



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE, FREEDOM AND SECURITY
Directorate B : Immigration, Asylum and Borders
Unit B2 : Immigration and asylum

MIGRAPOL
European Migration Network
Steering Board
Doc 3

EUROPEAN MIGRATION NETWORK

WORK PROGRAMME 2008

**Version for Commission Adoption
of 24th September 2008**

Summary: In accordance with Article 4(5a) of the Council Decision 2008/381/EC establishing the EMN legal base, approval of the EMN Work Programme by the Steering Board is required before formal adoption by the Commission.

At the 1st meeting of the Steering Board on 23rd May 2008, Members unanimously approved the Work Programme 2008.

Following this, the Commission launched an internal procedure for the formal adoption of the Work Programme. The version here, therefore, is that which has been put forward for formal adoption, following an inter-service consultation.

0. Introduction

The proposal for an EMN Work Programme for the year 2008 is based on the experiences of the work and activities undertaken by the EMN during the Preparatory Phase, as well as during the interim period 2007. Only once the Council Decision establishing the EMN has been made, and then approval from the Steering Board followed by adoption by the Commission, can the activities be considered as formally approved.

Given the intention for the EMN to involve National Contact Points (EMN NCPs) from all Member States, with the result that there may be a number of new EMN NCPs unfamiliar with its activities; a modified *modus operandi* for the EMN; and a likely delay in financing; activities for 2008 will have two phases. The first phase, up to the third quarter of 2008, will focus on completing activities from 2007 and re-establishing the EMN, including integrating new EMN NCPs and, in order to assist the Commission in their co-ordination of the work of the EMN, appointing a service provider. The second phase, mainly corresponding to the fourth quarter of 2008, will then focus more on delivering outputs consistent with the EMN's mandate.

1. Overall Objectives of the European Migration Network

As given in Council Decision 2008/381/EC, the objective of the European Migration Network (EMN) is to meet the information needs of Community institutions and of Member States' authorities and institutions on migration and asylum, by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policy-making in the European Union in these areas. The EMN will also serve to provide the wider public with such information.

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

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

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

2. EMN Work Programme 2008: Priorities of Action

The main objective of this year will be to fully develop the EMN from a preparatory action to a formalised structure based on a legislative instrument. The EMN will initially take the necessary steps towards re-establishing the EMN, following its interim period, in particular to fully integrate new National Contact Points and, in order to assist the Commission in their co-ordination of the work of the EMN, appointing a service provider. The participation of all Member States into the EMN's activities will reinforce its comparative and analytical capacity.

The EMN will also continue to monitor and analyse relevant migration and asylum processes, including integration, at the European and national levels, with the central focus being on analysis, networking activities and documentation, in order to support policy-making, including the provision of information to prepare policy initiatives of the Commission. Such contributions will, typically but not exclusively, be in the form of a Study and/or Ad-Hoc Query on a topic proposed by the Commission, which could then form part of the Impact Assessment accompanying proposals from the Commission.

To achieve the main objectives, a structured and harmonised combination of the EMN's documentation and analysis activities is required that will be centred around topics following the orientations and priorities of EU migration and asylum policy, as laid down *inter alia* in The Hague Programme. The continued provision and development of an internet-based EMN Information Exchange System will further support the integration of heterogeneous information, as well as the dissemination of EMN outputs. The EMN Information Exchange System will *inter alia* contain the studies and reports prepared by the EMN; the means to access documents used to produce such reports; a migration and asylum Glossary and Thesaurus and a database (or link to other existing ones) of national and Community resources in the area of migration and asylum.

The following priorities are set for 2008:

- **Integrate EMN NCPs** from all Member States, providing the necessary information, support, training and tools for implementing their activities;
- Further development of communication, interaction and **networking at the national and European level**, particularly with relevant Community instruments and structures;
- **Improve comparability** of information at the EU-level by contributing *inter alia*, in collaboration with other relevant entities, to the development of common definitions, indicators and criteria;
- Update and maintain the **EMN Information Exchange System**, including continued development of the **EMN Glossary and Thesaurus** and harmonising or integrating with relevant thesauri and glossaries used by other entities dealing with migration and asylum matters;
- **Increase the visibility** of the EMN through *inter alia* widespread dissemination of its outputs, making it better known among national, European and international organisations, and among initiatives and institutions working in related areas, as well as by a regularly updated website.

These priorities will also serve as the basis from which will start, towards the end of 2008, activities to **support policy-making**, particularly through undertaking **relevant studies** within the EMN and, when appropriate, together with third parties. With reference to Recital (6) and in accordance with Article 2(2) of Council Decision 2008/381/EC, the EMN, in the implementation of these priorities, shall take steps to avoid duplicating the work of existing Community instruments or structures whose purpose is to collect and exchange information in the areas of migration and asylum and to provide an added value in comparison with them, in particular through the broad scope of its tasks, a strong focus on analysis, links with the academic community and the public availability of its outputs.

3. Activities to be implemented by the EMN NCPs and the Commission (assisted by service provider)

3.1 Networking

In order for the EMN to best meet its main objective, it is essential that EMN NCPs collaborate effectively in the exchange of information. Initially this will focus on reinforcing links between current EMN NCPs, as well as the integration of new EMN NCPs. Ultimately, each EMN NCP should also establish a national migration network composed of a wide-range of organisations and individuals active in the area of migration and asylum and representing all relevant stakeholders. Members of the national migration network may then be called upon to contribute to the activities of the EMN. EMN NCPs with existing national networks should continue to develop and further consolidate these, whilst new EMN NCPs will have sufficient time and support, including through twinings, in which to develop their national networks. Another focus of action will be to solidify the position of EMN within the landscape of existing European organisations and institutions with a similar scope.

3.1.1 Actions to be implemented

3.1.1.1 Networking amongst EMN NCPs

It will be the responsibility of the Commission, along with more-experienced EMN NCPs, to facilitate the integration of new EMN NCPs in particular. Actions to be undertaken include *inter alia*:

- The provision of access to all information related to the EMN and to undertake twinning collaborations between more-experienced and recent EMN NCPs, in accordance with the *Action Plan for increased participation of EMN Members and of EMN visibility* (MIGRAPOL EMN Doc 90), in order to facilitate information exchange;
- Undertaking Training Sessions at the European or national level organised by the Commission, which will focus on technical and administrative issues within the EMN and include training on general EMN activities (besides analysis), such as documentation or information collection, use of the EMN Information Exchange System, networking, development of a national network.
- Holding 5 – 6 formal EMN Meetings organised by the Commission, in collaboration with EMN NCPs, in order to discuss progress made towards achieving the goals set out in this Work Programme.

3.1.1.2 Networking at the national level

EMN NCPs should work towards the following goals, particularly in the fourth quarter of 2008:

- Maintain or where necessary develop and/or extend the national network to ensure an appropriate balance between the members of the national networks, facilitating coverage of the full range of EMN activities and allowing different voices to be heard;
- Integrate the members of the national networks further into EMN activities (data generation, collection, analysis, harmonisation, research and policy development);
- Secure a close exchange of information with policy-makers at the national level to enhance the EMN's role in responding quickly to upcoming information needs that are relevant to policy-making;
- Maintain or implement IT solutions to facilitate the exchange of information with the national partners;
- Provide information to national network members about current EMN activities.

Ideally at least one national network meeting by each EMN NCP, to discuss EMN activities and research findings with national experts, key actors and stakeholders, should be organised in order to facilitate achieving these goals. The Commission, as well as other EMN NCPs, could be invited to such events if considered appropriate.

3.1.1.3 Networking with other European entities

It will be the role of the Steering Board to identify the most appropriate strategic co-operative relationships with other European organisations, institutions and networks pursuing similar objectives and approve, when necessary, the administrative arrangements for the co-operation. The Commission will then be responsible for overseeing and reporting on this co-operation, in collaboration with the EMN NCPs. In accordance with priorities set by the Steering Board, it will be the responsibility of all EMN NCPs to establish and further develop working relationships with such entities, in particular to:

- Identify further co-operation possibilities, maintain existing contacts and establish new working contacts and co-operation mechanisms;
- Discuss work programmes, priorities of action and activities in order to avoid overlaps and to create synergies;
- Develop further a possible common study, to be undertaken in 2009, between the EMN and the Fundamental Rights Agency (FRA).

3.1.2 Outputs

The EMN NCPs are each expected to produce:

- For each EMN meeting, a **Work Progress Report** summarising the activities undertaken since the previous meeting in order to achieve the goals set out previously; (each 1 - 2 pages)

The Commission, assisted by the service provider, will produce and organise:

- One **EMN Networking Report** compiling the Work Progress Reports to summarise the overall actions implemented in order to achieve the goals set out previously; (4 - 5 pages)
- One **European Networking Report** describing in detail the activities undertaken and progress made in developing stable working relations with European organisations and networks with similar activities in the field; (3 – 5 pages)
- Following guidance from the Steering Board, arrange **discussions, as part of an EMN meeting, with (potential) European partners and in particular the Fundamental Rights Agency**, to discuss possibilities of co-operation, information sharing and joint activities;
- Prepare for the Steering Board, **a paper on further co-operation possibilities**, common activities and information sharing. (3 – 5 pages)

3.2 Reports and Studies

The combination of EMN information collection with analysis contributes to providing more and better information and understanding on migration and asylum in EU Member States. Given the increased focus on the support of policy-making, primarily at EU-level, these analyses should be on topics of relevance to current policy initiatives or in areas where an identified lack of information exists and for which future policy initiatives might be developed. The Steering Board would be expected to provide advice and guidance in this respect.

It will be the responsibility of the Commission, in close co-operation with EMN NCPs, to develop the specifications for the different studies and reports; to ensure the timely provision of National Reports; and to produce Synthesis Reports. The Synthesis Reports will contribute to increasing the harmonisation and comparability of information, particularly with respect to developing and implementing common definitions. Furthermore, workshops will be held, as appropriate, in order to contribute to the quality and comparability of such studies.

As much as possible, and whenever appropriate, external experts, whether members of a national network or not, should be consulted in the development of study specifications and further, up to the completion of the Synthesis Report. This would involve, for example, their participation in workshops, to which selected national network members could also participate.

3.2.1 Responses to Ad-Hoc Queries

The mechanisms and capacities of EMN NCPs to respond to ad-hoc queries and make use of them for general information provision shall be further explored and improved. EMN NCPs and the Commission shall use the EMN as a means to gather quickly comparative data in order to meet upcoming information needs. The ad-hoc query mechanism should gradually be developed to process quickly requests for such information, whilst still maintaining its important flexibility and effectiveness. Systematised outputs of these ad-hoc queries should be documented within the EMN Information Exchange System. Whenever possible, and only with the agreement of the EMN NCPs concerned, these outputs will be circulated to relevant entities outside the EMN and made accessible to the wider public.

Ad-Hoc Queries will also serve to introduce new EMN NCPs in particular to the EMN's activities. In this respect, new EMN NCPs would be expected to provide their responses to ad-hoc queries, as well as to launch ad-hoc queries themselves.

3.2.2 Annual Policy Report 2007

The EMN Annual Policy Report serves to provide an overall insight into the most significant political and legislative (including EU) developments, as well as public debates in the area of migration and asylum. The EMN Annual Policy Report 2007 will monitor the policy developments during the reference period January 2007 to December 2007 inclusive and may include also statistics. All information used and/or referenced should be entered into the EMN Information Exchange System.

3.2.3 Annual Report on Asylum and Migration Statistics 2006

The EMN shall also be responsible for producing the Annual Report on Asylum and Migration Statistics 2006 drawing as far as possible on EUROSTAT statistics. The EMN will not be responsible for the collection of statistical data, as this falls within the responsibility of EUROSTAT, unless it is of data additional and complementary to those produced by EUROSTAT. EMN NCPs will analyse relevant data for their Member State and providing an analytical report on patterns and trends represented by the data. The Commission shall be responsible for producing the Synthesis Report.

3.2.4 EMN Studies

At least one study will be undertaken in 2008 and efforts undertaken to at least commence a second study, for completion early 2009. The first study will have a limited scope and a clear focus, primarily to serve to integrate new EMN NCPs without the precondition of having a national network, and to gain experience in producing a Synthesis Report from 27 National Reports. It shall, however, have an element of critical analysis and be sufficiently challenging in order to motivate the interest of national partners to participate. The second study will then be on a topic of more direct relevance to supporting policy-makers. Where possible, the production of an EMN NCPs National Report should be in co-operation with their national network members.

Given this, the EMN will:

- Undertake a study on "*How migration and asylum policies are organised in Member States*", including the institutional context, basic laws and regulations, which ministries are involved, which organisations deal with immigrants.
- Commence a study on "*Policies on reception arrangements for, and numbers of, unaccompanied children*", covering *inter alia* children as asylum-applicants, those illegally-resident and those returned to a third-country.

Referring to Section 3.1.1.3 and subject to approval being given by both the Steering Board and the Director of the Fundamental Rights Agency, the latter study may be undertaken in collaboration with the Fundamental Rights Agency.

Possible topics for future studies may also arise from ad-hoc queries or from issues raised within the Mutual Information Mechanism, where Member States might require further background information in connection to an announcement made by a Member State(s) via this mechanism.

3.2.5 Outputs

The following analysis and research outputs are required from the EMN in 2008:

- Responses to Ad-Hoc Queries
- Annual Policy Report 2007
- Annual Report on Asylum and Migration Statistics 2006
- At least one EMN Study
- Commencement of further EMN Study

The Commission will be responsible for the documentation and dissemination of the different reports, as well as the results of ad-hoc queries.

3.3 Information Collection and Provision

Through the systematic collection of information along agreed priority topics and by rendering this information available, the EMN will serve as a tool for facilitating the exchange of information and for improving comparability. Concerning the EMN Information Exchange System, the focus will be on its further development, improving its accessibility and search functions and raising its value by integrating the collection of migration and asylum data on the national and European levels. The existence of other, similar systems should be taken into consideration in the further development of the information exchange system, including, for example, exploring whether it is more efficient to link to other existing systems.

In the context of improving comparability, further work, including at dedicated meetings, on the development of the EMN Glossary and Thesaurus shall be undertaken with the context of a Working Group. The EMN Glossary and Thesaurus shall also be integrated into the Information Exchange System, being further enhanced in accordance with EMN NCPs requirements, as well as undertaking actions towards harmonising or integrating with other relevant thesauri and glossaries used by other entities dealing with migration and asylum. In this respect, the Commission's Fundamental Rights Agency will be invited to participate in the development of the glossary and thesaurus. Other relevant entities might also be invited to participate in this activity.

The EMN shall also work closely with and help the Commission's EUROSTAT, within their respective mandates, in the development of Community activities related to migratory statistics. The Commission's EUROSTAT will remain responsible for the general coordination, development, compilation and publication at European level of official statistical data on asylum and migration. Certain EMN activities will draw upon EUROSTAT's official statistics, with the EMN's information gathering and harmonisation roles focussed on additional or complementary information that falls outside of the domain of official statistics. This will include, for example, contextual and policy information that aids the understanding of migration phenomena in Europe and that assists in the interpretation of the statistics.

Information collection and provision activities will also serve to integrate new EMN NCPs, with training and technical assistance being provided, in order that new EMN NCPs will then be able to access, use and add information.

3.3.1 Actions to be implemented

EMN NCPs shall:

- **Collect information** on publications, contact details, legislation and case-law and information sources along specific topics linked with migration and asylum, and enter this information in the templates and make it available;
- Ensure that any **information** already entered into the information exchange system remains **accessible**;
- Develop ways and methods to **evaluate the quality, comparability and relevance** of available information;
- Fully develop and enhance the **EMN Glossary and Thesaurus**, in accordance with the priorities outlined previously;
- **Integrate, as appropriate, other information sources** on the national and European levels into the EMN Information Exchange System;
- Assess the possibilities of **integrating databases** at national level into the EMN Information Exchange System (export-import or direct access).

3.3.2 Outputs

All publications, legislation and case law used for drafting the reports and studies specified above should be indexed and entered into the EMN database. Where possible, links to existing databases already containing such information should instead be used.

a) Publications

All data used for drafting the reports should be abstracted, indexed and entered into the EMN Information Exchange System. Contingent on the availability of the EMN Information Exchange System, each EMN NCP shall strive to index **at least 30** publications in 2008.

b) Legislation/Case law

Contingent on the availability of the EMN Information Exchange System, each EMN NCP shall strive to index **at least 20** legislation and case law documents in 2008.

c) Contact Details of EMN NCPs and their national members

Details, in compliance with Council Regulation 45/2001, of EMN NCPs and their national network members will be entered into the Information Exchange System to make this information accessible to all members of the EMN.

d) Sources of Information

EMN NCPs are required to collect data on information sources (databases, libraries), which hold relevant information on migration and asylum. These sources shall be integrated into the EMN Information Exchange System.

The Commission will produce a report on options for integrating such sources. The report will evaluate and analyse the possibilities and capacities of the EMN NCPs to integrate databases and other data collections on migration and asylum existing in their Member State into the EMN Information Exchange System in order to ensure its wider coverage.

3.4 Enhance the EMN's Visibility

Continuing efforts to promote the EMN to policy-makers at national and European level, and informing the interested public about its objectives, current and future activities, will be undertaken. Only in the fourth quarter of 2008 will more pro-active actions be taken as detailed below.

3.4.1 Actions to be implemented

a) Information Provision, particularly with EMN Website

The EMN website will be regularly updated in order to meet information needs with all EMN outputs made available, both in the restricted Members Area and, with the prior approval of relevant EMN NCPs, also on the publicly accessible sections.

Contingent on the Service Provider being appointed, Newsletters and an Annual Activities Report 2008 shall also be made and, if considered to be of added value, also other information material (e.g. Information Leaflet).

b) Dissemination of outputs

It will be important to focus on the timely publication and strategically advantageous distribution of the EMN's outputs, as well as the EMN information material, at the European, international, and national levels. This could include presentation of the EMN, and its findings, at major conferences.

In this context, a workshop proposal for Metropolis 2008 shall be submitted. If selected, then participating EMN NCPs, possibly including also some national network members, shall undertake the necessary actions to hold such a workshop and attend the Metropolis 2008 conference (with at least some funding provided via their Operating Grant Agreement).

c) Workshops/Seminars/Conferences

Such events which may be at national and/or European level, may be organised on an as needed ad-hoc basis in cases when, for example, there is a need to discuss in detail the preparation of National Reports and Synthesis Reports undertaken by the EMN. They should focus on methodological issues, development of common definitions, lack of sources, etc., with a view to *inter alia* improving the quality of analysis within the network. As much as possible, and whenever appropriate, external experts and members of the national networks should be involved in these workshops.

d) EMN Conference 2008

To present the EMN's activities, studies and to discuss further development, an EU-level conference shall be organised by the EMN for the latter quarter of 2008. EMN NCPs, as well as relevant national network members and other invited participants, should participate and actively contribute to this event. The form and thematic approach, as well as the role of the EMN NCPs in these events, will be agreed amongst EMN NCPs and the Commission.

3.4.2 Outputs

- 2 – 3 EMN Newsletters
- Annual Activities Report 2008 (possibly)

- Regular updates of EMN website
- EMN Conference 2008 (possibly)
- Workshops (1 or 2)

3.5 Co-ordination of National Contact Point activities

Each EMN NCP will need to undertake the necessary efforts to co-ordinate the activities given above, as well as for the management of the Operating Grant Agreement, including preparing an application for the following year. Not only will this involve co-ordination of efforts between the experts constituting the National Contact Point, but also with both national network members and with other EMN NCPs.

4. Overview and Timetable of EMN Deliverables in 2nd half of 2008

Activity	Overview	EMN NCP Effort (person-months)
<u>Networking</u> (Section 3.1)	<ul style="list-style-type: none"> ➤ Networking amongst EMN NCPs ➤ Networking at the national level ➤ Networking with other European entities 	<p style="text-align: center;">1 1.5 0.5 Sub-total: 3</p>
<u>Reports and Studies</u> (Section 3.2)	<ul style="list-style-type: none"> ➤ Provision of responses to Ad-Hoc Queries ➤ Annual Policy Report 2007 ➤ Annual Report on Asylum and Migration Statistics 2006 ➤ At least one EMN Study ➤ Commencement further EMN study 	<p style="text-align: center;">1 1 – 2 2 – 3 2 – 3 1 Sub-total: 7 - 10</p>
<u>Information Collection and Provision</u> (Section 3.3)	<ul style="list-style-type: none"> ➤ At least 30 publications, 20 Legislation/Case Law, contact details (or source) of EMN NCPs and national network members entered into EMN Information Exchange System. ➤ Continued development of EMN Glossary and Thesaurus 	1 - 2
<u>Visibility</u> (Section 3.4)	Contributions to EMN Newsletters and Annual Activities Report, regular updates of EMN website, active Participation in EMN meetings, workshops and conferences, plus presentation of EMN at major conferences such as Metropolis 2008.	1 - 2
<u>Co-ordination of National Contact Point activities</u> (Section 3.5)	Co-ordination of activities, as well as management of the Operating Grant Agreement.	1
Total Effort required by each EMN NCP		13 - 18

Notes:

1. The person-months of effort are for the last six months of 2008 only. In order to account for the difference between Member States in the amount of information available, a range of person-months is given for some activities and consequently in the Total Effort required.
2. The allocation of person-months under each Activity may be taken as indicative, and it is for each EMN NCP to determine the appropriate effort required. The Total Effort of 13-18 person-months must, however, be respected.
3. For future Work Programmes, both the effort required for a specific activity and the Total Effort will be adapted in the light of the activities to be undertaken by the EMN and the available budget.

Table 1: Timetable of key EMN Deliverables 2008

May to September 2008	<ul style="list-style-type: none"> ➤ Launching <u>Annual Policy Report 2007</u> activity. ➤ (Re-)establishment of <u>EMN NCPs</u>, including specific training meeting introducing EMN and advice in completion of operating grant applications, particularly for new EMN NCPs. ➤ (Re-)Establishment of <u>twinnings</u> between experienced and new EMN NCPs. ➤ 26th EMN plus Glossary/Thesaurus <u>Meeting</u> (with training meeting) ➤ 1st Meeting of <u>EMN Steering Board</u> to finalise Work Programme 2008 and first exchange of views on topics for 2009. ➤ 27th EMN <u>Meeting</u> (with first exchange of views of Work Programme 2009) and Glossary/Thesaurus plus, if required, further meeting for new EMN NCPs. ➤ Completion 2007 activities and of specifications for <u>Annual Report on Asylum and Migration Statistics 2006</u>. ➤ Development and launching of <u>first EMN study</u> specifications. ➤ Launching <u>Annual Report on Asylum and Migration Statistics 2006</u>. ➤ Launching Call for Tender for <u>service provider</u>.
October to December 2008	<ul style="list-style-type: none"> ➤ 28th EMN <u>Meeting</u>, with discussion of draft Work Programme 2009, and Glossary/Thesaurus. ➤ Completion <u>Annual Policy Report 2007</u> activity. ➤ Completion <u>first EMN study 2008</u>. ➤ Development of specifications for and launching of <u>second EMN study 2008</u> (completion early 2009). ➤ Discussion of possible <u>joint activity with FRA</u>, including further development. ➤ Appointment of <u>service provider</u>, transfer and re-establishment of information exchange system. ➤ 2nd Meeting of <u>EMN Steering Board</u> to review progress, to finalise and approve Work Programme 2009 and first discussions on Annual Activities Report 2008 (for completion early 2009). ➤ 29th EMN <u>Meeting</u> and Glossary/Thesaurus plus <u>EMN Conference 2008</u>. ➤ Completion <u>Annual Report on Asylum and Migration Statistics 2006</u>. ➤ Submission of grant applications for 2009.

5. Budgetary Provisions in 2008

The total budget foreseen for the implementation of EMN tasks in 2008 is € 500 000.

5.1 Operating Grants for EMN NCPs

The Commission shall implement the Community financial support in accordance with Council Regulation (EC, Euratom) No. 1605/2002 of 25 June 2002, as last amended by Council Regulation No. 1995/2006 of 13 December 2006. On the basis of this Work Programme, once approved by the Steering Board and adopted by the Commission, Operating Grant Agreements shall be awarded to EMN NCPs (except for Denmark) on the basis of

individual Operating Grant Agreement applications. The maximum Community co-financing is set at 80% of the Total Eligible Cost. The maximum Community funding for indirect costs (overheads) is set at a flat-rate of 7% of the Total Eligible Cost.

In accordance with Article 4(5a) of the EMN Council Decision, the indicative amount of the minimum and maximum Community contribution for each EMN NCP is as given in the following Table. As mentioned above, this shall represent up to 80% of the Total Eligible Costs incurred by each EMN NCP necessary to undertake the activities given in this Work Programme using the estimate of the person-months of effort required given in Section 4 and for the last six months of 2008.

The actual Community funding to an EMN NCP, within the range given, will be determined on the basis of the Operating Grant Agreement application submitted by the EMN NCP. Given the adoption of the EMN legal base in the first half of 2008, the total budget foreseen for 2008 of €4.9M will likely be reduced so as to cover the last six months of 2008 only. If the total Community funding requested by all EMN NCPs exceeds the available budget from the Commission, then each EMN NCPs Community funding will be reduced by an amount according to the formula: *(Requested EMN NCP Community funding divided by Total Requested Community funding)* then multiplied by *(Total Requested Community funding minus Available Community budget)*

	Member State	Minimum Community contribution (in €)	Maximum Community contribution (in €)
1	Belgium	68 400	160 800
2	Bulgaria	8 600	20 200
3	Czech Republic	17 200	40 300
4	Germany	96 900	227 800
5	Estonia	22 800	53 600
6	Ireland *	78 400	184 300
7	Greece	30 000	70 400
8	Spain	67 000	157 500
9	France	71 300	167 600
10	Italy	49 200	115 600
11	Cyprus	38 500	90 500
12	Latvia	17 200	40 300
13	Lithuania	28 600	67 100
14	Luxembourg	78 400	184 300
15	Hungary	21 500	50 300
16	Malta	21 500	50 300
17	Netherlands	68 400	160 800
18	Austria	67 000	157 500
19	Poland	12 900	30 200
20	Portugal	28 600	67 100
21	Romania	8 600	20 200
22	Slovenia	37 200	87 200
23	Slovakia	12 900	30 200
24	Finland	64 200	150 800
25	Sweden	79 900	187 600
26	United Kingdom	82 700	194 300
	TOTAL	1 177 900	2 766 800

* Subject to the conclusion of the Irish opt-in to Council Decision 2008/381/EC establishing the European Migration Network

Exclusion criteria

The applicant organisation must not be in one of the situations listed in article 93 and 94 of Council Regulation n°1605/2002 of 25 June 2002[†] on the Financial Regulation applicable to the budget of the European Union as last amended by Council Regulation No 1995/2006 of 1 December 2006[‡].

The Commission will exclude a proposal from the eligibility, selection and award procedure if the applicant organisation:

- (a) is bankrupt or is being wound up, is having its affairs administered by the court;
- (b) has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters or is in an analogous situation arising from a similar procedure provided for in national legislation or regulation;
- (c) has been convicted of an offence concerning his/her professional conduct by a judgement which has the force of *res judicata*;
- (d) has been guilty of grave professional misconduct proven by any means which the Commission can justify;
- (e) has not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (f) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (g) is currently subject to an administrative penalty;
- (h) has been declared in serious breach of contract for failure to comply with its contractual obligations within the framework of other grants agreements, procurement contracts or loans awarded by the European Community;
- (i) is subject to a conflict of interest;
- (j) is guilty of serious misrepresentation in supplying the information required by the authorising department as a condition of participation in the procedure or fails to supply this information;
- (k) has received another grant for the same activities from a European institution. The applicant undertakes not to receive another one in the future. Total recovery of the grant will be made in the event of double financing for the same activities.

[†] OJ L248, 16.09.2002, p. 1.

[‡] OJ L 390/2006, 30.12.2006, p. 1.

5.2 Appointment of Service Provider

5.2.1 Amount allocated for calls for tenders

An amount of € 733 200 for calls for tenders will be allocated.

5.2.2 Type and object of calls for tenders and timetable

In accordance with Article 6(2) and (3) of the Council Decision establishing the EMN, a Call for Tender shall be launched in order to appoint a Service Provider to assist the Commission in the organisation of the work of the EMN.

Under the supervision of the Commission the service provider shall, *inter alia*:

- (a) organise the day-to-day operation of the EMN;
- (b) establish and manage the EMN Information Exchange System;
- (c) co-ordinate the input from the EMN NCPs;
- (d) prepare the EMN meetings;
- (e) prepare the compilations and syntheses of the reports and studies undertaken by the EMN.

If deemed necessary, a separate Service Contract may be concluded for a Service Provider to assist the Commission specifically for item (b) above; to this end, a relevant existing framework contract may be used. In which case, the indicative amount shall be € 500 000 with then € 233 200 for a Service Provider to assist the Commission for items (a), (c), (d), and (e) above.

The indicative timetable is to launch the Call for Tender(s) in the third quarter of 2008 with a view to the Service Provider(s) commencing their activities at the latest in the first quarter of 2009.
