



DEPARTMENT OF JUSTICE AND LAW REFORM
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Guidelines for applications submitted for projects under European Return Fund under the multi-annual programme 2008 – 2013.

Applicants are advised to have familiarised themselves fully with these guidelines prior to completing applications.

The aim of these guidelines is to summarise Council Decision No. 575/2007/EC and to assist applicants understand the requirements for funding under the European Return Fund 2008-2013 and to enable eligible applicants complete and submit proposals. While every effort has been made to provide as much accurate information as possible, applicants are advised that the guidelines may be subject to change from time to time to comply with European Commission or Irish Government requirements. Further information can be obtained by email from returnfund@justice.ie. The total amount of funds available for 2010 is €558,780.19.. A maximum of 50% of the total cost of the project can be co-financed. Completed applications must be submitted by 21st January, 2011.

Abbreviations

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

1. Basic Information

1.1. Name of Project

Title of project should be indicative of what the project aims to achieve e.g. “promotion of assisted voluntary return among asylum-seekers”. Length of title should not exceed 20 words.

1.2. Entity applying for funding and contact details

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

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

2. Priorities of the Fund

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

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

PRIORITY 2: Support for the cooperation between Member States in return management;

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

3. Target Group

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

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

4. Objectives and Actions

4.1. Overall Project Objective

Specify the general aim of the project. The project should contribute to the Fund's objectives as detailed in Article 3 of council Decision 575/2007/EC. A summary of these objectives is presented hereunder:

- a) The introduction and improvement of the organisation and implementation of integrated return management by Member States;
- b) The enhancement of the cooperation between Member States within the framework of integrated return management and its implementation;

- c) The promotion of an effective and uniform application of common standards on return in line with policy developments in this field.

4.2. Project Description

Describe in some detail (not more than 200 words) what the project will be doing.

4.3. Actions

The applicant should state what action(s) his/her project will be taking. Actions allowed under this Fund are listed under Article 4 of council Decision 575/2007/EC. A summary is as follows:

- a) The establishment or improvement of an effective, stable and lasting operational cooperation of MS's authorities with consular authorities and immigration services of third countries, with a view to obtaining travel documents for the return of TCNs and ensuring speedy and successful removals;
- b) The promotion of ways and means to provide information on return as early as possible and encourage individual TCNs to make use of voluntary return;
- c) The facilitation of voluntary returns, in particular through assisted voluntary return programmes;
- d) Developing modes of cooperation between different levels of public authorities, enabling officials to swiftly gain information on return experiences and practices elsewhere, and when possible to pool resources;
- e) The simplification and implementation of forced returns;
- f) Cooperation in the gathering and provision to potential returnees of information on the country of origin, former residence or transit;
- g) Cooperation in developing effective, stable and lasting operational working relationships between MS's authorities and consular authorities and immigration services of third countries;
- h) Design of joint integrated return plans and their implementation, including joint voluntary return programmes;
- i) Studies on the current situation and the possibilities for enhancing administrative cooperation among Member States in the field of return as well as on the role of international and non-governmental organisations to be played in this context;
- j) Exchange of information and best practices, in dealing with return of particularly vulnerable groups;
- k) Organisation of seminars for practitioners on best practices, focusing on specific third countries and/or regions;
- l) Joint measures enabling the reception of readmitted persons in countries of origin, former residence or transit;
- m) Joint developments of actions to ensure sustainable return of persons to the country of origin or former residence;

- n) Enhancement of the capacity of competent authorities to take high quality return decisions as quickly as possible;
- o) Enhancement of the capacity of competent administrative authorities to implement or enforce speedily removal decisions;
- p) Enhancement of the capacity of judicial bodies to more quickly assess return decisions appealed;
- q) Organisation of seminars and joint training for the staff of relevant authorities concerning legal and practical aspects of return operations;
- r) Enhancement of the capacity of competent administrative authorities to effectively implement common arrangements on mutual recognition and joint return operations.

4.4. Project Purposes

The applicant should describe what he/she will do to achieve the overall project objective.

5. Eligible Direct Costs

Costs related to the project must be generated and the corresponding payments must be made between 1st January 2009 and 30th June 2011.

	Cost Category	Eligible Costs	Requirements for Claims
A	Staff Cost	Costs of staff are only eligible for persons that have a key role in the project, such as project managers and other staff operationally involved in the project. Functions, number of staff and names have to be indicated in the annex. Costs are based on the actual salaries and comprising social security charges and other statutory costs included in the remuneration. Support staff costs are not eligible as Direct Costs	Filled in "Declaration on Staff Costs", time sheets and payslips
B	Travel and Subsistence	Travel costs are eligible on the basis of the actual costs incurred and only for the staff whose costs are eligible as defined in point A. Reimbursement rates must be based on the cheapest public transport. Daily subsistence shall be eligible on the basis of real costs or per diem.	Beneficiary has to provide as supporting evidence: <ul style="list-style-type: none"> - The invitation to the seminar/training conference from the hosting agency. - The agenda of the seminar/training/conference. - Relevant boarding passes - Travel agency invoices and other supporting documents

			including receipts in case of reimbursement of real costs)
C	Purchase/Renting/Leasing of Equipment	<p>Equipment must be related directly to the realisation of the project and having the technical characteristics necessary for the project. Costs incurred can be co-financed on the full or partial cost. Costs incurred have to be in accordance with national procurement rules.</p> <p>Equipment has to remain in use for the same objectives pursued by the project for a minimum duration of three years or more for ICT equipment, five years or more for operating equipment and ten years for helicopters, vessels and light aircraft.</p> <p>Expenditure in relation to renting and leasing of equipment is eligible for co-financing for the purpose and duration of the project implementation.</p>	The invoices and receipts in relation to the purchase, renting or leasing of equipment must be produced to support the claim.
D	Purchase/Construction/Renovation of Real Estate	<p>This cost is eligible when it is necessary for the implementation of the project and clearly linked with its objectives. The full or partial costs are eligible, however, a certificate must be obtained from an independent qualified valuer. To be eligible, no community grant can have been granted in relation to the same real estate and the building must be used solely and exclusively for the stated purpose for at least 10 years.</p> <p>Rental or real estate is eligible where there is a clear link with the objective of the project and shall be used for the implementation of the project. (This does not include office space for the final beneficiary).</p>	The invoices and receipts in relation to the carrying out of works must be produced to support the claim.
E	Consumables and Supplies	Eligible if identifiable and directly necessary for the implementation of the project, excluding office supplies and all kinds of small administrative consumables, supplies and general services such as telephone, internet and postage.	The invoice and receipts in relation to the expenditure must be produced to support the claim.
F	Subcontracting	Subcontracting should not exceed 40% of the eligible direct costs.	The invoices and receipts and a copy of the agreement with the contractor must be provided.

G	Expert Fees	Legal consultancy fees and costs of technical and financial experts, if they are directly linked to the project and are necessary for its preparation and implementation	The invoices and receipts must be produced to support the expenditure carried out
H	Costs deriving directly from the requirements linked to EU co-financing	Costs necessary for meeting the requirements linked to EU co-financing, such as publicity, transparency, evaluation of the project, external audit, bank guarantees, translation costs etc.	The invoices and receipts of these measures must be produced to support the expenditure incurred.
I	Eligible Indirect Costs	<p>Eligible Indirect Costs (Overheads)</p> <p>Indirect costs relate to categories of expenditure that are not identifiable as specific costs directly linked to the project and not assigned. The fixed percentage of indirect costs in relation to the total amount of eligible direct costs does not exceed 20%. The percentage shall not exceed 10% where the responsible authority acts as an executing body.</p> <p>Indirect costs have to be foreseen in the forward budget and the exact percentage of indirect costs fixed by the MS according to the needs.</p> <p>The percentage dedicated to indirect costs shall cover the following costs in particular:</p> <ul style="list-style-type: none"> - staff costs that are ineligible as direct costs - administration and management expenses - bank fees and charges - depreciation of real estate and maintenance costs (when linked to the day to day administrative operations) - all costs linked to the project but excluded from “eligible Direct Costs” 	The invoices/receipts of any expenditure must be produced to support the claim.
J	Costs covered by assigned income (not eligible as direct or indirect staff costs)	<p>In duly substantiated cases, co-financing of the project as regards the contribution from the beneficiary and the partners in the project may be made up in part of the contributions in terms of work carried out by permanent officials employed by these bodies and involved in the project. Such contributions shall not exceed 50% of the total contribution given by the final beneficiary. The following rules shall apply:</p> <ul style="list-style-type: none"> - tasks of public officials are specifically linked to the 	Completed time sheets and payslips

		<p>implementation of the project and do not arise from the statutory responsibilities of the public authority</p> <ul style="list-style-type: none"> - public officials are seconded by a duly documented decision - the value of these contributions can be audited and may not exceed the costs actually borne and duly supported by accounting documents of the public authority 	
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Ineligible Expenditure

- a) VAT - only unrecoverable VAT is eligible.
- b) Contributions in kind
- c) Other – fines, financial penalties, litigation costs, entertainment expenses

6. Disbursement Table

A quarterly forecast of the expenditure to be carried out must be indicated in the table. This is necessary to enable the Responsible Authority to plan availability of funds.

7. Project Administration

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

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

8. Involvement of any other organisations

Explain how other organisations, if any, will be involved in the project e.g. will they be involved in the management of the project, to what extent, what role will they have. The entity from which the project leader is appointed will be the representative organisation and will have the ultimate responsibility for the coordination of the project.

9. Procurement

Divide the actions you intend to take in the project into tenders/direct calls (if required).

10. Time Scale

Specify the activities that will be required to complete the project, including a breakdown of the time required to carry out each activity (see sample below):

Activities	2008				2009			
	Qrt 1	Qrt 2	Qrt 3	Qrt 4	Qrt 1	Qrt 2	Qrt 3	Qrt 4
Prepare implementation plans	▶▶▶▶▶ ↓							
Prepare procurement documents	↓ ▶	▶▶▶▶▶↓ ↓						
Publish documents		▶	▶▶▶▶▶	▶▶▶▶▶ ↓				
Procure material				↓	▶▶▶▶▶ ↓			
Start actual implementation						▶▶▶▶▶ ▶	▶▶▶▶▶ ▶	▶▶▶▶▶ ▶

11. Results (Performance Indicators)

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

Results should be measurable in accordance with a specific timeframe.

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

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

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

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

12. Sustainability of the Project

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

13. Readiness

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

14. Conditionality

Identify possible circumstances that may prevent the successful implementation and completion of the project e.g. unavailability of local funds, excessive additional workload for individual staff members etc.

Possible risks outside the control of the project should also be listed.

15. Checklist of Attachments

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

Annex 1

Provide a breakdown of calculations e.g. for travel and subsistence cost for project staff:

- i) €600 flight expenses x 2 people = €1,200
- ii) €50 per diem rates x 2 people x 10 days = €1,000
- iii) €1,200 hotel costs x 2 people = €2,400

Total = €4,600

Project Selection Process

Every project submitted within the timeframe – applications submitted after the closing date will not be considered.

The projects will be adjudicated by a Selection Committee, according to the following evaluation ranking criteria.

- a) **Capacity** – (expertise and role (in organisation) of the staff; sufficiency of the staff managing the project; experience in managing projects co-funded by the EU)
- b) **Relevance** – (to the asylum/illegal migration situation in Ireland; to the Priorities of the fund)
- c) **Readiness** – (preparedness of the project; need for permits, studies etc.)

- d) **Efficiency and Effectiveness** – (budget, cost effectiveness, timeframes of actions to be undertaken)
- e) **Indicators** – (realistic, reachable, clarity and measurability)

16. Confidentiality

The Department of Justice and Law Reform and the applicant will undertake to preserve the confidentiality of any document, information, data or other material communicated to them in whatever medium, including electronically and orally, where disclosure of which could harm the other party. However, the Department of Justice, Equality and Law Reform wishes to remind applicants that the information supplied on any application form may be made available on request, in accordance with the Department of Justice and Law Reform's obligations under law, including the Freedom of Information Acts.

You are asked to consider if any of the information supplied by you in applying for funding under the European Return Fund should not be disclosed because of sensitivity. If this is the case, you should, when providing the information, identify and specify the reasons for its sensitivity. Where an applicant identifies such information, the Department of Justice and Law Reform will consult with the applicant about such sensitive information before making a decision on any FOI request received.