

REVISED ANNUAL PROGRAMME 2009

MEMBER STATE: Republic of Malta
FUND: European Refugee Fund

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

YEAR COVERED: 2009

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

A public call for proposals was issued on 15th August 2008 with a deadline for the submission of project proposals of 3rd October 2008. A total of ten (10) projects were submitted by different NGO's and government entities responsible for closed accommodation centres, open centres, as well as the welfare and integration of asylum seekers and refugees. The projects were evaluated by an impartial Project Selection Committee (PSC)¹ according to the following Evaluation Ranking Criteria:

(a) CAPACITY of the entity to implement the project.

The potential of the management of the entity submitting the application and its experience and expertise in the running of the operation was evaluated. In particular, the PSC analyzed the experience of the project leader and the people directly involved in the project and their familiarity with EU funding. In addition to this, their technical expertise in relation to the subject-matter of the project was examined. Importance was also given to the overall management capacity of the applicant, as in regards to its administrative and other support services in order to be able to respond to the project demands. Finally, the financial capacity of the applicant entity to be able to fund the required local part of co-financing of the project was examined.

(b) RELEVANCE.

The projects were adjudicated a score according to their relevance to the particular needs and constraints of Malta and the priorities of the Fund.

(c) READINESS to implement the project

The level of preparedness for the initiation of the project was tested. This was done in order to ensure that the project will not be hindered by lengthy processes (for e.g. it doesn't need permits or studies) and has high probability of being finalized within the set time-frames.

¹ The Project Selection Committee was composed of the Director Policy Development (MJHA), a senior legal officer (MJHA) and the Director Corporate Services (Courts of Justice). This composition ensured a board with a sound background on the subject-matter of ERF while at the same time being impartial on the projects submitted.

(d) **EFFICIENCY** in the financial allocation and management of the co-financing provided and the **EFFECTIVENESS** of the actions that will be carried out with the assistance of the Fund;

The proportionality of the budget being requested in respect to the objectives of the project being presented was analyzed. Furthermore, the project was examined in order to ensure the coherence of the overall project design as well as the clarity and feasibility of the plan of action. Finally the sustainability of the actions undertaken was considered.

(e) **INDICATORS**

The PSC assessed the clarity and measurability of the indicators provided in the application. It also considered what tangible impacts can be concluded from the indicators presented, in order to evaluate how realistic and reachable the expected results are. The criteria mentioned above were indicated in the guidelines which were issued with the application form with the aim of informing applicants beforehand on what basis their projects will be judged.

Result of the Adjudication

Four (4) projects were approved for co-financing under the European Refugee Fund Annual Programme 2009. These projects scored the highest amount of points in the selection process and between them will be able to absorb the whole allocation for Malta under the mentioned Fund. The selected projects, through their restructured and finalized budgets, will ensure maximum overall effectiveness with the amounts available and relieve some of the financial burden on the budget of Malta. The selected projects will be implemented with the Responsible Authority acting as the awarding body.

The other 6 projects, *although scoring less in the selection procedure*, had the potential for implementing interesting and valuable actions, yet these could not be co-financed due to the limited amounts of funds available. Unfortunately, the demand for financial assistance in the various fields related to receiving and assisting asylum-seekers and refugees, was by far higher than the available Funds from ERF for the year 2009. This underlines the overstretched resources of Malta in this respect and the need for continuous and more substantial financial assistance from the EU, in order for Malta to be able to more effectively and efficiently receive and bear the consequences of receiving persons seeking asylum.

Copy of the documents for the call of proposals attached (Annex 1, 2, 3²). A downloadable version was made available for prospective applicants on the following link: http://www.mjha.gov.mt/eu/eu_funds_ocfp.html

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

No.

² Annex 1: Advert of the call for proposal on local newspapers
Annex 2: Application for projects
Annex 3: Guide to Applicants

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

3.1. Actions implementing Priority 1: Implementation of the principles and measures set out in the Community *acquis* in the field of asylum, including those related to integration objectives.

- Actions related to reception conditions and asylum procedures.
- Actions related to integration.

Introduction

The population of third country nationals seeking asylum in Malta has increased exponentially over the last years. Receiving and providing the needs of these asylum-seekers has outstretched the limited resources available and also placed a huge strain on the asylum process, as amply described in Malta's Multi-Annual Programme. This situation has been further aggravated by an overwhelming influx of migrants during 2008. This increase is estimated at more than 45% over the previous year.

The Annual Programme 2009 being proposed for co-financing from the financial allocation for Malta under the European Refugee Fund, shall assist the entities which provide accommodation and the basic material needs to asylum-seekers, as well as improving operational structures and management systems in open accommodation centres resulting in more efficiency and contributing to the integration of the target groups. Therefore, these projects shall contribute to improving reception conditions for asylum seekers and the prospects for integration for the target groups, which together constitute the heaviest burden on the budget of the Maltese Government.

The details of three projects chosen for implementation under priority 1 with the assistance of the Fund are found below.

Action 1: Provision of essential services for the management of reception centres for TCN's within AFM compounds. (Falling under Key Action: 2 of the Multiannual Programme)

➤ *Purpose and scope of the action*

This project shall provide financial assistance for the provision of essential services related to accommodation, to TCN's seeking asylum in Malta, residing in closed accommodation centers found in compounds of the Armed Forces of Malta (AFM). This includes the provision of supplies to provide and sustain hygienic standards in the compounds, including provision of items for personal hygiene, clearance of cesspit and skip emptying services; provision of bedding items and repair and upkeep materials to provide necessary human services for a safe and healthy environment.

The Armed Forces are continuously providing these essential services and supplies, and the assistance from ERF shall reduce the pressure of this recurrent expenditure on the local budget available. Hence, the ERF will be assisting Malta in providing the basic needs for the reception of TCN's seeking asylum on these islands which increased by more than 45% over the number of TCNs that arrived in Malta since last year.

➤ Expected Grant Recipients

The grant will be received by the Armed Forces of Malta, which are responsible for supplying the needs of the reception centers found on their compounds. The grant will partly be spent, as explained above, on items (personal hygiene items like soap, shampoos, toothpastes etc) that will be distributed amongst the asylum seekers residing in the relevant centers.

➤ Expected quantified results and indicators to be used

The indicators set for this project being co-funded from ERF funds relate to the frequency of services for waste disposal and sanitary service (six days per week and 3 times a day, respectively) , as well as the amount of TCN's(asylum seekers) that will be provided with basic accommodation needs (1500persons).

➤ Visibility of EC Funding

The assistance received from the ERF will be made visible through an article published in local newspapers, which will describe the type of assistance and the amount of money received and through other publicity measures. Information on the project, once approved by the Commission, will be placed, together with the others, on the website of the Ministry for Justice and Home Affairs.

➤ Complementarity with similar actions financed by other EC instruments, if appropriate

Assistance similar to this project was received under the ARGO Emergency programme and the ERF 2006, 2007 and 2008 annual programmes. The assistance of the Annual Programme of 2009 will complement and continue to support the Armed Forces of Malta in accommodating TCN's falling under the target group of the Fund.

Action 2: Providing a better quality of life to the residents of the Marsa Open Centre. (Falling under Key Actions: 1, 3, 6, 7, 9 of the Multiannual Programme)

➤ Purpose and Scope of the Action

This project will be implemented in the most populated open accommodation centre in Malta. It is intended to further build on the work carried out so far at the Marsa Open Centre, as well as to maintain and improve current services provided to residents. This will be achieved through three complementary components, namely education, health and living conditions. The educational component will be

composed of the provision of training for residents through the continued use of the educational centre in the areas of English language, basic computer skills and cultural integration. For this purpose the services of teachers will be sought and the necessary materials purchased. The appointment of an information officer will also be made to empower residents for inclusion in society and employment and provide the latter with legal aid. The project also aims to provide better healthcare through the provision of medical care services, by a GP doctor and a nurse who are easily accessible to the residents. Healthcare will also be improved through the upgrading of a kitchen and maintenance of the centre's health and safety conditions. The number of social workers will also be increased due to the current workload. As regards the living conditions/environment, the recreational areas will continue to be used, utilising benches and lighting. Additionally a multi-purpose van will be further leased.

➤ Expected Grant recipients

The Grant recipients of this project will be the Suret il-Bniedem Foundation, which manages, on behalf of the Organisation for the Integration and Welfare of Asylum Seekers (OIWAS), the Marsa Open Centre.

➤ Expected quantified results and indicators to be used

As indicated, this project is three pronged, including both infrastructural works and integration measures. 1 kitchen will be upgraded, while outdoor furniture and lighting will be installed in the recreational areas. Following the implementation of the project activities, a seminar/conference will be organised for key stakeholders including policymakers, civil society and NGO's presenting the results and experiences encountered by the coordinating body of the project as well as by the residents themselves. On the integration balance, the volume of training hours in English language, Basic Computer skills and Cultural Integration shall amount to a total of 1980 hours, reaching a target audience of 140 persons. Such educational training will increase the employment possibilities of asylum-seekers / refugees and facilitate their integration in the Maltese community.

➤ Visibility of EC Funding

The infrastructure component of the project will be publicised by a permanent plaque put up on site. Furthermore, EU logos and reference to ERF co-financing will be printed on all material used for the integration classes and vocational training material.

➤ Complementarity with similar actions financed by other EC instruments, if appropriate

This project builds on the work carried out by actions co-financed under ERF Annual Programme 2005, 2007 and 2008. As the influx of immigrants to Malta has increased exponentially over the last years more training programmes are needed to target a new and larger audience of these TCN's. This increase in the number of TCNs also necessitates further infrastructural works and provision of services to provide a better quality of life to the residents of the Marsa Open Centre. This is mainly due to the constant renovation needed, attributed to the high rate of usage and

the gradual upgrading of the infrastructure, adding up to the benefits accrued from earlier, similar projects.

Action 3: Opportunities for the Integration of Women with refugee status or humanitarian protection through Empowerment and Social Enterprise.
(Falling under Key Action: 6 of the Multiannual Programme)

➤ Purpose and Scope of the Action

This project aims to create opportunities of empowerment and productive activity through incubating social enterprises leading towards the integration of women with refugee and/or humanitarian status into Maltese society. This project includes training and mentoring components as well as the set-up of a new social enterprise with the direct involvement of the project's target group. The social enterprise would provide a platform for the women's cultural expression through arts and handmade crafts. This would contribute to these women's transition to life in Malta, facilitating their integration within Maltese society. The project involves the recruitment of twelve migrant women for the pilot project who will be selected after a call for applications, promoted through the female residents of the open centres followed by interview in which the basic skills of the applicants will be assessed. These women will be provided with 75 hours of training over a period of five weeks with an average of three, five hour training days per week. This training will be held in premises at the Hal Far Reception Centre which will be equipped with the necessary equipment such as chairs and whiteboards. This training involves business and empowerment skills, language skills and crafts workshops with interpretation being provided throughout the training. A post-training evaluation exercise will be organised together with the participants, determining product choice and focus. The project will also provide a grant to the new social enterprise as initial seed capital which is intended to contribute towards the one off costs associated with the first six months of operation such as the cost of the initial stock and materials. During the first year of operation mentoring services will be provided and evaluation meetings held at least once every two months assessing the operations. The social enterprise is intended to be set up in rented premises, distant from the Hal Far Reception centre in a venue equipped to fit the needs of the social enterprise. The project would provide its participants with a weekly stipend to cover the costs of transport during the first 24 weeks of operation. The social enterprise will be evaluated by an external evaluator assessing the effectiveness of the training and incubation phase. After this evaluation a synthesis of the project's outcomes and recommendations would be published and distributed among the main stakeholders working on integration in Malta. The project also aims at the exchange of best practice through the organisation of a final seminar focussing on the theme; 'social enterprises as a tool of refugee integration' where the outcome of the project and the final observations will be presented. During the event the participants of the project will be presented with a certificate acknowledging the training and on-the-job skills that were acquired. Furthermore, a copy of the manual of recommendations will be distributed.

➤ Expected Grant recipients

The Grant recipients of this project will be Solidarity Overseas Service Malta (SOS Malta), a non-profit, non-governmental organisation.

➤ Expected quantified results and indicators to be used

A social enterprise set up by twelve (12) women with refugee status or subsidiary protection women contributing to their integration into Maltese society through the production of handmade crafts encouraging their cultural expression and contributing towards their financial independence and self-fulfillment, renovated premises housing the social enterprise and a seminar organised at the end of the project aimed at disseminating best practice comprising the distribution of a manual of recommendations.

➤ Visibility of EC Funding

The infrastructure component of the project will be publicised by a permanent plaque put up on the training and actual social enterprise. EU logos and reference to ERF co-financing will be printed on all material distributed during the courses and the seminars including the certificates and the manual of recommendations. Furthermore the co-financing from the ERF will be highlighted in the final seminar and labels indicating the origin of the co-funding will be placed on all equipment.

➤ Complementarity with similar actions financed by other EC instruments, if appropriate

No similar actions have been undertaken to date.

3.2. Actions implementing Priority 2: Development of reference tools and evaluation methodologies to assess and improve the quality of procedures for the examination of claims for international protection and to underpin administrative structures in an effort to respond to the challenges brought forward by enhanced practical cooperation with other Member States.

Introduction

In line with Priority 2 of the European Refugee Fund, and in view of the continuous increase in the number of TCN arrivals in Malta, another objective standing high on Malta's priority, is that of strengthening the capacities of the Office of the Refugee Commissioner which is responsible for the asylum determination process in Malta.

The Annual programme 2009 being proposed for co-financing shall assist in the strengthening of the structural as well as logistical capabilities of this entity by tackling the difficulties faced in the communication with asylum-seekers and ensuring the adequate infrastructure for the carrying out of the asylum determination process. This would result in a better equipped setup, and thus more efficient system of processing asylum applications under the Office of the Commissioner of Refugees.

The details of the project chosen for implementation under priority 2 with the assistance of the Fund are found below.

Action 4: Post Application Client preparation and asylum determination interviewing centre for asylum seekers.
(Falling under Key Actions: 2 and 3 of the Multiannual Programme)

➤ Purpose and Scope of the Action

This project can be subdivided into three areas being the provision of information to TCN's, the renovation of the existing infrastructure and training for interpreters. The first part of the project aims to provide information to TCNs who have already registered their wish to apply for recognition of refugee status, to which they are entitled, in terms of the Refugees Act. It also aims to ascertain that the Office of the Refugee Commissioner will be fulfilling its obligation to inform TCNs about the asylum procedure, especially, in light of the existing obligations relating to the future common European asylum system. To fulfil this purpose the project entails the creation of audio visual as well as printed material in various languages to adequately prepare TCNs in view of their asylum determination interview. The audio-visual material, in the main six languages used by these TCNs is aimed to facilitate information dissemination to the client group, especially those with a low educational background. This material will further include subtitles, mainly to cater for persons with some form of physical impairment (e.g. hearing impairment). This provision of information would adequately prepare TCNs for their asylum determination process, providing them with accurate and updated information about the asylum procedure in Malta. It also aims to inform them about their rights and obligations during the asylum determination procedure as stipulated by the law in a language that they may reasonably be supposed to understand.

The project also entails the renovation of the existing structure at the Safi closed centre which is being used by the Office of the Refugee Commissioner to create an adequate environment for the asylum determination process. This process which tends to be a lengthy process and in its own nature, may create anxiety and stress in the TCNs concerned. This renovation involves the setting up of a comfortable waiting area for asylum seekers and to equip this area as a centre where information about the interviewing process is disseminated through various media while

providing also a degree of entertainment in the form of TV and reading material to decrease the pressure on the TCNs due to the exhausting and time consuming process of asylum determination. The renovation would also include the equipment of interviewing rooms to ensure the applicant's confidentiality and improve the asylum determination process particularly through the updating of the recording system used during the interviews. This renovation would also include the equipment of rooms for a video conferencing system for the use of remote interpreters. Furthermore, the bathrooms and access facilities at the existing premises will be renovated.

Another part of the project involves the formal expert training to a number of interpreters working in the field of asylum through an induction in-house training followed by an ongoing on-the-job training, a two day seminar for interpreters working in a refugee context organised by a foreign expert and three one-day seminars, distributed throughout the two years organised by local experts.

➤ Expected Grant recipients

The Grant recipients of this project will be the Office of the Refugee Commissioner which is responsible for the asylum determination process of the TCNs after their arrival.

➤ Expected quantified results and indicators to be used

A renovated interviewing centre used by the Office of the Refugee Commissioner at the Safi Closed Centre, including bathrooms, access facilities, and water and electricity supply, Printed material for information to TCNs and increased effectiveness and accuracy of the asylum determination process through better infrastructure, dissemination of information and the provision of a more comfortable environment for these TCNs while waiting for this process.

➤ Visibility of EC Funding

The infrastructure component of the project will be publicised by a permanent plaque put up on site. Furthermore, EU logos and reference to ERF co-financing will be printed on all material distributed to these TCNs.

➤ Complementarity with similar actions financed by other EC instruments, if appropriate

No similar actions have been undertaken to date.

3.3. Actions implementing Priority 3: Actions helping to enhance responsibility sharing between Member States and third countries.

No actions are envisaged under this priority for the year 2009 as during the call for proposals, there was no interest shown for submitting projects targeting priority 3.

4. TECHNICAL ASSISTANCE

4.1 Purpose of the technical assistance

The technical assistance will be utilized in order to carry out an independent external evaluation of the annual programme after the closure of the projects. This shall ensure an impartial professional evaluation of both the implemented projects and the management system of the Fund. It will also be used for the acquisition of 5 laptop computers and 1 photocopier for use by the Responsible authority in the management of the ERF.

4.2 Expected quantified results

The technical assistance will result in one (1) independent professional evaluation at the end of the annual programme 2009. Furthermore, other measures will be carried out during the duration of the annual programme with the aim of strengthening the management capacity and quality of the RA and the other designated authorities possibly also through the utilization of IT systems and equipment such as the acquisition of five (5) laptop computers and one (1) photocopier.

4.3 Visibility of EC funding

As part of its commitment to disseminate as wide as possible the financial assistance received from the ERF fund, the Responsible Authority will carry out an information activity in order to launch the approved Annual Programme and to present the achievements of the previous annual programme(s). A press release/ conference shall present the strategy for the fund and/or the details of the projects selected under the annual programme. Part of the press release will also be dedicated to advertising the direct assistance received as technical assistance for the management of the fund itself. Furthermore, labels indicating the provenance of the technical assistance will be put on the IT equipment acquired through technical assistance from the fund.

5. OTHER OPERATIONS

In order to address situations of particular pressure the Maltese authorities envisage also implementing a series of Emergency measures.

A. DESCRIPTION OF THE SITUATION OF PARTICULAR PRESSURE REQUIRING EMERGENCY MEASURES

1. An indication of the exceptional character of the situation

Due to its geographical position on the main migration routes from Africa to Europe, Malta has in the last years received a high number of irregular immigrants seeking asylum with 1780 arriving in 2006, 1702 in 2007 and 2775 in 2008. This situation, coupled with the inalienable realities of a very high population density and the smallest island state in Europe, means that Malta is and continues to carry a burden disproportionate to its physical constraints and financial capabilities.

The continuous influx experienced during the year is exacerbated in the summer months when arrivals peak and become a daily reality. The already unsustainable situation reaches emergency status during this period. Differently from other years, during the first months of 2009, Malta is already facing an emergency situation. In fact the first months of 2009 saw the arrival of huge numbers of migrants to Malta's shores with 857 migrants in 6 boats landing between January and May 2009. During the same period in 2008 only 321 arrivals in 13 boats were registered.

2. The number and nature of arrivals

During the first months of 2009, Malta has received a very high number of asylum seekers. The majority of these asylum seekers originate from Africa (Somalia, Tunisia, Algeria, Bangladesh, Burkina Faso, Cameroon, Egypt, Eritrea, Ethiopia, Gambia, Ghana, India, Ivory Coast, Mali, Morocco, Nigeria, Pakistan, Palestine, Sudan, Syria, Tunisia, and Turkey). These persons go through a long dangerous journey aboard flimsy overcrowded boats. By the end of March 2009 the total number of illegal immigrants, the greatest majority of whom seek asylum, that has reached our shores amounted to 857.

This huge increase in arrivals is expected to be an indication of the number of arrivals that will be experienced during periods of fairer weather especially during the summer months. The table below indicates the increase of arrivals over the last four years.

Year	Number of Arrivals
2006	1795
2007	1715
2008	2523
Jan-May 2009	857

This emergency situation has further aggravated the already enormous pressure, in particular on the provision of accommodation, healthcare facilities and on the asylum determination system.

3. The effects of these arrivals on reception capacities, the asylum system or infrastructure

The exceptional amount of arrivals has led to unsustainable pressures on the country's asylum system and infrastructure.

One of the most urgent effects of this situation is the provision of basic material reception conditions. Coupled with the increase in arrivals is the obvious increase in the need for basic supplies such as bedding and replacement tents which are constantly needed to provide a good standard of living for the immigrants in the centre. The increase in the number of arrivals has also led to problems related to the provision of accommodation. Despite the overstretched resources, Malta has provided (and continues to provide) housing for these persons. However, the burden of accommodating the continuously increasing amount of asylum-seekers is exerting exceptionally heavy and urgent demands on the reception capacities available in the accommodation centres. The sheer number of people in both open and detention centres due to the exceptional arrivals has had a detrimental effect on the infrastructure with basic services failing repeatedly because of the demand generated by so many people accommodated together. In certain places maintenance demands overtook maintenance capabilities contributing to degradation of living areas and sanitary facilities. This situation has been further aggravated with the high numbers of arrivals, in the early months of 2009. As a result, the accommodation centres already characterised by a high level of population density, are increasingly experiencing overcrowding, with inevitable negative impacts on the standard of living.

A similar situation is being experienced at open centres, where facilities including those of a sanitary nature are stretched to the limit to accommodate the large number of migrants. An issue concerning the Marsa Open Centre which has a capacity of 500 persons and currently housing 670 persons is security. The current open house situation is a matter of great concern for the security of residents and staff in the centre, with effects on the quality of life and privacy of the residents. Thus, the consolidation of a protected area is needed.

With the amount of female immigrants in detention, accommodation for the 76 single females, separate from married couples has now been established. At Safi, single females are accommodated separately from married couples within the same bloc. However they all share the one recreational area at the rear of the accommodation block which consists of a square field surrounded by a chain link fence. This has proven to be problematic as single females may be exposed to gender based sexual abuse from married couples while in the recreation area.

Another problem experienced, due to the increase in the number of immigrants concerns the transport logistics of the migrants. The latter need transport for frequent medical and asylum determination process appointments. Presently the detention service, which is responsible for the closed centres owns only 4 small vans which can only carry 5 immigrants at a time. These vans have to cope with the three detention centres on the island. On the other hand OIWAS, which is responsible for the open centres) owns no vehicles and the ones used are borrowed occasionally and are dependent on the goodwill of their owners. The increased arrivals have led to these vehicles not being able to cope with the number of people needing transport for these daily appointments, leading to

cancellations and delays. Adding to this, are the problems with the timely transport of supplies needed in the open centres due to the limited availability of vehicles for OIWAS.

The increase in arrivals has also put a lot of pressure on the asylum determination system which is the competence of the Office of the Refugee Commissioner which employs 14 asylum determination officers, 4 clerks and an auxiliary clerk, together with the Refugee Commissioner and the Assistant Refugee Commissioner themselves.. This is due to the pattern and magnitude of the influx of immigrants. The present emergency situation is characterised by a large influx of migrants coming in large groups. In fact the four boats arriving in 2009 carried 163, 262, 105 and 228 persons. In contrast more than 70% of the boats arriving in 2008 had less than 50 persons on board. There was also a stark increase in the number of immigrants who apply for asylum. For instance in 2007, 72% applied for asylum while in 2008, 98% applied for asylum. This huge increase in workload has put a lot of pressure on the asylum determination system which involves a lengthy procedure, especially when considering that a policy was adopted where asylum seekers are interviewed within the first six months of arrival.

The increase in arrivals of irregular immigrants has also resulted in problems related to infectious diseases. The problem of overcrowding in detention centres can lead to wide community outbreaks of diseases such as tuberculosis (TB) and chicken pox with several cases registered in the past years amongst the migrant population (ex: between Jan-Jun 2007, 60 new cases of TB were diagnosed among the immigrant population) currently such cases are being treated at Malta's general hospital but the problem arises when these people are discharged from hospital while awaiting results of investigations, which is the general policy of the hospital. Their return to the detention centres can lead to mass outbreaks of these infectious diseases which could potentially lead to an epidemic of TB. This situation becomes even more alarming in the light of the H1N1 swine flu virus with cases also registered within the immigrant population in Malta, and potentially causing wide community outbreaks in the same population. This situation poses a serious health risk for both the immigrant and the Maltese communities.

4. The urgent needs

This situation has put a lot of stress on Malta's reception capacities and asylum infrastructure which are constantly stretched to the limits to cater for the large numbers of migrants.

Following an agreement reached between the Maltese Civil Protection Department and their Italian counterparts, a number of mobile homes were shipped to Malta from Italy with the intention of replacing tents used as accommodation by immigrants. This will provide better accommodation for the immigrant population which is safer and more protected from the elements. It has been planned to increase the accommodation within the Hal Far Tent Compound by placing one mobile home on top of another. This will create additional accommodation space for 192 immigrants and alleviate the problem of overcrowding while providing a better standard of living for these migrants. In order to create access to the upper mobile homes, a number of staircases are required.

At the Tent Compound Lyster Detention Centre, the refurbishment of two sanitary facilities is needed. This refurbishment consists of the replacement of tiles, laying of new concrete, replacement of showers and wash-hand basins, replacement toilets etc. An

urgent requirement also exists for the provision of a number of dining tables to ensure that immigrants in detention have available basic amenities in dining rooms. At the moment not all dining rooms are equipped with tables. In order to address this shortcoming, 40 dining tables need to be installed to cater for the large number of immigrants in detention. Adding to this, at the Hal Far (Hangar) Open Centre, the completion of sanitary and dining facilities is urgently needed to ensure that minimum standards are reached for the large number of residing migrants (429).

The increase in the number of immigrant arrivals has also led to the need for additional bedding items and replacement tents which are constantly needed to ensure appropriate living conditions for the residents of the open centre managed by OIWAS. In view of the large influx in the initial months of 2009, such items are required additionally to the 2009 Annual Programme. It is understood that this need is on top of what is covered by the AP 2009

As regards the separation of female migrants from married couples, at the Safi detention centre, there is an urgent need to divide the recreational area into two parts with separate recreation areas for single females and married couples, thus resolving the problem of gender based sexual abuse.

In order to ensure that immigrants' appointments outside detention centres are not missed four minibuses are required. The availability of these vehicles will allow the Detention Service to meet the transport requirements related to immigrants' health care and asylum processing at venues outside detention from the various detention centres which at the moment is being met with great difficulty. As regards the open centres, a minivan and a pickup truck are needed by OIWAS to transport residents to health centres and also for the fast movement of supplies where needed in the open centres.

As regards safety and security for staff and residents at the Marsa Open Centre, works for the construction and servicing of a guard room, security grilles and gates, and ancillary works is urgently needed to avoid a situation where residents are at risk due to the current open house situation. Such works need to be carried out as soon as possible in view of the ever-increasing problems brought about by the exponential increase of immigrants during the first part of 2009. Implementation will need to commence by August 2009 in order to be finalized by January 2010 and therefore cannot be postponed till 2010. Project plans have been drawn up by the relevant authorities and the works will be carried out in 6 months' time.

When considering the increased workload at the Office of the Refugee Commissioner, there is a need for an increase in the number of technical staff i.e. asylum determination officers ensuring a fair and efficient asylum procedure within the first six months of the immigrant's arrival in Malta. These asylum determination officers would also require the equipment necessary to work and conduct interviews including laptops and recording devices, especially when considering that most of the interviews are conducted at the closed centres. The services of interpreters assisting the asylum determination officers are also needed for the asylum determination interview to be feasible. Another need the Office of the Refugee Commissioner is facing is the lack of office space to carry out the work related to the asylum determination process. Currently there are a limited number of interviewing rooms making the scheduling of interviews quite difficult. Thus there is a

need for the setting up of four mobile homes to be used as offices for interviewing. This would enable a faster asylum determination process for the applicant migrants.

With regards to the issue of infectious diseases among the immigrant population, there is an urgent need for medical isolation units in the detention centres. These units would be equipped with a number of rooms with separate sanitary facilities and a proper ventilation system, housed in mobile homes and an existing building that will be refurbished for the purpose. These units will be used for the isolation of patients from within the immigrant community which are affected by infectious diseases. Such a facility would guarantee the containment of diseases while ensuring the proper treatment of patients, improving heavily the healthcare facilities in the detention centres. Currently, control measures cannot be instituted effectively to control infectious diseases and thus the medical isolation centre units are of critical importance, especially in the light of the H1N1 virus which is spreading in Malta.

5. The short term objective

The objective of the Maltese authorities is to address the situation of particular pressure that is being experienced due to the exponential increase in arrivals of asylum seekers experienced in these last months. The resultant exceptionally heavy and urgent demands placed on the reception centres need to be addressed immediately. The residents will be provided with the necessary facilities for a good standard of living in a safer and more secure environment. The improvement of healthcare facilities for the immigrant community will result from the setting up of isolation facilities for immigrants with infectious diseases and appropriate areas within primary health care for health checks and the treatment of immigrants.

Another objective is the provision of transport facilities for OIWAS and the Detention Service to cope with the large number of immigrants needing transportation and the timely transport of supplies, within the open centres. Adding to this is the objective of a faster asylum determination system where applications will be processed more quickly, thus reducing the time spent in detention for asylum seekers awaiting the result of the application.

In view of its already outstretched resources, Malta requires the assistance of the Emergency Funds to continue to provide an adequate standard of living for these asylum seekers through the appropriate sanitary infrastructure, safe and comfortable accommodation, adequate transport capabilities, the provision of basic needs and a faster asylum determination system.

B. EMERGENCY MEASURES ENVISAGED

Introduction

In view of the emergency situation being experienced (described in previous sections) and the exceptional and urgent demands that are being placed on the accommodation facilities and asylum infrastructure, the Maltese Authorities are requesting the assistance of the Emergency Measures of the ERF 2009.

Measure 1: Refurbishment of sanitary facilities at the Tent Compound Lyster Detention Centre.

This measure consists of the refurbishment of 2 sanitary facilities consisting of the laying of new concrete, the replacement of tiles and sanitary fittings at the Tent Compound, Lyster Detention Centre. Due to the large number of migrants residing at Lyster Detention Centre resulting from the early 2009 arrivals, the 22 toilets and 26 showers present are constantly under heavy use, they were not designed for. This, coupled with cases of vandalism from the same residents has led to their rapid deterioration and thus the urgent need for refurbishment.

Grant Recipients: Detention Service

Estimated Cost: Euro 15,000.00

Method of implementation:

Taking into account the fact that the Detention service is the sole entity responsible for the running of the closed accommodation centres in Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified results

Two refurbished sanitary facilities.

Indicators

The setting up of appropriate sanitary facilities for the increased number of asylum seekers.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 2: Manufacture and installation of six staircases, allowing mobile homes to be placed on each other at the Tent Compound Lyster Detention Centre.

This measure consists of the installation of a number of staircases allowing access to 1st floor mobile homes, thus increasing accommodation space for migrants and providing better shelter. There are currently 257 people residing at Lyster Tent Compound, with the placement of mobile homes on top of each other, space within the centre will be doubled, allowing for a better standard of living by reducing overcrowding due to the horizontal footprint of the mobile homes and providing much better protection from the elements than the tents currently used.

Grant Recipients: Detention Service

Estimated Cost: Euro 18,000.00

Method of implementation:

Taking into account the fact that the Detention service is the sole entity responsible for the running of the closed accommodation centres in Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified Results

The installation of six staircases.

Indicators

Access to first floor mobile homes, allowing for more comfortable accommodation and increased doubling accommodation space within the centre.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 3: Procurement of four mini buses for the Detention Service for transport of immigrants.

This measure consists of the procurement of four mini buses for the transport of immigrants to and from health and asylum determination process appointments eliminating cancellations and delays whilst ensuring that following the 6 month period of emergency measures, transport facilities are still available for the immigrants in detention.

Alternative methods for ensuring the availability of mini buses have been explored (namely leasing) however these have not been deemed feasible. Indeed, if the mini buses are leased it has to be pointed out that, at the end of the lease, there would still be a large number of migrants living in detention with the same transport needs. Apart from this, leasing is considered to be very expensive in Malta due to the restricted size of the market and it is calculated that the cost of leasing (which is done through a binding contract for a number of years) would be more expensive than the cost of purchasing for the same period. Running costs of new vehicles will also be lower due to warranty cover. Purchasing is also more reliable since high demand for vans in Malta results in operators not being able to provide a guarantee of immediate availability of replacement vehicles in case of breakdown.

The 4 mini-buses are to be used solely for the purpose stated in the project for a period of at least five years after the end date of the emergency measures.

Grant Recipients: Detention Service

Estimated cost: Euro 132,000.00

Method of implementation:

Taking into account the fact that the Detention service is the sole entity responsible for the running of the closed accommodation centres in Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified Results

The procurement of four mini buses.

Indicators

The availability of transport services for the transport of immigrants in detention to the various medical and asylum determination appointments.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 4: Construction of separate recreational yards for single females and married couples at the Safi Detention centre.

This measure consists of the division of the recreational area at the Safi detention centre to separate single females from married couples eliminating the problem of gender based sexual abuse. This would involve the replacement of the chain link fence with stone walls with the necessary modifications to create two separate areas of the same size and the laying of concrete to create a level ground on which sports activities can be safely played. Project plans have been drawn up by the relevant authorities and the works will be carried out in 6 months' time.

Grant Recipients: Detention Service

Estimated Cost: Euro 164,000.00

Method of implementation:

Taking into account the fact that the Detention service is the sole entity responsible for the running of the closed accommodation centres in Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified Results

The division of the present recreational yard at the Safi Detention Centre.

Indicators

The separation of single females from married couples in the recreational yard solving the problem of gender based sexual abuse.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 5: Refurbishment of a derelict building into a Medical Isolation Section at Safi Detention Centre.

This measure consists of the refurbishment of a derelict building present at the Safi Detention Centre to serve as a medical isolation facility to accommodate individuals from the immigrant population with infectious diseases preventing widespread breakouts within the immigrant community and society at large. The refurbishment involves the replacement of an asbestos roof with a concrete roof, new electricity, water and drain infrastructure, replacement of sanitary facilities, doors and windows and the repair and replacement of the perimeter wall.

Grant Recipients: Detention Service

Estimated cost: Euro 23,300.00

Method of implementation:

Taking into account the fact that the Detention service is the sole entity responsible for the running of the closed accommodation centres in Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified Results

The refurbishment of a derelict building into a fully equipped medical isolation centre.

Indicators

The creation of an isolation area for immigrants with infectious diseases preventing widespread breakouts in the immigrant and Maltese communities.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 6: Provision of metal dining tables.

This measure consists of the procurement of 40 metal dining tables to be used in the Lyster and Safi closed accommodation centres, where the large number of the 2009 arrivals reside, ensuring all immigrants have the basic amenities in dining rooms, improving their standard of living.

Grant Recipients: Detention Service

Estimated cost: Euro 11,000.00

Method of implementation:

Taking into account the fact that the Detention service is the sole entity responsible for the running of the closed accommodation centres in Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified Results

The procurement of 40 metal dining tables.

Indicators

Improvement of living conditions at the detention centres through better dining facilities for all residents.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 7: Improvement of sanitary and dining facilities at Hal Far (Hangar) pen Centre.

This measure consist of the completion of works on existing sanitary and dining facilities and their extension, ensuring that minimum standards are reached and guaranteeing a better standard of living for immigrants residing in the Hal Far (Hangar) Open Centre and increasing its capacity from 429 to 1000 after the development of the site.

Grant Recipients: OIWAS

Estimated cost: Euro 352,000.00

Method of implementation:

Due to the urgency of the situation requiring immediate action to be taken the time necessary to launch a call for proposals and select projects would postpone the implementation of measures and their efficiency.

Also taking into account that OIWAS is the main Government Organisation currently addressing issues related to open accommodation centres in Malta and running this particular centre, it is the best placed beneficiary in terms of costs/efficiency to implement this measure. Therefore we propose the direct awarding procedure.

Quantified Results

The completion of sanitary and dining facilities and their extension.

Indicators

An improved standard of living for the residents of the Hal Far (Hangar) Open Centre through better sanitary and dining facilities.

Duration of the measure

1st September 2009 – 28th February 2010

Measure 8: Procurement of supplies for the immigrant population in the open centres.

This measure consists of the procurement of bedding items and replacement tents, ensuring a good stock of these supplies, thus contributing to a better standard of living for the residents of the Hal Far Tent Village and the Hal Far (Hangar) Open centre. It is estimated that about 2000 residents will benefit from these supplies.

Grant Recipients: OIWAS

Estimated cost: Euro 193,000.00

Method of implementation

Due to the urgency of the situation requiring immediate action to be taken the time necessary to launch a call for proposals and select projects would postpone the implementation of measures and their efficiency.

Also taking into account that OIWAS is the main Government Organisation currently addressing issues related to open accommodation centres in Malta and running this particular centre, it is the best placed beneficiary in terms of costs/efficiency to implement this measure. Therefore we propose the direct awarding procedure.

Quantified Results

The procurement of bedding items and replacement tents for approximately 2000 residents.

Indicators

Improved standard of living for migrants in the open centres through the availability of bedding items and replacement tents.

Duration of the measure

1st August 2009 – 31st January 2010

Measure 9: Improvements to reception facilities (open centres): Works for the construction and servicing of a guard room, security grilles and gates, and ancillary work at the Marsa Open Centre (MOC).

This measure consists of the finishing of a reception facility, to ensure that it (MOC) can actually fulfill the task of safely receiving residents, particularly the most vulnerable. Specifically, this measure focuses on creating a serviced perimeter to the centre, which houses around 500 asylum seekers and protected persons, and envisages construction and servicing of a guard room, security grilles and gates, and ancillary work.

Due to the larger number of persons (in view of the high influx in 2009) that are being (and/or will be) released from detention, a lot of pressure will be made on the safety and security features of the Marsa Open Centre. Indeed, the situation whereby persons of different (and sometimes conflicting) nationalities live together will definitely create more problems, especially in view of the current open house scenario.

Grant Recipients: OIWAS / Suret il-Bniedem

Estimated cost: Euro 45,000.00

Method of implementation

Due to the urgency of the situation requiring immediate action to be taken the time necessary to launch a call for proposals and select projects would postpone the implementation of measures and their efficiency.

Also taking into account that OIWAS is the main Government Organisation currently addressing issues related to open accommodation centres in Malta and running this particular centre, it is the best placed beneficiary in terms of costs/efficiency to implement this measure. Therefore we propose the direct awarding procedure.

Quantified Results

The construction and servicing of a guard room, security grilles and gates, and ancillary works

Indicators

Improved safety and security and increased privacy for the residents and the staff of the Marsa Open Centre.

Duration of the measure

1st August 2009 – 31st January 2010

Measure 10: Transport facilities for immigrants residing in open centres managed by OIWAS.

This measure consists of the procurement of a minivan and a pickup truck to be used to transport the immigrant residents to the various medical and asylum determination appointments and for the fast and timely transport of supplies in the open centres.

The alternative methods for ensuring the availability of these means of transport, namely leasing, has been explored however it has not been deemed feasible. This opinion is also based on local authorities' experience in leasing a multi-purpose van, which action is foreseen to be undertaken as part of the 2009 AP (apart from the fact that the van mentioned in the 2009 AP will not suffice to cater for the transport needs of the immigrants).

If the vehicles are leased it has to be pointed out that, at the end of the lease, there would still be a large number of migrants living in detention with the same transport needs. Apart from this, leasing is considered to be very expensive in Malta due to the restricted size of the market and it is calculated that the cost of leasing (which is done through a binding contract for a number of years) would be more expensive than the cost of purchasing for the same period. Running costs of new vehicles will also be lower due to warranty cover. Purchasing is also more reliable since high demand for vans in Malta results in operators not being able to provide a guarantee of immediate availability of replacement vehicles in case of breakdown.

The vehicles are to be used solely for the purpose stated in the project for a period of at least five years after the end date of the emergency measures.

Grant Recipients: OIWAS

Estimated cost: Euro 45,000.00

Method of implementation

Due to the urgency of the situation requiring immediate action to be taken the time necessary to launch a call for proposals and select projects would postpone the implementation of measures and their efficiency.

Also taking into account that OIWAS is the main Government Organisation currently addressing issues related to open accommodation centres in Malta and running this particular centre, it is the best placed beneficiary in terms of costs/efficiency to implement this measure. Therefore we propose the direct awarding procedure.

Quantified Results

The procurement of a minivan and a pickup-truck.

Indicators

Improved transport services for the residents and the timely transport of supplies in the open centres.

Duration of the measure

1st August 2009 – 31st January 2010

Measure 11: Increasing the operational capacity of the Office of the Refugee Commissioner.

This measure consists of the recruitment of 10 asylum determination officers and interpreters to provide 5400 hrs of interpretation in different african languages, (mainly Somali, Arabic, Amharic, Tigrinya, Djoula, Oromo, Hawsa, Kotokoli, Peul/Madinga and Edo) and the procurement of the necessary equipment to conduct their duties, increasing the number of asylum applications processed. Such equipment is separate from that indicated in the 2009 AP which was earmarked for the present number of asylum determination officers. In contrast, the equipment being requested in the emergency measures application is required for the 10 new case workers to be recruited due to the increase in arrivals and the new policy of concluding cases within 6 months, more resources are needed by the Office of the Refugee Commissioner.

It has to be pointed out that the 10 asylum determination officers will be hired as temporary staff (i.e. for the duration of the measure, not exceeding 6 months). However, if their services would be required beyond the 6 months the Office of the Refugee Commissioner would then actively consider initiating the process for them to become permanent staff.

The measure also entails the setting up of 4 mobile offices and archiving system to provide additional space for the asylum determination process and the related documentation.

Grant Recipients: Office of the Refugee Commissioner

Estimated cost: Euro 323,000.00

Method of implementation

Taking into account the fact that the Office of the Refugee Commissioner is the sole entity responsible for the asylum determination process Malta the proposed method is the executing body method justified by de jure monopoly situation

Quantified Results

The procurement of four mobile offices and an archiving system, the recruitment of asylum determination officers and interpreters and the procurement of the equipment necessary for the asylum determination process.

Indicators

A faster asylum determination process through the availability of increased human resources, office space and related equipment allowing for more cases to be concluded in a shorter period of time.

Duration of the measure

1st August 2009 – 31st January 2010

Measure 12: The setting up of mobile homes to be used as isolation and treatment units by the Health Department.

This measure consists of the setting up by the Health Department of mobile homes to be used as medical isolation units for the isolation and treatment of immigrants with infectious diseases to prevent wide outbreaks of these diseases in the immigrant population.

Grant Recipients: Health Department

Estimated cost: Euro 70,000.00

Method of implementation

Due to the urgency of the situation requiring immediate action to be taken the time necessary to launch a call for proposals and select projects would postpone the implementation of measures and their efficiency.

Also taking into account that the Health Department is the main entity currently addressing issues related to the healthcare of the target population in Malta, it is the best placed beneficiary in terms of costs/efficiency to implement this measure. Therefore we propose the direct awarding procedure.

Quantified Results

The procurement of three mobile homes to be used as medical isolation and treatment units by the health department.

Indicators

The containment of infectious diseases within the migrant community, protecting healthy individuals from infections while ensuring the proper treatment of patients.

Duration of the measure

1st October 2009- 31st March 2010

Visibility of EC Funding

In order to ensure the visibility of EC funding, signs will be installed on all the equipment funded by the project including permanent plaques on mobile homes and places where infrastructural works are carried clearly indicating the funding source. Furthermore, press releases will be made to inform the general public of the assistance received from the ERFIII Emergency Measures.

Complementarity with existing actions supported by the European Refugee Fund.

The urgent measures described above complement other actions supported by the ERF which have been carried out along the years to improve the living conditions of asylum-

seekers living in both closed and open centres and to improve the efficiency of the asylum determination process. Indeed, similar actions have been chosen for co-financing under the Annual Programme 2009. These include the provision of essential services for the management of reception centres within AFM (Armed Forces of Malta) compounds, providing a better quality of life to the residents of the Marsa Open Centre and post application client preparation and asylum determination interviewing centre for asylum seekers. Due to the large influx of migrants experienced in early 2009, these measures are not sufficient to address this situation of particular pressure.

The proposed measures could not be included in the Annual Programme 2009, as the emergency emerged and worsened at a later stage, after the document had been already submitted and all funds allocated to other actions. These measures, due to their urgency, need to be addressed immediately and can thus not wait to be included in the Annual Programme 2010, which has yet to be drafted. Furthermore, the limited financial resources allocated to Malta this year shall be allocated to different beneficiaries through the awarding method. Indeed, an open call for proposals will be launched to select the projects.

C. ELIGIBILITY RULES

1. Start date and end date of all the measures.

All measures will be implemented over the period 1st August 2009– 31st March 2010. However, the eligibility period for each individual measure will not exceed 6 months as indicated in point B above under each of the Measures.

2. Derogations to the eligibility rules on expenditure.

Due to the high numbers of the target population making use of the infrastructure and equipment of the Detention Service, OIWAS, the Health Department and the large workload of the Office of the Refugee Commissioner, the lifetime of the assets available and those to be acquired is drastically reduced. This makes the eligibility of costs, limited to cover only the depreciation costs, not a feasible option. Apart from this, there is the reality of a small country with limited resources and a highly disproportionate problem of immigrant arrivals.

Therefore, as foreseen in Annex 11 of the implementing rules it is proposed to apply the following derogations:

- Expenditure linked to the purchase of equipment, to the renewal or adaptation of buildings for the needs of emergency measures shall be eligible on the basis of full purchase cost, provided that there is a direct link with the emergency measures.

6. FINANCING PLAN

Annual Programme - Financial Plan

Table 1 - Overview table

Member State: Republic of Malta Annual programme concerned: 2009 Fund: European Refugee Fund								
	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)
<i>(all figures in euro)</i>								
Action 1: Provision of essential services for the management of reception centres for TCN's within AFM compounds	1		385.012,50	128.337,50		513.350,00	75.00%	20,18%
Action 2: Providing a better quality of life to the residents of the Marsa Open Centre	1		184.809,00	61.603,00		246.412,00	75.00%	9,69%
Action 3: Opportunities for the Integration of Migrant Women through Empowerment and Social Enterprise	1		30.569,79		10.189,93	40.759,72	75.00%	1,60%
Action 4: Post Application Client preparation and asylum determination interviewing centre for asylum seekers	2		202.837,00	67.612,00		270.449,00	75.00%	10,63%
Technical assistance			80.766,90			80.766,90	100.00%	3,17%
Other operations			1.113.040,00	278.260,00		1.391.300,00	80,00 %	54,71%
TOTAL			1.997.035,19	535.812,50	10.189,93	2.542.820,72	78,53%	100%

(1) if appropriate

(2) if appropriate