

ANNUAL PROGRAMME

- initial version
 revised version (number, date dd/mm/year) following dialogue with the Commission
 version revised for other reasons

MEMBER STATE: Romania

FUND: European Return Fund

RESPONSIBLE AUTHORITY: Ministry of Administration and Interior

YEAR COVERED: 2012

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

A. General rules

The Annual Programme will be published by the Romanian Immigration Office (RIO), as Delegated Authority, on its web page (www.ori.mai.gov.ro) and the official web page dedicated to the General Programme “Solidarity and Management of Migratory Flows” (www.solid.mai.gov.ro).

The calls for proposals are open to NGOs, national, regional or local authorities, other non-profit organisations, private or public-law companies¹ or 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 and revision of annual and multi-annual programmes, for the selection of projects and tender procedures, monitoring the implementation of projects and payments.

As an **awarding body**, RIO shall select projects in compliance with the provisions of Law 350/2005, amended by Government Emergency Ordinance 84/2008, through open calls for proposals. In this regard, RIO will publish a call for proposals in the Official Journal of Romania, on its web page (www.ori.mai.gov.ro) and the web page dedicated to the General Programme (www.solid.mai.gov.ro). All applications will be examined and evaluated following the criteria mentioned in the call for proposals, ensuring at the same time equal chances and transparency. Candidates will 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.

Together with the call for proposals, the guidelines for applicants will be also made available, on the mentioned web pages (www.solid.mai.gov.ro and <http://ori.mai.gov.ro>) and in CD format or printed material, at RIO headquarters. These guidelines are 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 guidelines will establish, in detail, the objectives and priorities of the call for proposals, and will pay a special attention to eligibility criteria.

The guidelines must provide the evaluation grid and the application form. The evaluation grid defines the selection and evaluation 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 the RIO headquarters. The deadline for submission shall be established at least 30 days from the date when the call for proposals was published, in order to allow the drafting of quality proposals. In case of emergency, the Delegated Authority has the right to speed up the selection of projects, by reducing the number of days but not less than 15 days. At the

¹ art. 2 (Definitions) of Decision no. 2008/458/EC

same time, the Delegated Authority can postpone the deadline for the submission of projects, by communicating this information to all potential applicants, no later than 6 days before the opening session. Within this deadline, the applicants could ask for clarifications in order to fill in the forms and to provide consistency 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, the Delegated Authority, will establish an evaluation committee, consisting of one president, an uneven number of members, as well as several experts in the field of return and combating the illegal immigration, as well as in 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 persons 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.

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 immigration;
- the cost-effectiveness of the expenditure, with a view to the number of persons concerned by the projects;
- the experience, expertise and reliability of the applicant organisations and any partner organisation;
- the extent to which the projects complement other actions funded by the general budget of EU or part of national programmes.

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%.

As an **executing body**, for cases of *monopoly de jure* or national security/public order, as justified below, RIO shall draft a project for each action to be implemented directly and submit it for approval to the Responsible Authority. A committee established at the level of the Responsible Authority shall evaluate the projects in terms of financial and operational capacity, relevance, methodology, continuity, budget and efficiency of costs and, if necessary, shall send their observations to the Delegated Authority in order to revise the project.

Once a project is approved, the Delegated Authority shall revise its Annual Procurement Plan, including the new acquisitions in the document, and start the implementation according to the action plan and other provisions of the project.

In accordance with the Annual Programme, in order to purchase the items/services specified in the project, from specialised contractors, RIO shall apply the provisions of Emergency Government Decision 34/2006. The act regulates the public procurement procedures for contracting supplies, services and works, as well as the modalities to solve the appeals in relation with these procedures. It is meant to: (a) promote competition among the economic operators, (b) guarantee equal treatment and non-discrimination of economic operators; (c) ensure transparency and integrity of the public procurement process; (d) ensure efficiency in using the public funds, in procurement procedures concluded by the public authorities.

According to the relevant legal provisions and the internal procedures in the field of public procurement, RIO has the obligation to organise the call for tenders, by drafting tender dossiers, publicising the procurements, and establishing evaluation committees. Further, it is responsible for the technical management of the contracts. All activities are supervised by the Responsible Authority, which shall verify the documentation and designate observers for the specific activities.

The public procurement procedures shall be used by the Delegated Authority to purchase necessary supplies (equipment, office supplies for the projects etc.) and works (renovation of the real estate dedicated to the project etc), as well services consisting in activities which cannot be conducted by RIO itself due to their specialised features (translations, transportation etc.)

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

The Romanian Immigration Office has provided the necessary sums to cover costs, such as VAT, for actions to be implemented in the *executing body* mode and technical assistance, in the budgetary estimations for the implementation period.

In drafting of the annual programme, the new implementing rules were considered, which are expected to come into force in 2011. The implementation of the programme shall cover the period 1 January 2011 – 30 June 2013.

B. State of play on the three strategic objectives 2012-2013

1. Further development and improvement of voluntary return activities

This objective is also covered by the National Immigration Strategy for the period 2011-2014, approved by Government Decision no. 498/2011. The Strategy considers the collaboration with international organizations and local NGOs in developing common programmes of assisted voluntary return as an important area of action in order to ensure compliance with the EU return standards.

In order ensure regular implementation of assisted voluntary return programmes at national level, annually, when the financing decision is issued by the European Commission, the Romanian Immigration Office launches calls for proposals, based on the allocation approved for that certain annual programme. Further, the awarded projects are co-financed from the Return Fund allocations and the state budget, as well as from private contributions provided by the beneficiaries.

If there is a period not covered by two subsequent AVR programmes, financed from the Return Fund, to address the necessities in terms of voluntary return for the respective period, the Memorandum of Understanding, ratified by Law 374/2003, is activated between the Romanian Government and the International Organisation for Migration – Bucharest Office. The AVR programmes in this situation are financed entirely from the state budget.

In line with the national strategic objectives, for the future it is envisaged that the voluntary return activities be supported mainly from EU and the state budget – as national contribution to the projects.

Under the objective "*Further development and improvement of voluntary return activities*", 3 projects have been implemented under the annual programmes 2009 and 2010. They provided for assisted humanitarian voluntary repatriation programmes, namely dissemination of relevant information, counselling and effective repatriation measures.

2. Promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive

In line with the Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, the national legislation on the aliens regime in Romania (Emergency Government Ordinance 194/2002) states that juridical, medical and social assistance may be delivered to third country nationals who are subject to a return decision. As for the requirements of the Return Directive, in the action plans of the National Immigration Strategy 2011-2014 the main areas of intervention were established:

- Conclusion of an operational cooperation plan with the purpose of combating illegal immigration on the Romanian territory
- Development and implementation of the forced return programmes
- Strengthening the consultation mechanism with the diplomatic missions and creation of a cooperation mechanism with the relevant authorities of the third countries

The implementation of the above mentioned strategic actions is to be supported from allocations of the European Return Fund and national contributions.

The actions envisaged in these areas within the Annual Programme 2012 are relevant for the objectives of the National Immigration Strategy for the period 2011-2014, respectively 2.2 *Enhancement of cooperation among the Romanian competent authorities for combating illegal*

immigration and undeclared labour, 2.3 Development of cooperation with third country with migratory potential and 2.4 Implementation of return measures of illegal immigrants at EU standards.

Up to the present most of the projects (11) under the Return Fund annual programmes have been covered by the strategic objective *"Promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive"*, consisting of forced return programmes and monitoring of such measures, improvement of the return process through cooperation with national and third country authorities, institutional building measures such as training of staff and endowment of the dedicated structures, as well as research in the relevant areas.

In the future it is envisaged that such activities continue to be supported from the Return Fund and national resources.

3. Improvement of the national capabilities through co-operation with other Member States

Under this strategic objective, the National Immigration Strategy 2011-2014 provides for cooperation in the field of return with EU Member States, especially through participation of Romania in joint flights, performed under the coordination of FRONTEX Agency (specific objective 2.4). This category of actions is supported from the Return Fund and the state budget – as national contribution. ,

More specifically, supported by the European Return Fund, the Romanian Immigration Office implemented 2 projects in the following areas: training of staff in the field of return, benefiting from the expertise of the counterpart authorities of the Netherlands, organization of a charter flight and participation in one joint flight organised by Spain.

For the future, it is envisaged that Romania continues supporting such activities from the Return Fund and/or the national budget.

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

In August 2011, following the reorganization of the Ministry of Administration and Interior, the General Directorate of European Affairs and International Relations was designated as Responsible Authority for the management of the Fund.

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"*.

Action 1: Assisted humanitarian voluntary repatriation programmes

To commit the allocation of this action, the Delegated Authority (RIO) shall act as an awarding body. The total eligible value of the action shall be supported as follows: 75% from EU contribution, maximum 20% from the national budget and minimum 5% from the applicants.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

a) Purpose and scope of the action:

The purposes of the action are: (a) to identify and disseminate relevant and necessary information to the potential beneficiaries of the assisted humanitarian voluntary repatriation programmes; (b) to support the effective implementation of such programmes

The projects are expected to provide for activities related to the preparation and effective implementation of voluntary return programmes, such as dissemination of relevant information, counseling and assistance of the targeted persons, re-integration measures, thus the action being

related to Objective 1 (Promotion of the voluntary return as alternative to forced return, which brings advantages to both the returned persons and the authorities of the Member State, including material advantages to the aliens who request assistance for being returned to their origin country) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to *“the further development and improvement of voluntary return activities”*.

The action is a follow-up of:

- RF 2008 / Action 1 “Increasing the efficiency of the assisted humanitarian voluntary repatriation measures”; Action 2 “Elaboration and effective implementation of the assisted humanitarian voluntary repatriation programmes”;
- RF 2009 / Action 1 “Supporting activities for the assisted humanitarian voluntary repatriation”; Action 2 “Elaboration and effective implementation of the assisted humanitarian voluntary repatriation programmes”
- RF 2010 / Action 1 “Support for the assisted humanitarian voluntary repatriation programmes”;
- RF 2011 / Action 1 “Assisted humanitarian voluntary repatriation programmes”.

Assessment of the needs

Based on the consultations with the relevant actors as well as the statistical data, it is estimated that the action shall have to meet the needs of at least 200 persons, as regards counselling and dissemination of information. To ensure appropriate efficiency of this process, an awareness campaign of at least 6 months should be conducted at national level.

At least 100 persons are estimated to request effective repatriation to their countries of origin. Out of the total number of repatriated persons, approximately 5% are expected to request and be eligible for re-integration support in the countries of return.

Minimum requirements for the projects

The current action under the 2012 annual programme shall be a follow-up of Action 1 “Assisted humanitarian voluntary repatriation programmes” of the Annual Programme 2011.

Relevant information shall be disseminated through a campaign, at national level, and promote the assisted voluntary repatriation programmes, as an alternative to the forced return. It shall target the overall category of TCNs with illegal stay in Romania, as well as the competent authorities in the immigration field. Specific information (brochures, flyers etc.) shall be delivered to the TCNs detected with illegal stay in Romania, TCNs taken into public custody and asylum seekers who have quit the asylum procedure.

The projects may provide for the cooperation mechanisms through protocols with public or private institutions/other entities from Romania or third countries, in order to ensure sustainable returns. In this regard, consultations may involve the staff of the Romanian Immigration Office, border police units / border crossing points, airports, air transportation companies, TCN community leaders, local NGOs etc.

If the projects provide information and support for re-integration/start-up support for economic activities in the countries of return or vocational training for TCNs, such projects shall also include fact finding missions to the countries of origin in order to ensure that the envisaged support or training is in accordance with the real needs of the labour markets of those countries and to ensure proper information to the targeted persons. For the purpose of re-integration in the countries of return, projects shall establish efficient ways for placement and employment assistance.

As a measure supporting the assisted voluntary repatriation programmes, projects may provide for the creation of centres for information and counselling in locations which register large numbers of immigrants, in order to promote the programmes as a better alternative for forced return. If such centres have been created in the previous annual programmes, the new projects shall find solutions to support their further functioning.

The projects shall provide for specific counselling for the targeted persons, on the possibilities for voluntary return, within the accommodation centres of RIO, located in Bucharest and Arad as well as in other locations, if deemed necessary.

The projects should provide for vocational training, tailored to the re-integration necessities in the origin countries.

The projects must be correlated with the ongoing voluntary repatriation programmes, supported from other financial instruments, such as the Memoranda of Understanding agreed upon between the Romanian Government and the International Organization for Migration.

The projects shall identify efficient solutions for the cases of vulnerable persons. All TCNs included in the assisted voluntary repatriation programme shall benefit from departure packages consisting in clothing, food, hygienic items, medicine, adapted to their particular needs. Returnees may receive cash incentives, such as limited financial contribution for initial expenses after return, transport of the returnee's personal belongings, and adequate temporary accommodation for the first days after arrival in the country of return in a reception centre or a hotel if necessary. After return, the projects shall provide post-return counselling, if needed.

Whenever needed in the process of counselling and preparation/performance of assisted voluntary return, the targeted persons shall be assisted by translators and interpreters. Prior to the effective repatriation, the targeted persons shall go through pre-return medical checks.

For the effective repatriation, at least the following measures shall be taken: travel arrangements, obtaining of travel documents, transportation to the origin countries and assistance for the re-integration within local communities.

b) Expected grant recipients:

NGOs, national, regional or local authorities, other non-profit organisations, private or public-law companies² or international organisations.

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

N/A. The projects will be selected following calls for proposals.

d) Expected quantified results and indicators to be used:

The target group of the action is represented by the following categories of TCNs:

- persons whose applications for the refugee status were rejected definitely and irrevocably by the Romanian competent authorities;
- asylum seekers who gave up the procedure for granting the refugee status or TCNs who gave up another form of protection previously granted in accordance with the national applicable provisions;
- persons obliged by the competent authorities to leave the national territory following an administrative decision or there are conditions that such a decision be issued.

The impact of this action shall consist of reduction of the illegal immigration in Romania.

The outcomes of the action are:

- potential beneficiaries of the assisted humanitarian voluntary repatriation better informed on the advantages and opportunities offered by such measures;
- increased number of TCNs benefiting from the measures of assisted humanitarian voluntary repatriation;
- development of the assisted humanitarian voluntary repatriation system in Romania

The following outputs are established at the level of the action:

- information on the advantages of the assisted humanitarian voluntary repatriation and the possibilities to benefit from such measures disseminated at national level through an awareness campaign on assisted voluntary return of at least 6 months conducted

² art. 2 (Definitions) of Decision no. 2008/458/EC

- targeted persons benefiting from specific counselling and vocational training – at least 200 persons;
- effective repatriation of the targeted persons – at least 100 persons;
- assistance delivered to the persons registered in the voluntary repatriation programmes, aiming at the re-integration in the origin countries - at least 5% of the repatriated persons

The following indicators should be used:

- number of information measures/awareness campaigns;
- number of materials produced and disseminated;
- number of media channels used to disseminate the information;
- quantity of information disseminated;
- number of persons benefiting from counselling;
- number of persons repatriated and benefiting from specific assistance;
- number of persons benefiting from re-integration support;
- number of persons benefiting from pre-return / post-return assistance;
- number of persons number of persons effectively repatriated;
- number and type of items awarded as return packages;
- number of visits for monitoring the re-integration of repatriated persons.

e) Visibility of EU funding:

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams perform their activities. In all activities this information will be placed on leaflets, publicity materials, PR work etc. Posters with information on RF co-financing and the number and title of the project shall be placed at the entrance and within the premises where the dedicated personnel perform their activities. In these premises the beneficiaries shall provide publicity leaflets and brochures with such information.

The items of equipment purchased within the projects shall be visibly marked with the EU logo and information on the project.

f) Complementarity with similar actions financed by other EU instruments:

There are little possibilities that the action overlap with specific projects developed under the other funds of the General Programme “Solidarity and management of migratory flows” or other EU financial instruments.

However, to ensure complementarity with the other Funds established under the General Programme, the Responsible Authority shall be involved in monitoring the implementation of the projects. Ensuring a clear distinction between the target groups of the actions supported by the Funds shall be a main concern.

g) Financial information

EC funding	A	610,000.00	75.00%
Public funds	B	162,666.67	20.00%
Total public funds	C=A+B	772,666.67	95.00%
Private funds	D	40,666.67	5.00%
TOTAL	E=C+D	813,333.33	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input checked="" type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 2 – AVR (assisted voluntary return)	58%
Typology 4 – Counselling and information	40%
Typology 6 – Capacity building of staff	2%

Action 2: Implementation and monitoring of the forced return operations

To commit the allocation of Component 1, the Delegated Authority (RIO) shall directly support some costs (such as subsistence and transportation etc.), and conclude contracts, through calls for tenders, for any supplies or services necessary to the project(s). The total eligible value of Component 1 shall be supported as follows: 75% from EU contribution and 25% from the national budget.

To commit the allocation of Component 2, the Delegated Authority (RIO) shall conclude grant agreements, through calls for proposals. The total eligible value of Component 3 shall be supported as follows: 75% from EU contribution, maximum 20% from the national budget and minimum 5% from the applicants.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

Purpose and scope of the action:

The purpose of the action is to implement forced return operations in compliance with the EU standards and taking into account the respect of human rights.

The projects are expected to support the elaboration and implementation of integrated forced return plans, thus the action being related to Objective 2 (Implementation of the forced return operations of aliens with illegal stay in Romania, in line with the European standards in the area) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to *“the promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive “.*

The current action is a follow-up of:

- RF2008 / Action 3: Increase the operational capacity of RIO to implement forced return measures;
- RF2008 / Action 4: Elaboration and effective implementation of the forced return programmes;
- RF2009 / Action 3: Further increase of the operational capacity of RIO in the field of return;
- RF2009 / Action 4: Elaboration and effective implementation of the forced return programmes;
- RF2010 / Action 2: Effective implementation of the forced return operations;
- RF2011 / Action 2: Enhanced implementation and monitoring of the forced return operations

Assessment of the needs

Based on the statistics regarding the immigrants with illegal stay in Romania and the results of the previous actions in the field of return, it is estimated that at least 300 persons should be included in the forced return programme. Also, these persons shall require counselling in the pre-return stage as well as assistance in terms of legal counselling, interpretation, legal representation in court, as well as and material/financial support in all stages (pre-return, travel and post-return).

Minimum requirements for the projects

The action is structured in three components, according to the features of the specific activities to be carried out, as follows:

- Component 1, consisting of effective performance by the dedicated staff of RIO and its territorial branches of the forced return programmes, in accordance with the national legal provisions, namely the Emergency Government Ordinance no. 194/2002, and the EU standards in the field.
- Component 2, designed to provide legal counselling, interpretation and legal representation in court for the TCNs who are subject to a return decision.
- Component 3, aimed to ensure assistance to TCNs who are subject to a return decision and monitoring of the return measures.

Under Component 1, the projects shall provide for all measures to be taken by RIO in accordance with the applicable national provisions, in order to return to the origin countries the immigrants who are subject to a return decision. The projects shall be implemented at national level, involving all territorial branches of RIO and the centres for accommodation of aliens taken into public custody.

The projects under Component 2 shall identify and train interpreters of rare languages, such as Urdu, Bashtu, Hindi, Duala, Lingala, etc., to be involved in the juridical procedures conducted in the pre-removal stage.

The projects shall provide legal counselling, assistance and representation in court for the TCNs who are subject to a return decision. Thus, the targeted persons shall benefit from the minimum guarantees as regards the possibility to make effective use of the legal remedies provided by the legislation in force.

The projects of Component 3 are twofold:

1. they provide for monitoring of all activities undertaken by the Romanian Immigration Office in respect of forced return measures, including the pre-return phase, pre-departure phase, the in-flight procedure, possible transit phases and the arrival and reception of the returnees in the countries of return.
2. they provide assistance to targeted persons in terms of
 - information regarding the rules to be complied with in the accommodation centre and during the return, health education and guidance on how to manage daily situations (utilization of facilities in the centre, fire prevention, and other safety measures). Whenever needed, interpretation shall be provided.
 - minimum material support for all TCNs subject to the forced return measures, as departure packages consisting in clothing, food, medicine, hygienic items etc., adapted to their particular needs. Returnees may also receive cash incentives, such as limited financial contribution for initial expenses after return (subsistence in the first days after arrival in the country of return, travel to the domicile) and transport of the personal belongings. After arrival in the countries of return, the TCNs may receive post-return counselling, if deemed necessary.

It is envisaged that the organisations implementing this component cover both dimensions within the same project.

This action shall be implemented in full compliance with the provisions of the Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals. Also, the action is complying with the national legal framework, respectively the Emergency Government Ordinance 194/2002 on the aliens regime in Romania, which provides that the aliens who are subject to a return decision may benefit from juridical, medical and social assistance. Moreover, these persons should be monitored throughout the return operations, in order to ensure their fundamental rights and human dignity are respected.

The projects implemented under Component 3 shall ensure that the applicable legal provisions, as well as the fundamental rights and dignity of returnees, are respected during both the pre-removal stage and the effective forced return operations. Therefore these projects shall be correlated with the activities performed within Component 1. Still, the activities must not interfere with the forced return measures conducted by RIO.

Components 2 and 3 shall be implemented through separate projects.

The action shall be implemented in full compliance with the provisions of the Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals and the national legal provisions (*Emergency Government Ordinance 194/2002 on the aliens regime in Romania*).

b) Expected grant recipients:

Component 1: The Delegated Authority (RIO) shall act as an executing body.

Components 2 and 3: NGOs, national, regional or local authorities, other non-profit organisations, private or public-law companies³ or international organisations.

³ art. 2 (Definitions) of Decision no. 2008/458/EC

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

Component 1: RIO is the only organization from Romania designated to implement return measures according to *Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office* and *Emergency Government Ordinance 194/2002 on the aliens regime in Romania*.

Components 2 and 3: N/A. The projects will be selected following calls for proposals.

d) Expected quantified results and indicators to be used:

The target group of the action is represented by the TCNs against whom a return decision was taken.

The impact of the action shall consist of the reduction of the illegal immigration in Romania.

The outcomes of the action are:

- increased efficiency of the return measures implemented by RIO, in safe conditions and with respect for the human rights of the targeted persons;
- increased number of TCNs against whom a return decision was taken, returned to the origin countries;
- period of public custody reduced;
- dignity / fundamental rights of the returnees respected;
- negative impact of the return measures reduced.

The following outputs are established at the level of the action:

- creation of the necessary conditions to implement the return measures (preparatory measures), in line with the legal provisions and the best practices;
- effective return to the countries of origin, within the legal public custody period, of all returnable immigrants – at least 300 persons;
- necessary assistance and services (food, clothing, medical and psychological care, legal counselling, interpretation, representation in court etc.) for the TCNs who are subject to a return decision, provided in the accommodation centres and during the return operations – according to the identified needs;
- the forced return operations efficiently monitored through at least 15 missions.

The following indicators should be used:

- number of persons returned to the origin countries;
- number of travel documents obtained for the targeted persons;
- number of employees involved in the return measures – according to the identified needs;
- number of return missions performed;
- number of persons benefiting from legal counselling/legal assistance/legal representation in court;
- number of persons benefiting from assistance in the public custody centres / during the return operations / in the post-return stage;
- number and type of services/assistance provided for the targeted persons;
- number of monitoring missions performed during the return operations.

e) Visibility of EU funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams perform their activities, such as the beneficiaries' offices, the accommodation centres etc.

The vehicles and the items of equipment purchased within the projects shall be visibly marked with the EU logo.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	785,000.00	75.00%
Public funds	B	248,333.33	23.73%
Total public funds	C=A+B	1,033,333.33	98.73%
Private funds	D	13,333.33	1.27%
TOTAL	E=C+D	1,046,666.67	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 3 – Forced return	76%
Typology 4 – Counselling and information	18%
Typology 5 – Assistance to vulnerable persons	6%

Action 3: Assistance of the TCNs who are subject to a return decision

To commit the allocation of the action, the Delegated Authority (RIO) shall directly support the costs and conclude contracts, through calls for tenders, for any necessary works, supplies or services. The total eligible value of the action shall be supported as follows: 75% from EU contribution and 25% from the national budget.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

Purpose and scope of the action:

The purpose of the action is to ensure that the fundamental rights of the TCNs who are subject to a return decision are in line with the provisions of Directive 2008/115/EC.

The projects are expected to support the implementation of integrated forced return operations, thus the action being related to Objective 2 (Implementation of the forced return operations of aliens with illegal stay in Romania, in line with the European standards in the area) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to *“the promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive “.*

Assessment of the needs

Most of the TCNs taken into public custody need to contact their family members located in other countries. Moreover, these persons require communication with legal representatives and competent consular authorities, in the pre-return stages, in order to be assisted, in line with the national provisions, as well as for identification purposes and obtaining necessary travel documents.

The situation of the TCNs taken into public custody over the past years reveals a high incidence of acute and chronic illnesses in this target group, as well as situations that require emergency treatment. It is estimated for the period covered by the annual programme that almost 50 persons shall need medical care, treatment and investigations, beside the treatment which is already provided by the national health system.

Minimum requirements for the projects

The action is structured in two components, according to the features of the specific activities to be carried out, as follows:

- Component 1, consisting of effective measures aimed to maintain the family unity of the TCNs who are subject to a return decision with family members present in the origin countries as well as the contact with the legal representatives and competent consular authorities.
- Component 2, consisting in specialised services aimed to ensure emergency health care and essential treatment of illness, in particular chronic and contagious diseases, for the TCNs who are subject to a return decision.

Under Component 1, the project(s) shall create the necessary infrastructure, consisting of telephone posts with international access within the two accommodation centres for aliens taken into public custody, established in Otopeni and Arad. The necessity for privacy of the users and confidentiality of calls shall be considered when designing these facilities.

The facilities shall be created through a works contract. Throughout the implementation of the project, the functioning of the telephone lines shall be ensured through a service contract (telephone subscription).

To ensure adequate utilization of the telephone posts by the TCNs, at the level of the accommodation centres, tasks and a daily programme shall be established, in line with the internal regulations of these units.

Within Component 2, RIO shall conclude service contracts with medical services providers (clinics), according to national legislation in the field of public procurement. The contractor(s) shall provide permanent presence in the two centres of personnel specialized in emergency medical care. The contractor(s) shall be required to administer essential treatment in cases of chronic/contagious diseases, if this is not to be ensured by the RIO medical staff or specialized clinics.

Also the contractor(s) shall provide within the accommodation centres minimum equipment and medication to deliver assistance in the mentioned situations. The accommodation centres shall allocate for this purpose adequate spaces.

For emergency situations, treatment and investigations, when transportation of TCNs to a clinic is required, the contractor(s) shall provide ambulances within the premises of the centres, fully equipped to manage such situations. In this regard, it was considered the fact that the ambulances of the accommodation centres lack emergency and treatment equipment.

The project(s) shall not provide for general or routine health care or any kind of health care which is already financed by the Romanian health care system, therefore no basic medical care shall be co-financed through the Fund

b) Expected grant recipients:

The Delegated Authority (RIO) shall act as an executing body.

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

RIO is the authority in Romania designated to manage the accommodation centres for aliens taken into public custody, according to the provisions of *Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office and Emergency Government Ordinance 194/2002 on the aliens regime in Romania.*

d) Expected quantified results and indicators to be used:

The target group of the action is represented by the TCNs who are subject to a return decision.

The impact of the action shall consist of increased access of the TCNs who are subject to a return decision to services provided in compliance with the international and EU standards.

The outcomes of the action are:

- minimum conditions created in order to ensure the family unity of the TCNs who are subject to a return decision with family members present in other countries;
- increased access of the TCNs who are subject to a return decision to legal representatives and competent consular authorities;
- increased access of the TCNs who are subject to a return decision to health care services, tailored to their specific needs;
- period of public custody reduced;
- dignity / fundamental rights of the returnees respected;
- negative impact of the return measures reduced.

The following outputs are established at the level of the action:

- Creation of facilities in the accommodation centres to ensure contact in due time of the TCNs family members in other countries, legal representatives and consular offices – at least 1 telephone post installed and functional in each of the centres of Otopeni and Arad
- Medical care provided in due time/regularly to TCNs who are subject to a return decision, in emergency situations and treatment of chronic/contagious diseases, through at least 1 service contract concluded to administer treatment in cases of chronic/contagious diseases in each the centres of Otopeni and Arad
- 100% of the cases of chronic/contagious diseases, within the centres of Otopeni and Arad, given adequate treatment, in due time,
- 100% of the cases, within the centres of Otopeni and Arad, in need for treatment in specialized clinics - provided transportation to such facilities in due time/regularly

The following indicators should be used:

- number and types of facilities create to enhance/enable the communication of TCNs with their family members, legal representatives, consular offices
- number of calls/minutes per month;
- number and types of medical interventions, treatments ensured to the TCNs accommodated in the centres
- number of persons benefiting from medical care

e) Visibility of EU funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams and experts perform their activities, such as the RIO offices, the spaces arranged within the accommodation centres etc.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	250,000.00	75.00%
Public funds	B	83,333.33	25.00%
Total public funds	C=A+B	333,333.33	100.00%
Private funds	D	0.00	0.00%
TOTAL	E=C+D	333,333.33	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 4 – Counselling and information	40%
Typology 5 – Assistance to vulnerable persons	50%
Typology 7 – Capacity building – infrastructure and tools	10%

Action 4: Strengthening the institutional capacity of the authorities competent in the field of return

To commit the allocation of the action, the Delegated Authority (RIO) shall directly support the costs and conclude contracts, through calls for tenders, for any necessary services and supplies. The total eligible value of the action shall be supported as follows: 75% from EU contribution and 25% from the national budget.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

a) Purpose and scope of the action:

The purposes of the action are: (a) to develop necessary knowledge and skills in the staff dealing with return; (b) to provide the escorts with necessary materials and mobility equipment in order to perform return missions in safety conditions.

The projects are expected to support the implementation of integrated forced return operations, thus the action being related to Objective 2 (Implementation of the forced return operations of aliens with illegal stay in Romania, in line with the European standards in the area) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to *“the promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive “*.

Assessment of the needs

The number of immigrants who are in illegal situations on the Romanian territory has increased in the last year, mainly as regards the nationals of the countries which have Arabic and French as official languages, located in Middle East and Africa (Tunisia, Syria, Algeria, Morocco, Iraq, Jordan, Egypt, Lebanon, Cameroon etc.). While in 2010, the nationals of French and Arabic speaking countries represented 9% of the total number of immigrants detected in irregular situation (402, out of 4,363), in 2011 this percentage increased to 18.5% (612, out of 3,320),

It is estimated that this situation shall continue during the implementation of this annual programme, therefore, the return process should be sustained by developing the knowledge of the dedicated RIO staff in the mentioned foreign languages.

Since English still has a wide utilization in dealing with combating illegal immigration and return, there is a need to increase the proficiency in this foreign language of the RIO staff assigned to this type of activities.

Developing the foreign language skills of the staff shall sustain not only the communication with the TCNs detected in illegal situations in Romania or who are subject to return decisions, but also with the diplomatic missions and consular offices involved in the identification of persons and issuance of travel documents, necessary to perform the return missions.

The institutional framework in the field of return needs further strengthening. Because of the large number of immigrants detected with illegal stay in Romania in 2011, it is required that a new accommodation centre for TCNs taken into public custody be created. RIO proposed the creation of a new centre in Timisoara and this initiative is pending approval by the management of the Ministry of Administration and Interior. To ensure all the necessary conditions for efficient return measures, this facility has to be properly endowed, including specialised vehicles for the transportation of escorted returnees.

Moreover, there is a constant need for first aid materials, to be used by the RIO teams in the escort missions.

Minimum requirements for the projects

The action is structured in two components, according to the features of the specific activities to be carried out, as follows:

- Component 1, consisting of language training of the RIO employees assigned to missions of combating illegal migration and return through specialised courses.
- Component 2, designed to provide the RIO units with materials and mobility equipment necessary in the implementation of the return measures.

Under Component 1, RIO shall conclude a service contract aimed to deliver three foreign language courses: English, French and Arabic, at beginner level, each for at least 10 RIO employees, assigned to combating illegal immigration and return operations.

Component 2 shall support the return operations with adequate logistics. The projects shall enhance the operational capacity of the dedicated RIO units in terms of mobility, addressing the need for transportation in safety conditions of the TCNs who are subject to a return decision, from the territorial units to the accommodation centres or from these centres to the national border. Therefore, RIO shall procure 3 vehicles designed to transport escorted returnees, for the Accommodation centre for immigrants taken into public custody of Timisoara. The technical specifications shall provide for an adequate transportation capacity of the vehicles and other features meant to ensure the safety of the returnees and escorts.

All the central and territorial units of RIO, competent to perform escort missions of the immigrants with illegal stay in Romania, shall be provided with first aid materials and kits.

The materials shall be used entirely for the purpose of the projects. The vehicles shall be assigned for the transportation of returnees and escorts for at least 5 years.

b) Expected grant recipients:

The Delegated Authority (RIO) shall act as an executing body.

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

RIO is the only organization from Romania designated to implement return measures according to Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office and Emergency Government Ordinance 194/2002 on the aliens regime in Romania.

d) Expected quantified results and indicators to be used:

The target group of the action is represented by the central and territorial RIO units with responsibilities in performing return missions.

The TCNs who are subject to a return decision shall benefit indirectly from the results of this action.

The impact of the action shall consist of increased access of the TCNs who are subject to a return decision to services provided in compliance with the international and EU standards.

The outcomes of the action are:

- Increased knowledge of foreign languages of the RIO staff assigned to return missions;
- Operational capacity of RIO concerning the return operations strengthened.

The following outputs are established at the level of the action:

- Training on foreign languages delivered through courses to the RIO staff assigned to return missions at central and territorial level of RIO;
- Procurement of necessary specialized vehicles, equipment and materials necessary to conduct the return operations in line with the applicable standards.

The following indicators should be used:

- number of RIO employees benefiting from foreign language training – at least 10 persons/course
- number of courses attended by RIO employees – at least 1 course of each of the following foreign languages: English, French and Arabic;
- number and type of first aid materials/equipment procured – at least 20 first aid kits
number and type of mobility equipment procured – 1 van (8+1 seats) and 2 all-terrain vehicles (min. 5 seats)

e) Visibility of EU funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams and the trainers perform their activities, such as RIO offices, the seminar rooms etc. Such information shall be also placed on the vehicles and equipment purchased within the projects.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	80,000.00	75.00%
Public funds	B	26,666.67	25.00%
Total public funds	C=A+B	106,666.67	100.00%
Private funds	D	0.00	0.00%
TOTAL	E=C+D	106,666.67	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 6 – Capacity building of staff	30%
Typology 7 – Capacity building – infrastructure and tools	70%

The difference between the amount allocated to Priority 1 within Multi-annual Programme 2008-2013 and the amount allocated to this Priority within the Annual Programme 2011 is due to the revised allocations communicated by the Commission.

Following the yearly consultation process with the relevant stakeholders in the field of asylum, it was considered that the financial estimations for each priority in the MAP should be modified.

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

Action 5: Strengthening the operational capacity to conduct return missions through joint flights

To commit the allocation of this action, the Delegated Authority (RIO) shall act as executing body. The total eligible value of the action shall be supported as follows: 75% from EU contribution and 25% from the national budget.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

a) Purpose and scope of the action:

The purpose of the action is to strengthen the operational capacity of RIO in the field of return through joint flights.

Within the action, the projects shall provide for training of the dedicated RIO staff as regards the organising and effective implementation of joint flights, thus the action being related to Objective 3 (Enhancement of the forced return procedures, in cooperation with other Member States, including effective implementation of joint flights) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to “the improvement of the national capabilities through co-operation with other Member States”.

Assessment of the needs

There is a constant need to ensure an adequate level of expertise in the staff designated to organise and actually perform returns through charter and joint flights. To meet the requirements of RIO in this area, it is necessary to deliver specific training through internships in MS authorities to at least 10 RIO employees. It is also necessary to ensure the participation of 10 RIO employees, as observers, in the joint flights organised by other MS.

Minimum requirements for the projects

The project(s) shall provide for internships in different EU Member States for the dedicated staff of RIO with at least the following objectives: (a) familiarisation with the procedures applied by other Member States to organise and provide the necessary logistics for the joint flights, and (b) coordination of the effective joint flight. Member States experienced in conducting joint flights are envisaged (Germany, the Netherlands, Ireland, Italy etc.). The internships shall also provide for participation of the Romanian staff, as observers, to the joint flights organised only by the authorities of Member States with relevant expertise in this area.

b) Expected grant recipients

The Delegated Authority (RIO) shall act as an executing body.

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

RIO is the only organization from Romania designated to implement return measures according to Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office and Emergency Government Ordinance 194/2002 on the aliens regime in Romania.

d) Expected quantified results and indicators to be used:

The direct target group of the action is represented by the staff of RIO assigned to organisation of and participation in the joint flights.

The action aims indirectly at the TCNs against whom a return decision was taken by the competent authorities of the EU/EEA Member States.

The impact of the action shall consist of the reduction of the illegal immigration in the Member States.

The outcomes of the action are:

- increased cooperation of RIO with the Member States in the management of return;
- operational capacity of RIO concerning the return operations, in particular charter and joint flights, strengthened.

The following outputs are established at the level of the action:

- necessary knowledge and skills on organising and conducting charter/joint flights developed in the RIO staff;
- procedural framework concerning return measures through charter/joint flights enhanced.

The following indicators should be used:

- number of trained staff/persons participating in the internships in other MS – at least 10 persons
- number of persons attending the joint flights organised by other MS – at least 10 persons
- number of Member States involved – at least 2

e) Visibility of EU funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams perform their activities. Visibility materials such as plaques or personalised supplies shall be produced within the project(s) to be offered to the MS counterparts during the exchange of experience.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	60,000.00	75.00%
Public funds	B	20,000.00	25.00%
Total public funds	C=A+B	80,000.00	100.00%
Private funds	D	0.00	0.00%
TOTAL	E=C+D	80,000.00	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 6 – Capacity building of staff	30%
Typology 8 – Capacity building – research / best practices	70%

Action 6: Effective implementation of return measures through joint/charter flights

To commit the allocation of this action, the Delegated Authority (RIO) shall act as executing body. The total eligible value of the action shall be supported as follows: 75% from EC contribution and 25% from the national budget.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

a) Purpose and scope of the action:

The purpose of the action is to perform return missions through (joint) charter flights in Romania, as well as joint flights organised by other Member States, in compliance with the relevant EU provisions.

Within the action, the projects shall provide for participation of RIO dedicated staff in joint flights organised by other Members States and organisation by RIO of (joint) charter flights, thus the action being related to Objective 3 (Enhancement of the forced return procedures, in cooperation with other Member States, including effective implementation of joint flights) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to “*the improvement of the national capabilities through co-operation with other Member States*”.

The action is a follow-up of:

- RF 2009 / Action 5 “Effective implementation of joint/charter flights”;
- RF 2010 / Action 3 “Effective implementation of return measures through joint/charter flights”.

Assessment of the needs

Within the project implemented under RF2009, the Romanian Immigration Office, in partnership with relevant authorities in Romania, conducted a charter flight to Afghanistan. Also, the RIO staff took part in a joint flight organised by Spain.

Considering the large number of immigrants originating from North Africa and from other third countries as Pakistan, Afghanistan, who are in illegal situations on the Romanian territory, it is estimated that charter flights to these regions shall need to be organised to these destinations, for cost-effectiveness and operational reasons. For the same reasons, and because of the restrictions imposed by the air transporting companies, it is envisaged that return missions conducted at RIO level shall need attendance to joint flights coordinated by other Member States. Following the consultations with the relevant actors and the analysis of the statistical data, it is estimated that approximately 30 TCNs subjected to return decisions shall need to be returned to origin countries through 1 charter flight organised by the Romanian authorities and 3 joint flights organised by other Member States.

Minimum requirements for the projects

In order to return groups of persons to specific origin/destination countries, or in exceptional situations (violent persons, destinations which are not covered by commercial flights etc.), the best solution, in terms of efficiency and safety, shall be the organisation of charter flights.

To organise charter joint flights, RIO shall network with the competent authorities of the MS, purchase the necessary services from an air transportation company and make specific arrangements to receive the participants and establish the details of the mission.

In all cases, RIO shall analyse, in terms of efficiency, safety and cost-effectiveness, the possibilities of return and, if deemed necessary, shall conduct the missions either through charter flights of the Romanian authorities or joint flights organised by other Member States.

To participate in the joint flights organised by other EU/EEA Member States, RIO shall elaborate projects having the following main activities:

- identification of flights and analysis of the situation of the target group;
- application for the flights;
- pre-departure measures;
- effective implementation of the return measures.

If there are no possibilities to conduct the return measure by the means described above, it shall be implemented by the Romanian Immigration Office under Action 2 of the current Annual Programme.

b) Expected grant recipients

The Delegated Authority (RIO) shall act as an executing body.

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

RIO is the only organization from Romania designated to implement return measures according to Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office and Emergency Government Ordinance 194/2002 on the aliens regime in Romania.

d) Expected quantified results and indicators to be used:

The target group of the action is represented by TCNs against whom a return decision was taken by the competent authorities of the EU/EEA Member States.

The impact of the action shall consist of the reduction of the illegal immigration in the Member States.

The outcomes of the action are:

- increased cooperation with the Member States in the management of return
- increased efficiency of the return measures implemented by RIO, in safe conditions and with respect for the human rights of the targeted persons;
- increased number of TCNs against whom a return decision was taken, returned to the origin countries.

The following outputs are established at the level of the action:

- elaboration of integrated return plans in co-operation with other Member States;
- preparatory measures implemented in accordance with the legal provisions and the best practices;
- necessary assistance and facilities provided for the escorted persons and the escorts transiting Romania;
- effective return to the countries of origin, through (joint) charter flights, of the targeted persons.

The following indicators should be used:

- number of TCNs returned to the origin countries – at least 20;
- number of (joint) charter flights organised and performed by RIO – at least 1;
- number of joint flights attended by RIO – at least 3;

e) Visibility of EU 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.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	250,000.00	75.00%
Public funds	B	83,333.33	25.00%
Total public funds	C=A+B	333,333.33	100.00%
Private funds	D	0.00	0.00%
TOTAL	E=C+D	333,333.33	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 3 – Forced return	40%
Typology 9 – Cooperation between MS	60%

The difference between the amount allocated to Priority 2 within Multi-annual Programme 2008-2013 and the amount allocated to this Priority within the Annual Programme 2011 is due to the revised allocations communicated by the Commission.

Following the yearly consultation process with the relevant stakeholders in the field of asylum, it was considered that the financial estimations for each priority in the MAP should be modified.

3.3. Actions implementing **Priority 3** “Support for specific innovative national tools for return management”

Action 7: Support for the cooperation mechanism with institutions of third countries

To commit the allocation of this action, the Delegated Authority (RIO) shall act as executing body. The total eligible value of the action shall be supported as follows: 75% from EU contribution and 25% from the national budget.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

a) Purpose and scope of the action:

The purpose of the action is to support the return measures which involve the institutions of third countries; (b) to improve the existing cooperation mechanism between the Romanian and third country relevant institutions.

The projects shall strengthen the cooperation in the field of return between the Romanian and third country relevant institutions, such as diplomatic missions, law enforcement authorities etc., through consultation meetings, exchange of information and effective participation in the return operations, thus the action being related to 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) and Objective 5 (Development of cooperation of RIO with the authorities of third countries) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to “the promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive “.

Assessment of the needs

The current action is a follow-up of:

- RF 2008 / Action 6 “Development of a consultation mechanism with the diplomatic missions of third countries”;

- RF 2009 / Action 6 “Strengthening the consultation mechanism with the diplomatic missions of third countries”;
- RF 2009 / Action 7 “Creation of a cooperation mechanism with the relevant authorities of third countries”;
- RF 2010 / Action 4 “Strengthening the management of return through cooperation with institutions of third countries”;
- RF 2011 / Action 4 “Support for the cooperation mechanism with institutions of third countries”.

The previous annual programmes put an emphasis on consultation and working groups involving representatives of the diplomatic missions of third countries with high migratory potential. A cooperation mechanism was developed through a project implemented under RF 2008. The cooperation was developed under RF 2009, involving more stakeholders (such as police, border police) from third countries.

Although notable results were achieved following most consultations, in terms of identification of TCNs with illegal stay in Romania and issuance of travel documents, because of the staff turnover within the institutions of the third countries and the maintenance of illegal immigration flows from certain areas, it is necessary to initiate new contacts and continue the cooperation activities in relation with the diplomatic missions and other relevant authorities of the third countries with high migratory potential. It is estimated that at least 10 institutions of third countries, represented by approximately 30 officials, should be approached during the implementation of this action. According to the actual operational situation, it is envisaged that consultation meetings shall be required with the representatives of the diplomatic missions of Afghanistan, Georgia, Egypt, Syria, Algeria, Morocco and the officials from national authorities such police and border police of Pakistan, India, Democratic Republic of Congo.

Minimum requirements for the projects

The projects shall provide for consultation meetings with the diplomatic missions and relevant authorities of the third countries of interest to the Romanian authorities from operational perspective.

The projects shall aim at improving the process of identification of persons, obtaining travel documents for returnees and facilitate the return operations. For this purpose, most of the meetings with the representatives of the diplomatic missions shall take place in Romania. If necessary, visits to the accommodation centres of RIO shall be organised in order to allow discussions of the diplomatic staff with their nationals taken into public custody.

To obtain visas for the escorts in the cases where the destination/transit country is not represented in Romania by a diplomatic mission, the dedicated RIO staff may travel to another Member State where such a diplomatic mission is accredited.

To facilitate the issuance of travel documents for the returnees by diplomatic missions which are not located in Romania, the action allows for visits of the representatives of the diplomatic missions to Romania, aimed at the identification of the immigrants, therefore the projects shall support the corresponding costs. The action considers also the possibility for the staff to travel abroad in order to undertake the necessary procedures in order to obtain the travel documents and visas to third countries of origin.

The projects shall also identify solutions to have the provisional travel documents issued by RIO for the returnees recognised by the competent authorities of the third countries. Such documents are issued by RIO, in compliance with the EU and national provisions, when a travel document is not issued by the diplomatic mission of the origin country.

To familiarise the representatives of the third countries with the situations during the return measures which require a common approach, the projects shall also provide for the observation by the authorities of the third countries of the effective return operations. Such activities shall be organised both in Romania and in the destination/transit countries.

In all activities the staff shall seek to solve individual cases, namely to identify TCNs to be returned and collect data, necessary for the issuance of travel documents. Moreover, practical solutions for the return operations shall be established based on the encountered problems.

b) Expected grant recipients

The Delegated Authority (RIO) shall act as an executing body.

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

RIO is the only organization from Romania designated to implement return measures according to Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office and Emergency Government Ordinance 194/2002 on the aliens regime in Romania.

d) Expected quantified results and indicators to be used:

The action targets the RIO staff with attributions for the implementation of return measures, the employees of the diplomatic missions of third countries represented/not represented in Romania, employees of the authorities of third countries responsible for taking over their nationals.

The impact of the action shall consist of the reduction of the illegal immigration in Romania.

The outcomes of the action are:

- increased management of return by RIO, in cooperation with the relevant institutions of the third countries;
- increased number of TCNs against whom a return decision was taken, returned to the origin countries;
- period of public custody reduced.

The following outputs are established at the level of the action:

- networking with the institutions of third countries developed;
- individual cases of TCNs against whom a return decision was taken, solved in cooperation with the relevant institutions of the third countries;
- new approaches of the return measures agreed among the involved institutions.

The following indicators should be used:

- number of consultation meetings in Romania/in the third countries – at least 10;
- number of third country institutions involved – at least 10;
- number of participants in the activities - at least 30;
- number of travel documents obtained – according to the identified needs

e) Visibility of EU funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams perform their activities. In all consultation meetings, this information shall be placed on leaflets, publicity materials, PR work etc. and the audience will receive such information. Visibility materials such as plaques or personalised supplies shall be produced within the project(s) to be offered to the third country representatives in the consultation meetings.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	100,000.00	75.00%
Public funds	B	33,333.33	25.00%
Total public funds	C=A+B	133,333.33	100.00%
Private funds	D	0.00	0.00%
TOTAL	E=C+D	133,333.33	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return

LAYER 2 (THE TEN TYPOLOGIES)	
Typology 3 – Forced return	15%
Typology 8 – Capacity building – research / best practices	5%
Typology 10 – Cooperation with third countries	80%

The difference between the amount allocated to Priority 3 within Multi-annual Programme 2008-2013 and the amount allocated to this Priority within the Annual Programme 2011 is due to the revised allocations communicated by the Commission.

Following the yearly consultation process with the relevant stakeholders in the field of asylum, it was considered that the financial estimations for each priority in the MAP should be modified.

3.4. Actions implementing **Priority 4** “Support for developing European Union standards and best practices on return management”

Action 8: Cooperation with the Romanian institutions in the field of combating the illegal immigration and return

To commit the allocation of the action, the Delegated Authority (RIO) shall conclude contracts, through calls for tenders for any supplies or services necessary to the project(s). The total eligible value of Action 8 shall be supported as follows: 75% from EU contribution and 25% from the national budget.

The expected time for starting the projects is January 2013. The end date for the projects is 30 June 2014.

a) Purpose and scope of the action:

The purpose of the action is to strengthen the operational capacity of RIO and other stakeholders in the field of detection and return of immigrants with illegal stay in Romania.

The projects are expected to provide for joint initiatives in the field of combating illegal migration as well as training of staff, thus the action being related to Objective 6 (Development of the cooperation in the field of return between RIO and other central and local public authorities) of the Multi-annual Programme 2008-2013.

Regarding the key strategic objectives identified for 2012 and 2013 annual programmes, the action relates to “*the promotion of a more strategic focus on EU standards through implementation of actions linked to the requirements of the return directive*”.

Assessment of the needs

The current action is a follow-up of:

- RF2008 / Action 7 “Effective implementation of protocols and agreements concluded by RIO in the field of combating illegal migration and preparation of return measures”;
- RF 2009 / Action 8 “Elaboration of common standards in the field of combating illegal stay of aliens and return”;
- RF 2011 / Action 5 “Cooperation with the Romanian institutions in the field of combating the illegal immigration and return”.

There is a constant need to maintain and improve the knowledge and skills in the staff of the relevant authorities assigned to combating illegal stay of TCNs and return missions. Although, this need was approached under the previous programmes, because of the staff turnover and the new challenges imposed by the envisaged accession of Romania to the Schengen area, it is still needed to continue the training process in the field. To sustain this process, the training needs of at least 150 employees of the relevant authorities in the area of combating illegal immigration and return should be addressed.

Minimum requirements for the projects

The projects shall provide for:

- training of the staff of RIO and other relevant authorities such as the National Police, the Border Police and the Gendarmerie. The training shall include at least the following topics: relevant legislation developments in this field, common standards and procedures enforced for detection and return of immigrants with illegal stay, best practices of cooperation and study of relevant cases of cooperation;
- study visits in other member states of RIO and other relevant authorities staff in charge with detection and return of immigrants with illegal stay, in order to exchange expertise and best practices in this field;

b) Expected grant recipients:

The Delegated Authority (RIO) shall act as an executing body.

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

RIO is the only organization from Romania designated to implement return measures according to Government Decision 639/2007 regarding the structure and attributions of the Romanian Immigration Office and Emergency Government Ordinance 194/2002 on the aliens regime in Romania.

d) Expected quantified results and indicators to be used:

The target groups of the action are: the RIO employees assigned with attributions for return of aliens with illegal stay, the staff of the relevant RIO territorial units and other territorial and central public authorities, representatives of all appeal courts, the legal advisors who represent RIO in the appeal courts and the prosecutors appointed by the Appeal Court in Bucharest to take public custody measures.

The impact of the action shall consist of the reduction of the illegal immigration in Romania.

The outcomes of the action are:

- increased management of RIO as regards the detection and return of immigrants with illegal stay in Romania, in cooperation with the relevant institutions;
- increased level of expertise of the staff of the relevant authorities such as RIO, the National Police, the Border Police and the Gendarmerie;
- increased number of the TCNs, who do not comply with the return decisions, detected and returned in the country of origin.

The following outputs are established at the level of the action:

- networking with the relevant institutions involved in detection and return of immigrants with illegal stay improved;
- new approaches as regards the detection of immigrants with illegal stay in order to return to their origin countries agreed among the involved institutions;
- increased level of expertise of the staff assigned to combating illegal immigration and return.

The following indicators should be used:

- number of training sessions/seminars – at least 4;
- number of study visits – at least 1;
- number of authorities involved – at least 4;
- number of participants in the training sessions/seminars – at least 20.

e) Visibility of EU funding

The EU logo and the indication on European Return Fund co-financing shall be placed visibly (on posters, banners etc.) in the premises where the project teams perform their activities. In all training and consultation activities, this information shall be placed on leaflets, publicity materials, PR work etc. and the audience will receive such information.

f) Complementarity with similar actions financed by other EU instruments:

For complementarity with other EU financial instruments see Action 1.

g) Financial information

EC funding	A	40,000.00	75.00%
Public funds	B	13,333.33	25.00%
Total public funds	C=A+B	53,333.33	100.00%
Private funds	D	0.00	0.00%
TOTAL	E=C+D	53,333.33	100.00%

h) Categorisation of the action according to the typology for the Fund

LAYER 1 – ASSISTED VOLUNTARY RETURN OR FORCED RETURN	
<input type="checkbox"/>	TYOLOGY A – Assisted Voluntary Return
<input checked="" type="checkbox"/>	TYOLOGY B – Forced Return
LAYER 2 (THE TEN TYOLOGIES)	
Typology 6 – Capacity building of staff	75%
Typology 8 – Capacity building – research / best practices	25%

The difference between the amount allocated to Priority 4 within Multi-annual Programme 2008-2013 and the amount allocated to this Priority within the Annual Programme 2011 is due to the revised allocations communicated by the Commission.

Following the yearly consultation process with the relevant stakeholders in the field of asylum, it was considered that the financial estimations for each priority in the MAP should be modified.

4. TECHNICAL ASSISTANCE

4.1 Purpose of the technical assistance

The purpose of the technical assistance is to provide financial support to the designated authorities in fulfilling their duties, as stated in art. 17 of Decision 2008/575/EC.

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

The technical assistance budget, not exceeding the amount of 4% 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.

In order to commit the allocation for technical assistance, the Responsible Authority shall draft a fiche with the full description of the activities envisaged for technical assistance in consultation with the other designated authorities, and submit it to the Delegated Authority for implementation.

Once the fiche is approved at the level of the Responsible Authority, RIO shall revise its Annual Procurement Plan, including the new acquisitions in the document, and start to purchase the necessary supplies and services accordingly.

In order to achieve the results provided in the Annual Programme, RIO shall conclude contracts with specialized companies, applying the provisions of Emergency Government Decision 34/2006. The act regulates the public procurement procedures for contracting supplies, services and works, as well as the modalities to solve the appeals in relation with these procedures. It is meant to: (a) promote competition among the economic operators, (b) guarantee equal treatment and non-discrimination of economic operators; (c) ensure transparency and integrity of the public procurement process; (d) ensure efficiency in using the public funds, in procurement procedures concluded by the public authorities.

According to the relevant legal provisions and the internal procedures in the field of public procurement, the Delegated Authority has the obligation to organize the call for tenders, by drafting tender dossiers, publicizing the procurements, and establishing evaluation committees. Further, it is responsible for the technical management of the contracts. All activities are supervised by the Responsible Authority, which shall verify the documentation and designate observers for the specific activities.

If justified, in order to benefit from expertise in certain areas such as selection of proposals, monitoring and evaluation of projects etc., the Delegated Authority shall conclude contracts for temporary assignment of experts, based on calls for interest according to well defined eligibility and selection criteria.

The purpose of the technical assistance is to support the activities performed by the designated authorities (responsible authority, delegated authority, certification authority, audit authority) relating to the measures stated under art. 16.1 of the basic act.

4.2 Visibility of EU 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.

To apply the provisions of art. 33(2) of the Decision EC/2008/458, the designated authorities shall organise a launching conference to publicise the annual programme, as well as a final event to promote the achievements of the projects implemented under the respective actions and co-financed from the Return Fund.

Whenever a designated authority organizes an activity, as provided in section 3.1, it shall take appropriate measures to ensure the visibility of the EU co-financing. For this purpose, it shall ask in advance the Delegated Authority to provide/procure the necessary materials or services.

The beneficiaries of the projects awarded in the "awarding body" mode shall have the responsibility to ensure both the visibility of the EU funding, and of the projects themselves, committing the allocations of the projects.

5. DRAFT FINANCING PLAN

Annual Programme - Draft Financial Plan

Table 1 - Overview table

Annual programme concerned: 2012								
Fund: European Return Fund								
	Ref. priority	Ref. specific priority	EU contribution (a)	Public allocation (b)	Private allocation (c)	TOTAL (d)	% EC (e=a/d)	Share of total (f=d/total d)
Action 1	1	n/a	610,000.00	162,666.67	40,666.67	813,333.33	75.00	26.93%
Action 2	1	n/a	585,000.00	195,000.00	0.00	780,000.00	75.00	25.83%
			200,000.00	53,333.33	13,333.33	266,666.67	75.00	8.83%
Total Action 2			785,000.00	248,333.33	13,333.33	1,046,666.67	75.00	34.66%
Action 3	1	n/a	250,000.00	83,333.33	0.00	333,333.33	75.00	11.04%
Action 4	1	n/a	80,000.00	26,666.67	0.00	106,666.67	75.00	3.53%
Action 5	2	n/a	60,000.00	20,000.00	0.00	80,000.00	75.00	2.65%
Action 6	2	n/a	250,000.00	83,333.33	0.00	333,333.33	75.00	11.04%
Action 7	3	n/a	100,000.00	33,333.33	0.00	133,333.33	75.00	4.41%
Action 8	4	n/a	40,000.00	13,333.33	0.00	53,333.33	75.00	1.77%
Technical assistance	n/a	n/a	120,060.00	0.00	0.00	120,060.00	100.00	3.98%
TOTAL			2,295,060.00	671,000.00	54,000.00	3,020,060.00	75.99	100.00%

FOR THE DELEGATED AUTHORITY
Romanian Immigration Office

GENERAL DIRECTOR
Nelcu POP

FOR THE RESPONSIBLE AUTHORITY
General Directorate of European
Affairs and International Relations

App. GENERAL DIRECTOR
Catalin NECULA