

ANNEX 2

MEMBER STATE: BELGIUM

FUND: RETURN FUND

RESPONSIBLE AUTHORITY: BELGIAN IMMIGRATION OFFICE

YEAR COVERED: 2008

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

Given the legal monopoly of the Federal Public Service of Interior and of the Federal Police for forced return and for matters linked to forced return, forced return projects will be directly assigned to these authorities as outlined in SOLID/2008/2/REV. For projects in the area of voluntary return projects, the principle is that they will be awarded after an open call for proposals.

A general invitation for the submission of project proposals in areas where there is a legal monopoly is addressed to the Federal Police, the ICT Department of the Federal Public Service of Interior. Projects that are directly assigned to these partners will be considered as executed by the Responsible Authority, but they will be managed by the partners (Federal Police and the ICT Department of Interior).

The Responsible Authority will screen the projects in the area of forced return in accordance with the selection criteria defined by the basic act (Decision 575/2007/EC, Article 15/5) and assign the selected ones directly to the beneficiaries in line with a Memorandum of Understanding signed with partners and through a Royal Decree when necessary by Law. A contract will be signed for every project with the beneficiary.

A selection committee will select voluntary return projects. The selection will be made public through the website and through a Royal Decree when necessary by Law. A contract will be signed for every project with the beneficiary.

The general rules for the selection of projects which are required to be financed under the 2008 programme are in conformity with those set out in the Multiannual plan and in the description of the management and control system.

The Responsible Authority will particularly control the application of the Law on Public Procurement and the conditions laid down in article 11 of the implementing rules. The Responsible Authority will ask the partners to take account of the necessary procedures to be followed according to these regulations in their time schedule. A close monitoring will be carried out by the Responsible Authority.

The Responsible Authority will also look at the compliance with the internal regulations of each partner on competencies for issuing a tender and signing of contracts.

As also mentioned in the MAP, the relevant partner for the voluntary return programs were extensively involved in the drawing up of both the multi annual plan and the annual plan. The actions and objectives for 2008 are a reflection of the needs and priorities of the main public stakeholders: Federal Police, Fedasil (PPS Social Integration) and the Immigration Office. The International Organisation for Migration (IOM) was also consulted in writing the MAP. The MAP and the AP is validated by the partners.

Given the actual uncertain national budgetary situation, it is possible that some projects will be cancelled due to planned but not assigned co-financing means. These decisions are taken by the national Council of Ministers.

Given the difficulties linked to the short implementation period for AP 2008 (less than a year given expected delays linked to the Belgian budgetary rules), actions under AP 2008 and 2009 will be the same. The financing of the actions will be spread among AP 2008 and AP 2009 according to the available budget, the moment of availability of the subsidies, the time schedules of the actions, their needs for financing and their effective implementation.

2. CHANGES IN THE MANAGEMENT AND CONTROL SYSTEMS

None

3. ACTIONS TO BE SUPPORTED BY THE PROGRAMME UNDER THE PRIORITIES CHOSEN

From the MAP it is apparent that the Belgian government has already made considerable investments in return policy over the past decade.

This AP focuses mainly on priorities 1 and 3. In view of developing a more integrated approach to return, actions in the area of voluntary return and reintegration, as well as integrated return actions targeting specific groups, will be promoted.

In the area of assisted voluntary return (AVR) and reintegration after assisted voluntary return, actions will be implemented through the method “responsible authority acting as an awarding body”.

In this regards, an open call will be launched for actions covered by priority 1 and priority 3 of the strategic guidelines, in four main areas:

- A. Communication, awareness-raising and capacity building on assisted voluntary return
- B. Reinforcement of pre-departure counselling
- C. Development of reintegration assistance (target group based approach)
- D. Development of reintegration assistance (organisation based approach)

Area A covers all the actions with priority 1 whereas Areas B, C and D cover all the actions with priority 3.

Projects selected through this open call will have to meet the priorities set in the strategic guidelines and the national operational objectives defined in the MAP¹. Additionally, within each area, priority will be given to actions that meet the purpose and scopes identified hereunder (see actions 3.1.1 to 3.1.5 and 3.3.1 to 3.3.6) .

Actions that are linked to forced return, detention centres and other areas where the Immigration Office holds a legal monopoly, as well as actions with a security dimension, will be implemented through the method “responsible authority acting as an executing body”.

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¹ Please refer to the RF MAP, p. 34.

3.1. Actions implementing priority 1: Support for the development of a strategic approach to return management by Member States

National objectives

Operational objectives for which actions are foreseen under this priority are:

Operational objective 1 : Additional development of voluntary return programmes and reinforcement of their implementation (information, training, execution and follow-up)

Operational objective 2 : Developing an integrated return management approach that is centred on target groups and adapts to the specific needs of each group

Operational objective 7 : Increasing the acceptance of return, including that of voluntary return -outside and within the reception network- through the design of a targeted and creative policy of communication, information and training

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The following actions (3.1.1. and 3.1.2.) will be implemented through the method “responsible authority acting as an awarding body”.

A. Communication, awareness-raising and capacity building on assisted voluntary return

Action 3.1.1: Development of tools for improved direct communication on AVR

Purpose and scope of the action

Development of new, innovative ways of communication on AVR.

Scope: Communication towards the migrants and their formal and informal representatives (=direct target group), as well as towards social services (=indirect target group).

Under this priority, projects to be supported can include actions such as:

- mapping of well defined target groups, followed by the development of appropriate communication tools;
- development of innovative communication tools, based on good practices;
- development of interactive, dynamic communication tools, aiming not only at AVR, but also empowerment and capacity building of the migrant (training, information sessions, interactive courses on business development, ...)

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 1.1 of the Return Fund's strategic guidelines and national operational objective 1 and 7.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR, to be divided into NGO's, international organisations, public bodies. Other actors might be involved as grant recipient if their very specific competences can contribute. However, for the present action it is unlikely that actors with another nature than NGO's, IO's or public bodies will be involved.

Expected results

- A clear insight in the structure and networks of different target groups
- Innovative communication tools on AVR (like video-conferences with returned migrants;
- An annual communication plan that set priorities and co-ordinates the different actions and initiatives.

Quantified results and indicators

Number of target groups that are mapped, number of information activities, number of communication tools developed, number of actors involved in this priority, total number of persons reached.

Financial information

- Maximum budget for the proposed action: 339 110,87 EUR
- Maximum EC subsidy : 75 %

Action 3.1.2: Communication, awareness raising and capacity-building on AVR

Development of strategies to raise awareness on AVR in first line social services.

Two target groups have been defined:

- Reception centre staff;
- Network of social services in towns and cities.

Sub-action 3.1.2.a: Targeting the staff in reception facilities

Scope of the action:

- Sensitizing and awareness-raising activities;
- Development of appropriate communication and information tools ('stories of return', country of origin information, ...);
- Development of training programs (feed-back on the reintegration of returnees, training programs on pre-departure counselling techniques, organisation of seminars and exchange visits, ...)

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 1.1 of the Return Fund's strategic guidelines and national operational objective 1 and 7.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR. Other actors might be involved as grant recipient if their very specific competences can contribute. However, for the present action it is unlikely that actors with another nature than NGO's, IO's or public bodies will be involved.

Expected results

Reception centre staff will develop an increasingly positive attitude towards AVR, key staff will become more experienced in AVR-related counselling.

Indicators

Number of activities, number of participants, degree of participation, satisfaction rates.

Financial information

Maximum budget for the proposed action: 86.969,35 EUR

Maximum EC subsidy: 75 %

Sub-action 3.1.2.b: Targeting the network of social services in cities

Scope of the action:

Install, within the network of social services in one city, an AVR-reference person.

This reference person is responsible for mapping the relevant social services, to inform them in the possibilities of AVR-programs (active approach) and to respond to AVR-related questions (re-active approach).

The different reference persons will be supported with a common capacity-building program, managed at a central level.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 1.1 of the Return Fund's strategic guidelines and national operational objective 1 and 7.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR and public bodies at local level. Other actors linked to local authorities might be involved as grant recipient if their very specific competences can contribute.

Expected results

- In the short run, at least 1 city in both parts of the country has a reference person.
- All social actors within that same city are aware of the existence of this reference person and the services offered.
- There is a functional network between these reference persons and the central AVR actors (Fedasil, IOM, reintegration partners)

Indicators

- Short term (until 2010): the number of information activities, the number of questions that are referred to the reference person, the proportion of these questions that is answered / correctly referred.
- Mid to long term (after 2010 if this action is continued): the number of cities/regions where the a local reference person is implemented, the number of meetings organized between the different reference persons.

Financial information

Maximum budget for the proposed action: 71.666,67 EUR

Maximum EC subsidy : 75 %

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The following projects (3.1.3., 3.1.4. and 3.1.5.) will be implemented through the method of "responsible authority acting as an executing body".

Action 3.1.3: Return of families

Purpose and scope of the action

The Belgian Immigration Office wishes to take care in the most humane possible circumstances of families who have to return to their country of origin (forced return), to accompany them and to reintegrate them in their country to make their return durable and to give them necessary protection. This will be done firstly by adapting the reception facilities to the special needs of families through the purchase of pedagogical material for example, by organising adequate coaching and counselling as well as intensive administrative follow up. Secondly, return will be prepared by searching adequate reception in the country of origin and by setting up of a reintegration path for the families that are being forced to return (these reintegration paths are not as extensive as those offered to families who return on a voluntary basis). Thirdly, the Belgian Immigration Office will organise an accompanied return. Finally, in order to make return sustainable, reintegration in the country of origin will be set up.

As referred to in the MAP (1.1.2.2.e) there are several stages of forced return. Whenever possible, potential returnees are encouraged to agree to their return (and therefore benefit from a reintegration programme) rather than to oppose it (and therefore trigger a return process requiring a greater use of force). The scope of this action is to encourage a greater number of returns of families on a cooperative and constructive basis, and to decrease the number of families that are returned with a greater use of force.

Although the scope of the action targets forced return, the Immigration Office believes that an indirect effect of the present project of forcibly returning families will be an increase in AVR of illegally residing families in the general illegal population, because the latter will be more eager to ask for voluntary return when they feel that forced return is a realistic prospect.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 1.2. of the Return Fund's strategic guidelines in as much as it targets vulnerable returnees. It also meets national operational objective 2.

Expected grant recipient

The present action is linked to forced return: families residing in the abovementioned reception facilities are in the process of being returned to their country of origin, if necessary, by force.

We have opted to allocate reintegration modules after forced return under the method of executing body for the following reasons:

- we don't want to undermine the credibility of voluntary return programs and reintegration programs after voluntary return by making publicity about reintegration programs after forced return, even if they are less extensive;
- as it concerns forced return, confidentiality of procedures and protection of individual data are crucial (the Belgian immigration Office have agreements on confidentiality and protection of individual data with OIM and sharing such data is thus possible with this partner).

Unless there is a legal monopoly on the execution of an action, national legislation obliges the Immigration Office to follow a public tender procedure if the amount involved is above 67.000 EUR (VAT excluded). If the amount involved is higher than 5.500 EUR and less than 67.000 EUR the Immigration Office will have to provide several quotes from at least three adequately

targeted candidates before selecting the final beneficiary. If, despite adequately targeted requests to three candidates, only one candidate agrees to give a quote, the Immigration Office is entitled to select this partner.

Given the political sensitivity of signing such a confidentiality agreement with the Immigration Office, given the political sensitivity of reintegration after forced return and given that many NGO's have internal rules which forbids them to work on reintegration after forced return with the afore-mentioned conditions, we expect that only few organisations will submit a proposal to partake in this action

For these reasons, the present action will be directly assigned to the Immigration Office which holds a legal monopoly in the area of forced return and which will be the grant recipient for this action.

Expected results

- Devising integrated return programmes with families
- Training coaches on return and reintegration communication
- More families returned through the described method
- More families that agree to return on a cooperative basis
- Less resistance amongst the general public towards return of families

Additionally, actions 3.1.3, 3.1.4 and 3.3.7 are expected to give rise to increase the voluntary return of persons in the rest of the illegal population, for it has been shown that persons opt more for voluntary return when it is felt that forced return is a realistic and impending possibility. The actions 3.1.3, 3.1.4 and 3.3.7 are thus expected to increase voluntary return in the general illegal population by making more credible the possibility of forced return.

Indicators

- number of families returned
- number of coaches and
- number of reintegration paths and activities
- number of assisted voluntary returns

Financial information

Maximum budget for the proposed action: 430.000,00 EUR

Maximum EC subsidy : 75 %

Action 3.1.4: Return of persons with special needs

Purpose and scope of the action

The project will target the following groups of people with special needs: people who suffer from a medical or physical condition,; people with mental or psychological problems including those who show behavioural troubles; elderly people; as well as unaccompanied minors. The Belgian Immigration Office wishes to look after persons with special needs who have to return to their country of origin and provide them with the most humane circumstances possible, to accompany them and to reintegrate them in their country, to make their return sustainable and to give them necessary protection. This will be done firstly by adapting the reception facilities so that people with special needs will be cared for separately from the other residents of the closed centres, and by organising intensive administrative follow-up. Secondly, return will be prepared by searching adequate reception in the country of origin and by setting up of a reintegration path. Thirdly, the Belgian Immigration Office will organise accompanied return, including for some cases a monitoring of the security situation. Finally, in order to make return sustainable, reintegration plans in the country of origin will be set up.

As referred to in the MAP (1.1.2.2.e) there are several stages of forced return. Whenever possible, potential returnees are encouraged to agree to their return (and therefore benefit from a reintegration programme) rather than to oppose it (and therefore trigger a return process requiring a greater use of force). The scope of this action is to encourage a greater number of people with special needs to return on a cooperative and constructive basis, and to decrease the number of people with special needs that are returned with the use of force.

Although the scope of the action targets forced return, the Immigration Office believes that an indirect effect of the present project of forcibly returning people with special needs will be an increase in AVR of people with special needs in the general illegal population. The reason for this is that the latter are more eager to ask for voluntary return when they feel that forced return is a realistic prospect.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 1.2. of the Return Fund's strategic guidelines in as much as it targets vulnerable returnees. It also meets national operational objective 2.

Expected grant recipient

The present action is linked to forced return. It will be directly assigned to the Immigration Office which holds a legal monopoly in this area.

We have opted to allocate reintegration modules after forced return under the method of executing body for the following reasons:

- we don't want to undermine the credibility of voluntary return programs and reintegration programs after voluntary return by making publicity about reintegration programs after forced return, even if they are less extensive;
- as it concerns forced return, confidentiality of procedures and protection of individual data are crucial (the Belgian immigration Office have agreements on confidentiality and protection of individual data with OIM and sharing such data is thus possible with this partner).

Unless there is a legal monopoly on the execution of an action, national legislation obliges the Immigration Office to follow a public tender procedure if the amount involved is above 67.000 EUR (VAT excluded). If the amount involved is higher than 5.500 EUR and less than 67.000 EUR the Immigration Office will have to provide several quotes from at least three adequately targeted candidates before selecting the final beneficiary. If, despite adequately targeted

requests to three candidates, only one candidate agrees to give a quote, the Immigration Office is entitled to select this partner.

Given the political sensitivity of signing such a confidentiality agreement with the Immigration Office, given the political sensitivity of reintegration after forced return and given that many NGO's have internal rules which forbids them to work on reintegration after forced return with the afore-mentioned conditions, we expect that only few organisations will submit a proposal to partake in this action.

For these reasons, the present action will be directly assigned to the Immigration Office which holds a legal monopoly in the area of forced return and which will be the grant recipient for this action.

Expected results

- adapted reception facilities
- more persons with special needs returned through the described method
- more returns on a cooperative basis
- less resistance toward return of persons with special needs

Additionally, actions 3.1.3, 3.1.4 and 3.3.7 are expected to give rise to increase the voluntary return of persons in the rest of the illegal population, for it has been shown that persons opt more for voluntary return when it is felt that forced return is a realistic and impending possibility. The actions 3.1.3, 3.1.4 and 3.3.7 are thus expected to increase voluntary return in the general illegal population by making more credible the possibility of forced return.

Indicators

- number of persons with special needs returned
- number of monitoring activities
- number of reintegration paths and activities
- number of assisted voluntary returns

Financial information

Maximum budget for the proposed action: 169.000,00 EUR

Maximum EC subsidy : 75 %

Action 3.1.5: Integrated return of illegal migrants from Afghanistan, India, Iraq, Algeria and Morocco

Purpose and scope of the action

Because of the significant number of illegal migrants from the countries mentioned above, because of the considerable efforts made by the Belgian police and judicial authorities to combat the smuggling of these migrants, and because the identification and return procedures with these countries of origin cause problems, the Immigration Office wants to start up an integrated approach:

- forced return activities such as detention, identification and effective return, possibly with a reintegration package after forced return;
- increasing and supporting relations between the Immigration Office and the consular or local authorities;
- and as the incentive for voluntary return for people of these nationalities increases in the general illegal population, redirecting information campaigns on voluntary return towards the above-mentioned nationalities.

If possible cooperation with other EU countries, who are confronted with the same problems, will be established.

As referred to in the MAP (1.1.2.2.e) there are several stages of voluntary and forced return. Whenever possible, potential returnees are encouraged to agree to their return or (and therefore benefit from a reintegration programme) rather than to oppose it (and therefore trigger a return process requiring a greater use of force). Moreover, although the scope of the action targets forced return, the Immigration Office believes that an indirect effect of the present project will be an increase in AVR of people from the targeted nationalities in the general illegal population. As mentioned before, the reason for this is that the incentive for voluntary return is increased when target groups feel that forced return is a realistic impending prospect.

Compatibility with the national operational objectives and with community priorities

The action meets specific priority 1.3 of the Return Fund's strategic guidelines because it targets some countries towards which return is particularly difficult and with which no readmission agreements have been signed. It also meets national operational objective 2.

Expected grant recipients

The present action requires close cooperation between the Federal Police and the Immigration Office on sensitive and security related issues such as interception operations of illegal migrants. It also involves identification, forced return and government level collaboration with countries of origins. For these reasons, it is directly assigned to the Immigration Office.

Redirecting information campaigns on voluntary return towards the above-mentioned nationalities will be done in cooperation with FEDASIL which coordinates information on voluntary return.

Expected results

- more illegal migrants of the above-mentioned nationalities returned to their country of origin
- speedier procedures of identification
- more voluntary returns

- a decrease in the number illegal migrants from the target countries
- more cooperation with other EU countries

Indicators

- length of identification procedure
- number of forced and assisted voluntary returns
- EU countries involved

Financial information

Maximum budget for the proposed action: 120.000,00 EUR

Max. EC subsidy : 75%

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<p>3.2. Actions implementing priority 2: Support for the co-operation between Member States in return management</p>

National objectives

Operational objective 5 : Supporting forced return programmes and strengthening their implementation (information, training, cooperation, execution and evaluation)

The following action (3.2.1.) will be implemented through the method of “responsible authority acting as an executing body”.

Action 3.2.1: Common flights

Purpose and scope of the action

The Belgian approach is to organise common flights only when it is not possible to remove deportees by regular flights, either because:

- no seats are available on regular flights;
- no airlines or no airline routes are available to the destination;

- and mostly when deportees' personal behaviour (violent or disrupting behaviour) or condition (medical or physical condition) is incompatible with a removal by regular flight .

Common flights need to be organised to additional destinations given the increase of illegal migrants who are difficult to remove on regular flights via regular return operations. A dedicated team at the Immigration Office will detect new destinations and negotiate the feasibility of organizing a common flight. The flights will be organised by the Belgian Immigration Office and seats will be made available to interested member states through FRONTEX.

Violent or disturbing behaviour can cause removal operations on regular flights to be cancelled; this is not the case on common flights. It is generally observed that organising common flights decreases the incentive for deportees to show violent or difficult behaviour. For this reason, increasing the number of common flights is expected to cause a decrease in violent resistance to return.

Although the scope of the action focuses exclusively on forced return, the Immigration Office believes that an indirect effect of forcibly returning people through common flights will increase the incentive for voluntary return in the general illegal population. The reason for this is that illegal people on the territory will be more eager to ask for voluntary return if they feel that forced return is a real impending risk.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 2.1. of the Return Fund's strategic guidelines and national operational objective 5.

Expected grant recipients

The Immigration Office which holds a legal monopoly in this area is the grant recipient for this action.

Expected results

- more destinations where deportees can be returned to
- more collaboration with EU Members States
- less returnees showing violent behaviour
- more assisted voluntary returns

Indicators

- number of successful negotiations
- number of common flights
- EU countries involved

Financial information

Maximum budget for the proposed action: 46.000,00 EUR

Maximum EC subsidy : 75 %

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3.3. Actions implementing priority 3: Support for specific innovative (inter)national tools for return management

National objectives

Operational objective 3 : Creation of alternative and adapted structures of reception in which the persons can be guided towards return.

Operational objective 4 : Improving reintegration programmes to a more needs-oriented approach, in the perspective of sustainable return

Operational objective 6 : Accelerate the procedures of removal, including the identification by means of a strengthened cooperation with the country of origin.

Operational objective 9 : Creation of instruments of analysis and permanent evaluation that enable to form a more clear image of the population of illegal immigrants and to devise, elaborate and put in place ways of return that are fast, humane and respectful to the person's dignity.

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The following actions (3.3.1. to 3.3.6.) will be implemented through the method "responsible authority acting as an awarding body".

B. Reinforcement of pre-departure counselling

Action 3.3.1: Empowerment of the REAB partner-network

Purpose and scope of this action

Develop strategies that strengthen the capacities of the REAB-partners² (individually or as a network) to improve their pre-departure counselling capacities and techniques.

² More information about the REAB programme in the MAP, 1.1.2.1, p. 6.

The implementation of the reintegration program has complicated pre-departure counselling. What used to be a process of mere administrative counselling developed into a complicated process of preparing reintegration after return. As the quality standards of pre-departure counselling are considered as an essential factor in the sustainability of the reintegration process, counselling not only became more complicated, but also more important.

Actions that might be supported are:

- Mapping of the REAB-partner network in order to define strengths and weaknesses (to be addressed).
- Definition of quality criteria for REAB-partners and the implementation of a method of monitoring and follow-up.
- Development of tools to assist the REAB-partners in their work (e.g. provision of country of origin information, specific manuals, ...).
- Training programs, focused on pre-departure counselling.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 3.1. of the Return Fund's strategic guidelines and national operational objective 4.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the REAB-partner organisations that are actively and operationally involved in AVR, to be divided into NGO's, international organisations and public bodies. Other actors might be involved as grant recipient if their very specific competences can contribute.

Expected results

A clearly defined quality level of pre-departure counselling, an improvement in counselling standards, a training program,

Indicators

- Number of activities organized for the REAB-partners
- number of participants
- increased quality of the reintegration files.

Financial information

Maximum budget for the proposed action: 170.833,17 EUR

Maximum EC subsidy : 75 %

Action 3.3.2: Empowerment of the return counsellors – Monitoring reintegration efforts

Purpose and scope of the action

To strengthen the credibility (towards the migrant) of key staff, responsible for pre-departure counselling, they must have a direct knowledge of the process of reintegration, the situation in the countries of destination and the possibilities (and impossibilities) of the AVR- and reintegration programs.

Actions that might be supported are:

- the organization of seminars, work shops or video conferences, allowing direct contact between experts from the countries of destination and social workers.
- the organization of monitoring missions, allowing social workers to visit persons who returned as well as relevant reintegration actors.

Actions under this priority should be thoroughly prepared and the results broadly disseminated. The results of all the different actions, taken over the course of a year, should be compiled in a comprehensive annual report.

Active co-operation with other EU MS will be actively pursued.

Compatibility with the national operational objectives and with community priorities

This action meets general priority 3 of the Return Fund's strategic guidelines and national operational objective 4.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR, to be divided into NGO's, international organisations and public bodies.

Expected results

- The information that is generated through this initiatives, is compiled and disseminated through reports, debates and lectures
- Social workers within the reception system have the opportunity to get direct (via missions) and indirect (via seminars) contact with the process of reintegration in the countries of origin

Indicators

- Short term: number of missions, seminars, participants, countries involved.

- Long term: the increase in credibility of the AVR-option, to be determined by questionnaires and surveys.

Financial information

Maximum budget for the proposed action: 100 000 EUR

Maximum EC subsidy : 50 %

C. Development of reintegration assistance (target group based approach)

Action 3.3.3: Program-focused development of the reintegration program

Purpose and scope of the actions

Developing tailor made assistance packages as an innovative addition to the existing, generic reintegration program.

Actions that can be taken are:

- Developing methods of need-analysis
- Complementary assistance (financial, in kind, and counselling) for persons with reintegration projects (micro-business development, vocational trainings...) who are considered feasible by a local reintegration partner.
- Specific, additional assistance packages for vulnerable groups.
- Pre-departure training courses aiming at strengthening the capacities of the returning migrants.

The impact of these additional innovative activities should be monitored, measured and evaluated via a combination of reporting and on the spot follow-up.

Compatibility with the national operational objectives and with community priorities

This action meets general priority 3.1 of the Return Fund's strategic guidelines. In as much as part of the action addresses vulnerable returnees, that part would also meet specific priority 1.1. The action meets national operational objectives 4.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR, to be divided into NGO's, international organisations and public bodies. Other actors might be involved as grant recipient if their very specific competences can contribute. However, for the present action it is unlikely that actors with another nature than NGO's, IO's or public bodies will be involved.

Expected results

- Returnees with a feasible, economic project will get additional means to help their reintegration process.
- Vulnerable return migrants will have access to tailor made, complementary assistance.
- The durability of voluntary return increases.
- A method of monitoring the results of the assistance packages

Indicators

Number of beneficiaries; number of sustainable returns; number of pre-departure training courses; number of returnees proposing a reintegration project.

Financial information

Maximum budget for the proposed action: 627.269,60 EUR

Maximum EC subsidy : 75%

Action 3.3.4: Target group based comprehensive AVR strategy

Purpose and scope of the action

Developing comprehensive return strategies, aiming at co-ordinating all different aspects of AVR in a cluster of activities developed for a specific target group.

Strategies need to address the following aspects:

- identification of the target group,
- developing a communication plan towards the target group,
- developing specific competences on pre-departure counselling, including the provision of country of origin information,
- developing specific assistance packages,
- implementing partnerships with organizations in the countries of destination to assure an adequate reception after arrival,
- reintegration support and follow-up in the destination country,
- organization of specific seminars and monitoring missions, serving the purpose of evaluation as well as capacity building of the relevant social organizations.
- Elaborate follow-up and evaluation of results, including large scale dissemination of results.

Co-operation with other EU MS will be actively encouraged.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 3.1 of the Return Fund's strategic guidelines in as much as it is particularly innovative and aims to contribute to increasing the number of voluntary returnees. It also meets national operational objective 4.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR, to be divided into NGO's, international organisations and public bodies. Other actors might be involved as grant recipient if their very specific competences can contribute. However, for the present action it is unlikely that actors with another nature than NGO's, IO's or public bodies will be involved.

Expected results

- The effectiveness of the strategy based on a target group approach can be evaluated on project level.
- Experience is built up on how to co-ordinate the different levels of action concerning AVR (mapping, communication, pre-departure counselling, reintegration, follow-up, evaluation).
- Operational co-operation on an EU level in the development of target group based approaches.
- Tailor made packages of reintegration support, resulting in more sustainable return

Indicators

- Durability of the reintegration of persons who return within such an integrated project.
- Number of potential beneficiaries reached.

Financial information

- Maximum budget for the proposed action: 372.844,33 EUR
- Maximum EC subsidy : 75 %

D. Development of reintegration assistance (organisation based approach)

Action 3.3.5: Strengthening the capacity of reintegration partners

Purpose and scope of the action

The reintegration program is an important element in the national AVR strategy. The implementation of this program is done by 'reintegration partners'. The institutional and methodological capacities of the reintegration partners, are a decisive element in the quality level of the reintegration program. The purpose of the present action is to reinforce these capacities of the reintegration partners.

The present action will give reintegration partners the opportunity -based on an assessment of their actual strengths and weaknesses- to invest in actions that address their weaknesses and reinforce their strengths.

The pilot projects proposed within the scope of this action should match the European eligibility rules, especially concerning the costs of organisations established in third countries. Starting with the self-assessment made by the reintegration partners, the following actions can be expected:

- Study and analysis of the assistance that can be provided and the effect on the durability of the return and reintegration.
- Study and analysis of the target group that is reached and the development of strategies to broaden the target group.
- Compilation of relevant country of origin information.
- Networking among partner organizations in the CoO to develop and implement best practices in reintegration assistance.
- Creating operational co-operation with other departments within their own organization (e.g. the international department within Caritas Europe).
- Networking with European counterparts.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 3.1 of the Return Fund's strategic guidelines in as much as it is particularly innovative and aims to contribute to increasing the number of voluntary returnees. It also meets national operational objective 4.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are organisations that are actively and operationally involved in AVR as reintegration partners (NGO's and international organisations).

Expected Results

- Better understanding of the target group, the motives to return, the success and failure factors of reintegration assistance.
- A quality increase in the process of pre-departure counselling.
- A national and international network between reintegration partners and their national and international counterparts.

- Development of existing practices, implementation of 'best practices' ideas
- Increased quality of data storing and information exchange...

Indicators

Number of partners reached; number of partners in the network; number of information exchanges; report containing the results of this action

Financial information

Maximum budget for the proposed action: 227.990,38 EUR

Maximum EC subsidy : 75 %

Action 3.3.6: Methodology development in the area of AVR and reintegration

Purpose and scope of the action

Development of a standard methodology (including the definition of critical indicators, development of tools to measure these indicators and methods to draw conclusions) to monitor and evaluate the result and the effect of the reintegration efforts and the impact on the feasibility and durability of AVR.

European bench-marking and implementation of best practices are actively encouraged.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 3.1 of the Return Fund's strategic guidelines in as much as it is particularly innovative and aims to contribute to increasing the number of voluntary returnees. It also meets national operational objective 4 and 9.

Expected grant recipients

To be determined after the open-call. The expected grant recipients are the organisations that are actively and operationally involved in AVR, to be divided into NGO's, international organisations and public bodies.

Expected results

- A definition of critical indicators and a method to measure and treat them (documents, formats, ICT-applications)
- A method to draw the relevant conclusions from this collected data.

- A contractual obligation of all the operational partners to assure that their own monitoring tools will be made compatible with the general method.
- An annual, consolidated overview of results, effects and impact of the efforts in the field of AVR.

Indicators

Complete methodology

Financial information

Maximum budget for the proposed action: 161.535,18 EUR

Maximum EC subsidy : 75 %

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The following actions (3.3.7, 3.3.8, 3.3.9 and 3.3.10) will be implemented through the method of “responsible authority acting as an executing body”. Actions 3.3.7 to 3.3.9 will be assigned to the Immigration Office whilst action 3.3.10 will be assigned to the Federal Police.

Action 3.3.7: Support of the identification procedures.

Purpose and scope of the action

Because of recurrent problems linked with identification of nationals from several countries, the Immigration Office wants to improve the relations with their consular or local authorities by organising information activities, setting-up identification teams and developing working methods. If possible, cooperation with other EU countries confronted with the same problems will be set up. Under AP 2008 the following countries have been identified as target countries: Pakistan, Tunisia, Armenia, Georgia, China, Vietnam, Mongolia, Ecuador, Bolivia and Peru.

The scope of the action is to improve relations with consular or local authorities in target countries. As a consequence of this action, a greater number of returnees will be provided with identity documents and the number of people who are forcibly deported to the target countries will increase.

Although the scope of the action does not target return *per se*, the Immigration Office believes that an indirect effect of the project will also be a greater incentive for illegal persons from the target countries to return voluntarily. AVR is expected to increase because they will be more eager to ask for voluntary return when they feel that forced return to their country of origin is a realistic prospect.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 3.2 of the Return Fund's strategic guidelines in as much as it tests innovative working methods of documenting returnees. It also meets national operational objective 6.

Expected grant recipients

The Immigration Office which holds a legal monopoly in this area is the grant recipient for this action.

Expected results

- more illegals of the described nationalities returned to their country of origin
- speedier procedures of identification
- more voluntary returns
- less illegal migrants intercepted
- more cooperation with other EU countries

Indicators

- length of identification procedure
- number forced and assisted voluntary returns
- EU countries involved

Financial information

Maximum budget for the proposed action: 127.000,00 EUR

Maximum EC subsidy : 75 %

Action 3.3.8: Speeding up return procedures for criminal illegal migrants

Purpose and scope of the action

By improving the relations between the consular authorities of the countries of origin and the Immigration Office, a quicker delivery of laissez-passer would be made possible. The Courts for the execution of the punitive measures should also be informed and trained concerning the juridical and administrative aspects of identification and return of detained criminal migrants. Best practices should be defined concerning persuading the criminal migrants to return on a more cooperative basis. Finally, reintegration activities in the countries of origin should be developed for persons detained in a mental hospital.

Compatibility with the national operational objectives and with community priorities

This action meets general priority 3 of the Return Fund's strategic guidelines. It also meets national operational objective 6.

Expected grant recipients

The Immigration Office which holds a legal monopoly in this area is the grant recipient for this action.

Concerning reintegration of persons detained in mental hospitals, we have opted to allocate this activity under the method of executing body for the following reasons:

- we don't want to undermine the credibility of voluntary return programs and reintegration programs after voluntary return by making publicity about reintegration programs after forced return, even if they are less extensive;
- as it concerns forced return, confidentiality of procedures and protection of individual data are crucial (the Belgian immigration Office have agreements on confidentiality and protection of individual data with OIM and sharing such data is thus possible with this partner).

Unless there is a legal monopoly on the execution of an action, national legislation obliges the Immigration Office to follow a public tender procedure if the amount involved is above 67.000 EUR (VAT excluded). If the amount involved is higher than 5.500 EUR and less than 67.000 EUR the Immigration Office will have to provide several quotes from at least three adequately targeted candidates before selecting the final beneficiary. If, despite adequately targeted requests to three candidates, only one candidate agrees to give a quote, the Immigration Office is allowed to select this partner.

Given the political sensitivity of signing such a confidentiality agreement with the Immigration Office, given the political sensitivity of reintegration after forced return and given that many NGO's have internal rules which forbids them to work on reintegration after forced return with the afore-mentioned conditions, we expect that only few organisations will submit a proposal to partake in this action.

For these reasons, the present action will be directly assigned to the Immigration Office which holds a legal monopoly in the area of forced return and which will be the grant recipient for this action.

Expected results

- more criminals returned to their country of origin
- speedier procedures of identification
- more persons detained in mental hospitals are returned

Indicators

- number of criminals or detained in mental hospitals returned
- length of identification procedure
- number of LP delivered in time

Financial information

Maximum budget for the proposed action: 27.000 EUR

Maximum EC subsidy : 50 %

Action 3.3.9: Speeding up return procedure through ICT support: “Application closed centres” (ACC)

Purpose and scope of the action

The Immigration Office wants to speed up and render more efficient pre-return and return procedures and to make return policy more focused and efficient through reliable and correct statistical data.

Application closed centres (ACC) is an automatic and central management tool that should be installed in the closed centres to improve the management of the files of detainees (every person residing in a closed centres has been transferred there because they were illegal). The present action (ACC) is implemented by the Immigration Office.

In parallel, the communication between the Immigration Office and the police services should be improved by sending administrative reports electronically (see action 3.3.10.TARAP, below). In a later phase, a system which is grafted in the work flow of the Immigration Office will generate reliable statistical data on the illegal residing population (“Business intelligence application”). These three applications contribute to speed up the pre-return and return procedures, increase the number of return and form a better image of the illegal population which is the basis for devising a sound return policy.

Compatibility with the national operational objectives and with community priorities

This action meets general priority 3 of the Return Fund’s strategic guidelines. It also meets national operational objective 6.

Expected grant recipients

The Immigration Office which holds a legal monopoly in this area is the grant recipient for this action.

Expected results

- speedier decisions after interception
- reliable statistical data
- shorter detention periods for the residents in the closed centres
- less illegal migrants

Indicators

- duration of decision procedure after interception (duration between interception and a decision concerning return)
- number of illegals who are returned

- number of illegals who were released because the decision procedure exceeded the legal period
- duration of detention period

Financial information

Maximum budget for the proposed action: 300.000,00 EUR

Maximum EC subsidy : 50 %

The following project (3.3.4.) will be implemented through the method of “responsible authority acting as an executing body”.

Action 3.3.10: Speeding up return procedure through ICT support: TARAP

Purpose and scope of the action

TARAP (“Transmission automatisée des rapports administratifs de la police”) is an ICT application whose purpose is to speed up communication between the Immigration Office and the Federal Police, in regards to administrative reports. The purpose of this action is to speed up pre-return procedures. The present action is implemented by the Federal Police.

The period between interception and the Immigration Office’s decision is limited by law: when documents are available the maximum period is 12 hours and it is 24 hours when no documents are available. During this interval, the Immigration Office must take one of the following decisions: detention, immediate expulsion, an order to leave the country, or release because of legal stay. Because of the short legal timeframe, speeding the decision procedure and speeding communication regarding the decision, are central to the good management of return. This improvement can be achieved with an electronic treatment of the interception reports sent by the police services to the Immigration Office and of the answer by the latter to the Police.

In parallel, Application Closed Centers should be installed in the closed centres to improve the management of the files of detainees (see action 3.3.9. ACC, above). In a later phase, a system which is grafted in the work flow of the Immigration Office will generate reliable statistical data on the illegal residing population (“Business intelligence application”). These three applications contribute to speed up the pre-return and return procedures, increase the number of returns, and form a better image of the illegal population which is the basis for devising a sound return policy.

Compatibility with the national operational objectives and with community priorities

This action meets general priority 3 of the Return Fund’s strategic guidelines. It also meets national operational objective 6.

Expected grant recipients

The Federal Police holds a legal monopoly in this area and is the grant recipient for this action.

Expected results

- speedier decisions after interception
- reliable statistical data
- shorter detention periods for the residents in the closed centres
- less illegal migrants

Indicators

- duration of detention period
- duration of decision procedure after interception (duration between interception and a decision concerning return)
- number of illegals intercepted who are released because the decision procedure exceeded the legal period

Financial information

Maximum budget for the proposed action: 209.664,26 EUR

Maximum EC subsidy : 50 %

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3.4 Actions implementing priority 4: Support for Community standards and best practices on return management

Operational objective 8 : Reinforcement of the cooperation and communication between the authorities on the national level in view of developing a more integrated return policy including the voluntary return, the forced return and the long term reintegration in line with the communal standards.

Operational objective 10: Additional investments in new and existing fora where Member States can exchange information, develop new practices and develop new operational cooperation models.

The following action (3.4.1.) will implemented through the method of “responsible authority acting as an executing body”.

Action 3.4.1: Training of personnel in closed centres

Purpose and scope of the action

There is need for training of personnel in the closed centres on the best practices of methods of persuasion of detained migrants in order to have their return more accepted by i.e. training in intercultural skills, aggression management, self-management, coaching etc. Best practices should be identified and personnel trained.

The Immigration Office has a legal monopoly on the training of its personnel; some courses are done by the Immigration Office or by the Federal Centre for Training or by the training departments of the Federal Public Service of Interior. Intercultural training will be outsourced because no knowledge is available within these institutions. Intercultural training will be also linked to the course “aggression management” which has been organised internally as a pilot but which also will be partly outsourced. The Immigration Office will be in charge of most of the training activities and its coordination, only some parts of the course will be outsourced amongst which the course on intercultural skills.

Compatibility with the national operational objectives and with community priorities

This action meets specific priority 4.2 of the Return Fund’s strategic guidelines in as much as it seeks to ensure an effective implementation of common standards of return.

Expected grant recipients

The Immigration Office holds a legal monopoly in the management of closed centres, which covers training its personnel. The present action will be directly assigned to the Immigration Office and it will be the grant recipient for this action.

With regards to outsourced activities, national legislation obliges the Immigration Office to follow a public tender procedure if the amount involved is above 67.000 EUR (VAT excluded). If the amount involved is higher than 5.500 EUR and less than 67.000 EUR the Immigration Office will have to provide several quotes from at least three adequately targeted candidates before selecting the final beneficiary. If, despite adequately targeted requests to three candidates, only one candidate agrees to give a quote, the Immigration Office is entitled to select this partner.

Expected results

- Training sessions for the personnel
- More voluntary returns from the closed centres
- Less resistance towards and during return
- Shorter detention periods
- More humane treatment of the residents

Indicators

- Number of voluntary returns
- Number of aggression cases
- Duration of detention

Financial information

Maximum budget for the proposed action: 41.000,00 EUR

Maximum EC subsidy : 75 %

3.5. Visibility of EU funding and complementarity with other financial instruments

The recipients are required to assure an adequate transparency of this financing. In respect of whatever notification and/or publication by the recipient concerning the action, as well as notifications and publications during conferences or seminars, they will have to mention that subsidy had been received from the European Community.

Guidelines concerning the visibility of funding for material purchased with European funds (such as stickers with a European flag to be put on equipment, or a information board bearing a European flag logo) and additional publicity of European funding for activities are being discussed with stakeholders.

Proper publicity of European funding for these projects will also be implemented by the "EU Funds Unit" through its website. On its "projects" page, the "EU Funds Unit" website will specifically indicate that the above projects are supported by the European Commission. Paper correspondence originating from the "EU Funds Unit" to recipients will bear a European flag logo.

4. TECHNICAL ASSISTANCE

Scope and objective of the actions

Technical assistance will serve for the purchase of necessary equipment and materials (e.g. accountancy software, internet site) and the funding of personnel recruited in order to administratively monitor the projects (launch and conclude grant procedures, preparing invitations and contracts, selection, supervision and evaluation of projects, on the spot checks, development of the internal rules of procedure in collaboration with partners,

publicity, translations etc.). Technical assistance will also be invested to train personnel recruited by the principal beneficiaries.

Personnel will be recruited also at the Certifying authority and at the Audit authority.

Expected results

- Personnel recruited and trained;
- Supporting equipment purchased;
- Development of internal rules of procedure.

Indicators

- Number of recruited personnel
- Number of allocated projects and the setting up of control mechanisms
- Number of signed contracts with partners

Visibility of EU funding and complementarities with other financial instruments

The following measures are planned: report in annual reports of the Immigration Office and of the principal partners, clauses in signed contracts concerning the obligation toward transparency of EU subsidization, inclusion in the general website of the Immigration Office and in the website of the Immigration Office's EU Funds Unit.

Annual Programme - Draft Financial Plan									
Table 1 - Overview table									
Member State: BELGIUM Annual programme concerned: 2008 Fund: RF									
<i>(all figures in EUR)</i>									
	Co-Financing %	Ref. priority	Ref. specific priority (a)	Community Contribution (1)	Public Allocation (2)	Private Allocation (3)	TOTAL (4) = (1+2+3)	%EC (5) = (1)/(4)	Share of total (4)/ Total(4)
Actions implementing priority 1: Support for the development of a strategic approach to return management by Member States									
Development of tools for improved direct communication on assisted voluntary return	75%	1	1	254.333,15	84.777,72	0,00	339.110,87	75,00%	9,35%
Communication, awareness raising and capacity-building on AVR: Targeting the staff in reception facilities	75%	1	1	65.227,01	21.742,34	0,00	86.969,35	75,00%	2,40%
Communication, awareness raising and capacity-building on AVR: Targeting the network of social services in cities	75%	1	1	53.750,00	17.916,67	0,00	71.666,67	75,00%	1,98%
Return of families	75%	1	2	322.500,00	107.500,00	0,00	430.000,00	75,00%	11,85%
Return of persons with special needs	75%	1	2	126.750,00	42.250,00	0,00	169.000,00	75,00%	4,66%
Integrated return of illegal migrants from Afghanistan, India, Iraq, Algeria and Morocco	75%	1	3	90.000,00	30.000,00	0,00	120.000,00	75,00%	3,31%
Sub-total:				912.560,16	304.186,72	0,00	1.216.746,88	75,00%	33,54%
Actions implementing priority 2: Support for the co-operation between Member States in return management									
Common flights	75%	2	1	34.500,00	11.500,00	0,00	46.000,00	75,00%	1,27%
Sub-total:				34.500,00	11.500,00	0,00	46.000,00	75,00%	1,27%
Actions implementing priority 3: Support for specific innovative (inter)national tools for return management									
Empowerment of the REAB partner-network	75%	3	1	128.124,88	42.708,29	0,00	170.833,17	75,00%	4,71%
Empowerment of the return counsellors - monitoring reintegration efforts	50%	3		50.000,00	50.000,00	0,00	100.000,00	50,00%	2,76%
Program-focused development of the reintegration program	75%	3	1	470.452,20	156.817,40	0,00	627.269,60	75,00%	17,29%
Target group based comprehensive return strategy	75%	3	1	279.633,25	93.211,08	0,00	372.844,33	75,00%	10,28%
Strengthening the capacity of reintegration partners	75%	3	1	170.992,79	56.997,60	0,00	227.990,38	75,00%	6,28%

Methodology development in the area of AVR and reintegration	75%	3	1	121.151,39	40.383,80	0,00	161.535,18	75,00%	4,45%
Support of the identification procedures.	75%	3	2	95.250,00	31.750,00	0,00	127.000,00	75,00%	3,50%
Speeding up return procedures for criminal illegal migrants	50%	3		13.500,00	13.500,00	0,00	27.000,00	50,00%	0,74%
Speeding up return procedure through ICT support : Application closed centres	50%	3		150.000,00	150.000,00	0,00	300.000,00	50,00%	8,27%
Speeding up return procedure through ICT support : TARAP	50%	3		104.832,13	104.832,13	0,00	209.664,26	50,00%	5,78%
Sub-total				1.583.936,63	740.200,30	0,00	2.324.136,93	68,15%	64,06%
Actions implementing priority 4: Support for Community standards and best practices on return management									
Training of personnel in closed centres	75%	4	2	30.750,00	10.250,00	0,00	41.000,00	75,00%	1,13%
Sub-total				30.750,00	10.250,00	0,00	41.000,00	75,00%	1,13%
Sub-total (All Priorities)				2.561.746,79	1.066.137,02	0,00	3.627.883,81	70,61%	100,00%
Technical Assistance (T.A.)				244.262,80					9%
TOTAL				2.806.009,60					100%

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