

Guidelines for applications submitted for projects under European Return Fund under the multi-annual programme 2008 – 2013.

The aim of these guidelines is to direct applicants in the filing of the application form for the funding under the European Return Fund 2008 - 2013. The guidelines serve to summarise Council Decision No. 575/2007/EC. Further information can be obtained from the Programme Implementation Directorate, Ministry for Justice and Home Affairs Tel: 22957160/125 or by email addressed to margaret.fenech@gov.mt and copied to michelle.mizzi@gov.mt. The total amount of funds available for 2010 is €719,522.43. **Only a maximum of 75% of total eligible cost of the project can be co-financed out of EU Funds.** Complete applications are to be submitted by the **14th September 2009 at 12.00hrs.**

Abbreviations

FB – Final Beneficiary
MS – Member State
TCNs – Third Country Nationals
VAT – Value Added Tax

1. Basic Information

1.1 Name of Project

Title of project should be indicative of what the project aims to achieve e.g. "Promotion of Assisted Voluntary Return Among Asylum-Seekers". Length of the title should not exceed 20 words.

1.2 Entity applying for funding and contact details

Submit the details of entity applying for project. All private and public entities including NGOs are eligible to apply.

Prospective applicants should specify their legal status and attach the statute or articles of association together with the audited accounts of the last financial year.

2. Priorities of the Fund

In this section the applicant should indicate which of the Priorities of the Fund, indicated hereunder, the project is targeting.

PRIORITY 1: Support for the development of a strategic approach to return management by Member States;

PRIORITY 2: Support for the co-operation between Member States in return management;

PRIORITY 3: Support for specific innovative (inter)national tools for return management;

PRIORITY 4: Support for Community standards and best practices on return management.

3. Target Group

For the purpose of this Fund, the target group shall comprise:

- a) All TCNs who have not yet received a final negative decision in relation to their request for international protection in a MS and who may make use of voluntary return provided they have not acquired a new nationality and have not left the territory of that MS;
- b) All TCNs enjoying a form of international protection within the meaning of Directive 2004/83/EC, or temporary protection within the meaning of Directive 2001/55/EC in a MS, and who choose to make use of voluntary return, provided they have not acquired a new nationality and have not left the territory of that MS;
- c) All TCNs who do not or no longer fulfill the conditions for entry and/or stay in a MS and who, in accordance with the obligation to leave the territory of that MS, make use of voluntary return;
- d) All other TCNs who do not or no longer fulfill the conditions for entry and/or stay in a MS.

4. Objectives and Actions

4.1 Overall Project Objective

Specify the general aim of the project. The project should contribute to the Fund's objectives as detailed in Article 3. A summary of these objectives is presented hereunder:

- a) The introduction and improvement of the organization and implementation of integrated return management by Member States;
- b) The enhancement of the cooperation between Member States within the framework of integrated return management and its implementation;
- c) The promotion of an effective and uniform application of common standards on return in line with policy developments in this field.

4.2 Project Description

Describe in some detail (not more than 200 words) what the project will be focusing on and the actions it will be carrying out.

4.3 Actions

The applicant should state what action/s his/ her project will be taking. Actions allowed under this funding are listed under Art. 4 of Council Decision 575/2007/EC. A summary is found below:

- a) The establishment or improvement of an effective, stable and lasting operational cooperation of MS' authorities with consular authorities and immigration services of third countries', with a view to obtaining travel documents for the return of TCNs and ensuring speedy and successful removals;
- b) The promotion of ways and means to provide information on return as early as possible and encourage individually TCNs to make use of voluntary return;
- c) The facilitation of voluntary returns, in particular through assisted voluntary return programmes;
- d) Developing modes of cooperation between different levels of public authorities, enabling officials to swiftly gain information on return experiences and practices elsewhere, and when possible to pool resources;
- e) The simplification and implementation of enforced returns;

- f) Cooperation in the gathering and provision to potential returnees of information on the country of origin, former residence or transit;
- g) Cooperation in developing effective, stable and lasting operational working relationships between MS' authorities and consular authorities and immigration services of third countries;
- h) Design of joint integrated return plans and their implementation, including joint voluntary return programmes;
- i) Studies on the current situation and the possibilities for enhancing administrative cooperation among Member States in the field of return as well as on the role of IO's and NGO's to be played in this context;
- j) Exchange of information and best practices, in dealing with return of particularly vulnerable groups;
- k) Organization of seminars for practitioners on best practices, focusing on specific third countries and/or regions;
- l) Joint measures enabling the reception of readmitted persons in countries or origin, former residence or transit;
- m) Joint developments of actions to ensure sustainable return of persons to the country of origin or former residence;
- n) Enhancement of the capacity of competent authorities to take high quality return decisions as quickly as possible;
- o) Enhancement of the capacity of competent administrative authorities to implement or enforce speedily removal decisions;
- p) Enhancement of the capacity of judicial bodies to more quickly assess return decisions appealed;
- q) Organization of seminars and joint training for the staff of relevant authorities concerning legal and practical aspects of return operations;
- r) Enhancement of the capacity of competent administrative authorities to effectively implement common arrangements on mutual recognition and joint return operations.

4.4 Project Purposes

The applicant has to describe what he/she will do to achieve the overall project objective. The project purposes should be measurable e.g. enhancing of equipment utilized for surveillance.

Avoid:

- *Using the word "not" instead say what you want to achieve;*
- *Referring to what you are not able to influence or change e.g. established government policy, political situation in foreign country etc.*

5. Budget

Specific costs directly linked to the implementation of the project and foreseen in the estimated overall budget of the project.

Non-Governmental Organizations must provide written proof, through the signed budget form and/or the Partner Declaration(s) and/or the Co-Financing Declaration(s) (where applicable), that they have secured co-financing of at least 25% of the total eligible costs of the project.

Non-eligible depreciation costs will have to be borne entirely by the project beneficiary.

5.1 Budget Breakdown

	Cost Category	Eligible Costs	Requirements for Claims
A.	Staff Costs	Costs of staff are only eligible for persons that have a key role in the project, such as project managers and other staff operationally involved in the project. Functions, number of staff and names have to be indicated in Annex 1 of the budget application. Costs are based on the actual salaries and comprising social security charges and other statutory costs included in the remuneration. Costs of an official seconded to a project is eligible, even if not on the payroll of the final beneficiary but on the Ministry or the administration of origin. Supporting staff costs are not eligible as Direct Costs.	Filled in ' Declaration on Staff Costs ', time sheets and payslips .
B.	Travel & Subsistence Costs	Staff costs are eligible on the basis of the actual costs incurred and only for the staff whose costs are eligible as defined in Point A. Reimbursement rates must be based on the cheapest public transport. Daily subsistence shall be eligible on the basis of real costs or per diem. When staff costs of permanent officials is charged under 'costs covered by assigned income' category, their travel costs must be charged under this category. Travel costs for officials can be charged under direct cost in 2 cases: a. when staff cost of permanent officials is eligible as direct cost; b. when staff costs of permanent officials is not charged to the project but participate in the project activities. In this case attendance lists should be kept.	Beneficiary has to provide as supporting evidence: - The invitation of the seminar/training conference from the hosting agency. - The agenda of the seminar/training/conference. - Relevant boarding passes - Travel agency invoices and other supporting documents Including receipts in case of reimbursement of real costs)
C.	Equipment	Equipment must be related directly to the realization of the project and having the technical characteristics necessary for the project. Costs incurred can be co-financed on the full or partial cost. Costs incurred have to be in accordance with national procurement rules (LN 177 of 2005). Equipment has to remain in use for the same objectives pursued by the project for a minimum duration of three years or more for ICT equipment, five years or more for operating equipment and ten years for helicopters, vessels and light aircraft. Expenditure in relation to renting and leasing of equipment	The invoices and receipts in relation to the purchase, renting or leasing of equipment must be produced to support the claim.

		is eligible for co-financing for the purpose and duration of the project implementation. Depreciation of costs may apply.	
D.	Real Estate	<p>This cost is eligible when it is necessary for the implementation of the project and clearly linked with its objectives. The full or partial costs are eligible; however the following conditions have to be followed:</p> <ol style="list-style-type: none"> 1. A certificate is obtained from an independent qualified valuer. 2. To be eligible, no community grant could have been granted in relation to the same real estate and the building must be used solely and exclusively for the stated purpose for at least 10 years. <p>Rental of real estate is eligible where there is a clear link with the objective of the project and shall be used for the implementation of the project.</p> <p>Office space of the final beneficiary used for specific tasks directly linked to the project may be considered as a cost. However a detailed justification indicating the percentage of use and supporting documents should be provided.</p> <p>Depreciation of costs may apply.</p>	The invoices and receipts in relation to the carrying out of works must be produced to support the claim.
E.	Consumables, Supplies & General Services	Eligible if identifiable and directly necessary for the implementation of the project, excluding office supplies and all kinds of small administrative consumables, supplies and general services such as telephone, internet and postage.	The invoices and receipts in relation to the expenditure must be produced to support the claim.
F.	Subcontracting	Subcontracting should not exceed 40% of the eligible direct costs.	The invoices and receipts and a copy of the agreement with the subcontractor must be provided.
G.	Expert Fees	Legal consultancy fees, notarial fees and costs of technical and financial experts if they are directly linked to the project and necessary for its preparation and implementation.	The invoices/receipts must be produced to support the claim.
H.	Costs deriving directly from requirements linked to EU co-financing	Costs necessary for meeting the requirements linked to EU co-financing, such as publicity, transparency, evaluation of the project, external audit, bank guarantees, translation costs etc.	The invoices/receipts of these measures must be produced to support the expenditure carried out.
I.	Eligible Indirect Costs (Overheads)	<p>Indirect Costs relate to categories of expenditure that are not identifiable as specific costs directly linked to the project. The fixed percentage of indirect costs in relation to the total amount of eligible direct costs must not exceed 20%.</p> <p>Indirect Costs have to be foreseen in the forward budget and the exact percentage of indirect costs fixed when submitting the application.</p> <p>The percentage dedicated for indirect costs shall cover the following costs in particular:</p>	The invoices/receipts of any expenditure must be produced to support the claim.

		<ul style="list-style-type: none"> - Staff costs that are ineligible as direct costs; - Administration and management expenses; - Bank fees and charges; - Depreciation of real estate and maintenance costs (when linked to the day to day administrative operations); - All costs linked to the project but excluded from "Eligible Direct Costs". 	
J.	Specific Expenses In Relation To Target Groups	These consist of costs incurred by the beneficiaries for the target groups. This includes costs incurred by returnees including travel costs and non-reimbursable lump sums e.g. cash incentives and support for economic activities.	Information about target groups to show that they are eligible for assistance must be kept. Additionally, information about on returnees receiving this assistance to allow proper identification and their date of return must be kept.
X.	Costs covered by assigned income (not eligible as direct or indirect staff costs)	<p>In duly substantiated cases, co-financing of the project as regards the contribution from the beneficiary and the partners in the project may be made up in part of contributions in terms of work carried out by permanent officials employed by these bodies and involved in the project. Such contributions shall not exceed 50% of the total contribution given by the final beneficiary. The following rules shall apply:</p> <ul style="list-style-type: none"> - Tasks of public officials are specifically linked to the implementation of the project and do not arise from the statutory responsibilities of the public authority. - Public officials are seconded by a duly documented decision. - The value of these contributions can be audited and may not exceed the costs actually borne and duly supported by accounting documents of the public authority. 	Filled in time sheets and payslips.

Ineligible Expenditure

- a. **VAT** – Public entities are not eligible for VAT.
NGO's and non-profit organizations will be eligible only if they can provide an official tax certificate stating that the entity cannot recover VAT.
- b. **Costs covered by Assigned Income** – In cases where the contributions from the final beneficiary is made up in part of contributions in terms of work carried out, these costs are not eligible as direct or indirect staff costs.
- c. **Other** - Fines, Financial Penalties & Litigation Costs;
- Entertainment Expenses.

6. Disbursement Table

A quarterly forecast of the expenditure to be carried out must be indicated in the table. This is very important in order for the Responsible Authority to plan availability of funds.

7. Project Administration

List the people who will be directly involved in the management of the project. The project leader is the person who will be heading the management of the project and will have final responsibility of its overall progress.

In section 7.2.1 you are required to specify the organizational structure of the people directly involved in the management of the project. In section 7.2.2, kindly explain how this will fit within the current organizational structure i.e. explain whether the structure of the people managing the project will require any major changes within the current structure, the current role of the people involved, what structure of responsibility it will follow etc.

8. Involvement of any other organizations

Explain how other organizations, if at all, will be involved in the project e.g. will they be involved in the management of the project, how much of the share will they take, what would be the role of the different organizations involved etc. The entity from where the project leader is appointed will be the representative organization and will have the ultimate responsibility for the co-ordination of the project.

9. Procurement

Divide the actions you intend to take in the project into tenders/direct calls (if required). Please use LN 177 of 2005 as a basis for this division.

10. Time Scale

Specify the activities that will be required to complete the project. In the part where the quarters are given, specify the quantity of time required to carry out these activities. A sample is given below:

Activities	2010				2011				2012	
	Qrt1	Qrt2	Qrt3	Qrt4	Qrt1	Qrt2	Qrt3	Qrt4	Qrt1	Qrt2
Prepare implementation plans										
Prepare procurement documents										
Publish documents										
Procure material										
Start actual implementation										

11. Results (Performance Indicators)

Performance indicators are utilised to specify the different results that are planned to be achieved through the implementation of the project.

Results should be measurable and restricted by a specific time frame.

It is imperative that the indicators given here are realistic. These indicators are binding and will be used to measure the success of your project, whether the implementation of the project is within the stated time schedule and if there are any necessary amendments that need to be made to the project in order to reach its full objectives.

Output Indicators: These are utilised to indicate what the funds will be spent on, for e.g. leaflet in 3 languages, about assisted voluntary return; information sessions on AVR and individual assistance for those interested.

Result Indicators: These describe the direct effects created through the implementation of the project e.g. 200 asylum seekers participated in information sessions.

Impact Indicators: These describe the net effects that are caused beyond the direct and planned effects of the project e.g. potential of number of asylum-seekers taking up the assisted voluntary return option.

12. Sustainability of the Project

Explain how, after the completion of the project, the benefits will continue to be reaped e.g. How will the purchased material prepared and experience gained from the information campaign be used in the future?

13. Readiness

Explain at what stage the preparations for the project are e.g. is the management structure already in place, is the project manager already employed, where real estate is being purchased, has it already been identified?

14. Conditionality

Specify any circumstances that might condition the successful implementation and completion of the project e.g. unavailability of local funds, overworked staff that might find it difficult to cope with the additional work entailed through this project.

Any risks, even if not within the control of the project, which might influence the successful completion of the project should also be listed.

15. Checklist of Attachments

Tick the provided boxes to indicate which supporting documents (mentioned elsewhere in the application form) are being attached.

Annex 1

Please follow the table in the Annex.

Project Selection Process

Every project submitted within the time-frame indicated in the advert will be checked for completeness, and in case of irregularities will be referred back to the applicants. (No applications will be considered after the closing date).

The projects will be adjudicated by a Project Selection Committee, according to the following Evaluation Ranking Criteria:

- (a) **CAPACITY** – Expertise & role (in organization) of the staff; sufficiency of the staff managing the project; experience in managing projects co-funded by the EU;
- (b) **RELEVANCE** – To the needs and constraints of Malta; to the Priorities of the Fund;
- (c) **READINESS** – Preparedness of the project; need for any permits, studies etc;
- (d) **EFFICIENCY & EFFECTIVENESS** - Budget, cost effectiveness, time-frames of actions to be undertaken;
- (e) **INDICATORS** – Realistic, reachable, clarity and measurability.

The decision whether the project is approved or not will be communicated in a written format. The Project Selection Committee will reserve the right to interview individual applicants to seek further clarifications during the selection process.

The Grant Agreement will be signed after the Responsible Authority receives final confirmation by the Commission.