



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL HOME AFFAIRS  
Directorate C : Migration and Borders

## **EUROPEAN RETURN FUND 2008-2013<sup>1</sup>**

### **COMMUNITY ACTIONS CALL FOR PROPOSALS 2011**

#### **Deadline for application**

**The completed application and annexes must be submitted to the  
Commission by**

**27 April 2012**

**Applications submitted after the deadline will be automatically rejected**

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<sup>1</sup> The European Return Fund 2008-2013 was established by Decision No 575/2007/EC of the European Parliament and of the Council.

## 1. INTRODUCTION

### 1.1 General Objectives

Decision of the European Parliament and of the Council No 575/2007/EC of 23 May 2007 established the European Return Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows"<sup>1</sup> (hereafter 'the Decision').

The objective of the Fund is to support the efforts made by the Member States to improve the management of return in all its dimensions through the use of the concept of integrated management and by providing for joint actions to be implemented by Member States or national actions that pursue European Union objectives under the principle of solidarity, taking account of European Union legislation in this field and in full compliance with fundamental rights.

The Return Fund (RF) "Community Actions 2009" focused on humane treatment of returnees during forced return (joint return operations and study on forced return monitoring) and horizontal return issues like the cooperation with third countries, the treatment of minors in the return process and the link between pre-departure and post-arrival reintegration measures. Community Actions 2010 targeted voluntary return and reintegration activities. At the same time, at the end of 2011 the results of three studies undertaken under the Community Actions became available: a) on interlinking pre-departure and post-return reintegration assistance; b) on the return of minors, including unaccompanied minors and c) on monitoring of forced return<sup>2</sup>.

2011 was also the first year of the practical application of the Return Directive. It is therefore appropriate to focus the 2011 RF Community Actions on practical implementation of the Return Directive and notably to encourage the use of the best practices identified in the studies undertaken under the RF Community Actions.

Thus, the Community Actions 2011 pursue further good practices in implementation of the following aspects of the Return Directive:

- an effective, independent forced-return monitoring system provided for in Article 8 (6) in order to ensure that return operations are carried out with respect to the dignity of returnees;

- taking due account of the best interests of the child as requested in Art. 5 (a) of the Return Directive as well as of the obligation for the Member States to ensure that the unaccompanied minors are returned to their respective family, guardian or to an adequate reception facility (art. 10.2); furthermore, the 2011 Community Actions set incentives for

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<sup>1</sup> OJ L144, 6.6.2007, p.45

<sup>2</sup> The three studies have been published on DG HOME website:

[http://ec.europa.eu/home-affairs/doc\\_centre/immigration/immigration\\_studies\\_en.htm](http://ec.europa.eu/home-affairs/doc_centre/immigration/immigration_studies_en.htm)

the Member States to monitor the reintegration of the minors returned after the return procedure has been completed;

- finally, this call goes even beyond the requirements of the Return directive and encourages to submit applications addressing specific reintegration needs of vulnerable persons.

In accordance with Article 6(1) of the Decision, the Commission may use up to 7% of the Fund's available resources to finance transnational actions or actions of interest to the European Union as a whole (hereinafter referred to as 'Community actions'). The budget for Community Actions for 2011 amounts to **€ 8.200.000** of which **€ 4.500.000** is reserved for the current call. The funds shall be used for the following priorities defined in Article 6(2) (a), (b), (e) and (h) of the Decision. ***This amount may be increased (subject to budgetary availability by the time the award decision is taken).***

(a) further Community cooperation in implementing Community law and good practices;

(b) support the setting-up of transnational cooperation networks and pilot projects based on transnational partnership between bodies located in two or more Member States designed to stimulate innovation, facilitate the exchange of experience and good practice and improve the quality of return policy;

(e) support pilot projects and studies exploring the possibility of new forms on Community cooperation and Community law in this area;

(h) provide Member States with support services in case of duly substantiated emergency situations requiring urgent action.

## **1.2 Priorities and eligible actions**

The objectives laid down in Article 6(2) (a), (b) and (e) of the Decision will be pursued in 2011 by taking into account the policy context and by further building on priorities identified for the "Preparatory Actions: Migration Management - Solidarity in Action". The eligible actions for each of the categories are described below.

<b>Category 1 Ensuring sustainability for vulnerable or disadvantaged people after the return</b>
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### **Policy context**

Reintegration assistance accompanying the return is one of the innovative tools the EU has introduced in the recent years to help people that have returned to their home country to rebuild their lives and to make their return sustainable. They can cover preparatory pre-departure activities in the Member States, the reception and accompanying activities in the first days after the return, but also socioeconomic measures in the country of return.

Unfortunately, not all of the voluntary return programmes and almost none forced return programmes offer it. Especially challenged are vulnerable groups that often need more advice, guidance and resources to cope with the challenges of reintegration.

To remedy the shortcomings of lack or absence of reintegration elements in the national return programmes (those funded under Return Fund or national budget), the Community Actions 2011 include the possibility to support actions to ensure sustainability for vulnerable or disadvantaged people after return.

"Vulnerable or disadvantaged" is a rather broad category and may include different kind of vulnerable persons mentioned in Art. 5(2) of the Decision (such as minors, unaccompanied minors, disabled people, victims of violence), but also other categories that may correspond to the definition, such as members of certain community facing persecution, prejudice, etc. In all cases, there should be an individual assessment of the case carried out according to pre-defined criteria.

### **Eligible actions**

Setting up and further development of cooperation of at least two Member States in the field of ensuring reintegration for vulnerable or disadvantaged returnees. The scope of the actions should emphasize coordinating and implementing reintegration measures envisaged in the country of return at an early stage and developing a common approach towards specific countries of return or specific type of vulnerability.

The focus of the action is on providing reintegration measures for vulnerable or disadvantaged persons that are being returned through the programmes that do not have (or have not sufficient) reintegration components.

The action should cover reintegration measures, but not the return itself; the latter would need to be funded by other sources than Community Actions. In other words, the main goal is to make sure that the return decision is accompanied by a sort of "blanket measures" to ease the burden on returning disadvantaged persons and help them reintegrate the society in their home country.

Reintegration measures can cover both pre-return and post-return assistance and do not have to be limited to specific assistance in relation to persons' vulnerable (disadvantaged) status but can entail broader measures (such as e.g. starting up business, training programmes etc.) to make the return sustainable and easier for the persons concerned.

The action should, as far as possible and relevant, take into account the best practices identified in the Comparative Study on Best Practices to Interlink Pre-Departure Reintegration Measures Carried out in Member States with Short- and Long- Term Reintegration Measures in the Countries of Return<sup>1</sup>. The way in which the findings will be used in the project should be reflected in the project proposal.

Apart from offering reintegration assistance to the returnees, the project should provide the description of lessons learned/conclusions drawn from the project, so that the stakeholders can benefit from experience accumulated during its implementation.

Member States are encouraged to define common reintegration strategies targeted to specific countries of return or specific type of vulnerability. This may include common

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<sup>1</sup> Available on DG HOME website: [http://ec.europa.eu/home-affairs/doc\\_centre/immigration/docs/studies/ECHOMEREINTEGRATION\\_Final-January\\_2012.pdf#zoom=100](http://ec.europa.eu/home-affairs/doc_centre/immigration/docs/studies/ECHOMEREINTEGRATION_Final-January_2012.pdf#zoom=100)

missions to these countries of return, common assessment of the socioeconomic needs of the countries of return (in relation to returnees), development of coherent post arrival reintegration tools and the common implementation and establishment of these tools as far as the countries of return (or specific types of vulnerability) are concerned.

## **Category 2 Monitoring of joint forced return operations**

### **Policy context**

2011 was the first year of the practical application of the Return Directive. It was considered appropriate to address some specific measures that are related to the implementation of the Return Directive, one of them being effective monitoring of forced return, provided by Article 8(6) of the Return Directive (2008/115/EC).

The provision on forced return monitoring was inspired by the Council of Europe Guidelines on Forced Return from May 2005. Under the 2009 Community Actions, the Commission financed a comparative study to analyse practices and highlight best practices relating to forced-return monitoring systems in the Member States<sup>1</sup>. The recommendations contained in the above-mentioned study could therefore be practically implemented in a context that enables participation of all interested Member States. This can be done by carrying out a forced-return monitoring during implementation of joint removals by several Member States and possibly the Frontex agency.

### **Eligible actions**

Providing for and deploying a pool of forced return monitors for joint return operations.

The action should cover at least the following stages of monitoring: the pre-departure phase, the in-operation (return itself) procedure, a possible transit phase and the arrival and reception of the returnee in the country of return. Where possible (logistical constraints may exist notably where e.g. a flight departs from one particular country but transports returnees from several Member States), monitoring should also cover the pre-return phase. In line with the general approach taken with regard to Art. 8(6) of the Return directive, the action is not required to cover post-return monitoring (the period following reception of the returnee in a third country).

The action should create and test a pilot model(s) of forced return monitoring based on the best practices identified in the Comparative Study on Best Practices in the Field of Forced Return Monitoring. This model could then be replicated into interested Member States.

The vital element for the monitoring to be successful is independence of monitors. To that end, it should include third parties different from the authorities enforcing return. Monitors could consequently represent relevant international and non-governmental organizations, public bodies (such as national Ombudsman), etc. Monitors should also

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<sup>1</sup> Comparative Study on Best Practices in the Field of Forced Return Monitoring, available on the DG HOME website: [http://ec.europa.eu/home-affairs/doc\\_centre/immigration/docs/studies/Forced%20Return%20Monitoring%20Study%20Final%20Report.pdf](http://ec.europa.eu/home-affairs/doc_centre/immigration/docs/studies/Forced%20Return%20Monitoring%20Study%20Final%20Report.pdf)

have appropriate background to be able to carry out this task<sup>1</sup>. Consequently, the action may include a training element to prepare the monitors for their mission.

The applicant should provide assurances from the organizations enforcing return that the monitors will be allowed to undertake their tasks and specifying monitors' mandate. Applicants and the Member States are encouraged to make arrangements so that their returnees are monitored by monitors from other Member States, at least during the in-operation (return itself) stage, to provide for further independence guarantees and exchange of best practices.

Member States shall make available the list of monitors to other interesting parties so that they could be called for future return operations. This way, the sustainability of the action will be ensured by creating a pool of monitors that is available for the use of all interested parties.

In addition, the action may foresee that the Member States (including those who are not involved in return operation) may send observers from the institutions enforcing return. It has to be noted that observers will not be entitled to undertake any monitoring tasks; their role is to gain experience on how monitoring has to be implemented in practice so that they could replicate the model in their own Member State.

The report issued by the monitors should be made available to the Commission as one of the project deliverables.

<b>Category 3 Safe and sustainable return of minors</b>
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### **Policy context**

The number of minors (both unaccompanied and in families) returned from the EU significantly varies across the Member States but in certain cases entails return of dozens and even hundreds of individuals<sup>2</sup>. Hence, return of a minor from the EU is not a one-time event but rather a relatively common practice which requires appropriate readiness of all actors participating in the process, including the minors and their families.

The best interests of the child is an underlying principle of the EU return policy (Art. 5 of the Return directive). Specific needs of minors are to be taken into account at all stages of the return process, be it preparatory phase (like interviewing, family tracing), return itself or reintegration. Under the RF Community Actions 2009, a Comparative study was prepared offering a comprehensive overview of best practices in the return of minors<sup>3</sup> and giving an in depth insight into experience of the Member States as well as non-governmental and international organisations working in this policy area. It is expected that the best practices identified in the study become the building blocks of applications for funding under this category of actions.

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<sup>1</sup> See the above-mentioned study for further guidance, notably p. 19-20; 24-28.

<sup>2</sup> Comparative Study on Practices in the Field of Return of Minors (p. 28), available on the DG HOME website:  
[http://ec.europa.eu/home-affairs/doc\\_centre/immigration/docs/studies/Return\\_of\\_children-final.pdf](http://ec.europa.eu/home-affairs/doc_centre/immigration/docs/studies/Return_of_children-final.pdf)

<sup>3</sup> Comparative Study on Practices in the Field of Return of Minors, available on the DG HOME website:  
[http://ec.europa.eu/home-affairs/doc\\_centre/immigration/docs/studies/Return\\_of\\_children-final.pdf](http://ec.europa.eu/home-affairs/doc_centre/immigration/docs/studies/Return_of_children-final.pdf)

Given very diverse aspects of return of minors that were covered in the afore-mentioned study and identified in the RF Work programme 2011, three different strands of eligible actions have been identified. Applying projects may (but are not obliged to) cover more than one strand at a time provided they meet the eligibility requirements.

## **Eligible actions**

### **Strand A: Family tracing of returned unaccompanied minors**

Family reunification, where it is in the best interests of the child, is a preferred option in case of return<sup>1</sup>. At the same time, sometimes families are difficult to trace (notably when the child is far away) or they do not want to make themselves known to the ones undertaking tracing.

Building synergies of Member States in tracing back the families can indeed prove to be a useful tool to ensure that the minors' best interests are respected. This should also provide for an excellent platform to exchange good practice in locating the families.

Apart from restoring family links, tracing can help in assessing if the family is willing and able to take custody of the returning minor. Hence, tracing is a crucial component in case of return of unaccompanied minors.

Commission's Action Plan on Unaccompanied Minors<sup>2</sup> underlines the importance of family tracing as a key element of ensuring family unity. In the Plan, the Commission was invited to support the Member States in mutual assistance in family tracing in countries where one Member State has established functioning networks for this purpose. The action under the Return Fund however should not be limited to existing networks, but could also include establishing new networks/schemes for family tracing.

The study on practices in return of minors provides some arrangements of family tracing used by different Member States. Applicants for this strand should take into account the findings of the study but are also encouraged to test other innovative methods of tracing, provided that the principle of the best interests of the child is respected and the information obtained during the tracing is used for that purpose. Notably, applicants are encouraged to put forward projects providing necessary guidance to family and returning unaccompanied minor in preparing their reunification (e.g. psychological support before the return, etc.).

The project should entail at least two stages: first, project partners identifying together the best practices in the field of family tracing; second, using those best practices in implementation. One of the project deliverables should be an inventory of lessons/best practices learned.

### **Strand B: Reception centres for returned unaccompanied minors**

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<sup>1</sup> Comparative Study on Practices in the Field of Return of Minors, p. 20

<sup>2</sup> COM(2010) 213 final.

In case of return of unaccompanied minors, exploring the possibility of reunification with the family should always be given priority. However, there will be cases where family tracing is unsuccessful, but where nevertheless it is considered in the best interest of a child to be returned to his country of origin. It may also be established that the best interests of the child is to be returned to an organised reception facility rather than person(s) who had custody prior to the child's departure to the EU.

The Council Conclusions of June 2010 called upon the Commission to prioritise financial support for specific actions and programmes by the Return Fund on unaccompanied minors, including "by creating reception centres that can provide care for minors returned when the family cannot be found to facilitate the reintegration of the minors in their social and cultural environment while guaranteeing the respect of their best interest<sup>1</sup>." Return directive (Art. 10) requires that before an unaccompanied minor is returned, Member States authorities shall make sure that he or she is returned to a member of his/her family, a nominated guardian or adequate reception facilities in the state of return.

In the latter case, Member States have legal responsibility to make sure that returning an unaccompanied minor to such an institution is indeed in the best interest of a child. However, the return authorities may not necessarily be in a position to certify that such a facility can offer a safe environment for the child. They may not be granted full access to make an assessment of a reception centre or be not fully aware of its shortcomings which could be corrected with adequate material or methodological support.

The projects submitted under this strand should contribute to creating or upgrading of adequate reception facilities for returning unaccompanied minors providing accommodation following return and offering various types of post-return assistance measures to ensure successful reintegration of the minor returned into his country of origin.

Reception facilities under this strand should only be financed in the countries where the best interests of the child can be ensured and their fundamental rights respected. At least, such centres should not be established in countries where there is an internal or international armed conflict or any other significant form of violence. This is important to make sure that the health and well-being of unaccompanied minors are not put at risk by return to their country. In particular, such reception centres should offer an appropriate care and custodial arrangements which properly take into account the best interests of the returned unaccompanied minor.

In addition, the projects under this objective should comply with the following criteria:

- a: best practices as identified in the study on return of minors;
- b: applicant has significant, long-established experience relevant for the project;
- c: the minors returned continue to be monitored by the Member States who returned them after the return to the country of origin.

Such a centre should be capable of meeting all the needs of the child including healthcare and education and offer appropriate reintegration assistance. Given the fact that the Return Fund can only finance short-term reintegration measures (up to one year), the Member States should ensure adequate means for ensuring further care of the minor if

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<sup>1</sup> Council conclusions on unaccompanied minors, 3 June 2010, p. 8 (Conclusion no. 32 (1)).



he/she is not reunited with the family. This could take form of national financing to a reception centre, partnership with a local or international NGO, etc. These alternative solutions should be well reflected before the actual return of the minor in order to ensure that the necessary attention is paid to his (her) best interests. These alternative solutions should also be clearly presented in the proposals submitted for funding under the Community Actions.

### **Strand C: Monitoring of returned minors (accompanied and unaccompanied)**

One of the most striking findings of the study on the return of minors is that, apart from some exceptions, there appears to be very few contacts between sending and receiving countries in relation to the circumstances of returning children or families<sup>1</sup>. The study also revealed that after return, monitoring (if any<sup>2</sup>) is usually only carried out in the framework of assisted voluntary return programmes and for a limited time (typically for 6 months)<sup>3</sup>. In other words, once the minor is back to his or her country, the sending country usually has very limited information on how his/her life further evolves.

The monitoring of returnees so far has not been targeting minors specifically and was mainly focussed on monitoring of the use of the reintegration assistance. Under this strand, the applicants are invited to propose monitoring mechanisms specific for the minors returned, taking into account the findings of the study on the return of minors. The monitoring proposed should be medium-to-long term (minimum 1 year after the return) and should check whether the best interests of the child continue to be respected once the minor has returned (social, medical needs, access to education, etc.) as well as his/her human rights.

The projects should also be able to offer mechanisms to correct the situation in case monitoring reveals any shortcomings (e.g., contribution to schooling fees, improvement of his/her living conditions and similar expenditure that directly addresses the minors' needs). The contribution shall not be in cash but in other forms that address the reintegration of the child like contribution to education fees, improvement of living conditions for a child, etc.

For implementation of the project under the strand C, applicants may choose from the following countries: Albania, Bosnia-Herzegovina, FYROM, Kosovo<sup>4</sup>, Montenegro and Serbia. These countries have been identified as being among the main countries of return of minors in the study on the return of minors<sup>5</sup>; furthermore, EU has concluded readmission agreements with all but one of these countries. Therefore, the submitted projects should contribute to setting up a 'post-return' monitoring mechanism in the countries of return as identified in the Commission Communication "Evaluation of EU Readmission Agreements". As identified in the Communication, such a mechanism would monitor the situation of persons after the readmission is completed. Due attention

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<sup>1</sup> Comparative Study on Practices in the Field of Return of Minors, p. 14.

<sup>2</sup> See p. 83-84 of the Comparative Study on Practices in the Field of Return of Minors for an overview of post-return monitoring and reintegration support provided by the Member States. Chapter "Monitoring post return" on p. 86 offers some additional insight on the presence or absence of post-return monitoring of minors returned.

<sup>3</sup> Comparative Study on Practices in the Field of Return of Minors, p. 15

<sup>4</sup> Under UN Security Council Resolution 1244

<sup>5</sup> Comparative Study on Practices in the Field of Return of Minors, p. 28.

needs to be paid to practical feasibility, respect for the sovereignty of third countries and ways of encouraging returnees to actively cooperate in post-return monitoring.

Better knowledge of post-arrival situation of the returned minors obtained under this project should enable to take well-informed return decisions, prepare for better tailored reintegration assistance and help to build post-arrival reintegration programmes that would be in line with the principle of the best interests of the child, better fit to the needs of the returnees and make their return sustainable.

## 2. DISTRIBUTION OF RESOURCES

For each of the categories of actions, the amount of grant per project will not exceed **90%** of the total eligible costs.

<b>Category of Community actions as defined in section 1.2</b>	<b>Indicative Minimum EU funding per project</b>	<b>Duration</b>
Category 1 (Ensuring sustainability for vulnerable or disadvantaged people after the return)	Minimum: €100.000	Maximum 18 months
Category 2 (Monitoring of forced return operations)	Minimum: €100.000	Maximum 18 months
Category 3 (Safe and sustainable return of minors)	Minimum: €100.000	Maximum 18 months

The above figures on the minimum funding relate to the amount of grant requested from the European Union (EU funding) and not to the total cost of the project. The Commission will determine the amounts of financial assistance to be awarded, based on the available budget.

## 3. GRANTS AWARDED THROUGH THE CALL FOR PROPOSALS

### 3.1 Access to the programme

This call for proposals is addressed to:

- public authorities from the 26 Member States participating in the Fund<sup>1</sup>;
- International Organisations, EU Agencies, private bodies and Non-Governmental Organisations registered in the 26 Member States mentioned above, provided that they all work on a strictly non-profit basis and have proven experience and expertise in the fields covered.

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<sup>1</sup> Denmark does not participate in the European Return Fund.

Proposals must be submitted by an entity from one Member State together with **at least one partner** entity from a different Member State.

Attention has to be paid to ensure optimal synergy with programmes carried out at the EU and national level by the EU Agencies, the Member States and international organisations. This will require effective information sharing about the activities so that the necessary contacts and connections can be made.

In case of co-funding of an activity by both the national programme(s) and the Community actions, a clear division has to be established in order to avoid double-funding. Under no circumstances can a project be financed by both national programmes and Community actions.

### **3.2 Exclusion criteria**

Applicants, co-beneficiaries and associated partners shall declare in their honour that they are not in one of the situations listed in Article 93 and 94 of Council Regulation No1605/2002 of 25 June 2002<sup>1</sup> on the Financial Regulation applicable to the budget of the European Union.

Effective, proportionate and dissuasive administrative and financial penalties may be applied in the event of incorrect statements.

The Commission will exclude a proposal from the eligibility, selection and award procedure if any of the partners involved in the project:

- (a) is bankrupt or is being wound up, is having its affairs administered by the court, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters or is in an analogous situation arising from a similar procedure provided for in national legislation or regulation;
- (b) has been convicted of an offence concerning his/her professional conduct by a judgement which has the force of *res judicata*;
- (c) has been guilty of grave professional misconduct proven by any means which the Commission can justify;
- (d) has not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (f) is currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation;
- (g) is subject to a conflict of interest;

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<sup>1</sup> OJ L 248, 16.09.2002, p. 1. Regulation as last amended by Council Regulation No 1525/2007 of 17 December 2007 (OJ L 343, 27.12.2007, p. 9)

(h) is guilty of serious misrepresentation in supplying the information required by the authorising department as a condition of participation in the contract or grant award procedure or fail to supply this information.

### **3.3 Eligibility criteria**

In order to be eligible, project proposals must meet **all** the following requirements:

1. The submission of the proposal must respect the deadline set for the call. The applications must be submitted at the latest by **27 April 2012 at 14.00 C.E.T.**;
2. Project proposals must be presented by eligible entities from the eligible Member States as defined in section 3.1, having a proven experience in the areas prioritised under this call; Applications must involve one main beneficiary and minimum one co-beneficiary(ies)/partner(s) and associated partners (optional) in different Member States. Organisations in Denmark or third countries may participate as associated partners on a non-cost basis.
3. Project proposals must fall within one of the categories as defined in section 1.2. The applicant must specify in the application form which category the project relates to (maximum 1 category).
4. Project proposals must respect the ceiling on percentage, minimum grant amount and the maximum project duration set out in section 2.
5. The indicative budget, the objectives of the project and its intended impact must be clearly indicated, and a detailed description must be given of the activities envisaged, the results and impacts anticipated, and the approach, working methods and timetable to be followed.
6. Project proposals must contain **all** the elements and documents defined in the application form (including annexes and documents requested by the checklist attached to the form). If a document appearing on the checklist is either unavailable or not relevant, please indicate and give the reason why. Declarations of partnership must be signed.
7. Applicants are invited to carefully examine and comply with additional requirements imposed on some actions/strands as specified in the section 1.2 of the Call.

### **3.4 Selection criteria**

All applicants, co-beneficiaries and associated partners should have sufficient financial and operational capacity (e.g. list of similar projects carried out, CVs of key staff, etc.) to complete the proposed action, as defined in Art 115 of the Financial Regulation and Art 176 of Implementing Rules. The analysis of the financial capacity will be done on the basis of the signed financial statements (profit and loss account and the balance sheet for the last financial year) or any other equivalent documents provided by the applicant organisation for the last available financial year. This is not applicable for public bodies and international organisations.

### 3.5 Award criteria

Among the projects which fulfil the exclusion, eligibility and selection criteria, the Commission will select the proposals achieving the highest score following evaluation according to the award criteria set out below, taking into account the funds available:

- *Relevance*: the extent to which the proposed action falls within the priorities and objectives of the programme defined in section 1.2 above and the clarity and pertinence of the project's objectives (max 30 points);
- *Quality of the proposed action*: the thoroughness, appropriateness and feasibility of the approach, methodology, timeframe and organisation (max 20 points);
- *Synergies*: level of synergy with programmes carried out at EU and national level by EU Agencies and the Member States (max 15 points);
- *Value for money*: the adequacy of the forecast budget, appropriateness of the amount requested as to the expected results, inter alia in view of the number of persons concerned by the project (max 20 points);
- *Impact of the project*: the sustainability of the project and/or its results after the termination of the grant (where relevant), the dissemination of results, lessons learned and acquired know-how beyond the national level (max 15 points).

**In order to be selected for co-financing, the project must obtain a minimum of 60 points out of 100. The proposals receiving less than 15 points for the criteria on "relevance" will not be evaluated further.**

### 4. CONTRACTUAL FRAMEWORK

The implementation will be on the basis of either a standard grant agreement for an action with a single beneficiary or a standard grant agreement for an action with multiple beneficiaries in those situations where the beneficiary will act as coordinator (the main co-beneficiary) in collaboration with other Member States or organisations (the other co-beneficiaries). Following the signature of the Framework Contract with the International Organization for Migration (IOM), standard contribution agreement with international organisations will be used as a basis for implementation.

### 5. PAYMENT CONDITIONS

The grant shall normally be paid under the following conditions:

- Pre-financing, representing 75% of the amount of the grant awarded upon signature of the grant agreement by the last of the parties;
- The balance upon receipt and approval by the Commission of the final technical and financial implementation reports, together with a request for payment, accompanied by an external audit certificate.

## **6. CHECKS AND AUDITS**

Checks and audits will be carried out in accordance with the relevant Articles of the grant agreement.

Beneficiaries (applicants, and co-beneficiaries) are required to keep all original documents, including accounting and tax documents, or, in duly substantiated exceptional cases, certified copies of original documents relating to the agreements for a period of five years from the date of payment of the balance of amounts payable. Upon request, these documents should be made available to the Commission. In case of audit, the applicant must have available all documents of partners.

The European Court of Auditors and the European Anti-fraud Office (OLAF) will have the same audit powers, and in particular the same rights of access, as the Commission.

## **7. EXPECTED RESULTS**

- 9-11 projects selected;
- Practical implementation of best practices identified in the study on forced return monitoring;
- Improvement of cooperation and new initiatives in terms of family tracing, reception of unaccompanied minors and their post-return monitoring taking due account of the best interests of the child and the findings of the study on the return of minors;
- Improvement of the cooperation and assistance in the area of reintegration for vulnerable/disadvantaged groups of returnees.

## **8. VISIBILITY OF EUROPEAN UNION FINANCING**

The beneficiaries whose projects are selected for funding should undertake to ensure adequate visibility of the operation financed by the European Union. Specific reference should always be made to the fact that a project is co-financed by the European Union under the European Return Fund - Community Actions 2011. Any communication or publication by the beneficiary, in any form and medium, shall indicate that sole responsibility lies with the author and that the Commission is not responsible for any use that may be made of the information contained therein.

During each operation the beneficiary shall do whatever necessary to bring the support and financing given by the European Union to the attention of the general public and the media and refer to this contribution in its internal and annual reports.

Evidence of implementation of activities undertaken in compliance with this requirement will be provided in the final reports. The beneficiary shall ensure that:

- a) all documents, including any attendance or other certificate, concerning the project include a statement indicating that the project is co-financed by the Fund;

- b) the equipment and any other material co-financed by the European Union display the EU logo, which should be of the same size and have the same prominence as the logo of the beneficiary;
- c) a permanent prominent poster of significant size is put up on all infrastructure co-financed by the European Union, stating the type and the name of the project and displaying the European flag.

The EU emblem can be found at:

[http://europa.eu/abc/symbols/emblem/graphics1\\_en.htm](http://europa.eu/abc/symbols/emblem/graphics1_en.htm)

For further information concerning publicity kindly refer to the Grant Agreement.

## 9. PRACTICAL INFORMATION ABOUT SUBMITTING AN APPLICATION

### 9.1 Submission via Priamos

This call is managed via *Priamos*, a system for the submission of the applications, which requires applicants to fill in an on-line Grant Application form and to attach to it all required annexes.

In order to access the system applicants first need to register (this involves applicants providing some basic data about themselves and their organisations). It should be done as soon as a decision is taken to participate in this call. Subsequently, it shall receive a password to be used to access the system.

Applications must be submitted, in their entirety, through Priamos. **No applications (partial or entire) submitted on paper, fax or e-mail will be considered. Please note that although the PRIAMOS system is able to deal with a lot of applications at the same time, it is advisable NOT to wait until the last moment to register on the system and submit your application.**

**If the applicant submits more than one version of the grant application form or any annex, only the latest version of such document(s) will be taken into consideration for the evaluation.**

Applicants should make sure that all electronic files are readable and are not corrupted and that their applications are complete. In the case of multiple submissions (repeated submission of the same project proposal by the same applicant), only the latest submission will be considered (and therefore must be complete, i.e. contain all the elements mentioned in the check list of the application form).

Following the conclusion of the selection process, applicants placed sufficiently high on the merit list to be considered for a grant may be requested to provide a paper copy of the application (printed out at the moment of submitting it via the Priamos system) and the originals (signed and stamped wherever applicable) of all annexes required under the call for proposals. Failure to produce any of the aforesaid documents may lead to disqualification of the project proposal concerned.

Information and guidance on how to register and submit your application on Priamos can be found on [http://ec.europa.eu/home-affairs/funding/return/funding\\_return\\_en.htm](http://ec.europa.eu/home-affairs/funding/return/funding_return_en.htm).

## 9.2 Deadline for submitting applications

Applications have to be submitted electronically via the Priamos system

***by 27 April 2012***

The Priamos system will not accept any application after the deadline. Applications submitted after the deadline will be automatically rejected.

**It is your responsibility to complete your on-line application before the deadline. We strongly advise you not to wait until the last few days before applying since heavy Internet traffic or a problem with the Internet connection could lead to your on-line session being interrupted before you complete your application there by obliging you to repeat the whole process and you may miss the deadline.**

## 9.3 Content of Applications

Each proposal must include the documents mentioned in the check list of the application form.

In order to minimise translation delays, applicants are strongly encouraged to submit applications completed in either English or French. However, applications may be submitted in any of the official languages of the European Union.

The details and the explanations concerning the annexes to be provided by the applicant are available in the guide for submitting a grant application form. The forms necessary for the grant application, its annexes, the "**Guide for submitting a Grant Application**" and the relevant links can be accessed from the European Return Fund website at the following address:

[http://ec.europa.eu/home-affairs/funding/return/funding\\_return\\_en.htm](http://ec.europa.eu/home-affairs/funding/return/funding_return_en.htm).

The Commission may contact applicants to request additional information at any time prior to taking its decision. Failures to respond to such requests by the deadline set may lead to disqualification of the application. Applicants must take the necessary steps to ensure that they can be contacted rapidly up to the end of the selection process. Where the Commission contacts an applicant, this does not in any way constitute or reflect a pre-selection of the proposal on the part of the Commission.

## 10. FURTHER INFORMATION

### 10.1. Where to find the necessary information

The page on Funding possibilities of the website of Directorate-General Home Affairs is updated whenever relevant information becomes available, therefore, applicants are advised to check it regularly:

[http://ec.europa.eu/home-affairs/funding/return/funding\\_return\\_en.htm](http://ec.europa.eu/home-affairs/funding/return/funding_return_en.htm)



## 10.2. Contact at the European Commission

The Commission service responsible for implementing the European Return Fund is Unit C-4 of Directorate General Home Affairs - HOME.

Contact :

European Commission

DG HOME

DG HOME/C4 - RF

LX 46 8/101,

BE-1049 Brussels.

Fax (32.2) 297 9590 - e-mail: [HOME-RETURN-FUND@ec.europa.eu](mailto:HOME-RETURN-FUND@ec.europa.eu)

All applicants will be informed of the Commission's decision concerning their grant application as soon as possible. It is envisaged that the Commission will complete its selection procedures in the second quarter of 2012.

**It should be noted that in the interest of equal treatment of applicants, the Commission cannot give a prior opinion on the eligibility of an applicant, a partner, an action or a specific activity.**

## 11. DATA PROTECTION

The grant applications will be processed by computer. All personal data (such as names, addresses, CVs, etc.) will be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <sup>1</sup>. Your replies to the questions in this form are necessary in order to assess your grant application and they will be processed solely for that purpose by the department responsible for the Community grant programme concerned. On request, you may be sent personal data and correct or complete them. For any question relating to these data, please contact the Commission department to which the form must be returned. Beneficiaries may lodge a complaint against the processing of their personal data with the European Data Protection Supervisor at any time.

If, at any stage of the administrative treatment of grant applications, the persons or entities concerned consider that they have been affected by an instance of maladministration, they may, irrespective of any other means of redress, make a complaint to the European Ombudsman in accordance with Article 195(1) of the EC Treaty and as provided by the Parliament Decision of 9 March 1994 on the regulations and general conditions governing the performance of the Ombudsman's duties published in Official Journal of the European Communities L 113 of 4 May 1994.

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<sup>1</sup> Official Journal L 8, 12.1.2001.

Grant applicants and persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- the Commission Decision of 16.12.2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ L 344, 20.12.2008, p. 125,

or

- the Commission Regulation of 17.12.2008 on the Central Exclusion Database – CED (OJ L 344, 20.12.2008, p. 12),

their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the EWS only or both in the EWS and CED, and communicated to the persons and entities listed in the above- mentioned Decision and Regulation, in relation to the award or the execution of a procurement contract or a grant agreement or a decision.

## **12. EX-POST PUBLICITY**

Information on all grants signed in the course of a financial year will be published on the Internet site of the Union institutions. The information may also be published by any other appropriate medium, including the Official Journal of the European Union. The following will be published with the agreement of the beneficiary:

1. the name and address of the beneficiaries;
2. the subject of the grant;
3. the amount awarded and rate of funding of the total eligible costs of the operational work programme.

The European Commission may waive the above obligations if publication of the information could threaten the safety of the beneficiaries or harm their business interests. Beneficiaries of grants must clearly display acknowledgement of the support received from the EU.