

ANNUAL PROGRAMME

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MEMBER STATE: Republic of Malta
FUND: External Borders Fund

RESPONSIBLE AUTHORITY: Programme Implementation
Directorate, EU Funds Unit,
Ministry for Justice & Home Affairs

YEAR COVERED: 2009

1. GENERAL RULES FOR SELECTION OF PROJECTS TO BE FINANCED UNDER THE PROGRAMME

The Responsible Authority of the Fund shall implement the Annual Programme 2009 of the External Borders Fund by acting as an executing body. One action/ project shall benefit from the co-financing of this Annual Programme and absorb the amount allocated.

This decision was made following consultations between the MJHA¹ (within which the RA of the Fund is found) and the Armed Forces of Malta (within the remit of the Office of the Prime Minister). It was agreed that the action indicated below needs to be implemented urgently in order to address the capability of this entity to carry out its tasks and responsibilities in maritime border control and surveillance.

The RA shall implement this action/project (in accordance with Article 8(3) of the Implementing Rules) indirectly, by associating itself with the national authority responsible for the patrol and surveillance of the maritime borders i.e. the Armed Forces of Malta (AFM). The AFM are the only entity invested with the powers to carry out such operations and are thus in a de jure monopoly situation. In view of their technical expertise, the AFM will be responsible for the tendering procedure and the delivery of the project. National public procurement rules will be complied with (vide below). The RA shall constantly liaise with the AFM to ensure a smooth and timely implementation of the project. A legal instrument (Grant Agreement) will be concluded between the RA and the AFM as the national authority directly implementing the project.

Thus, the characteristics of the project and the lack of other entities capable of carrying out such action/project, justify the use of the executing method by the RA in selecting the project for co-financing. By using this implementing method, the RA shall ensure that an important objective of the MAP (Objective 2 under Priority 2 – Strengthening of operational capacity for external maritime border management by the Armed Forces of Malta (AFM)) will be addressed.

2. CHANGES IN THE MANAGEMENT AND CONTROL SYSTEMS (if appropriate)

Not applicable

¹ Ministry for Justice and Home Affairs – this is the Ministry responsible for border control and immigration

3. **ACTIONS TO BE SUPPORTED BY THE PROGRAMME UNDER THE PRIORITIES CHOSEN**

3.1. Actions implementing priority 1

No actions are envisaged to be carried out targeting this priority.

3.2. Actions implementing priority 2: Support for the development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European patrol Network at the southern maritime borders of the EU Member States.

The project that shall be financed under this priority aims at achieving general objective 1(a) as described in Article 3 of the basic act, i.e. efficient organisation of control, including surveillance and checks at the external borders.

<p><i>Action 1</i></p> <p><i>Procurement of a fixed-wing Maritime Patrol Aircraft (MPA)</i></p>	
<p>Purpose & Scope of the action</p>	<p>The scope of this action, <i>addressing Objective 2 (specific priority 3), indicated under Priority 2</i> of the Multi-Annual Programme, is to provide the Armed Forces of Malta (AFM) with a more deployable, cost efficient and technology based operational air capability.</p>
<p>Expected grant recipients</p>	<p>The expected grant recipients are the Armed Forces of Malta which are responsible for the surveillance and control of the maritime borders.</p>
<p>Expected Quantified Results</p>	<p><u><i>Enhancing the border control capabilities of the Armed Forces of Malta: Procurement of a fixed-wing maritime patrol aircraft (MPA)</i></u></p> <p>The AFM's air assets currently in use to control Malta's blue borders and maritime activities on the southern maritime flank of the EU, offer relatively slow response times and restricted operational radii. These assets offer limited surveillance capabilities and the meteorological envelope within which they can operate is restricted. The need for new air control capabilities has been clearly identified at European level and in a report issued by the Schengen Evaluation Team for the maritime and air borders.</p> <p>With the contribution of the External Borders Fund, Malta will invest in a more capable Maritime Patrol Aircraft, which will be deployed on border control missions beyond the territorial seas and the contiguous zone in order to detect,</p>

	<p>identify and coordinate operations in case of unauthorised crossing of the southern maritime border. This capability will allow faster and more effective response to incidents, while also maximising operational effectiveness which will allow an increased deployment profile within existing financial constraints. The capability will also be deployed in support of EU cooperation missions.</p> <p>The project will also address the support issues related to operating such a system. These include the training of personnel to operate and maintain the capability as well as extended field support from the eventual contractor.</p>
Key Actions	<ul style="list-style-type: none"> - Procurement of a Maritime Patrol Aircraft equipped with electronic equipment for the surveillance of the maritime borders and for the exchange of real time information. - Training of selected personnel in maintenance and operation of the maritime patrol aircraft - Contracting of a field-support package for the aircraft and equipment <p><u>Procurement</u></p> <p>Public procurement regulations will be complied with, in order to carry out this project. The tender is envisaged to be issued on 1st November 2008, preceded by a Prior Information Notice (PIN) (issued on 1st September 2008)</p>
Targets:	<p>The target is to provide the Armed Forces of Malta, in its role in border control, with a more deployable, faster, cost-efficient and technology-based operational capability in the air.</p> <p>Through the implementation of this project, Malta will be carrying out a recommendation of the Schengen Evaluation Team which inspected Malta's maritime and air borders in February 2007.</p> <p>It is also envisaged that training of personnel be carried out, in order to operate and maintain the new capabilities.</p>
Indicators:	<p>The project will result in the procurement of a Maritime Patrol Aircraft equipped with electronic equipment for the surveillance of the maritime borders and for the exchange of real time information. Training of selected personnel in the maintenance and the operation of the aircraft will be carried out. Additionally, a field-support package for the aircraft and the equipment will be contracted.</p> <p><i>Impact Indicator</i></p> <p>Strengthening of air capability for external border surveillance and patrol, reducing transit time to incidents and direct operating costs, as well as improving ability to deploy directly to other EU member states.</p>
Visibility of EC Funding	<p>Phase 1 – Tender Process</p> <p>Besides being publicised locally, the tender for acquisition of the MPA will be</p>

	<p>publicised on all major aviation magazines and aviation web sites. The AFM are currently exploring the possibility of having the tender published on the European Defence Agency's – Tenders/Contracts website.</p> <p>Phase 2 – Project Completion It is envisaged that on project completion the project will be publicised through all local media, giving details on the assistance received from the External Borders Fund. The project will also be published on all major aviation publications such as Flight International and Airforces Monthly. The aircraft and equipment will be clearly marked with appropriate identification that the project was funded from EU funds.</p>
<p><i>Complementarity with similar Actions financed by other EC instruments</i></p>	<p>This is the first project through which the Armed Forces of Malta (AFM) will be procuring an aircraft for maritime patrol with the assistance of EU Funds. However, they have benefited from EU assistance for the purposes of surveillance through projects of much smaller scale, for instance through Pre-Accession Funds and the European Regional Development Fund.</p> <p>The Annual Programme 2008 of the External Borders Fund has catered for the strengthening of the capability at sea of the Armed Forces of Malta through the procurement of inshore patrol vessels. The Annual Programme 2009 shall this time enhance the air capability of the Armed Forces of Malta.</p> <p>These Annual Programmes shall thus together improve the overall capacity of Malta to carry out surveillance and patrol of the maritime borders.</p>
<p><i>Financial Information</i></p>	<p>The budget allocated to this action shall be of € 9696,497.20, out of which € 7,272,372.90 shall be financed out of the External Borders Fund and € 2,424,124 shall be public co-financing.</p>

3.3. Actions implementing priority 3

No actions are envisaged to be carried out targeting this priority.

3.4. Actions implementing priority 4: Support for the establishment of IT systems required for implementation of the Community legal instruments in the field of external borders and visas.

No actions are envisaged to be carried out targeting this priority.

3.5. Actions implementing priority 5

No actions are envisaged to be carried out targeting this priority.

4. TECHNICAL ASSISTANCE

4.1 Purpose of the technical assistance

The technical assistance of this Annual Programme shall be utilized by the Responsible Authority to cover part of the staff costs of the personnel managing the Fund. The newly recruited staff has strengthened the capacity of the RA for carrying out its tasks and responsibilities.

The Technical Assistance will also be utilized to carry out a press event/ other activities for the dissemination of the assistance received to carry out the projects under this AP

4.2 Expected quantified results

- Press event on approval/completion of AP
- Funding of staff costs of 2 EU funds officers working on the Fund.

4.3 Visibility of EC funding

The requirements listed in Article 33 of the implementing rules of the Fund shall be adhered to. Publicity measures shall be carried out to disseminate the assistance received under the EBF annual programme 2009.

5. DRAFT FINANCING PLAN

Annual programme concerned: Annual Programme 2009

Fund: External Borders Fund

<i>(all figures in euro)</i>	Ref. priority	Ref. specific priority (1)	Community Contribution (a)	Public Allocation (b)	Private Allocation (c)	TOTAL (d= a+b+c)	% EC (e=a/d)	Share of total (f=d/total d)
Action 1: Procurement	2	3	7,272,373	2,424,124		9,696,497	75.00%	99.54%
Action 2: [...]						0		0.00%
Action 3: [...]						0		0.00%
Action 4: [...]						0		0.00%
Action 5: [...]						0		0.00%
Action ...: [...]						0		0.00%
Action N: [...]						0		0.00%
Technical assistance			45,128			45,128	100.00%	0.46%
Other operations (2)						0		0.00%
TOTAL			7,317,501	2,424,124	0	9,741,625	75.12%	100.00%

(1) if appropriate

(2) if appropriate

[signature of the responsible person]