III

(Notices)

COMMISSION

ODYSSEUS PROGRAMME: 2000

(2000/C 30/09)

1. Broad outline of the programme

On 19 March 1998 the Council adopted the Odysseus programme of training, exchanges and cooperation in the fields of asylum, migration and crossing of external borders (OJ L 99, 31.3.1998). The programme applies to the 15 Member States of the European Union; the applicant countries, and other non-member countries may also be associated provided this would be in accordance with the programme's objectives.

The financial reference amount for the implementation of the programme for the period 1998 to 2002 is EUR 12 million.

The programme has three main objectives:

1. First, to secure the long term practical cooperation of the authorities responsible for implementing the asylum, immigration and external border control policies. The long term approach is a prerequisite for the programme's effectiveness, given that any changes to new legislation, procedures and techniques will generally require more time than an annual programme allows.

2. Second, to design a programme incorporating the various elements of a wide-ranging cooperation policy by means of training and exchange projects for officials. To be fully effective they must meet three conditions:

   — the various levels of competence must be defined: this means making sure the measures implemented under the Odysseus programme at Union level complement other measures, in particular basic training for officials, which mainly come within the competence of the Member States;

   — cooperation must be accompanied by the development of tools based on studies and research and the dissemination of information which increases effectiveness;

   — Assessment must be incorporated: i.e. each measure must include a complete definition of the objectives and the means to achieve them. The objectives must be consistent with the needs expressed and the content of the programme. In other words, new measures can be launched only if they fully incorporate the assessment of previous similar measures.

3. Third, to take steps to open the programme up to non-member countries in general and the applicant countries in particular, priority being given to cooperation projects to familiarise the latter with the accumulated body of Union law relating to asylum, immigration and the crossing of external borders.

The programme sets out to meet these objectives by supporting measures initiated by public institutions or private bodies aimed at developing cooperation in the fields of asylum, immigration and the crossing of external borders. It is structured on the basis of an annual programme adopted by the Management Committee, which seeks to ensure that the selection process is as open and transparent as possible. The Management Committee will also ensure that the projects selected meet the strictest criteria through the participation of experts who will assist the Commission in formulating proposals for consistent programmes.

The Commission will ensure that the programme is consistent with existing programmes under Title VI of the TEU (STOP, Oisin, Grotius and Falcone), with the management of the European Fund for Refugees and the Phare programme, in particular the aspects dealing specifically with justice and home affairs.

To achieve this objective, the Odysseus programme will consist of operations in the following areas:

— **Training** for civil servants, either for instructors or advanced courses for specialists, since, depending on the subject studied, basic training will remain primarily within the competence of the Member States. As this is the third year of the programme's implementation, it would not appear necessary to specify the type of training by giving priority to instructors or to specialists. The areas are sufficiently broad and distinct for it to be feasible to define the most appropriate type of training case by case. With regard to forged identity documents, training will have to take account of the experience gained from the Sherlock programme. In other areas, training could be more usefully focused on basic concepts. In this context the Commission intends to give priority to the dissemination of information. With regard to questions of common interest, this will involve processing the information obtained in the Member States and disseminating it as widely as possible to the personnel concerned; it will also involve further training and specialisation for experienced officials in order to study in greater depth specific aspects identified as requiring special effort. Regular training courses will have to be held so that they will have a real knock-on effect and become a genuine source of reference information by the end of the period;
— Exchanges of officials between Member States — a complementary dimension of training. The periods of exchanges can be sufficiently extended to allow for practical familiarisation on-the-spot with the methods, procedures and techniques used. This could take the form of unilateral or reciprocal visits to the national authorities responsible for asylum, immigration and external border control, to gain an in situ insight into the problems encountered in other Member States. With the agreement of the respective national authorities, long-term visits will make it possible for officials to participate more actively in operations. Similarly, there will be more opportunities for officials of several Member States to visit another Member State. Experience shows that the optimum exchange visits are of medium length (from five to 10 working days), perhaps split into successive modules, thereby enabling trainees to reconcile their professional obligations;

— Studies and research, the third component of the annual programme, aims in particular at the design and dissemination of teaching materials (educational tools, software, etc.). Research could be more closely focused on the development of tools and the preparation of practical cases. In this context, consideration could be given to projects, which aim at document dissemination or access (via databases), making it possible to improve cooperation between national authorities. Existing institutional, legislative and regulatory fields, or those coming into being, could be the central topic of research, in particular by taking into account the follow-up to the entry into force of the Treaty of Amsterdam.

Projects are selected by a Management Committee consisting of a representative of each Member State and chaired by a representative of the Commission. To be considered, projects must be of European interest and involve at least two Member States. The applicant countries can be associated with such projects, in accordance with Article 10 of the Joint Action, if this is in line with the objectives of the programme. In addition, the programme does not exclude the participation of other non-member countries, provided their presence is in the interests of the Union.

2. Structure of the annual programme, fields of action for 2000 and total appropriation

The new Odysseus programme will put in place the third year of implementation of the five-year programme. One can consider that ‘cruise speed’ has been reached and this makes it possible to define new guidelines for the programme, different to those set at the initiation of the Odysseus programme in 1998.

Several elements from the basis of these new guidelines:

— integration of new political priorities defined at the European Council of Tampere, the Vienna Action Plan on the establishment of an area of freedom, justice and security; and, finally, work in progress in the framework of Council working groups or preparatory work for Commission proposals on legislation, in particular those resulting from the integration of the Schengen acquis in the Treaty of Amsterdam;

— comments made by the Members of the Odysseus Committee throughout the life of previous programmes have been taken into account, as well as guidelines adopted on the occasion of the Odysseus conference organised by the Commission on 24 November 1999 in Brussels. The main comments, on the pre-selection and pre-implementation coordination of related projects, the dissemination of results of the various projects, as well as more thorough preparation of and follow-up of financed projects, have resulted in certain amendments being made to the present annual programme. These comments will be more fully integrated into the development and implementation of the overall programme;

— account has also been taken of the results of internal assessment of the programme, which was carried out by the Commission when preparing the annual implementation report for the Parliament and the Council;

— inclusion of amendments that could be made to the programme to take account of changes brought about by the Treaty of Amsterdam that justify a modification of the legal basis, which should in the future fall under Title IV of the TCE. In this respect the programme must ensure that a balance is maintained between the various forms of intervention: traditional cooperation among Member States, association of applicant countries in the accession process, partnerships with third countries that are countries of origin or transit.

The Management Committee will also ensure, during the selection procedure, that the projects likely to be selected are in conformity with and compatible with the timetables, agendas and deadlines set out in the conclusions of the Tampere European Council, the Vienna Action Plan, the scoreboard presented by the Commission and the accession process for applicant countries.

The taking into account of these priorities and guidelines implies consequences both from the point of view of the areas covered by the actions and the means used to implement actions, thereby generating a new architecture for the 2000 Programme.

In addition, the programme also takes account of the general priority to be given to areas covered in the action plans adopted by the Council on 11 October 1999 concerning the horizontal approach of the High Level Group on Asylum and Immigration, particularly with regard to necessary cooperation and coordination with countries of origin. Thus a number of actions to be implemented as a priority should fall within the remit of this programme. Amongst those covered by the Action Plans, it is worth noting in particular, in conjunction with the traditional training activities (seminars and conferences), exchanges of officials (liaison officers and advisers on documentary fraud), studies and research: information campaigns, early detection of false documents, prevention of trafficking of human beings, as well as the dismantling of illegal immigration networks. In the same way, projects implementing actions in relation to countries and regions of origin and transit countries, as well as the peripheral regions of the Union, will receive close attention.
By field of action

Asylum

European Union policy requires that cooperation be fully pursued in implementing legal instruments to establish a Common European Asylum System. The existing instruments such as the Dublin Convention and the preparation of implementation of Eurodac could be the targets of priority work. Work related to discussions on temporary and subsidiary protection, as well as on the forms of solidarity among Member States, is also prioritised.

As the Directorate General Justice and Home Affairs is responsible for the management of the European Refugee Fund (ERF), the Committee will pay close attention to projects which present synergies or complementarity with those likely to be retained within the framework of the ERF. The Programme will focus on the conclusions of the Tampere European Council, whilst taking full account of the timetable fixed by the Vienna Action Plan. Thus, the works relating to common standards for a fair and efficient asylum procedure, minimum common reception conditions for asylum-seekers, as well as harmonisation of rules on recognition and meaning of refugee status will be priority areas for the Programme.

Minimum standards as regards examination of requests for asylum, as well as those regulation reception conditions for refugees and asylum-seekers, constitute a priority, together with the methods and conditions for mutual recognition of the examination procedures of these requests.

Migration

The experience of the previous years testifies to a moderate interest in this field of investigation, although it is a focal point of discussions in the Council and constitutes an area of major importance at the level of public opinion and it figures as a central principle of the priorities defined by the European Council of Tampere.

These priority matters are contained in Article 63 of the Treaty of Amsterdam.

The Committee will take care to distribute selected projects so that a balance is achieved between regular immigration and irregular immigration, in conformity with the Commission Communication of 1994, as well as in accordance with the provisions necessary to ensure an equitable treatment for third country nationals, long term residents on the territory of the Union.

The Commission will take care to ensure complementarity with actions aiming to integrate migrants, which are covered by separate budget lines. Admission and rights of residence for third country nationals are still priority areas, particularly with regard to family reunification. Particular attention must be paid to readmission and voluntary return to country of origin or transit. The competencies conferred on the Community, as regards readmission, are consequently also of primary importance.

In general, the fight against irregular immigration, the networks and channels of illegal immigration and the fight against trafficking in human beings are all priority areas for the programme.

Crossing of external borders

This area includes all that is connected to an overall policy on management of migratory flows and of prevention of illegal immigration, ranging from the policy of delivery of visas and the fight against documentary fraud to the practical methods of external border control. These matters are set out in Article 62 of the Treaty of Amsterdam.

Several subjects remain a priority:

— first, the works necessary to take due account of the integration of the Schengen acquis in the Treaty of Amsterdam;
— coordinated recourse to special advisers on documentary fraud (in countries of origin or transit);
— secondment of officials to the external borders of the EU.

With regard to these subjects, pilot actions were recently carried out. The programme must focus on the definition and implementation of methodological and pedagogical measures, so as to allow for harmonised implementation in optimum conditions, taking due account of recognised best practices, in the relevant operational departments. This approach must be favoured, to the detriment of the continuation of pilot projects, for which continued cofinancing could not be assured in the long term.

— Strengthening of consular cooperation, in particular by the establishment of common offices responsible for the issuing of visas of the EU and harmonisation of conditions pertaining to issuing of visas.

The general problem of carriers’ responsibility also constitutes an issue increasingly present in Community circles and could also be the focus of particular attention.

As in the past, an approach per coherent geographical area, or per type of border (airport, land or maritime) could be favoured. Following the integration of the Schengen acquis in the Union, attention could be paid, with regard to applicant countries, to the establishment of effective controls at the future external borders, notably by means of suitable training.

Implementation methods for different actions

Training: seminars, conferences, training courses and workshops

One recurring priority is the opening to application countries, pursuant to Articles 10 and 11 of the Joint Action. The applicant countries already actively participate in projects cofinanced by this programme. This type of action must be increased and extended, as the process for their accession progresses. The Committee will ensure complementarity with other Community programmes and in particular the various sections
of the Phare programme, which, with regard to training, aim primarily at basic training activities. Odysseus must retain its specific character as a training tool targeted at specialists or teachers, making it possible to ensure dissemination and optimum multiplication of the material taught.

To achieve this objective, the programme can rely on the competence and the expertise of international and non-governmental organisations that have real know-how.

Training activities could also be retained if they focus on the integrated approach set out in the Action Plans of the High Level Group on Asylum and Immigration.

Exchanges of officials

This type of action is one of the cornerstones of this programme and aims to ensure better knowledge of legislation and practices in other Member States. Intended to develop a Community spirit and approach to the difficulties encountered, the exchange is also a means of making the working methods of the Member States of the EU and Community legislation known to the applicant countries.

A significant effort has to be made to revitalise and revive this method of cooperation, which at present occupies only a modest place in the 1999 programme. The financial envelope allocated to this type of action has thus been doubled as compared to the previous financial year. Such activities could focus primarily on applicant countries, in the framework of partnerships and twinning, where such activities could produce very concrete results.

Finally, taking account of a certain number of the lessons learned during previous years, project promoters must ensure that trainees are adequately prepared for their exchange visit (provision of all necessary documentation, preparatory meetings, etc.). It is also recommended to organise stocktaking meetings at the end of the exchange visits, in order to evaluate their implementation and results, thus benefiting not only the trainees and their administration, but the host services.

Studies and research

Based on a Commission proposal, the Committee will ensure consistency and complementarity of programme activities with the legislative process currently being developed.

Numerous subjects, currently under discussion in the Council, could be selected as research topics. Reciprocally, the results of studies and research can supply material for the Council discussion groups (CIREA and CIREFI in particular). Better dissemination of results of these studies, where relevant, will be encouraged. In this context, systematic publication of results of studies can be envisaged. In addition, the Commission would like a number of practices, pilot or empirical, to be the subject of reflection on the definition of methodological and teaching frameworks (for example provision and exchange of advisers specialised in documentary fraud).

Finally, from the point of view of optimum dissemination of information and increased knowledge of migratory phenomena, the accent will be maintained on exchange networks and the constitution of statistical databases as regards observation of the phenomena linked to asylum and immigration.

In general and regardless of the type of the measure used (training, exchanges or studies) priority will be given to those measures that guarantee optimum dissemination of information relating to their implementation, of the results obtained and the evaluation of those results. This could take the form of publication of the final reports or any other appropriate form that will enhance dissemination of the results to a wider audience.

In the same way, the Management Committee will ensure efficient coordination of projects dealing with the same or related subject matters. If appropriate the Management Committee will propose fusion of projects, where it is obvious that this would be more beneficial.

In addition, this 2000 programme has two important changes as opposed to the previous programme:

— It is suggested abandoning the formal distinction made in the financial allocation to the heading 'topical subjects', which by definition comprises activities which are necessarily found in one or the other of the existing headings. The same approach led to the disappearance of the heading for activities associating applicant countries. Indeed, this classification appears somewhat artificial, or even arbitrary and often difficult to implement, and does not always result in real added value for the management of the programme. Obviously, the removal of this heading by no means signifies the abandonment of activities in relation to subjects or activities of a topical nature. It concerns only the specific financial allocation that was reserved for it.

— The external evaluation commissioned by the Directorate General Justice and Home Affairs for the years 1998 and 1999, for Title VI programmes, will be completed at the beginning of 2000. It will culminate in analysis and reflection by the Directorate General, whose results in terms of modification of programmes will be taken into account for 2001, at the earliest. Accordingly, it is not appropriate to set aside a financial appropriation for evaluation under the 2000 programme.

The Odysseus programme provides for a provisional budget of EUR 12 million over the five budget years. 2000 will have an indicative budget of EUR 3 million, identical to that of previous years.

In general, balance must be achieved in allocating appropriations to the three areas covered by the programme, namely asylum, migration and external borders (including visa policy and the fight against documentary fraud). As in the past, the Management Committee will ensure that this balance is maintained. With regard to the implementation methods for programme activities, the Commission proposes the following
financial allocation, based on the previous two budget years' experience, and which takes account of the priority indications set out above.

<table>
<thead>
<tr>
<th>Type of action</th>
<th>Indicative financial allocation</th>
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<tbody>
<tr>
<td>(a) Training</td>
<td>EUR 1 400 000</td>
</tr>
<tr>
<td>(b) Studies and research</td>
<td>EUR 1 000 000</td>
</tr>
<tr>
<td>(c) Exchange of officials</td>
<td>EUR 600 000</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>EUR 3 000 000</strong></td>
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3. Potential candidates and transmission of project applications

The potential candidates are the Member State administrations, whether these are administrations in charge of asylum, of immigration or external border crossings, or other services, notably those in charge for the training of officials responsible for these areas, higher educational establishments and research centres, non-governmental organisations and associations or foundations. However, other types of organisation are not necessarily excluded, particularly insofar as they work in the areas covered in relation to the objectives of the programme. Applications from individuals are not eligible.

With regard to the procedure for the submission of projects, a new version (dated December 1999) of the memorandum on the financing of Title VI is available in all languages and provides the necessary information; a model application and precise instructions for preparing the financial statement and a model budget are attached to it. **The budget must be expressed in euros.** You are strongly advised to refer to this document when preparing projects. All of these documents are available on the Europa website of the European Commission [http://europa.eu.int/](http://europa.eu.int/).

The projects for financing under the 2000 budget will be selected once the submission deadline of **31 March 2000** expires.

The application, duly signed by the person responsible for the project, must be accompanied by a brief note (two to three pages maximum) summarising the project. A financial statement containing as precise and as detailed a cost estimate as possible for the project must be included. The description of the project must contain a succinct and precise description of the purpose of the project. Any partnership agreements in the framework of programme activities must be as formalised as possible, to enable the Committee to assess any partnership agreements proposed.

Recipients of subsidies under this programme undertake to include an explicit reference in any publication or external broadcast to Community financing obtained under the Odysseus programme.

Project sponsors must present a final report on the implementation of the project within a maximum of three months of its conclusion. Final payment of the subsidy will be made only on production of the final report and supporting documents.

Regardless of the percentage of Community financing granted, total expenditure shown on the financial statement must be accounted for.

Requests for further information and forms should be addressed to:

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