

ANNUAL PROGRAMME

■ revised version (no. 2151002/07 May 2008) following dialogue with the Commission

MEMBER STATE: Romania

FUND: European Return Fund

RESPONSIBLE AUTHORITY: Ministry of Interior and Administrative Reform

YEAR COVERED: 2008

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

The Annual Programme shall be published by RIO, as delegated authority, on its web page or the official web page of the Ministry of Interior and Administrative Reform (www.mira.gov.ro).

The calls for proposals are opened to national, regional and local authorities, NGOs, as well as international organisations, working on a strictly non-profit basis, with proven experience and expertise in the fields covered, taking into account their respective institutional competencies.

RIO is appointed as **Contracting and Payment Authority (Delegated Authority)**. It is responsible for drafting the Annual and Multi-annual Programmes, for the selection of projects within the Annual Programmes, tender procedures, monitoring the implementation of projects and payments.

For technical assistance and implementation of some actions, as stated in the Annual Programme, RIO will act as an executing body, applying the national provisions in the field of public acquisitions, namely the Government Decision 34/2006. The normative act regulates the tender procedures for awarding supply, service and works contracts.

By applying the provisions of GO 34/2006, RIO becomes the beneficiary of the purchased goods, services and works. The impact of such actions shall be the strengthening of the operational capacity of RIO in the field of return, as well as of the necessary infrastructure.

Concerning the actions where the Delegated Authority acts as an awarding body, a draft normative act, completing and modifying Law no. 350/2005 regarding unreimbursable financing regime from public funds allocated for non – profit activities of general interest, was elaborated by RIO and is currently in the process of consultation. The normative act will provide principles and general framework for the call for proposals for awarding body cases within the General Programme “Solidarity and management of migratory flows”.

Regarding its structure, the normative act describes the stages of the contracting procedure and the respective actions to be taken by the contracting authority, publicity measures, rules for the applicants and the evaluation committee, the conclusion, implementation and modification of the contracts etc.

The new provisions will ensure an efficient use of the Fund and the implementation of the Annual Programme in compliance with the principles of free competition, efficient management of the funds, transparency, plurality exclusion, non - retroactivity, cofinancing and equal treatment. The impact of the provisions of the draft normative act will ensure a better management of the migration phenomenon in Romania by the legal entities such as NGOs, national, regional or local authorities, other organisations, private or public law companies, international organisations, which will act on a non-profit basis to implement the actions of the Annual Programme.

According to the new provisions, RIO will publish a Call for proposals on its web page and, also, on the web page dedicated to this fund, and on other means of publicity. The call for proposals is the invitation for the potential candidates to present, within a deadline, a proposal for the action which best addresses the pursued objectives and meets the compulsory requirements.

All applications shall be examined and evaluated following the criteria mentioned in the call for proposals, ensuring, at the same time, equal chances and transparency. Candidates shall be

informed in due time on the final decision regarding their proposal and, in case their offer has been rejected, about the reasons which determined that.

The Instructions for the applicants will be publicised together with the Call for proposals and they will be made available, also, on CD format or printed materials, at RIO headquarters. This document is meant to explain the purpose of the Call for proposals, rules regarding the eligibility of applicants and their partners, types of actions, eligible costs and evaluation criteria. Information on filling in the forms, the steps to be taken by the applicants, the evaluation process and the contract clauses will be provided, as well.

The Instructions will establish, in detail, the objectives and priorities of the call for proposals, and will pay a special attention to eligibility criteria.

The Instructions must provide the evaluation grid and the application form.

The evaluation grid defines the selection, evaluation and award criteria. These cannot be changed throughout the selection procedure. The criteria have to be explicit, non-discriminating and will bring no prejudice to a fair competition.

Applications will be submitted to RIO headquarters. The deadline for submission will be sufficient, in order to allow the drafting of quality proposals. Within this deadline, the applicants should ask for clarifications in order to fill in the forms and to provide concordance of all applications. The answers with general relevance shall be disseminated to all applicants, through the dedicated web page of RIO.

Prior to the opening session, RIO will establish an evaluation committee, with the approval of the Responsible Authority, consisting of experts in the field of social integration of aliens and management of EU funds. The number of members of the evaluation committee should allow a quick and thorough evaluation of the proposals. If the evaluation committee notices ineligible applicants and/or proposals, these have to be informed in the early stage of the selection process. After the final decision is taken, all applicants will be informed in due time on the winning proposal and, in case their offer was rejected, about the reasons which determined that.

All publicity and documents within the selection process will be drafted in Romanian language.

RIO is the designated authority to conclude the contracts. The contracts will be granted on the basis of the following criteria:

- the relevance of the projects, in relation with Romania's situation and requirements in the field of social integration of aliens;
- the cost-effectiveness of the expenditure, in accordance with the number of persons concerned by the projects;
- the experience, expertise and reliability of the applicant organisation and any partner organisation;
- the extent to which the projects complement other action funded by the general budget of EU or as part of national programmes.

For implementing the actions where RIO has *de jure* monopoly or those regarding the national security, as well as to provide the necessary technical assistance, RIO will organise calls for tenders in compliance with the national legislation in the field of public procurements, namely the Emergency Government Ordinance no. 34/2006.

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

The management and control system, as described in the Multi-annual Programme, hasn't been changed.

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 for return management by Member States”

Objective 1 “Promotion of the voluntary return as alternative to forced return, which brings advantages both to the returned persons and also to the authorities of the Member State, including material advantages for the aliens who request assistance for being returned to their origin country”

Action 1: Increasing the efficiency of the assisted humanitarian voluntary repatriation measures

Purposes and scope of the action:

1. To provide relevant and necessary information, as well as counselling, for the potential beneficiaries of the assisted humanitarian voluntary repatriation programmes
2. To develop the necessary skills and knowledge of the dedicated personnel in the area of assisted humanitarian voluntary repatriation

Expected grant recipients

Organizations or bodies within Romania with relevant expertise, in particular, public authorities (national, regional and local), international organizations, NGOs, private or public law companies and academic bodies.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

N/A

Expected quantified results and indicators to be used:

- 1 awareness campaign of minimum 6 months, conducted at national and local level through all media channels (TV, radio, newspapers etc.);
- publicity materials printed and disseminated to all representative public institutions at local level;
- at least 250 aliens taken into public custody benefiting from counselling on the assisted humanitarian voluntary repatriation;
- at least 75 dedicated employees from the territorial level of RIO trained in the field of assisted humanitarian voluntary repatriation;

The counselling activities shall be performed within the accommodation centres of RIO, located in Bucharest and Arad.

The training activities shall be conducted in at least 3 locations in Romania. Experts from international organizations and Member States authorities with competencies in the field will be involved in training activities.

Visibility of EC funding

Within the awareness campaign, the EU logo and the indication on European Return Fund co-financing shall be placed on all materials produced such as leaflets, publicity materials, PR work etc. and the audience shall receive such information. During the training seminars/workshops, same information shall be disseminated to the participants and printed on the training materials.

Complementarity with similar actions financed by other EC instruments:

N/A

Action 2: Elaboration and effective implementation of the assisted humanitarian voluntary repatriation programmes

Purpose and scope of the action:

To implement voluntary repatriation programmes in compliance with the EU standards

Expected grant recipients

Organizations or bodies within Romania with relevant expertise, in particular, public authorities (national, regional and local), international organizations, NGOs, private or public law companies and academic bodies.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

N/A

Expected quantified results and indicators to be used:

- at least 15 TCNs with illegal stay in Romania included in the assisted humanitarian voluntary repatriation programmes and returned to the origin countries.

The activities developed within the voluntary repatriation programmes will focus on the preparation of the persons for repatriation measures, issuance of necessary travel documents and transportation arrangements. The beneficiaries of the programmes will also receive support for the reintegration within local communities.

Visibility of EC funding

The EU logo and the indication on European Return Fund co-financing will be placed visibly (on posters, banners etc.) in all premises where the activities, organised within the assisted humanitarian voluntary repatriation programmes, are performed.

Complementarity with similar actions financed by other EC instruments:

N/A

Objective 2 *“Implementation of the forced return operations of aliens with illegal stay in Romania, in line with the European standards in the area”*

Action 3: Increase the operational capacity of RIO to implement forced return measures

Purposes and scope of the action:

1. To develop the necessary skills and knowledge of the dedicated personnel in the area of forced return;
2. To provide the escorts with necessary equipment in order to perform return missions in safety conditions

Expected grant recipients

The Romanian Immigration Office will act as an executing body.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

RIO is the only organisation from Romania designated by the law to implement return measures.

Expected quantified results and indicators to be used:

- at least 100 employees of RIO benefiting from training in the field of forced return;
- at least 14 dedicated employees of RIO benefiting from exchange of experience with other Member States
- necessary immobilisation, communication and first aid equipment provided to all relevant territorial and central structures of RIO

The training activities (seminars and workshops) will be organised in at least three locations in Romania, and will involve at least 2 participants from each structure of RIO, with responsibilities in the implementation of forced return measures. In this regard, there are considered 42 territorial branches and 2 accommodation centres for the aliens taken into public custody.

The training activities will be performed by the dedicated experts of the Return and Escort Department of RIO. If possible, assistance of experts from other Member States will be provided.

The exchange of experience will consist in study visits and internships to similar organisations in other Member States. The participants will be employees of the Return and Escort Department and the accommodation centres of RIO. If deemed necessary, the activities will include participation as observers during the joint flights.

The equipment will be procured at the central level of RIO and will endow territorial and central structures. The following items of equipment are envisaged: immobilisation equipment such as hand-cuffs, body-cuffs, protection equipment such as Kevlar gloves, first aid kits certified by the Romanian Ministry of Health etc. If required, training on using the equipment will be provided for the designated users, by concluding service contracts.

Visibility of EC funding

Information on the European Return Fund co-financing will be posted within the premises designated to hold the activities of the return programmes. This information will be placed on all materials provided for the target groups, such as presentations, handbooks, office supplies etc.

The EU logo and the indication about the European Return Fund co-financing will be placed on all equipment and materials procured.

Complementarity with similar actions financed by other EC instruments:

N/A

Action 4: Elaboration and effective implementation of the forced return programmes

Purpose and scope of the action:

To implement forced return operations in compliance with the EU standards and taking into account the respect of human rights.

Expected grant recipients

The Romanian Immigration Office will act as an executing body.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

RIO is the only organization from Romania designated by the law to implement return measures.

Expected quantified results and indicators to be used:

- at least 300 TCNs with illegal stay in Romania returned to the national border or to the origin countries.

According to the legal provisions in the field (Emergency Government Ordinance no. 194/2002), the aliens with illegal stay in Romania are returned to the national border or to the origin country, on regular flights or joint flights organised by Member States. To comply with the EU standards, at least 2 officers should be assigned for the escort of each returnee. If necessary, medical assistance should be ensured during the flight, which requires the presence of medical staff (1 person for each return mission).

The main costs afferent to the forced return programmes shall cover the following:

- taxes for visas;
- flight tickets for returnees, escorts and medical personnel;
- internal transportation costs (from the territorial branch/accommodation centre to the national border);
- medical assistance for the escorts (when necessary, such as vaccines);
- per diem/accommodation costs for escorts and medical personnel in transit/destination countries.

Visibility of EC funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in all premises where the dedicated personnel perform their activities.

Complementarity with similar actions financed by other EC instruments:

N/A

3.2. Actions implementing Priority 2 “Support for the co-operation between Member States in return management”

Objective 3: Enhancement of the forced return procedures, in cooperation with other Member States, including effective implementation of joint flights (**Specific Priority 4** “Integrated return plans which have been designed and will also be implemented in co-operation with other Member States”)

Action 5: Effective implementation of joint flights

Purpose and scope of the action:

To implement joint flights, in compliance with the relevant EU provisions

Expected grant recipients

The Romanian Immigration Office will act as an executing body.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

RIO is the only organization from Romania designated by the law to implement return measures.

Expected quantified results and indicators to be used:

- aliens with illegal stay in Romania returned through at least 4 joint flights

The dedicated staff of the Return and Escort Department will participate in joint flights organised by similar authorities of other EU/EEA Member States. The main activities performed in this regard are:

- identification of joint flights organised by other Member States;
- analysis of the situation of aliens who are to be returned;
- application for the joint flights;
- pre-departure measures for the returnees and escorts
- effective implementation of the return measure

The main costs afferent to the joint flights shall cover the following:

- taxes for visas;
- flight tickets for returnees, escorts and medical personnel to the Member state organising the joint flight;
- flight tickets for returnees, escorts and medical personnel from the Member state organising the joint flight to the country of origin, if required;
- medical assistance for the escorts (when necessary, such as vaccines);
- per diem/accommodation costs for escorts and medical personnel in transit/destination countries.

To provide communication with the responsible factors of other Member States, the Fund will support the afferent costs for international phone calls, fax and internet.

Visibility of EC funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in all premises where the dedicated personnel perform their activities.

Complementarity with similar actions financed by other EC instruments:

N/A

3.3. Actions implementing Priority 3 “Support for specific innovative national tools for return management” - **Specific Priority 6** “Projects which test new working methods to speed up the process of documenting returnees in co-operation with the consular authorities and immigration services of third countries

Objective 4 “Development of the cooperation between RIO and consular offices of the countries with a high migratory potential, in order to enhance the return measures”

Action 6: Development of a consultation mechanism with the diplomatic missions of third countries

Purpose and scope of the action:

To support the activities of identification and collection data upon the aliens with illegal stay in Romania and the issuance of travel documents necessary for their return to the origin countries.

Expected grant recipients

The Romanian Immigration Office will act as an executing body.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

RIO is the only organization in Romania designated by the law to implement return measures, to identify aliens in illegal stay in Romania and to ensure the necessary travel documents as a preparatory stage of the return measures.

Expected quantified results and indicators to be used:

- work meetings with representatives of at least 10 diplomatic missions accredited in Romania;

- work meetings with representatives of at least 5 diplomatic missions not accredited in Romania;

The meetings will be organised in Romania. As regards the diplomatic missions which are not accredited in Romania, the necessary contacts will be ensured through the General Directorate Consular Affairs of the Ministry of Foreign Affairs. The discussions shall focus on general issues regarding the illegal presence in Romania of third-country nationals, as well as on modalities to enhance the cooperation between RIO and the foreign diplomatic missions, including development of practices for obtaining travel documents in a short time. At the same time, discussions on individual cases are taken into consideration, respectively aliens taken into public custody whose identity is unknown or who do not possess travel documents, necessary for their return. In this situation, the meetings will aim at finding effective solutions for these cases.

The main costs will cover the following:

- necessary costs for the diplomatic representatives who travel to Romania (transportation, accommodation etc.)
- costs for renting facilities for the meetings, including accommodation and meals for participants;

Visibility of EC funding

In all consultation meetings, the EU logo and the indication on European Return Fund co-financing shall be placed on all materials produced such as leaflets, publicity materials, PR work etc. and the audience will receive such information.

Complementarity with similar actions financed by other EC instruments:

N/A

3.4. Actions implementing Priority 4 “Support for developing Community standards and best practices on return management” **Specific Priority 8** “Actions and measures taken at national level in view of a fair and effective implementation of common standards on return, as established under Community legislation on return, including training of practitioners “

Objective 6: Development of the cooperation in the field of return between RIO and the other central and local public authorities

Action 7: Effective implementation of protocols and agreements concluded by RIO in the field of combating illegal migration and preparation of return measures

Purpose and scope of the action:

To strengthen the operational capacity of RIO to implement return measures, through enhanced cooperation with the relevant national and local authorities

Expected grant recipients

The Romanian Immigration Office will act as an executing body.

Justification regarding project(s) implemented directly by the responsible/delegated authority acting as an executing body

RIO is the only organization in Romania designated by the law to implement return measures, to identify aliens in illegal stay in Romania and to ensure the necessary travel documents as a preparatory stage of the return measures.

Expected quantified results and indicators to be used:

- at least 75 employees of the relevant authorities trained in the field of combating illegal migration, including the preparation of return measures
- guidelines regarding the cooperation activities in the field of combating illegal migration, including return
- all protocols and agreements in the field of return/combating illegal migration, concluded by RIO with other authorities, updated;
- action plans drafted on the basis of the protocols and agreements;
- at least 3 actions aimed at the detection, taking into public custody and preparation of return performed in cooperation by RIO and other relevant authorities

RIO will organize training seminars for the police, border police and gendarmerie territorial structures. The training will focus on developing the skills and knowledge of the personnel as

regards the travel documents, visas, country of origin information, the regime of the aliens in Romania and other necessary information.

Within workshops, the participants of the mentioned authorities will identify the best practices in the field of combating illegal migration and preparation of return measures, through cooperation actions, which will be included in a set of guidelines.

The protocols/agreements concluded by RIO with the General Inspectorate of Border Police, the General Inspectorate of Romanian Police, the General Inspectorate of Gendarmerie and the Labour Inspectorate will be reviewed and updated. In this regard, RIO will organise working groups with the responsible factors from the central level of the authorities. Further, at operational level, action plans will be set up consisting of concrete joint actions, deadlines and responsibilities.

Based on the plans, RIO will involve the partner authorities in complex joint actions, aimed at the implementation of all phases necessary to prepare the return of aliens with illegal stay in Romania, from detection to taking into public custody and preparatory measures for return.

The main costs will cover the following:

- renting facilities for the meetings, including accommodation and meals for participants;
- printing of training materials and guidelines
- transportation costs.

Visibility of EC funding

In all training and consultation activities, the EU logo and the indication on European Return Fund co-financing shall be placed on all materials produced such as leaflets, publicity materials, PR work etc. and the audience will receive such information.

Complementarity with similar actions financed by other EC instruments:

N/A

General remarks

In cases where the Delegated Authority acts as an awarding body, the applicants will support the private co-financing of each project in the amount of 5% of the value of the project. RIO, as the Contracting and Payment Authority should bear the difference of 20% of the national contribution, namely the public co-financing. If the public co-financing is not available at the time of the calls for proposals, the applicants should provide private co-financing in amount of 25%.

In cases where the Delegated Authority acts as an executing body, RIO shall provide the entire national contribution, in the amount of 25% of the value of the action.

The actions will cover the period 2008 – 2009.

4. TECHNICAL ASSISTANCE

4.1 Purpose of the technical assistance

The technical assistance will support preparatory measures for calls for proposals, management, monitoring, evaluation, audit, information and control measures, as well measures for the reinforcement of the administrative capacity for the implementation of the Fund.

The technical assistance, in maximum amount of 7% of the total annual co-financing allocated to Romania, plus EUR 30,000, will be committed directly by the Romanian Immigration Office, in compliance with the national legislation in the field of public acquisitions.

4.2 Expected quantified results

The procurements financed under the technical assistance will envisage the following results:

- Visibility items – banners, business cards, leaflets, office supplies, posters etc.
- Translation of the documents supporting the implementation of the measures
- Exchange of experience regarding the implementation of the Fund:
 - 2 study visit in a Member State – 5 Romanian experts, 3 working days
 - 1 training visit in Romania – 3 MS experts, 3 working days
- Consultation with the potential grant recipients
- Temporary assignment of experts in drafting the calls for proposals/calls for tenders and the evaluation process

- Training courses for the employees of the authorities of the management and control system in the following areas:

- English language – advanced and proficiency levels;
- Management of risks;

- Publication of the calls for proposals/calls for tenders and results

The Contracting and Payment Authority will ensure the complementarity with the achievements under the other Funds, within the General Programme, and will avoid overlapping of the respective results.

4.3 Visibility of EC funding

In all activities, the EU logo and the indication on European Return Fund co-financing will be placed on all materials produced such as tender dossiers, handouts, presentations etc. and the audience will receive such information. Such information will be placed on all equipment and materials procured from the resources dedicated to the technical assistance.

5. DRAFT FINANCING PLAN

Annual Programme - Draft Financial Plan

Table 1 - Overview table

Annual programme concerned: 2008								
Fund: European Return Fund								
	Ref. priority	Ref. specific priority	Community contribution (a)	Public allocation (b)	Private allocation (c)	TOTAL (d)	% EC (e=a/d)	Share of total (f=d/total d)
Action 1	1	1	177.100,00	47.226,67	11.806,67	236.133,33	75,00	23,44%
Action 2	1	1	79.100,00	21.093,33	5.273,33	105.466,67	75,00	10,47%
Action 3	1	3	168.200,00	56.066,67	0,00	224.266,67	75,00	22,26%
Action 4	1	3	186.222,48	62.074,16	0,00	248.296,64	75,00	24,64%
Action 5	2	4	30.000,00	10.000,00	0,00	40.000,00	75,00	3,97%
Action 6	3	6	30.000,00	10.000,00	0,00	40.000,00	75,00	3,97%
Action 7	4	8	40.000,00	13.333,33	0,00	53.333,33	75,00	5,29%
Technical assistance	n/a	n/a	60.000,00	0,00	0,00	60.000,00	100,00	5,96%
TOTAL			770.622,48	219.794,16	17.080,00	1.007.496,64	76,49	100,00%

FOR THE DELEGATED AUTHORITY

FOR THE RESPONSIBLE AUTHORITY

ROMANIAN IMMIGRATION OFFICE

**GENERAL DIRECTORATE OF
EUROPEAN AFFAIRS AND
INTERNATIONAL RELATIONS**

GENERAL DIRECTOR

GENERAL DIRECTOR

Vasile DRĂGOI

Corneliu ALEXANDRU

