries and by mainstreaming these questions in its cooperation strategies. This included also proposing comprehensive approaches as it was recently the case through issuing the Communication of 30 November 2005 on Priority Actions for Responding to the Challenges of Migration: First Follow-up to Hampton Court³.

Moreover, in 2003, the Commission proposed a new specific instrument, the AENEAS⁴ programme (budget article 19 02 03), intended to be the successor of the preparatory actions financed from the budget heading B7-667 between 2001 and 2003, with a view to assisting the third countries in their efforts for better managing migratory flows. This instrument, adopted through co-decision procedure in 2004, was created to cover the period 2004-2008 and was endowed with a budget of € 250 million⁵. In view of the conclusion at the end of 2006 of the current EU financial framework⁶, the duration of the AENEAS Programme is now being shortened to three years and a new thematic programme, subject of the present document, is to be created which will, inter alia, continue the AENEAS activities within the framework of the Financial Perspectives 2007-2013.

2.3. The interventions financed in the past and the lessons drawn

a) *Interventions within the framework of the geographical instruments*

Even if the new thematic programme on migration will not cover the pre-accession countries, it is relevant to note that migration, asylum, border control and the questions of visa received and will continue to receive close attention within the framework of Enlargement. Between

² 14292/1/04 REV 1, Presidency Conclusions – Brussels 8 December 2004 Chapt. 1.6.1.

³ COM(2005) 621.

⁴ The name “Aeneas” has been taken from the hero of the Aeneid of Virgile.

⁵ € 30 million for 2004, € 45 million for 2005, € 45 million for 2006, € 60 million for 2007 and € 70 million for 2008 (indicative annual distribution).

⁶ This also explains why the Revised version for 2006 of the reference document of the AENEAS Programme 2004-2006, which had to plan the activities of the latter for the budgetary years 2007-8, and had been included (point 2.7. (b) into the Action Plan implementing the Hague Programme approved by the Council on 10 June 2005 will be not any longer carried out .

1997 and 2003, a total amount of € 413.3 million were spent for various projects in these fields under the PHARE national programmes for the 10 applicant countries. A large number of these projects consisted of "twinning" which resulted in the provision of experts of the Member States to the administrations of the applicant countries.

If one refers to the geographical instruments such as TACIS and MEDA, approximately € 450 million were programmed for the period 2002-2006, with a view to financing actions directly related to migration, mainly in the Balkans, in the Mediterranean and in Eastern Europe. The main intervention sectors concerned the strengthening of the institutional capacities, the improvement of border control, the fight against illegal immigration and trafficking in human beings, the return and reintegration of refugees and displaced persons, the improvement of reception policies and facilities for asylum applicants and refugees.

For Asia, Latin America and sub-Saharan Africa, the nature of the operations financed until now has been more closely related to refugees and displaced persons than to migration policy itself.

b) Interventions under the preparatory actions 2001-2003

Budget heading B7-667 was created in 2001, to allow the adoption of preparatory actions in the field of migration and of asylum. It was endowed with an overall amount of € 10 million for its first year. This amount was increased to € 12.5 million in 2002 to reach € 20 million in 2003, i.e. a total of € 42.5 million. During these three years, 49 operations (for an amount often lower than € 1 million), were co-financed.

The management of migratory flows, the prevention of illegal immigration, migrants' reintegration in countries of origin, the link between migration and development, and international protection constituted the main areas of intervention. Geographically speaking, actions were carried out primarily in the Balkans (Albania initially), in Eastern Europe (in particular in Ukraine and Russia), in the Mediterranean countries (Morocco, Tunisia, Turkey) and in Asia (primarily Afghanistan and Sri Lanka).

Operations financed under budget heading B7-667 contributed to ensuring increased visibility of the Community's external action in the area of migration among the Member States, the administrations of certain third countries, as well as within certain specialised international organisations and an increasing number of non governmental organisations. However, because of its new approach and relatively autonomous development compared with the rest of the Community external assistance, action under budget heading B7-667 has sometimes resulted in the financing of operations isolated from the existing programming.

However, the rise in the number of replies to the calls for proposals leaves no doubt as to the growing interest in this instrument. Partners have also diversified, although this aspect remains to be improved.

c) Interventions under the AENEAS programme

In itself, the AENEAS programme constitutes a response to the weaknesses identified under the preparatory actions. In this context, the most innovative aspects consisted in the fact that a programming document was elaborated, identifying in an indicative manner the priorities envisaged for the interventions during the first three years of the Programme (2004-2006). Having been drafted by taking into account the national and regional strategy papers and

indicative programmes, this document contributes to improving the consistency between the approaches developed from both the geographical and thematic instruments.

It is premature to assess the Aeneas Programme in a conclusive manner given the fact that the financing decisions for the proposals selected following the first 2004 call for proposals have just been finalised⁷, while the new call for proposals for the implementation of the annual work programme 2005 has just been launched⁸ and the new annual work programme 2006 is under preparation.

The only point which, at this stage, can be made is that the AENEAS Programme has attracted a larger (although still limited) participation of governmental and non governmental organisations from third countries and EU Member States. This development, which ensues, inter alia, from an increased publicity of the calls for proposals, can only be welcomed.

2.4. The reasons for a thematic approach

The thematic approach is justified by the need to provide a horizontal Community framework to strengthen cooperation between EU actors, third countries and international actors concerned by the migration phenomenon, with a view to encouraging greater understanding of the challenges and contributing to the quest for balanced and mutually satisfactory solutions.

It also responds to the need for integrating migration and asylum issues into the Community policies of cooperation and development, whereas, at the same time, it may contribute to better match the Community's own interests in the fields concerned, while responding to the call for improved policy coherence.

The thematic approach answers the wish of the Commission to ensure greater visibility for the contribution made by the Community's external policy to migration issues and may facilitate the creation of synergies between the Community and Member States approaches in this field.

It should also contribute to more flexibility so that rapidly-changing environments and new migration trends will receive an effective and timely response.

Lastly, the thematic approach answers the need for differentiated approaches which associate all the countries located along the same migratory route or countries confronted with similar challenges in the field of migration and asylum.

3. THE FUTURE THEMATIC PROGRAMME

3.1. General objective and scope

In continuity with the AENEAS programme, the general objective of the thematic programme in the fields of migration and asylum is to bring specific, complementary assistance to third countries to support them in their efforts to ensure better management of migratory flows in all their dimensions.

⁷ 26 projects in North Africa, the Balkans, Eastern Europe, South and Eastern Asia will be co-funded by the Community up to an overall amount of € 30 million, see annex I.

⁸ This work programme will enable the Community to co-fund projects both in North and Sub-Saharan Africa, the Middle-East, Eastern Europe, Central Asia, the Balkans, Turkey, China, Latin America, Caribbean islands up to € 45 million; see Annex II.

The contribution from the thematic programme is not intended to replace interventions programmed in the same fields and financed from geographic instruments: the financing of migration related activities at country or regional level should continue to be primarily envisaged in the context of the geographic instruments. Given that, in principle, the projects financed by the thematic programme will be limited in size⁹, the thematic programme is appropriate to complement interventions from geographic instruments, or propose new initiatives, possibly on a pilot basis, taking account of the strategic approach defined by the Community with regard to the third countries and regions concerned.

It will also be preferred when it offers to the Community a more effective or efficient tool to achieve the expected results, and notably in the following cases:

- to address global or multiregional initiatives;
- to encourage cooperation initiatives in which partners of countries of origin, transit and destination will develop and share experience and working methods on the various aspects of migration;
- to give a concrete expression, in the context of the Community external relations, to specific Community policy priorities, international obligations or commitments;
- to initiate preliminary actions, when and if necessary, in countries and regions for which migration and/or asylum are becoming priority issues but no Strategy Paper or Indicative Programme exists or the latter does not foresee the possibility of interventions in that field because migration and/or asylum were not priorities at the time the Indicative Programme was approved;
- to fund actions through NGO's and other actors of the civil society without government's agreement, in cases where cooperation is restricted or in situations of difficult partnership.

At thematic level, the envisaged programme will cover the major fields of action which correspond to the essential facets of the migratory phenomenon, in particular migration and development; economic migration; prevention of and fight against illegal immigration, including migrants' voluntary return and reintegration; and international protection. Per se, this programme will not finance operations designed directly to address the root causes of migration (conflicts, poverty, bad governance, etc.). Indeed, this pertains to the larger cooperation programmes currently financed under the geographical instruments and in the future, under the European Neighbourhood Policy Instrument (ENPI) and Development Cooperation and Economic Cooperation Instrument (DCECI), better suited for this purpose. Nevertheless, the actions financed on the basis of the programme will be consistent with the Community efforts to address the root causes of migration. The limited scope and the specific and technical nature of this thematic programme makes it particularly adapted to capacity building, notably also staff training. If the supply of equipment related to the activities carried out under this programme may be envisaged, it should however not constitute in itself the essence of the intervention.

⁹ Currently, any grant awarded through a call for proposals under the Aeneas programme fall between a minimum of € 500 000 and maximum of € 2 000 000; and the grant may not exceed 80% and may not be less than 50% of the total eligible costs of the action.

From a geographical point of view, no limitations should be defined *a priori*, all neighbouring and developing third countries covered by the ENPI and DCECI being eligible¹⁰. That being said, the subject of the thematic programme is primarily, although not exclusively, migration to the European Union (south/north and east/west). In this connection, the regions of emigration and transit towards the European Union should be considered in the first place while appropriate attention may also be given to emerging regional or interregional initiatives related to migration as well as to the most relevant south/south migratory flows.

Finally, the thematic programme should also provide the opportunity to finance innovative actions, selected on the basis of their intrinsic qualities and regardless of the geographical region subject to the scope defined above in which they will be implemented.

The respect of democratic principles and the rule of law, of human and minority rights and fundamental freedoms, as well as of the relevant international agreements constitutes an essential element to be taken into account in the implementation of the thematic programme. As far as possible, the actions financed under the thematic programme should be associated with measures aimed at strengthening democracy, human rights, core labour standards and decent work, and the rule of law. Measuring progress in the promotion of these fundamental values is a key element of the needs and performance assessment prior to any further funding of identified actions. This approach would foster the third countries' ownership of migration and asylum related issues.

3.2. Strategic guidelines

On the basis of the objective and scope described above, the thematic programme could cover the same orientations as the AENEAS Programme, although with adjustments made necessary by the policy developments since 2004. Among these policy developments, those referring to migration and development and to legal economic migration are probably destined to exert the more innovative effects. This goes in parallel with the fact that until recently the external dimension of the migration policy has been prevalently built around the objective of better managing the migratory flows with a view to reducing the migratory pressure on the Union. Although this remains a valid goal, the additional challenge today lies in the development of policies which recognise the need for migrant workers to make our economies function in those sectors where the EU is facing labour and skills shortages and, at the same time, which maximise both for the migrants and for their countries of origin the benefits triggered by the migration. This presupposes an approach which goes beyond the questions of border control and fight against illegal immigration, to incorporate other dimensions of the migratory phenomenon, in particular development and employment.

This implies that the future thematic programme would have the following five strands:

- Fostering the links between migration and development;
- Promoting well-managed labour migration;
- Fighting illegal immigration and facilitating the readmission of illegal immigrants;

¹⁰ As regards pre-accession countries including Western Balkans, cooperation in the areas of migration and asylum will continue to be funded under the Instrument for Pre-Accession countries (IPA) as an integral part of the national programmes.

- Protecting migrants against exploitation and exclusion;
- Promoting asylum and international protection, including through regional protection programmes.

3.2.1. *Fostering the links between migration and development*

Migration is an intrinsic part of development and it is generally admitted today that it is necessary to move from a "more development for less migration" approach to one of "better managing migration for more development"¹¹. In December 2002, the Commission presented a Communication¹² on the integration of migration related issues in EU external relations, which included a "migration and development" component. While recognising that the long-term priority of the Community is to address the root causes of migration, it invited the Union to pay more attention to certain specific aspects of the migration and development nexus. The Council endorsed this approach and invited the Commission to develop it further¹³. As a consequence, the Commission issued in September 2005 a second Communication¹⁴ identifying some concrete orientations likely to have a positive impact on the link between migration and development. The thematic programme should support the implementation of the measures identified on this occasion, which include in particular:

- Encouraging the contribution of diasporas to the socio-economic development of their country of origin and increasing the value of migrants' return;
- Mitigating brain drain and promoting brain circulation, including through adequate forms of temporary migration;
- Facilitating the financial transfers of migrant workers (remittances) to their country of origin, in particular by reducing the cost of these transfers and promoting their use for the purpose of development;
- Supporting voluntary return and professional and socio-economic reintegration of migrants in their country of origin, including through assistance with related public policies and social security schemes;
- Building capacities for better managing migration.

3.2.2. *Promoting well-managed labour migration*

In 2003, in its Communication on immigration, integration and employment¹⁵, and in line with the Lisbon agenda, the Commission demonstrated the need to take a proactive approach as regards legal immigration for the purpose of employment. Such an approach is necessary in order for the Union to face the demographic, social and economic challenges to which it is confronted more and more acutely. Immigration is not the sole option to cope with these challenges but, at least in the short and mid-term, it can contribute to reducing their consequences while helping to meet the needs of the European Union labour markets.

¹¹ Title of a seminar organised in 2005 by the International Centre for Migration Policy Development (ICMPD).

¹² COM(2002) 703.

¹³ See on this subject the Council conclusions of May 2003 on migration and development.

¹⁴ COM(2005) 390.

¹⁵ COM(2003) 336.

At the beginning of 2005, the Commission issued a Green Paper on a Community approach for the management of economic migration¹⁶, which aimed at identifying the main challenges and the possible options for setting up a Community legislative framework for economic migration. The results of the public debate on this Green Paper have been fed into the Policy Plan on legal migration, adopted by the Commission on 21 December 2005¹⁷. In this policy Plan, which contains a roadmap for a whole range of legislative and non-legislative measures, the Commission emphasises that the management of economic migration requires not only a clear and harmonised admission policy, but also dialogue and cooperation with third countries in order to jointly improve the management of international labour migration. In this connection, external relations and cooperation policies have a role to play, without prejudice to the principle of Community preference, as it is clear that full use has to be made of the labour resources available within the EU. In reference to this, the thematic programme could help to:

- Disseminate information about the legal framework for migration and conditions of entry in and stay on the territory of the Union;
- Disseminate information about labour migration opportunities and needs in Member States and about qualifications of third countries candidates to migration; support to pre-departure training for candidates to legal migration to the European Union including information about integration in Member States and migrants' rights and obligations;
- Encourage the definition and implementation of legislative frameworks for migrant workers in third countries.

Taking into account the recent Communications on migration and development and on EU/EC Strategy for Action on the Crisis in Human Resources for Health in Developing Countries¹⁸, the orientations proposed in the second and third indented lines of this section should be implemented while fully taking into account the need for avoiding "brain drain". Consequently, attention should be paid to declared structural or temporary needs in certain sectors/occupations/regions in third countries compounded by the "brain drain". It would also require a comprehensive and coherent approach to ethical recruitment of workers.

3.2.3. *Fighting illegal migration and facilitating the readmission of illegal immigrants*

Preventing the unauthorised entry of migrants remains essential. Consequently, the control of migration remains a strategic priority in the medium-term. This thematic programme should contribute to this priority by supporting co-operation projects with third countries, in particular coordination between institutions in charge of migration management, in the following fields:

- Fight against smuggling of and trafficking in human beings;
- Information aiming at discouraging illegal immigration and at raising awareness about the risks related to it;

¹⁶ COM(2004) 811.

¹⁷ COM(2005) 669.

¹⁸ COM(2005) 642.

- Prevention and fight against illegal immigration (including through improving capacities in the areas of border; visa and passport management, including the security of documents and possibly the introduction of biometric data; and detection of forged documents);
- Implementation of readmission agreements concluded with the Community, including social and professional reintegration of returnees with the aim of making their return sustainable;
- Assisting third countries in the management of illegal immigration (assisting them in the negotiation and implementation of their own readmission agreements or arrangements with other third countries, which may include ensuring adequate humanitarian conditions in centres where illegal immigrants are accommodated before their repatriation, supporting their voluntary return and sustainable reintegration in their country of origin).

In that context, attention must be given to the respect of fundamental freedoms and human rights, and specific criteria should be defined to ensure more effectively the respect of human rights and to benchmark the projects as regards their impact on human rights.

3.2.4. Protecting migrants against exploitation and exclusion

Promoting in third countries, including through the capacity building of non state actors and the training of key stakeholders, the possibility for migrants to be integrated into the host societies and to be protected against mistreatment should be a priority for this programme as it was for AENEAS. Interventions could cover the following areas:

- Developing third countries' legislation in the field of legal immigration, in particular as regards admission rules, the rights and status of persons admitted, equal treatment of legal residents;
- Integration and non-discrimination as well as measures to protect migrants from racism and xenophobia, including awareness raising among migrants on their basic rights and the appropriate channels of law enforcement in case of their infringement;
- Prevention of and fight against trafficking in human beings and any form of slavery.

In implementing these orientations, due consideration should be given to the protection of migrants particularly exposed to the risks of mistreatment and exclusion, notably children and women. Also the rights of migrants to decent work conditions and to fair treatment in the social and professional sphere should be taken into account.

3.2.5. Promoting asylum and international protection of refugees

Asylum-related issues have risen in priority in the EU's external relations and development cooperation with third countries confronted with the movement of refugees. At global level, the 1951 Geneva Refugee Convention and the 1967 New York Protocol constitute the legal framework, which govern the international protection regime. UNHCR's "Agenda for Protection" and "Convention Plus" initiatives aim to facilitate the resolution of refugee situations through special agreements between States, other partners and UNHCR; they focus in particular on resettlement, the targeting of development assistance and the management of secondary movements of refugees and asylum seekers. The EU shares UNHCR's view that

solutions to refugee problems should be found first and foremost in regions of origin, which often host the largest refugee populations. These countries also often lack the institutional and financial capacity to address these challenges alone. The enhancement of capacities to offer effective protection and durable solutions in regions of origin – through asylum capacity-building, local integration, repatriation and resettlement – is an objective that the Commission promotes in its external assistance. This is also reflected in the EU approach to the international protection regime, delivered through pilot Regional Protection Programmes (like for the Western NIS and Great Lakes region in Africa).

One of the objectives of the AENEAS programme is to support these developments and the implementation of these pilot Regional Protection Programmes. In this way, the thematic programme should continue the Community's support for durable solutions to protracted refugee situations, and in particular to:

- Strengthen third countries' institutional capacities to provide asylum and international protection, and to develop national legal frameworks;
- Support the registration of asylum applicants and refugees;
- Promote international standards and instruments on the protection of refugees;
- Support for improving reception conditions, local integration, the durable reintegration of returnees and resettlement programmes.

While the situation for refugees is very different from that of economic migrants, many of the initiatives to be developed under the other strands of this programme – for example, encouraging the contributions of diasporas, facilitating the transfer of remittances, protection against discrimination, etc. – should also benefit refugees.

3.3. Programming and implementation principles

This thematic programme will be subject to multiannual programming by the Commission in parallel and in coherence with the programming of assistance through the geographic programmes. The multiannual programming will take the form of a Thematic Strategy Paper and a multiannual indicative programme. The first Thematic Strategy Paper and multiannual indicative programme will be established for the period 2007-2010; the second, for the period 2011-2013.

On the basis of the Thematic Strategy Paper and the multiannual indicative programme, the Commission will produce each year an annual work programme, setting the priority actions to be supported, specifying geographic and thematic areas, the specific objectives, anticipated results and indicative amounts. In the establishment of the annual work programme, the Commission may consider possible new priorities and developments not foreseen in the multiannual indicative programme. This annual work programme will be implemented through all appropriate means, in compliance with the applicable financial and contractual rules, with a certain margin of flexibility to respond timely and effectively to rapidly-changing environments and new migration trends and priorities.

Furthermore, in the event of serious unforeseen or serious urgent needs¹⁹ or circumstances, the Commission may adopt special measures not provided for in the thematic strategy paper or in the multiannual indicative programme in accordance with the relevant provisions of the Regulations setting up the ENPI and DCECI.

Potential response to crisis situations should primarily be considered in the context of the Stability Instrument.

The Commission will be assisted by a Committee, in accordance with a procedure to be defined by the relevant legal acts.

The list of partners eligible for financial support under the thematic programme should be as broad as possible and include federal, national, provincial and local governments, their departments and agencies, municipalities, regional and international organisations and agencies, as well as non-governmental organisations or other non-State actors, research institutes, associations, social partners and public and private operators, both in the European Union and in the third countries, with the emphasis being placed on partnership between them.

The Commission intends to involve third countries in the actions financed from the thematic programme in order to develop their ownership. For this purpose, via appropriate channels (delegations, joint committees, meetings, regular exchange in the framework of bilateral cooperation agreements, etc.), third countries will be informed of the calls for proposals and actions programmed and implemented. While the formal agreement and ownership of third countries should be sought, the thematic programme will give the Community a certain autonomy and flexibility vis-à-vis governments of beneficiary countries: the Commission will be free to fund actions through NGO's and other actors of the civil society without government's agreement, in cases where cooperation is restricted or in situations of difficult partnership.

An external evaluation of the operations during the first three-year period (2007-2009) will be carried out to provide input to the preparation for the second Thematic Strategy Paper (2011-2013). To the extent possible, this evaluation should assess the combined effects of the migration management measures and those measures and actions related to improving the impact of migration on development, to promoting well managed labour migration and to improving international protection. The opinion of the partners which implement projects funded by the thematic programme should be taken into account in the context of this evaluation. The evaluation report will be transmitted to and discussed with the Council and the European Parliament.

¹⁹ See also Conclusions of the Presidency, Brussels European Council, 15 and 16 December 2005, Annex I – Global Approach to Migration.

ANNEX I

Projects selected for co-financing by the European Commission under the 2004 budget for the AENEAS Programme

(financial and technical assistance to third countries in the areas of migration and asylum)

Applicant	Project Title	Location	EC contribution	Actions and objectives
Direccion General d'immigracion de la Cooperación para el Desarrollo y el Voluntariado de la Comunidad de Madrid	Accompagnement à l'amélioration des conditions d'accueil et de protection des mineurs de 14 ans regroupés en provenance du territoire de la Communauté de Madrid	Espagne et Maroc	1.999.999,00 €	Le projet a pour but de résoudre les problèmes qu'éprouvent des mineurs de moins de 14 ans d'origine marocaine, qui se trouvent tout seuls, non accompagnés et en situation irrégulière dans la région de Madrid. Il propose de mettre en place un mécanisme qui garantisse leur protection depuis leur identification et facilite de façon efficace et effective leur retour auprès de leur famille dans leur milieu et pays d'origine.
UNHCR	Building an Asylum structure in Serbia and Montenegro	Serbia et Montenegro	698.005,92 €	to assist Serbia and Montenegro in developing the asylum structure.
ERA	Training Action for the Balkans , Three intensive seminars on Asylum and International Protection for 120 civil servants	Balkans	512.617,00 €	Three seminars, one week each, will first and foremost give a general overview of all the issues related to the migration and asylum, in particular: legal migration; dialogue on migratory flows; readmission and reintegration of the returnees; illegal immigration.
Ministry of Interior, Public Administration and Decentralisation of the Hellenic Republic	Building on Mechanism to effectively and sustainably implement readmission agreements between Albania, the EC and third countries	Albanie et Greece	1.454.768,00 €	The main set of activities will be: capacity building of return and readmission entities in Albania; cooperative approaches to information exchange between administrations in the implementation of readmission agreements; building mechanisms of return to and from Albania including improving the identification of illegal immigrants bound for readmission and the re-integration of returnees.
Ministry of Interior Italy Across Sahara		Italy, Libya and Niger	1.567.158,27 €	enhancing cooperation between Libya and Niger in border control and fight against illegal migration, to organise their structures and to consider revision of legislation; training of trainers/officers of staff employed in specific sectors of interest
IOM	Enhanced Capacity building in Migration Management to Support Effective Return and Sustainable reintegration of refugees in Sri Lanka	Sri Lanka	1.873.464,00 €	To enhance the capacity of the Government of Sri Lanka to manage migration with a particular focus on return migration. To enhance measures to assist in the sustainable reintegration of returning migrants
IOM	Programme de renforcement et de soutien au Dialogue et à la gestion des migrations irrégulières et de Transit au Maghreb en provenance de l'Afrique de l'Ouest	EU, Maghreb, Afrique Sub-Saharien	1.561.245,56 €	Renforcement du dialogue et des mécanismes de suivi et de coordination Coopération technique en matière de renforcement des capacités institutionnelles des pays de transit et d'origine Campagnes d'information auprès des migrants potentiels au sein des pays émetteurs
IOM	An integrated approach to promoting legal migration through national capacity building	South Caucasus	777.397,00 €	to prevent illegal immigration, facilitate discussions on conclusion of bilateral readmission agreements based on the EU-standard, enable improved reintegration, and promote legal migration within each South Caucasus country and bilaterally with targeted receiving EU member states through dialogue and capacity building.
UNHCR	Strengthening protection and durable solutions for asylum seekers and refugees in Egypt	Egypt	524.058,00 €	Strengthening Protection and Durable Solutions for Asylum-Seekers and Refugees in Egypt

UNHCR	The cross border cooperation process	Belarus , Moldova, Ukraine	1.307.898,40 €	develop a coordinating mechanism to effectively respond to asylum, migration and border management challenges in Belarus, Moldova and Ukraine, and in the region at large in close cooperation with Estonia, Hungary, Latvia, Lithuania Poland, Romania, Slovakia.
ILO	ILO/UNIFEM/EC Asian Programme of the Governance of Labour Migration	countries of the Mekong region China Korea Japan and South Asia countries	1.955.335,00 €	contribute to the promotion of rights and gender-based governance of labour migration and the protection of Asian migrant workers from exploitative and abusive treatment
IOM	TRIM	Libya	2.000.000,00 €	the Action will strengthen Libya's capacities to address illegal transit immigration in a humane and orderly manner
IOM	Regional Dialogue and Program on facilitating managed and legal migration between Asia and the EU	Asia	848.583,00 €	develop legal migration and enhance regional dialogue and cooperation in facilitating managed migration from Asia to the EU
CISP - Comitato Internazional per lo Sviluppo dei popoli	Projet réseau Afrique/Migration	Maghreb et Libye	1.307.131,00 €	Le projet vise à renforcer l'engagement opérationnel et la collaboration régionale des acteurs de la société civile en matière de gestion des flux migratoires, en particulier l'immigration illégale et le trafic des êtres humains, par la mise en place et la livraison d'un ensemble de services en faveur des immigrés illégaux, par la croissance de la perception et des informations de l'opinion publique et des autorités locales maghrébines sur la réalité de la migration et, enfin, par le renforcement et l'élargissement du réseau Afrique Migration.
Comune di Roma	W.A.R.M.	Albania	1.215.196,00 €	Reintegration of Albanian returnees through their insertion on labour market and through micro-enterprises creation.
Euro-Mediterranean Human Rights Network - EMHRN	Enhancing civil society participation in human rights management of migration	Libie et Maghreb	535.598,00 €	Enhancing civil society participation in human rights management of migration and asylum in the Southern Mediterranean and Middle East
Mairie de Cartaya	Programme de gestion integral de l'immigration saisonniere	Maroc Espagne	1.196.000,00 €	Gestion intégrale de l'immigration saisonnière de travailleurs marocains vers un groupe de municipalités agricoles espagnoles.
Guardia Civil Ministry of Interior	Project Seahorse	Maroc Mauritanie	2.000.000,00 €	Establish and develop Maghreb- Sub Saharan African relations and dialogue on migration questions.
MLAL - Progettomondo	Promotion d'une migration responsable	Maroc	868.214,40 €	Promouvoir une migration responsable dans la région de Tadla Azilal en encourageant la conscientisation des jeunes sur les risques de l'émigration clandestine.
World Bank	International migration from Middles East and North Africa	Middle East and North Africa	733.570,00 €	identify and support the implementation of projects, policies, regional arrangements, and institutional reforms that will maximise the benefits of international migration flows and reduce their costs
Croatian Law Centre	Protection of Asylum seekers in the Republic of Croatia and Region	Croatia and region	1.000.000,00 €	Strengthening the protection in CRO and region (BH, SMN) by developing asylum system consistent with international standards.
European Council on Refugees ,and Exiles - ECRE	The protection of refugees asylum seekers and forced migrants	Belarius, Moldova, Russia, Ukraine	529.705,00 €	Improve the implementation in Belarus, Molodva, Ukraine and European Russia of national and international refugee and human rights instruments – leading to increased security and protection for refugees.
Institut Universitaire Européen	Action collective dee soutien à la réintégration des migrants de retour dans leur pays d'origine	Algerie Maroc Tunisie	1.076.000,00 €	soutenir la réintégration durable des personnes en retour en Algérie, au Maroc et en Tunisie (Construction d'une base de données sur les personnes en retour, production de rapports sur le retour et la réintégration, rencontres sur le thème de la réintégration, présentation de propositions
COOPI - Cooperazione Internazionale	ALBAMAR	Albanie et Maroc	1.334.572,00 €	definition and implementation of an integrated support to Moroccan and Albanian migrants forcibly or voluntarily repatriated from Italy that are highly exposed to the risks of illegal migration and criminal activities

VASA PRAVA - BiH	Strengthening the protection of asylum seekers	BiH	616.562,98 €	ensuring a maximum protection and access to justice for asylum seekers, recognized refugees and other categories of persons under international protection in BiH, and victims of human trafficking, ensuring the full access to their rights via the provision of free legal aid and information campaigns
Cabinet of Secretary for Security of the Macao Special Administrative Region	2005/2006 MIGRAMACAO	Macao , China	500.904,80 €	The aim of the MIGRAMACAO action is to ensure entities of Macao more effective management in all aspects of migration flows, including the prevention and combating of illegal immigration and trafficking in human beings through the cooperation with regional countries and the coordination with the EC
			29.993.983,33 €	

ANNEX II

AENEAS ANNUAL WORKPROGRAMME 2005

Regions	Regions and countries	Areas	Article	Objectives	Types of activities (indicative)	Indicative amounts (million €)	AWP
All regions	Countries concerned by readmission negotiations	Readmission	Art 2 § 1 e	Support implementation of readmission agreement with the EC, once initialled, signed or concluded.	Develop the exchange of information between the administrations concerned, improve the identification and the documentation of returnees, improve the infrastructure of reception and develop capacity of reception of non-national returnees before transfer to their country of origin.	3.35	2005

North Africa	Countries of the region to be determined	Management of Migration+ Asylum and International Protection+ Fight against illegal migration	Art. 2 § 1 c & d	1. Improve conditions of reception of refugees in the region. 2. Improve international protection, complying with international conventions and reinforce legal structures in the regions. Promote regional cooperation in the field of management of migration flows, especially transit migration, illegal migration and trafficking in human beings.	1. Improvement of the conditions of reception and of the capacity of registration and of documentation of asylum seekers and refugees as well as of integration in the host country. 2. Development of a regional dialogue on asylum and strengthening of the legislative capacities and of the expertise available in the region. 3. Development of exchange of expertise and advice with the EU. 4. Development of the training of the administrations concerned. Development of the transnational coordination of the central services for fight against illegal immigration in view of encouraging coordination, dialogue, exchange of experience and information between the specialised services of the national administrations. 5. Development and setting up of a protocol defining short and medium term immediate responsibility for the victims of shipwreck and clandestine passage. Setting-up of an entity for legal assistance and support to the investigators allowing to reconcile the humanitarian responsibility and the research of the a	3,0	2005
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Eastern Europe, Southern Caucasus and Central Asia	All the countries of the region and Russia in particular	Legal migration	Art 2 § 1a & b	1. Improve the protection and the treatment of migrants 2. Improve the policies related to the management of immigration for labour purposes	1. Development of the training of staff and exchange of information and experience, creation of a network for information concerning migration for economic purposes. Support of actions for fight against racism and xenophobia towards migrants. 3. Capacity building of regional and national authorities in order to evaluate the needs and perspectives for foreign workforce and putting in place of appropriate strategies and pilot projects.	3,0	2005
Eastern Europe, Southern Caucasus and Central Asia	Moldova, Belarus, Armenia, Georgia, Azerbaijan, Tajikistan	Legal Migration	Art 2 §1 a& b	Facilitate the use of remittances in favour of the macroeconomic development of the countries concerned.	Support initiatives in view of using remittances for productive goals.	2,0	2005
Eastern Europe, Southern Caucasus and Central Asia	Russia, Ukraine, Moldova and Belarus	Asylum and international protection.	Art.2.§ 1 c	Improve international protection	Improvement of the conditions of reception and of the capacity of registration and of documentation of their asylum seekers and refugees as well as of integration in the host country.	2,0	2005

Eastern Europe, Southern Caucasus and Central Asia	All the countries of the region of Eastern Europe, Southern Caucasus and Central Asia	Fight against illegal migration	Art 2 §1 d	Fight against trafficking and smuggling of human beings	Promotion of cooperation and of information exchange at the regional level, management of transit migration and fight against false documents 2. Development of the capacities to persecute traffickers and of protection and reintegration of victims 3. Development of information and awareness-raising of candidates for migration 4. Staff training for detection of false documents.	5,0	2005
Balkans	Region as a whole	Management of Migration	Art 2 § 1	Support the development of national policies according to a unified approach in the fields of migration and asylum and visa	Improve the management capacity of the institutions involved in the fields of asylum, migration and visa.	4,0	2005
Turkey	Turkey	Asylum and international protection.	Art. 2 § 1 c	Reinforce asylum systems	Improve the necessary reception conditions and the capacity in the field of registration and documentation of asylum seekers and refugees as well as their integration in the host country.	1,0	2005
Turkey	Turkey	Fight against illegal migration	Art 2 § 1 d	Increase the fight against illegal migration	Contribute to the implementation of the action plan for fight against illegal immigration	1,0	2005

Asia	China	Fight against illegal migration	Art 2 § 1 d	Improve the cooperation EU/RPC in the field of the fight against illegal migration and smuggling of human beings.	Development of exchange of information, of cooperation and recognition of respective knowledge of systems between administrations of the RPC and the EU, especially in the field of return, false documents and biometrics.	4,0	2005
Latin America	Region as a whole (and in particular the countries of the Andean Community Argentina and Uruguay).	Legal Migration	Art 2 § 1 a & b	Support the developpement of the interregional dialogue EU/LAC	1. Promote a more efficient use of remittances in the macro-economic development of the country. 2 Establish and/or develop systems for data collection and treatment in the field of migration flows.	3,0	2005
Sub-Saharan Africa	All the countries of the region.	Migration and development + Legal Migration	Art 2 § 1 a & b & d	Support improvement of laws, policies and management structures in the field of migration especially through actions of regional character.	1. Reinforce the link between migration and development (notably by improving transfer systems for remittances, enhancing the role of diasporas, limiting 'brain drain', favouring "brain circulation" and starting experiences at intra-regional level); 2. Facilitation and circulation of legal migrants; 3. Fight against smuggling of human beings and illegal immigration; 4. Develop the capacity of authorities and responsible organisations to collect and analyse data on migrants and to manage	5,0	2005

					the questions related to migration.		
Sub-Saharan Africa	Countries receiving important quantities of refugees (with a priority for Tanzania)	Asylum and International Protection	Art.2.§ 1 c	Develop sustainable solutions in favour of refugees	Reinforce the capacity of protection in the host regions especially in order to 1) support the management capacity of the national authorities 2) develop registration and documentation systems for refugees et 3) tackle the problems concerning their integration in the host regions	4,0	2005
						40,350,000	