

ANNUAL PROGRAMME

Initial version

- Revised version (number 1, date 23/04/2012) following dialogue with the Commission
- Version revised for other reasons

MEMBER STATE: *Republic of Poland*
FUND: *European Refugee Fund*
RESPONSIBLE AUTHORITY: *Department of European Union and International Cooperation, Ministry of Interior*
YEAR COVERED: *2012*

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1. GENERAL RULES FOR THE SELECTION OF PROJECTS THAT ARE TO BE FUNDED UNDER PROGRAMME

RESPONSIBLE AUTHORITY:

DEPARTMENT FOR THE EUROPEAN UNION AND INTERNATIONAL COOPERATION OF THE MINISTRY OF INTERIOR

DELEGATED AUTHORITY:

IMPLEMENTING AUTHORITY FOR EUROPEAN PROGRAMMES

Responsible Authority will delegate some of the responsibilities to the Implementing Authority for European Programmes, in accordance with the agreement setting down the division of duties among these institutions.

With reference to the decision of 19 December 2007 as amended, setting up the rules of implementing the decision setting up the European Refugee Fund 2008-2013, the following two project procedures are differentiated:

1. Responsible Authority acting as an *awarding body* (then open competition procedure takes place);

2. Responsible Authority acting as an *executing body* (then it stands for an implementing institution; and a project contractor – a public institution – is identified at the Annual Programme phase). *Executing body* procedure takes place when the characteristics of the projects leave no other choice for implementation, such as de jure monopoly situations or security reasons..

In case of both procedures project selection rules remain in accordance with this fund management and control system.

RESPONSIBLE AUTHORITY ACTING AS AWARDING BODY

On its webpage Delegated Authority with Responsible Authority's approval will publish a call for proposals in a competition procedure. Information on launching open selection procedure shall also appear on the Responsible Authority's webpage and in Polish national press.

Call announcement anticipated date: I/II quarter of 2012

Treatment of the applications, selection and award of projects shall be handled in accordance with the procedures described in the management and control system and in conformity with the manual of procedures.

It is anticipated that the funding selection of projects shall be made from among projects that have already been launched since 1 January 2012 (not yet completed) and projects that shall be launched after signing grant agreements.

- Grant agreement signature

Grant agreement signature with successful applicants is expected to take place from III quarter of 2012 until the end of 2012.

Applicants, whose applications have been rejected, will be informed in a letter stating reasons for rejection.

- Implementation period for projects

In line with the Implementing rules the Implementation period for projects financed from the ERF allocation 2012 starts on 1 January 2012 and ends on 30 June 2014. Cost borne before and after this period shall not be considered as eligible.

RESPONSIBLE AUTHORITY ACTING AS EXECUTING BODY

While preparing annual programme for year 2012, Responsible Authority turned to the Office for Foreigners, Department of Migration Policy of the Ministry of Interior and the Border Guard with an inquiry to prepare a description of activities/projects in relation with 'executing body' procedure. Responsible Authority shall not implement the projects independently – only in cooperation with a partner. Under Annual Programme 2012, the Office for Foreigners, the Department of Migration Policy of the Ministry of Interior and the Border Guard shall be the institutions implementing projects as partners.

Invitation to filling project fiches' anticipated date: I /II quarter of 2012. It is anticipated that in the case of *executing body* procedure projects' implementation shall start in II/III quarter of 2011.

Treatment of the applications, selection and award of projects shall be handled in accordance with the procedures described in the management and control system and in conformity with the manual of procedures.

It is anticipated that the funding selection of projects shall be made from among projects that have already been launched since 1 January 2012 (not yet completed) and projects that shall be launched after signing grant agreements.

- Financial agreement signature

Financial agreement signature with successful applicants is expected to take place from III quarter of 2012 until the end of 2012.

Applicants, whose applications have been rejected, will be informed in a letter stating reasons for rejection.

- Implementation period for projects

In line with the Implementing rules the Implementation period for projects financed from the ERF allocation 2012 starts on 1 January 2012 and ends on 30 June 2014. Cost borne before and after this period shall not be considered as eligible.

TENDER PROCEDURES:

In case of 'awarding body' procedure project beneficiary shall be responsible for conducting tender procedures and in case of 'executing body' this will be the partner of Responsible Authority.

Tender procedures shall be in accordance with the Commission Decision of 19 December 2007 as amended laying down the rules for implementation of Decision 573/2007/EC and in accordance with the European Union law and national law in this field.

Grant agreement (in the awarding body mode) and financial agreements (in the executing body mode) shall oblige projects' beneficiaries to the Polish Public Procurement Law rules' adherence, whereas, in the case of procurements worth from EUR 5,000, to grant procurement on the basis of tender procedure to the bidders whose bid is the most profitable, avoiding any conflicts of interests. Purchases below the threshold of EUR 5 000 can be made without the necessity to conduct any procurement procedures.

SELECTION CRITERIA

Projects' selection criteria fully respond to the categories included in the Decision establishing the European Refugee Fund (Article 14 (5)).

The procedures used on each stage of project selection (from launch of call until contract signature) ensure equal treatment and non discrimination of all applicants.

THE PRINCIPLE OF PARTNERSHIP

Annual Programme Project was prepared in the Department of European Union and International Cooperation of the Ministry of Interior in cooperation with the Office for Foreigners, the Department of Migration Policy of the Ministry of Interior and the Border Guard. The project was consulted with the public administration units: the Implementing Authority for European Programmes, non-governmental organisations and Office of the United Nations High Commissioner for Refugees. Then, the Annual Programme project was submitted to the Inter-Ministerial Team for the Schengen Fund, Norwegian Financial Mechanism, European Fund for Refugees, External Borders Fund and European Return Fund (called further as Inter-Ministerial Team). After the Team's acceptance the project was published on the Ministry of Interior webpage (www.msw.gov.pl) and on the Delegated Authority's webpage (www.wwpe.gov.pl).

In case significant amendments to the Annual Programme were necessary, the programme project shall be consulted with the Inter-Ministerial Team members.

The Inter-Ministerial Team works' information is included in quarterly reports submitted to the European Committee of the Council of Ministers.

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

An analysis of activities implemented so far within the European Refugee Fund in Poland proved their full compliance with objectives outlined not only in the national programming documents but also in the ERF legal bases and EU legislation on migration and asylum. It is also crucial to point out that these activities, implemented under three priorities set out in the EC Decision C(2007) 5738 of 29/11/2007, are also in line with the following strategic objectives for the ERF Annual Programmes 2012 and 2013, described in the document SOLID/2011/28:

- More strategic focus on EU standards through the implementation of actions linked to the requirements of the different directives under the CEAS;

Allocations 2008-2010 of the ERF was used to implement a number of projects aiming at improvement of conditions of reception of foreigners seeking asylum. In the executing body mode (Action 2 - Infrastructure and asylum procedures) numerous reception centers owned by the Office for Foreigners were modernized in order to increase the standard of living and to extend their functionality e.g. by renovation of playgrounds for children and sports fields or by equipping the existing educational premises with didactic aids. It is foreseen to continue these activities within the 2012 allocation not only by the Office for Foreigners but also by the Polish Border Guard – formation responsible for supervision of closed centers for asylum seekers.

In order to improve competences and qualifications of employees directly involved in asylum procedures and to facilitate the process of examination of applications for refugee status, under the abovementioned Action 2 (also in the executing body mode) language and professional trainings for employees of the Office for Foreigners were organized. It is foreseen to continue these activities in the 2012 AP.

Legal aid, counseling and development of socio-educational and integration offer was implemented so far in the awarding body mode (Action 1 - Development and improvement of the integration offer and consultancy both for the persons applying for a refugee status or persons under international protection). The goals of Action 1 are tailored to the needs of final Beneficiaries. The significant amount of applications filed by the NGO's proves constant interest and need to support and expand integration offer and consultancy services for persons applying for a refugee status or remaining under international protection. Due to the fact that Action 1 is a direct continuation of project supported within the previous Annual Programmes, which turned to be very successful, it is foreseen to continue its financing in the AP 2012.

- Improvement of the national capabilities through co-operation between Member States

The activities implemented so far under the executing body mode (Action 4 - Cooperation and exchange and improvement of the national system of information about countries of origin) aimed at constant improvement and development of knowledge relevant to the process of

assessment of applications for a refugee status. Activities foreseen under this action in the previous AP's included study visits, research missions as well as a library extension. Their implementation enabled initiation of cooperation and exchange of experiences in the field of migration and asylum with other Member States and allowed for introduction of their best practices. Therefore continuation of their implementation within Action 4 of the AP 2012 is foreseen.

- Increased development of resettlement / relocation activities.

Due to significant needs in other areas of support of the European Refugee Fund it is not foreseen to finance resettlement activities from the 2012 and 2013 allocations. Polish experiences in this area so far include participation in the II phase of the EUREMA project, which concerned relocation activities from Malta. However this initiative was considered only as a pilot project.

Taking the above into consideration the actions chosen to be supported within the European Refugee Fund Annual Programme 2012 include:

1. Development and improvement of the integration offer and consultancy both for the persons applying for a refugee status or persons under international protection;
2. Infrastructure and asylum procedures;
3. Acceptance on the territory of the Republic of Poland and transfer to other EU Member States of persons applying for international protection
4. Cooperation and exchange and improvement of the national system of information about countries of origin;

Action 3 mentioned above is a new element of the Annual Programme and is considered compliant with objectives of Priority 1 described in the EC Decision C(2007) 5738 of 29/11/2007. The action aims at support of activities of Border Guard related to transfer of persons applying for international protection among Member States, in line with *Council Regulation (EC) 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national*.

The choice of the abovementioned actions is not only the result of conducted analysis of needs but also our experience with implementation of the ERF III so far. Almost 90% of the 2008 allocation has been disbursed and the allocation for 2009 has been overcontracted. An additional call for proposals for the 2010 allocation resources is expected to be launched.

The outcome and results achieved so far are in full compliance with the MAP and relevant national legislation concerning migration policy, including the document *Polish Migration Policy – current state of play and suggested activities*.

The target groups of all Actions are those set out in the basic act of the European Refugee Fund.

All expected results set out under each Action are indicative.

2.1 Actions implementing Priority 1

2.1.1. Action 1: Development and improvement of the integration offer and consultancy both for the persons applying for a refugee status or persons under international protection

Strategic objective: More strategic focus on EU standards through the implementation of actions linked to the requirements of the different directives under the CEAS.

PURPOSE AND SCOPE OF THE ACTION

1. Development and improvement of the integration offer and consultancy for persons under international protection

The number of persons applying for international protection in Poland has been on a stable level so far. However, few of those persons decide on a permanent stay in Poland after being granted a refugee status. A vast majority of them seek an opportunity to get to one of the states of Western Europe and thus consider Poland as a transit country. This tendency result mainly of social and economic problems occurring in Poland, such as a relatively low standard of living as compared with the so-called old EU Member States, for example lack of social housing or difficulties in an access to specialist health care. However, this situation may change in the nearest future due to a decrease of the unemployment rate and a gradual increase of earnings. Polish law provides for integration actions under the so-called Individual Integration Programmes for foreigners who were granted the refugee status or a so-called subsidiary protection on the territory of the Republic of Poland. The state support needs to be supplemented by additional integration actions, financed by the European Refugee Fund, for ERF target groups.

On the basis of the analysis of the current situation in this respect, it is possible to indicate the following examples of requirements:

1/ Delivery of educational activities, including language and vocational training in and outside the centres for foreigners staying in the centres and persons applying for granting the refugee status as well as other activities supporting pre-integration, in accordance with the status that has been granted by respective authorities.

2/ Improvement in access, in and outside the centres, to psychological, legal and social counselling, preschool care, as well as the access to health care in the centres and increasing its quality for persons applying for a refugee status.

3/ Extension of existing integration offer for the persons under international protection, in particular in the scope of:

- learning Polish and courses raising civil awareness; trainings on life and work conditions in Poland; trainings informing how to deal with ordinary affairs in public offices;
- improvement in access to education, especially for children, including preschool care;
- improvement in access to the labour market (by means of vocational training, simplification of the procedures on recognisability of education and qualifications, development of the vocational consultations, support of self employment etc.);

- improvement in housing situation, among other, through the improvement in access to social housing;
 - protection against discrimination on the labour and real estate markets through the measures aiming to raising foreigners' awareness on available legal assistance means as well as taking positive discrimination measures;
 - free and better access to health care, psychological and legal assistance
 - measures to enhance social awareness in circles admitting foreigners, including intercultural dialogue between the admitting circle and the foreigners;
 - self-organisation of foreigners and their mutual cooperation;
 - special programmes aimed at particularly vulnerable groups (children without protection, children, women, elderly people, etc.).
- 4/ Study of integration, including establishment of a coherent system of obtaining statistical data on integration support offered to persons under international protection as well as study of their real needs with respect to integration.
- 5/ Improvement of qualifications and strengthening the public administration personnel, as well as social partners and non-governmental organisations providing assistance to the persons under international protection who are working or preparing to work.
- 6/ International cooperation and exchange of experiences of integration of foreigners under international protection.

EXPECTED GRANTS RECIPIENTS

The central, regional and local authorities, non-governmental and international organisations, research and development entities, schools and other educational units, teacher education centres, teacher training centres, higher education schools, as well as public and private companies, etc.

WHERE APPROPRIATE, JUSTIFICATION REGARDING PROJECT(S) IMPLEMENTED DIRECTLY BY THE RESPONSIBLE AUTHORITY ACTING AS AN EXECUTING BODY

No participation of the Responsible Authority has been taken into account.

EXPECTED QUANTIFIED RESULTS AND INDICATORS TO BE USED

PRODUCT – PRODUCT INDICATOR	RESULT	IMPACT
<p>The products showed are not included in any closed list of products:</p> <p>The percentage of people, who received assistance out of all the interested persons – around 70%.</p> <p>The number of people who received</p>	<p>These actions will result in improvement of the integration offer and access to counselling and health care for persons applying for a refugee status and persons applying for refugee status and staying in the centres for persons applying for a refugee status and</p>	<p>An increase in the awareness of public and non-governmental institutions of the integration needs of persons under international protection, which will lead to the development of integration offer directed at the target group.</p>

<p>assistance – around 10000. Number of training man-hours 20 000. The number of research activities – around 10 activities. Number of projects performed during the international cooperation – around 1.</p>	<p>outside them, as well as the improvement of integration offer for foreigners under international protection. It will also result in the improvement of qualifications of the public administration personnel, as well as social partners and non-governmental organisations providing assistance to the persons under international protection who are working or preparing to work. Another result will be the development of methodology of the research on integration of foreigners applying for a refugee status and foreigners under international protection. (see point 4 above) It will also result in the application of solutions developed during the exchange of experiences and international cooperation on the integration of foreigners under international protection.</p>	<p>Better integration of the Fund's target group.</p>
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VISIBILITY OF EU FUNDING

- The visibility of Community funding shall be guaranteed in the following way:
- placing the EU emblem on all the equipment purchased in connection with the performance of the project. In order to facilitate the performance of this action, the Delegated Authority will prepare stickers with the EU emblem and the information on the source of financing the purchase of equipment;
 - placing the EU emblem and the information on the ERF co-financing on all the significant publications, brochures and in the headlines in the correspondence, etc.;
 - placing the EU emblem and the information on the ERF co-financing in the beneficiary's seat (e.g., on the walls, entrance doors, etc.);
 - advising the participants of the seminars or conferences on the projects on ERF co-financing;

Information on the co-financing shall be the following:
“Projects co-financed from the European Refugee Fund”
EU emblem may be downloaded from:
http://europa.eu/abc/symbols/emblem/index_en.htm
All the publications co-financed from the ERF shall include information that the opinion contained in the publication represents solely the author’s views and is by no means the official opinion of the European Commission. The agreement concluded with the beneficiary shall include an appropriate terms, the performance of which shall be verified during control visits.
The guidelines on the visibility of the co-financing of projects from the European Refugee Fund shall be drawn up by the Delegated Authority and attached to the tender documentation.
The Delegated Authority shall monitor the compliance with the requirements during the performance of the projects by the beneficiaries.

COMPLEMENTARITY WITH SIMILAR ACTIONS FINANCED BY OTHER EU INSTRUMENTS, IF APPROPRIATE

The programme is complementary to the European Fund for the Integration of Third-country Nationals (IF) and the European Social Fund (ESF), creating together with the Funds the tool for integrating foreigners in Poland.
During the submission of applications/project fiches applicants/partners shall be obliged to indicate the source of funding and to make a declaration on non-financing the project from the EU budget additionally.
Furthermore, at the project settlement stage, 100% of documents confirming the expenditure are verified. Each of the documents will have to contain a note on financing the expenditure by the European Refugee Fund, thus the expenses incurred on the ERF project cannot be reimbursed from other sources, including IF.
In order to ensure that a person to whom support is provided under ERF belongs to the Fund’s target group, not to European Fund for the Integration of Third-country Nationals (IF), such person will have to confirm his/her status – at the stage of notifying his/her participation in the project – by producing the proper document
As to the European Social Fund, the relevant provisions ensuring compatibility between the two Funds have been introduced into the Operational Programme Human Capital (OPHC), Detailed Description of the OPHC Priorities, Priority VII, in coordination with the OPHC Managing Authority. During consultations with the OPHC Managing Authority the demarcation line was drawn between the sub-measures addressed to refugees under Priority VII of OPHC and ERF III, in order to ensure compatibility.

FINANCIAL INFORMATION: VALUE OF THE ACTION, EU CONTRIBUTION, PUBLIC CONTRIBUTION, PRIVATE CONTRIBUTION

Value of the action – EUR 1 964 466,50

EU contribution – EUR 1 473 349,87 (75%)
Public contribution – EUR 196 446,65 (10%)
Private contribution – EUR 294 667,98 (15%)

2.1 Actions implementing Priority 1

2.1.2 Action 2: Infrastructure and asylum procedures

Strategic objective: More strategic focus on EU standards through the implementation of actions linked to the requirements of the different directives under the CEAS.

PURPOSE AND SCOPE OF THE ACTION

It has been observed that there are significant needs in the field of infrastructure for admission, service and accommodation for persons applying for a refugee status. It is related above all to ongoing significant needs of foreigners applying for a refugee status in Poland. Insufficient development and numerous lacks of structures responsible for the examination of refugee status applications in Poland negatively influence the duration of examination procedures of asylum applications.

It should be noted that the centres for persons applying for a refugee status are filled up and there is a high turnover of foreigners, which does not favour the residents and employees' security. Criminal damage accidents are unusually frequent on the centre's grounds.

At the same time, it is necessary to provide foreigners residing in the centres with better recreational conditions.

In order to improve the conditions of admission of foreigners residing in the centres for persons applying for the refugee status, a modernisation of premises used for acceptance, service and accommodation of persons applying for a refugee status has been foreseen.

The minimum standards of admission of persons applying for the refugee status are described in Council Directive 2003/EC of 27 January 2003 and Convention on the Rights of the Child of 1989. That means, *inter alia* the need to ensure access to education for minors as well as their psychosocial development conditions. The UNHCR monitoring missions revealed the necessity of social and educational conditions improvement in some of the refugee centres. In order to meet these expectations, increase of the educational abilities and the development actions will be implemented through playground construction as well as modernisation and fit out of premises with necessary housing and educational equipment.

According to the statistical data minors constitute almost half of the number of persons applying for the refugee status. Because of bad financial condition of their parents, schoolchildren do not have enough of educational and sport equipment to start education. Similarly, infants often do not have ensured basic needs. Therefore in case of children residing in closed centres it is planned to purchase school layettes with sportswear for schoolchildren as well as layettes for infants. It will allow decreasing the negative consequences of compulsory emigration from the country of origin. It will also create the best conditions to continue interrupted education.

In case of children residing in open centres it is also foreseen to purchase educational kits adjusted to age. Moreover, children at the age 6-16 (elementary and secondary schools) shall be offered one or few days educational trips to Polish locations famous for their historical or environmental qualities. This activity aims at widening of educational offer for children applying for refugee status and to organise their free time in an active way. The trips will also give children an opportunity to become familiar with Polish history, culture and geography.

The foreigners applying for the refugee status indicate insufficient access to complex information relating to their rights and obligations. They need to be provided with complete and understandable information. It is planned to prepare reliable and clear manual of best practices for arrived foreigners applying for refugee status.

It is also planned to continue training of officers serving foreigners applying for the refugee status. It will relate especially to increase the language and asylum procedures professional qualifications due to insufficient linguistic and professional preparation of persons carrying out the proceedings in cases on granting a refugee status as well as centres for foreigners' employees or other establishments dealing with foreigners applying for a refugee status, Language trainings shall be carried out in the field of languages most frequently used by the foreigners applying for a refugee status as well as the languages most frequently used in studies and information resources on countries of origin and questions of law, procedure and logistics including the international protection's issues. Professional training for employees as well as staff of the centres for foreigners applying for a refugee status shall be carried out in the field of some problems encountered during contacts with foreigners, among others people suffering from post traumatic stress disorder, children without protection and other particular groups or particular legal problems.

EXPECTED GRANTS RECIPIENTS

In the case of projects within the executing body procedure, the Responsible Authority will constitute the implementing body, whereas the public administration body, namely the Head of the Office for Foreigners and the Border Guards, will be the partners and, at the same, the performing bodies.

WHERE APPROPRIATE JUSTIFICATION REGARDING PROJECT(S) IMPLEMENTED DIRECTLY BY THE RESPONSIBLE AUTHORITY ACTING AS AN

EXECUTING BODY

The exclusive competence of the Office for Foreigners and the Border Guards to conduct specified proceedings in cases concerning running centres for foreigners applying for the refugee status, including providing them with security, as well as to realise specific public duties regarding to foreigners applying for the refugee status and recognised refugees causes, that for projects performed within the measure *Infrastructure and Asylum Procedures* the *executing body* method should be provided for. The projects within the *executing body* method will be implemented by the Responsible Authority. High specialisation of the Office for Foreigners and the Border Guards and the existence of consistent, coordinated system of legal regulations and administrative and logistic solutions – it can be stated that the projects within the Measure: *Infrastructure and Asylum Procedures* may be performed exclusively by the Head of the Office for Foreigners and the Chief Commander of the Border Guards as partners of the Responsible Authority.

EXPECTED QUANTIFIED RESULTS AND INDICATORS TO BE USED

PRODUCT – PRODUCT INDICATOR	RESULT	EFFECT
The number of modernised centres used for admission, service and accommodation for persons applying for a refugee status - 3;	The result will be an improvement of accommodation standards of people applying for international protection on the territory of the Republic of Poland and an increase of the level of services for persons applying for refugee status.	Provision of proper admission, service and residence conditions for foreigners applying for a refugee status
Purchase of around 1200 educational kits for all children up to 18 year of age	As a result the implementation of this activity shall contribute to an increase of the scope of material and educational assistance provided to children applying for refugee status and shall also constitute a significant support for their parents. Children participating in trips will have the opportunity to get to know Poland, its history and culture.	This activity shall contribute to an increase of motivation to study among children as well as stimulate their curiosity. For some children this will be the first opportunity to go for a trip to an attractive surrounding.
Organisation of educational trips for around 420 children accommodated in the centres		
The number of persons	The result will be an improvement of language skills of	More efficient communication between officials and

<p>covered with language lessons – about 40 persons. The number of foreign languages in respect of which language courses are offered – about 2-3. The number of staff trained in the scope of selected aspects of asylum procedures – about 50 persons.</p>	<p>officials involved in the examination of applications for granting the refugee status. The organised training in the field of refugee procedures, law, culture studies etc. will result in increase in knowledge of persons working with foreigners,</p>	<p>applicants. A better access to auxiliary materials issued in foreign languages, including materials on the countries of origin of applicants. Handling difficult and complicated applications or applications demanding specific procedures in a more appropriate, efficient and faster way.</p>
<p>Number of facilities adjusted to recreational and sport purposes - 2</p>	<p>The result will be an establishment of recreation places for children and adults. Increase of accommodation comfort for children and their legal guardians. Mould of children’s positive character attributes, physical and mental efficiency, as well as self confidence. Ensure minors’ educational and self-development abilities. Better protection and cooperation with foreigners applying for the refugee status.</p>	<p>Implementation of this activity will improve accommodation conditions and broaden the offer of spending free time by persons applying for refugee status. It will also minimize the negative effects of forced migration of foreigners from their countries of origin. Moreover it will work positively on the pre-integration activities and create a positive image of Poland abroad.</p>
<p>The number of foreign children in closed centers granted material support - about 100 children.</p>	<p>The result will be an increase of material support scope for children through support of newborn children parents with basic infant equipment and purchase of school and sports layettes for children.</p>	<p>Purchase of the school and sports layettes may influent children learning motivation. It will facilitate their proper physical and intellectual development. Purchase of layettes for infants will help to create</p>

<p>Elaboration of a best practice manual related to procedure of application for refugee status - 1.</p>	<p>The result will be an improvement of standards of service delivered to persons applying for international protection on the territory of the Republic of Poland</p>	<p>better conditions, which will translate into better development and less morbidity.</p> <p>Improvement of the quality of the asylum procedures.</p>
<p>VISIBILITY OF EU FUNDING</p>		
<p>The provisions on visibility of EU funding under Action 1 are also applicable to this Action</p>		
<p>COMPLEMENTARITY WITH SIMILAR ACTIONS FINANCED BY OTHER EU INSTRUMENTS, IF APPROPRIATE</p>		
<p>The implementation of measures for the development of the asylum infrastructure carried out so far has been supported by assistance resources from the PHARE fund. It should be emphasised that activities using PHARE assistance funds are supplemented and continued by means of financial support acquired from the European Refugee Fund 2005–2007.</p> <p>The European Refugee Fund is becoming the main and sometimes the only source of funding of detailed and specific asylum related matters.</p>		

Setting goals in areas complementary to the development of the asylum infrastructure becomes possible due to compatible mechanisms of related funds. They include the European External Borders Fund and the European Return Fund, being largely at the disposal of the Border Guards, as well as the Fund for Integration of Third-Country Nationals and the European Social Fund, largely at the disposal of the Ministry of Labour and Social Policy. It should be stressed that institutions responsible for all the mentioned funds coordinate their activities by means of the functioning of inter-ministerial teams consulting works aimed at managing financial resources received from funds.

Projects under ERF III which are complementary with Action 2 :

Office for Foreigners ERF 2008 *Equipping three centres owned by the Office for Foreigners in playgrounds and sports fields, Improvement of accommodation conditions and purchase of materials and equipment for the Office for Foreigners centres.*

FINANCIAL INFORMATION: VALUE OF MEASURE; EU CONTRIBUTION; PUBLIC CONTRIBUTION; PRIVATE CONTRIBUTION

Value of action – **EUR 1 093 702,67 ;**

EU contribution – **EUR 820 277,00 (75%);**

Public contribution - **EUR 273 425,67 (25%);**

Private contribution – not applicable.

2.1 Actions implementing Priority 1

2.1.3 Action 3: Acceptance on the territory of the Republic of Poland and transfer to other EU Member States of persons applying for international protection

Strategic objective: More strategic focus on EU standards through the implementation of actions linked to the requirements of the different directives under the CEAS.

PURPOSE AND SCOPE OF THE ACTION

Transfer of persons applying for or benefiting from the international protection between MS has been reflected in the *Council Regulation (EC) 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national*. Basing on its rules MS decide which of them should process the application for a refugee status. It is irrelevant in this case which country's refugee status the applicant would like to have. Clear rules determining the country responsible for processing the application form enable quick conduction of the procedure by one specific EU MS. At the basis of the Dublin II Regulation is also the rule of so called "burden sharing", which is understood as division of responsibilities for protection over refugees among all EU MS. With very few exceptions the Regulation determines quite precisely that the MS responsible for processing the asylum application of an asylum seeker is the country where the EU external border was first crossed by him (her). In practice the external EU states are forced to take over the responsibility to protect the refugees. This requires however to launch all the necessary preparations for such activities.

In 2010 over 2000 third country nationals were accepted in the Republic of Poland. Procedures concerning reception of foreigners last ranging from couple of hours to couple of days. At that time the foreigners have to be provided with safe and humanitarian stay, with special attention drawn to mothers with children. Therefore it is fully justified to properly modernise premises used for such stay (e.g. by adaptation of rooms for mothers and their children, modernisation of social facilities, purchase of office equipment etc.).

Costs borne by the Polish Border Guard related to the acceptance of a foreigner include usually: translation, transportation to the place where the foreigners have been appointed, alimentation during acceptance procedure and transport to the reception centre, medical costs and accommodation costs during the acceptance procedure.

Except for the definitely more common cases in Poland where Border Guard is responsible for acceptance in line with the Dublin II Regulation

of foreigners from other EU MS this formation is also responsible for transfers of people to the other EU MS suitable for processing the application for refugee status. Costs of the BG in such case include translation, medical services, transport to the respective EU MS and alimentionation.

It is expected that within the 2012 ERF allocation the costs of adaptation of premises used for acceptance/transfer of foreigners as well as the above mentioned costs related to acceptance/transfer procedures shall be covered.

Expected grants recipients

The expected grants recipients will be the Border Guard

Where appropriate justification regarding project(s) implemented directly by the Responsible Authority acting as an executing body

The exclusive competence of the Border Guards to conduct specified proceedings in cases concerning running centres for foreigners applying for the refugee status, including providing them with security, as well as to realise specific public duties regarding to foreigners applying for the refugee status and recognised refugees causes, the *executing body* method should be provided for. The projects within the *executing body* method will be implemented by the Responsible Authority, whereas the activities will be performed exclusively by the Chief Commander of the Border Guards as partner of the Responsible Authority.

Monopolistic character of implemented task results from the *Act on granting foreigners protection on the territory of the Republic of Poland* as well as from the *Act on Border Guard*

Expected qualified results and indicators to be used

PRODUCT – PRODUCT INDICATOR	RESULT	EFFECT
Number of modernized facilities used for acceptance/transfer of foreigners – 5	Improvement of conditions in which the foreigners are being accepted/transferred within the Dublin II procedure	Minimising negative aspects related to organization of returns, acceptance and transfer of foreigners
Number of foreigners accepted to the Republic of Poland – around 1800-2200	Fulfillment of responsibilities resulting from international and national regulations	
Number of foreigners transferred from Republic of Poland – around 40-50		

VISIBILITY OF EU FUNDING

The provisions on visibility of EU funding under Action 1 are also applicable to this Action

COMPLEMENTARITY WITH SIMILAR ACTIONS FINANCED BY OTHER EU INSTRUMENTS, IF APPROPRIATE

The implementation of activities aiming at development of asylum infrastructure was supported from the financial aid of the Phare Fund. It is to be underlined that activities financed from the Phare Fund were supplemented by financial support from the ERF 2005-2007.

The European Refugee Fund is becoming the main and in many specific aspects the only financial instrument supporting development of asylum and migration policy.

Assignment of goals in areas complimentary to the development of the asylum infrastructure is possible due to existence of compatible mechanisms of similar funds such as the External Borders Fund or the Return Fund (mostly used by the Border Guard) as well as the European Fund for the Integration of Third Country Nationals as well as the European Social Fund (remaining at the disposal of the Minister of Labour and Social Affairs). It is worth mentioning that the institutions responsible for management of all of the above mentioned funds coordinate their activities by the functioning of interministry teams, where the aspects of distribution of financial resources are being discussed.

FINANCIAL INFORMATION: VALUE OF MEASURE, EU CONTRIBUTION, PUBLIC CONTRIBUTION, PRIVATE CONTRIBUTION

Value of the action – EUR 110 000,00

EU contribution – **EUR 82 500,00 (75%)**

Public contribution – **EUR 27 500,00 (25%)**

Private contribution – not applicable.

2.2 Action implementing Priority 2

2.2.1 Action 4: Cooperation and exchange and improvement of the national system of information about countries of origin

Strategic objective: Improvement of the national capabilities through co-operation between Member States

PURPOSE AND SCOPE OF THE ACTION

Poland's accession to the European Union brought about the intensification of practical cooperation between Polish authority investigating into applications for the refugee status and its counterparts in Member States. It applies to a wide range of asylum-related matters, including procedural problems, exchange of information on the countries of origin of persons who have been granted asylum and execution of tasks resulting from the Dublin Agreements. Such cooperation constitutes a significant element allowing for performance of national tasks through the increase in knowledge and effectiveness of actions undertaken by people dealing with asylum-related problems. It is also the implementation of the policy of the European Union aimed at the progressive and far-reaching harmonisation of the provisions and practices of specific European asylum institutions.

A procedural slowdown due to the difficulties in verifying applications in respect of humanitarian reasons weighing in favour of the applicant can be observed. According to actions foreseen in the framework of Operational objective 2 *Measures, including those implemented with representatives of other EU Member States, to increase the resources, verify information on the countries of origin and extend access to the sources of information* of Priority 2 of Multi-Annual Programme, in order to extend data resources, it is necessary to hold research missions to countries of origin of those applying for the refugee status in order to collect and verify already gathered data on those countries. It is frequently the case that it is difficult to verify the truthfulness of information provided in the application solely on the basis of sources available in Poland.

Needs related with a refugee status proceedings stand for a separate challenge. The countries of origin database used so far does not seem to meet the needs in the field of verifying information constituting arguments of the persons applying for a refugee status.

Measures for the extension and improvement of the national system of information about countries of origin and establishment of a database on procedures in cases of granting refugee status will be implemented through extension of the library of the Polish authority proceeding with applications for the refugee status. Realisation of mentioned above will improve standards and speed of issuing decisions on granting the refugee status proceedings.

The actions concerning extension of the library follows the project implementing under allocation 2009, 2010 and 2011 of the ERF. These activities are also a direct continuation of a project financed from the ERF 2008 allocation, resulting in modernisation of the Swiatowid system (IT system on countries of origin) by implementing a library module supporting access, searching and transmission of information included in

the library's resources.

Organisation of another set of research missions to the countries of origin will allow officers carrying out administrative procedures in cases of granting protection to foreigners within the territory of the Republic of Poland to have quick access to numerous original information sources and to gather valuable information necessary to verify the foreigners statements' credibility. The participants of the research missions will personally identify the actual situation in the countries of origin and compare new information to knowledge based on reports published so far. During the administrative proceedings for granting international protection in the territory of the Republic of Poland it is often, that proving the credibility of application is difficult, when based only on sources available in Poland.

It has to be underlined, that each research mission and the information gathered during its conduction will be presented. The reports will be uploaded to the Office for Foreigners system of information on countries of origin named 'Światowid', through which they will be available to all employees of the Department for Refugee and Asylum Proceedings of the Office who make decisions in administrative proceedings for granting international protection in the territory of the Republic of Poland. Furthermore the reports will be translated to English and will be available for its partners from other EU Member States.

Another challenge is the existing system of information on countries of origin 'Światowid', which requires immediate modernisation. Although being highly exploited the system is already old (slow, not able to read all of the file's formats etc.) and needs adequate modernisation. To upgrade it to actual needs, that means to enable fast and easy verification of information on countries of origin, it is required to introduce several program upgrades, purchase server and disc array which will be compatible with new program upgrades, as well as computers and other equipment necessary to run the system.

This will improve the process of making decisions in administrative proceedings for granting international protection on the territory of the Republic of Poland.

Expected grants recipients

The expected grants recipients will be the Office for Foreigners

Where appropriate justification regarding project(s) implemented directly by the Responsible Authority acting as an executing body

The exclusive competence to conduct proceedings in cases for granting the refugee status, to run centres for foreigners applying for the refugee status, high specialisation of the Office of the Foreigners state that the projects within the Activity: *Cooperation and exchange and improvement of the national system of information about countries of origin* the *executing body* method should be provided for.

The projects within the *executing body* method will be implemented by the Responsible Authority. Due to high specialisation of the Office for Foreigners and the existence of consistent, coordinated system of legal regulations and administrative and logistic solutions – it can be stated that the projects may be performed exclusively by the Head of the Office for Foreigners as partners of Responsible Authority.

Expected qualified results and indicators to be used		
PRODUCT – PRODUCT INDICATOR	RESULT	EFFECT
<p>The number of libraries equipped with publications and aids (e.g. maps) concerning the countries of origin – 1 library.</p> <p>The number of libraries equipped with new equipment necessary for proper running of the library (e.g. bookshelves, book handcarts, book compartments, armchairs/chairs) – 1 library.</p> <p>The number of libraries equipped with electronic devices to help the library personnel as well as the readers (binder, copy machine, multimedia projector, mobile screen, computers for the library personell and readers work stands) – 1 library.</p> <p>The number of reports prepared by external experts – about 3.</p> <p>The number of translated reports prepared by international organisations, government agencies, NGO's and EU member states immigration offices – about 500 pages. (depending on report size – 5 – 20 reports)</p> <p>The percentage of experts using the actions implemented in the framework of the research missions goal, compared to the number of experts which are obliged to use such actions – about</p>	<p>These measures will result in an improvement in the functioning of the national section for information on the countries of origin, which will affect the quality of proceedings for granting the refugee status in Poland.</p> <p>These measures will result in improvement of knowledge on countries of origin of the Countries of Origin Unit experts as well as experts carrying out administrative procedures in cases of granting protection to foreigners within the territory of the Republic of Poland. These actions will result in improvement of work system and quality of gathering information on countries of origin of foreigners applying for the refugee status. The result will also be intensification of practical cooperation and harmonization of standards on gathering, analyzing and presentation of information about countries of origin, as well as increased knowledge on specified countries of origin of foreigners applying for the refugee status, and increased access to mentioned information for the Office for Foreigners officers and other institutions involved in asylum procedure as Council</p>	<p>Minimising the number of erroneous decisions issued on the basis of insufficient information.</p> <p>Minimising the number of erroneous decisions issued on the basis of insufficient information.</p>

<p>100%.</p> <p>The number of experts participating in the research missions – about 10 persons.</p> <p>The number of research missions to the countries of origin – about 4.</p> <p>The percentage of the reports translated to English – 100 %.</p> <p>The number of modernized systems of information on countries of origin – 1 system.</p> <p>The number systems of information on countries of origin equipped with new server and disc array – 1 system.</p> <p>The number of work stands equipped with computers prepared to effective work with Światowid system – about 8.</p>	<p>for Refugees, Administrative Courts.</p> <p>The measures will result in an improvement of countries of origin national information unit and in an increase of quality of the administrative proceedings for granting international protection in the territory of the Republic of Poland. Improved resources and extension of access to the reliable sources of information on countries of origin will also be the result of these activities</p>	<p>Minimising the number of erroneous decisions issued on the basis of insufficient information.</p>
<p>VISIBILITY OF EU FUNDING</p>		
<p>The provisions on visibility of EU funding under Action 1 are also applicable to this Action</p>		
<p>COMPLEMENTARITY WITH SIMILAR ACTIONS FINANCED BY OTHER EU INSTRUMENTS, IF APPROPRIATE</p>		
<p>Implementation of the said projects develops and supplements implementing domestic law instruments using solutions of the Community law. Setting goals in areas complementary to the development of the asylum infrastructure becomes possible due to compatible mechanisms of related funds. They include the European External Borders Fund and the European Return Fund, being largely at the disposal of the Border Guards, as well as the Fund for Integration of Third-Country Nationals and the European Social Fund, largely at the disposal of the Ministry of Labour and Social Policy. It should be stressed that institutions responsible for all the mentioned funds coordinate their activities by means of the functioning</p>		

of inter-ministerial teams consulting works aimed at managing financial resources received from funds.
 The Programme is complimentary with External Borders Fund: Priority 4: Support for development of ICT systems necessary for implementation of Community legal instruments in the area of external borders and visas.
 Operational goal 5: Swift service of visa and foreigners issues.
 The Programme is also complimentary with the European Return Fund:
 Priority 1: Support for the preparation of strategic approach to immigrant return management by Member States, Activity 1: Support for the assisted voluntary return programme, h/ Preparation and updating of the information concerning countries of immigrants origin;
 Priority 3: Support for specific innovative (inter)national tools for return management, Activity 1: increase of cooperation with third countries as regards identification of foreigners and resulting from it increased number of removed people, Activity 2 study visits of domestic experts in the illegal immigrants' countries of origin.

The project prepared to implement under this Action are complementary to the projects implemented under the Annual Programme ERF 2008 (Project: *Study Visits, Unit for Information on Countries of Origin library extension, Research missions to countries of origin*)
 It is also complementary with similar actions financed by European Integration Fund.

Proper monitoring and introduction of interministry consultations ensure lack of overlapping of actions financed from the ERF and other EU funds. Double financing is additionally prevented by proper marking and stamping of each financial document produced in the course of the project implementation.

FINANCIAL INFORMATION: VALUE OF MEASURE, EU CONTRIBUTION, PUBLIC CONTRIBUTION, PRIVATE CONTRIBUTION
<p>Value of the action – <u>EUR 172 811,32</u></p> <p>EU contribution – EUR 129 608,49 (75%) Public contribution – EUR 43 202,83 (25%) Private contribution – not applicable.</p>

2.3 Actions implementing Priority 3

Not applicable

3. TECHNICAL ASSISTANCE

By virtue of Article 16 (1) of the 573/2007/EC Decision the allocation for technical assistance may finance preparatory measures, management, monitoring, evaluation, information and control measures, as well as measures for the reinforcement of the administrative capacity for the implementation of the Fund.

The management and control system of the External Borders Fund, the European Return Fund and the European Refugee Fund includes the following allocation of functions in the above-mentioned Funds:

- Responsible Authority - Department of European Union and International Cooperation, Ministry of Interior,
- Certifying authority – Department of Payment Institutions in the Ministry of Finance,
- Audit authority - General Inspector of Fiscal Control,
- Delegated authority - Implementing Authority for European Programmes

All the above-mentioned institutions are entitled to use the funds for technical assistance, whereas all the tenders are carried out according to the Act-Law on Public Procurement.

3.1 Purpose of the technical assistance

The aim of the technical assistance is to effectively implement the European Refugee Fund. It is to support the operation of the institutions responsible for the performance of the projects financed by the Fund, in particular:

- to ensure a highly qualified personnel responsible for the performance of the processes connected with preparation, management, monitoring, evaluation, as well as informative and control actions.
- to ensure the operation and development of computerised systems and the necessary technical background for the effective performance of the processes connected with preparation, management, monitoring, evaluation, as well as informative and control actions.
- to provide support to the processes connected with preparation, choice, pricing, management and the monitoring of actions (including organisation and operation of the committees and sub-committees taking part in the implementation of the Fund, support of actions connected with the performance of inspections, audits and certifications, support of the current operation of the institutions engaged in the performance of the implementation of the Fund),
- to spread knowledge on the European Refugee Fund through informational and promotional actions
- to ensure the fulfilment of the requirements imposed on the Responsible Authority specified in Article 33 and in particular in Article 33 (2) a) to organise at least once a year an action to inform a wide circle of receivers (ranging from public institutions to non-governmental organisations) about the implementation of the Multi-annual Programme performed under the Annual Programme / achievements of the Annual Programme.
- to ensure appropriate conditions for implementing ERF through modernisation and appropriate equipment of the Responsible Authority facility.

3.2 Visibility of EU funding

The visibility of EU funding shall be guaranteed in the following by:

- placing the emblem of the European Union and the information on the source of financing on all the materials published in connection with the performance of the Annual Programme 2012 (e.g. application forms, notices, brochures),
- informing all the beneficiaries about the co-financing from the European Refugee Fund,
- ensuring that the European Union emblem is placed on the equipment/devices or any other products developed as results of the project and financed from the Fund.

The above complies with the provisions of the Annex 10 “*Instructions Concerning the Emblem and Definition of the Standard Colour*” to the Decision of 19 December 2007 as amended.

4. DRAFT FINANCING PLAN

Annual Programme – Draft Financial Plan

Table 1 – Overview table

Member State: Republic of Poland

Annual programme concerned: 2012

Fund: European Refugee Fund for the period between 2008 and 2013

<i>(all figures in EUR)</i>	Ref. priority	Ref. specific priority [1]	EU Contribution (a)	Public Allocation (b)	Private Allocation (c)	Total (d=a+b+c)	% EC (e=a/d)	Share of total (d/total d)
Action 1: Development and improvement of the integration offer and consultancy both for the persons applying for a refugee status or persons under international protection	1		1473349,87	196446,65	294669,98	1964466,50	75,00%	56,50%
Action 2: Asylum procedures.	1		820277,00	273425,67	0,00	1093702,67	75,00%	31,46%
Action 3: Acceptance on the territory of the Republic of Poland and transfer to other EU Member States of persons applying for international protection	1		82500	27500	0,00	110000,00	75,00%	3,16%
Action 4: Cooperation and exchange and improvement of the national system of information about countries of origin	2		129608,49	43202,83	0,00	172811,32	75,00%	4,97%
Technical Assistance	0		135655,64	0,00	0,00	135655,64	100,00%	3,90%
Other operations [2]	0		0,00	0,00	0,00	0,00	0,00%	0,00%
Total	0		2641391,00	540575,15	294669,98	3476636,13	75,98%	100,00%

[1] If applicable.

[2] Where appropriate, specific measures defined in the basic act such as emergency measures.

Technical Assistance is financed in 100% from the EU contribution, therefore the percentage level of the EU Contribution exceeds the level of 75%.

[signature of the responsible person]