

ANNUAL PROGRAMME 2008

MEMBER STATE: Republic of Malta

FUND: European Return Fund

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

YEAR COVERED: 2008

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

Introduction

The allocation for Malta under the Annual Programme 2008 will be disbursed by using the two implementing methods. The awarding method has been utilised to allocate the amount for Action 1. The remaining financial resources following the selection process shall be allocated by the Responsible Authority, using the executing method, to carry out Action 2.

1.1 Selection of projects by call for proposals

The awarding method was utilized by the Responsible Authority in order to allocate funds, as it retains this is the most transparent method available and it gives the opportunity to all entities and organizations involved to submit their proposal on an equal footing.

A public call for proposals was issued on 7th November 2007 with a deadline for the submission of project proposals of 11th December 2007. The call was published on local newspapers and application documents were made downloadable from the website of the Ministry for Justice & Home Affairs, within which the RA of this Fund is situated. Actions related to voluntary and forced return, in line with the eligible actions described in the basic act (Article 4) could be considered for financing through this call for proposals. Furthermore, the target groups of this call were the ones listed in Article 7 of the basic act. All public entities, International Organizations and any other organizations involved in the assistance to and return of illegal third country nationals could apply for funding.

One (1) project was submitted jointly by the International Organisation for Migration (Mission in Malta) and the Third Country Nationals Unit within the Ministry for Justice & Home Affairs. The project was evaluated by a Project Selection Committee (PSC) according to the following Evaluation Ranking Criteria, based on the minimum criteria set in Article 15 (5) of the basic act.

(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**.

Only one project proposal was submitted for co-funding under this call. It was evaluated by the Project Selection Committee in order to assess its relevance to the particular situation and requirements of Malta and the priorities of the Fund. Due regard was given to the complementarity of the proposed project with other ongoing projects in the field of return, funded by other EU and national programmes.

(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.

(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

The project was found to fulfill the above criteria. It was thus approved for co-financing under the European Return Fund Annual Programme 2008. The budget for the project was examined and positively considered by the Project Selection Committee.

1.2 Implementation of projects by the RA acting as executing body

The RA of the Return Fund is situated within the Ministry for Justice and Home Affairs (MJHA), which is the Ministry responsible for carrying out returns of illegally staying third country nationals.

In view of the fact that the one project submitted and consequently approved for co-financing under the awarding method, shall not absorb the total amount allocated to Malta under this Annual Programme, the Responsible Authority retains the right to act as an executing body in carrying out other projects that require immediate action, falling under Action 2 below. In this respect, the RA shall implement the action, in conjunction with the entity with de jure/de facto monopoly in this regard, the Malta Police Force Immigration Section (under the remit of MJHA).

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

Not applicable.

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

3.1. Actions implementing priority 1: Support for the development of a strategic approach to return management by Member States.

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| Action 1: RESTART | |
| (Voluntary Return and Sustainable Reintegration in the Country of Origin) | |
| Method of Implementation | This action was selected for funding following an open call for proposal, i.e. by the utilization of the awarding method . |
| Purpose and Scope of the Action | <p>The project shall support the efforts of the Maltese authorities to improve its integrated return management by facilitating voluntary return and sustainable reintegration for migrants in need of return assistance. The project will offer, over a period of 18 months, a chance to 30 migrants or less to rebuild their lives in their home country. It will provide voluntary return and reintegration assistance tailored to individual needs with the aim of supporting their sustainable reintegration into their country.</p> <p>Apart from the provision of direct assistance to potential returnees, statistical information will be collected during the project, recording migrants’ interest in AVRR option, with particular focus on their profiles and skills. This would be utilized to better plan the reintegration assistance and fine tune the curricula for the ‘Return preparation sessions’.</p> <p>IOM will also compile the lessons learnt from the project as recommendations to the Ministry for Justice and Home Affairs, a tool which could be of invaluable assistance to fine-tune its</p> |

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| | <p>AVR policy.</p> <p>The target groups of this Action shall be the ones indicated in Article 7 1(a)(b)(c) of the basic act.</p> |
| <p>Key activities</p> | <p>The activities that will be carried out by IOM, in close cooperation with the above mentioned partners and other IO's and NGO's, shall entail:</p> <ul style="list-style-type: none"> - Return counseling to provide up-to-date information on housing, employment, welfare and on general living conditions in the home country, so as to support an informed decision of potential returnee; - Proper and timely information on the return and reintegration possibilities. The informative material on AVRR, including rights and entitlements, will be provided in several languages and formats, involving migrants' associations and cultural mediators; - Supporting returnees in the preparations of reintegration packages. This shall include a rapid assessment to 'tailor-make' the reintegration plans to be implemented throughout six to nine months, including activities to be carried out at pre-departure and post-arrival stages. The latter time-frame includes the pre-departure planning phase when ad hoc 'Return Preparatory Sessions' will be carried out. - The organization of 'Return Preparation sessions' for potential returnees (including preparation of business plan, IT literacy, vocational training); - Assistance in actual movement to the country of origin, including pre-departure and post arrival assistance and procurement of relevant documents; - Monitoring the implementation of the reintegration process, by means of constant coordination with returnees, local IOM missions and associations, in order to evaluate how the reintegration plans developed. It will entail the elaboration of a monitoring report not later than six months after the returnee's arrival in the country of origin, making a comparison as to how reintegration has been achieved, with reference to the reintegration plan, and including any possible recommendations/best practice on how such reintegration plans could be developed further. <p style="text-align: right;">This monitoring phase will be completed by two</p> |

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| | <p>assessment missions in two selected African origin countries. This monitoring phase will be completed by two assessment missions in two selected African origin countries.</p> |
| <p>Expected Grant Recipients</p> | <p>The recipient of the assistance shall be the International Organisation for Migration (IOM-Malta) as the Project leaders. IOM will be responsible for the overall management of the project and the organization and coordination of the key activities of the project.</p> <p>IOM (Malta) is backed by an international organization whose mandate includes AVRR schemes, and whose expertise has been developed throughout the last 20 years. The personnel at IOM Malta are trained to perform such tasks, and have the added-value of being familiar with and having first-hand experience to the peculiar Maltese situation. To ensure the effective implementation of the project, IOM will make use of its global network of more than 340 field locations spread in countries of origin, transit and destination.</p> <p>The <i>Ministry for Justice and Home Affairs</i> has been brought in as a partner, contributing also financially to local co-financing of the project. This Ministry shall, through the TCN's Unit, be an active partner, assisting in the referral and monitoring of cases. Another key player in the success of this project is undoubtedly the Organization for the Integration and Welfare of Asylum –Seekers (OIWAS, falling also under the remit of the Ministry for Justice and Home Affairs). The staff of this organization, which is responsible for welfare issues, is in continuous contact with the migrants, thus providing an excellent liaison between the project leaders and the target group. This coordination will provide for a better flow of information and services.</p> |
| <p>Expected quantified results and indicators to be used</p> | <p>Results</p> <ul style="list-style-type: none"> - Development of innovative national AVRR policy; - Further familiarization of the migrant population in Malta with the AVRR option; - Setting up of a referral system and mechanism, that will self-sustain after project completion; - Compiled recommendations and statistical information |

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| | <p>collected by the project will assist the Maltese government in the continuous development and fine-tuning of a structured Voluntary Return policy.</p> <p>Indicators</p> <ul style="list-style-type: none"> - 30 migrants envisaged to avail themselves of the AVRR option during lifetime of project; - 3 “Return Preparatory Sessions” organized; - 1400 Multi-lingual leaflets printed; - 2 monitoring missions carried out. | | | |
| <p>Cost of the action</p> | <p>Total cost of action</p> <p>€ 147,693.60</p> | <p>Financing from RF</p> <p>€ 110,770</p> | <p>Private co-financing</p> <p>€ 19,000</p> | <p>Public co-financing</p> <p>€ 17,923</p> |
| | <p>Indicative Breakdown of Costs</p> | <p>Staff Costs (Project Manager and cultural mediator)</p> | | <p>€ 48,600</p> |
| | | <p>Travel & Subsistence costs (Monitoring missions)</p> | | <p>€ 3,268</p> |
| | | <p>Indirect Costs (Overheads)</p> | | <p>€ 24,615.6</p> |
| | | <p>Expenses incurred for the Target Group (flight tickets, documentation, Return Preparatory Sessions, reintegration packages, translation and printing of information material etc)</p> | | <p>€ 71,210</p> |

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| <p>Visibility of EC Funding</p> | <p>To grant visibility to EC funding, all leaflets, information material, relevant correspondence and training material developed for the Return preparation sessions will bear the EC and Maltese flags together with the specific wording to the funding source. Furthermore, an article in the local media will disseminate information on this project to the general public.</p> <p>Details of the project shall also be included on IOM and MJHA websites, with a link to the Return Fund section of DG Justice Liberty Security website.</p> |
| <p>Complimentarily with similar actions financed by other EC instruments, if appropriate</p> | <p>This project complements and builds upon actions undertaken in the field of voluntary and forced return with the support of ‘Return Preparatory Actions’ programme and ERFIL.</p> |

| <p align="center">Action 2: Activities of forced return</p> | |
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| <p>Method of Implementation</p> | <p>This action shall be implemented by utilizing the executing method. In view of the nature of this action, the RA of the Return Fund shall implement activities in collaboration with the national entity with a de jure monopoly in this field.</p> |
| <p>Purpose and Scope of the Action</p> | <p>The scope of this action is to carry out the forced removal of illegal TCN’s. The Fund shall alleviate some of the burden currently carried solely by the Maltese authorities to execute the removal of such persons to their country of origin.</p> <p>The target group of this Action shall be the group indicated in Article 7 1(d) of the basic act.</p> |
| <p>Key activities</p> | <p>- Transportation (Return) of illegal TCN’s to country of origin, including escorting were relevant.</p> |
| <p>Expected Grant Recipients</p> | <p>In view of the implementing method chosen, the RA will be the direct recipient of the Grant. However, the Malta Police Force Immigration Section, which is the national entity responsible for carrying out forced removal of illegal TCN’s, shall be the final recipient of the assistance received from the Fund.</p> |
| <p>Expected quantified results and indicators to be used</p> | <p>Past experiences have made amply clear that procuring documentation in order to be able to return illegally staying TCN’s is not an easy process and may take a long period of time. Documenting such returnees depends a lot on the working relations with the authorities of the country of origin and the networks available that could provide assistance in the</p> |

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| | <p>process.</p> <p>For this reason it is almost impossible to foresee the number of forced returns that will be affected over the eligible period of this Annual Programme. Technically, in view of the available financial allocations and based on an average cost of the amounts incurred per return (per person), 1064 forced returns is the maximum that can be affected over the annual programme. However, this indicative number is very liable to change and be much less, as the costs incurred per return depend on the destination of the deportee, the amount of deportees, the type of flight used for the returns (charter, scheduled, joint) and the necessary escorting, among other factors. Additionally, it is very likely that this number is not reached and the amount of returns will be a lot less due to the difficulties mentioned above in documenting the illegal TCN's.</p> <p>The rate of success of the activities and the assistance of the fund can be measured in comparison with the number of forced returns affected and the costs incurred solely by the national authorities in the preceding years.</p> |
| <p>Cost of Action</p> | <p>The total amount that is being allocated to this action is of €489,230 (from the Return Fund) and €163,076 (from local funds). The Return Fund shall thus co-finance 75% of the costs of activities of forced return carried out in the eligible period.</p> <p>These costs shall be incurred for flight tickets for returnees and their escorts (police officers or air marshals of the airline, as the case requires); staff costs (including overtime) for escorts directly involved in the carrying out of the removals; subsistence of these escorts (if required) etc.</p> |
| <p>Visibility of EC Funding</p> | <p>The RA shall ensure that visibility of the assistance from the Fund for the preparation and execution of forced returns is achieved by the publication of a media article at the end of the annual programme. The RA shall, in collaboration with the Malta Police Immigration Section, describe the activities that were undertaken in the period under review, the amount of forced returns involved and the costs that were co-financed by the Fund.</p> |
| <p>Complimentarily with similar actions financed by other EC instruments, if appropriate</p> | <p>This project complements and builds upon actions undertaken in the field of forced return with the support of 'Return Preparatory Actions' programme.</p> |

3.2. Actions implementing priority 2: Support for the cooperation between Member States in return management.

No actions are foreseen under this priority for the annual programme 2008

3.3. Actions implementing Priority 3: Support for specific innovative (inter)national tools for return management.

No actions are foreseen under this priority for the annual programme 2008

3.4. Actions implementing Priority 4: Support for Community standards and best practices on return management.

No actions are foreseen under this priority for the annual programme 2008

4. TECHNICAL ASSISTANCE

4.1 Purpose of the technical assistance

An external independent evaluation will be carried out on the completion of the project and the end of the annual programme 2008. Quotations from audit firms interested in carrying out such external evaluation of the programme are received by the RA. Appointment is then made on the basis of the best price, the work plan presented and previous experience with EU funding. This evaluation will help identify strengths and weaknesses of the implementation and management of the programme in order to continuously improve the performance.

It is envisaged that the RA produces a printed Manual of Procedures as a reference point for all the authorities and beneficiaries on the processes to be followed in managing and implementing the fund. The technical assistance will be utilized to print an official version of the Manual to be disseminated among all those involved.

An information event will be held by the RA, to present the approved MAP and the AP 2008, giving information on the actions that will be carried out and the assistance being received from the Fund.

The technical assistance shall also be utilized to partly/fully cover the costs of salaries of two officials that have been seconded to assist the RA in the management of the Return Fund.

4.2 Expected quantified results

One external evaluation and a printed Manual of Procedures on the management and implementation of the Fund will be produced with the technical assistance. An information event will also be organized to disseminate the assistance of the Fund. Furthermore, 2 officials will be seconded to carry out work in the Responsible Authority of the Return Fund.

4.3 Visibility of EC funding

Reference to this assistance will be made in any dissemination activities undertaken by the RA, including during the presentation of the Multi-Annual programme 2008-13 and the annual programme 2008 by a press event. Furthermore, reference to the Fund will be made on the website of the Ministry for Justice, together with the list of the approved actions. The Manual of Procedures will also bear the logo and wording referring to the source of funding.

5. DRAFT FINANCING PLAN

[signature of the responsible person]

| Annual Programme - Draft Financial Plan | | | | | | | | |
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| Table 1 - Overview table | | | | | | | | |
| Member State: Republic of Malta | | | | | | | | |
| Annual programme concerned: 2008 | | | | | | | | |
| Fund: Return 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: RESTART | 1 | 1 | 110,770.20 | 17,923.40 | 19,000.20 | 147,693.80 | 75.00% | 17.55% |
| Action 2: Activities of forced Return | 1 | | 489,229.80 | 163,076.60 | | 652,306.40 | 75.00% | 77.53% |
| Action 3: [...] | | | | | | 0.00 | | 0.00% |
| Action 4: [...] | | | | | | 0.00 | | 0.00% |
| Action 5: [...] | | | | | | 0.00 | | 0.00% |
| Action ...: [...] | | | | | | 0.00 | | 0.00% |
| Action N: [...] | | | | | | 0.00 | | 0.00% |
| Technical assistance | | | 41,337.61 | | | 41,337.61 | 100.00% | 4.91% |
| Other operations (2) | | | | | | | | 0.00% |
| TOTAL | | | 641,337.61 | 181,000.00 | 19,000.20 | 841,337.81 | 76.23% | 100.00% |

(1) if appropriate

(2) if appropriate