

Standard Summary Project Fiche for the Transition Facility

1. Basic Information

- 1.1 CRIS Number: 2007/019-303.05.11
- 1.2 Twinning contract BG/07/IB/JH /10
- 1.3 Title: **Effective practical application of the new EU *acquis* in the field of migration policy and further strengthening the Migration Directorate institutional capacity**
- 1.4 Sector: Justice and Home Affairs
- 1.5 Location: Bulgaria, Ministry of Interior (MoI)

2. Objectives

2.1 Overall Objective(s):

The new¹ EU *acquis* practical application and promotion of an effective and uniform application of common standards on regular migration flow control and counteracting the illegal migration.

2.2 Project purpose:

To absorb adequately best MS expertise related to the latest Migration *acquis*, thus further enhance the capacity of Migration Directorate, both in headquarters and Migration Regional Units (RMUs) and elaboration of guidance for practical application on admission and removal procedures.

2.3 Justification

As reported in the 2005 Regular Monitoring Report amongst other important achievements in the context of the accession Bulgaria has made important progress in aligning with the migration *acquis*. In the area of migration, legislative alignment has nearly been completed but further training and strengthening the administrative capacity of the Migration Directorate is necessary for winning recognition as a contemporary European migration structure.

Managing Migration is an unceasing process which prior is coordination and cooperation between European Member States regarding the formulation and application of national migration and asylum laws and policies. The growing challenges posed by migration can only be addressed by more coherent, multinational efforts.

An effort to combat illegal immigration and the integration of migration policy into the common foreign policy of the Union is again high on the agenda at the European Council and European Parliament. It stressed on the cooperation with countries of origin and transit of migration flows, including return and readmission agreements, although it stopped short of proposing sanctions against uncooperative third countries as had previously been proposed by some MS. It urged that any further cooperation, association or equivalent agreement of the EU should include a clause on joint management of migration flows and on compulsory readmissions in the event of illegal immigration. More over, it called for an assessment of relations with third countries, which do not cooperate in combating illegal immigration and noted that insufficient cooperation by a country could hamper the establishment of closer relations between that country and the Union. European Council welcomes the Commissions' comprehensive plan to combat illegal immigration, the plan for the management of external borders, set new deadlines for adoption of relevant legislation provisions on residence rights of third country nationals and preferential access to the Member States labour market; common standards for expulsion of illegally staying third country nationals,

¹ New *acquis* adopted after 2005 and draft Directives and Regulations in the EU Council and Parliament current agenda

FINAL

voluntary return, cooperation with FRONTEX; practical application of the readmission agreements etc.

More specifically training is needed on the newest migration *acquis*:

1. Council Directives 2004/114/EC concerning the conditions of admission of 3rd country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service.
2. Proposal for a Directive of the European Parliament and of the Council on common standards and procedures in MS for returning illegally staying third-country nationals.
3. Council Directives 2005/71/EO concerning specific procedure for admitting the 3rd country nationals for the purposes of scientific research.
4. Council Directives 2003/109/EO concerning the status of 3rd country nationals who are long-term resident or a MS family member.
5. Council Directive 2003/86/EC concerning the rights of family reunification.

3. Description

3.1 Background and justification:

EU policies in the area of justice and home affairs aim to maintain and further develop the Union as an area of freedom, security and justice. Reducing illegal immigration through an effective migration policy and encourage the legal migration, the access in the labour market for third-country nationals, the common standards and procedures for return of illegally staying 3rd country nationals, EU programs for voluntary return etc are the concern of all Member States. In an area without internal borders, persons can in principle move without hindrance. Effective migration control and counteracting the illegal migration throughout the EU will have beneficial effects on the credibility of the common immigration policy and help to increase the acceptance of legally staying third-country nationals in Member States.

On issues such as border control, visas, migration, asylum, as well as human rights legal instruments, Member States need to be able to ensure adequate achievements and common standards of implementation. The capacity of the administrative and law enforcement authorities in the new Member states dealing with migration issues need to be enhanced even after EU accession. The Bulgarian efforts have to be concentrated on the amendments of the primary and secondary legislation in the field of migration policy and further staff qualification in order to ensure accurate *acquis* application.

In view to continue complying the EU requirements and fully implement the EU *acquis* in the field of migration and asylum, the Migration directorate needs to proceed a standard twinning project to elaborate a coherent analytic and well practical applicable system in its day-to-day work and to implement the best EU practices.

A lot of topics regarding the new migration policy are currently in discussions in High level working groups on migration and asylum within European Commission and European Council. Mainly they concern the residence rights of natural persons in international agreements between the EU and third countries, provisions on residence rights of third country nationals and preferential access to the Member States labour market, voluntary return, cooperation with FRONTEX for return of third country national illegally staying on the MS territories, readmission agreements etc.

Further strengthening the institutional capacity of the Migration Directorate now as a Member State by providing staff training will ensure more effective practical application of the new EU *acquis*.

The Migration Directorate is in charge of the control of observing the order and conditions of residence of foreign nationals in the country, as well as in charge if the issuance, rejection/denial and deprivation of long term residence permits, and also in charge of the interaction in the area of migration processes with other state authorities, NGOs, etc, and for the exchange of information with all the latter. The Migration Directorate is in charge of the management, maintenance and security of specialised facilities for interim accommodation of foreign nationals who are subject to escort out of the country or expulsion (so-called "closed centers"). The beginning of the strengthening the administrative capacity of the Directorate was set up and the further strengthening

15/07

FINAL

is completely necessary in view to continue following the EU common policy in the field of migration and asylum.

The migration officers participate in working parties, strategic committees and other important groups within the European Council. The dynamic development of the EU *acquis* is a challenge for the law enforcement authorities, in particular migration servants, to its practical implementation. Thus will guarantee an integrated approach in solving the migration requirements in cooperation with all relevant authorities on national and international level.

For day to day work migration officials cooperate with the state authorities related to managing migration process – Ministry of foreign affairs (Consular relation department), State Agency for refugees, Ministry of labour and social policy (Agency for employment), Ministry of education, Ministry of justice, National Statistics Institute etc. The established cooperation with governmental and NGOs for better achieve a higher level of compliance in the migration process.

The adopted and implemented EU *acquis* and practical standards to combat illegal migration led to a modern, transparent, human rights minded and citizens-oriented culture in the migration service.

As reported in the 2005 Regular Monitoring Report Bulgaria amongst other important achievements in the context of the accession has made important progress in aligning with the migration *acquis*. In the area of migration, legislative alignment has nearly been completed and carried out. Since 1st of January 2007 entered into force the Law for entering, residing and leaving the Republic of Pursuant to all the above, the proposed project aims to ensure further enhancement the capacity of Migration Directorate, both in headquarters and Migration Regional Units and guarantee the proper practical application of the EU migration *acquis*.

Further training will be instrumental for migration officials.

The successful project's implementation will guarantee further achievement of higher level of compliance in the process of practical application the EU migration *acquis* and improved standards to combat illegal migration, provide the residence rights of third country nationals and an access to the Member States labour market, improve the return procedures etc. It will ensure intensified exchange of information with EU member states and Migration Directorate that implies more effective combating of cross borders illegal flows.

More specifically migration officers and sergeants need the following specific and further training on:

1. Council Directives 2004/114/EC concerning the conditions of admission of 3rd country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service. The objective of this Directive as states in article (6) is: "One of the objectives of Community action in the field of education is to promote Europe as a whole as a world centre of excellence for studies and vocational training. Promoting the mobility of third-country nationals to the Community for the purposes of studies is a key factor in that strategy. The approximation of the Member States' national legislation on the conditions of entry and residence is part of this". With amendments in the Bulgarian Law for foreigners this Directive has been transponned in the beginning of this year and the staff both from headquarters and Migration Regional Units (MRUs) needs training on its practical implementation and individual cases for day-to-day work.
2. Proposal for a Directive of the European Parliament and of the Council on common standards and procedures in MS for returning illegally staying third-country nationals. On this Directive the German and the Portuguese Presidencies together has prepared texts to be presented before European Parliament for adoption and the Directive now is high on its agenda. An effective return policy is a necessary component of a well managed and credible policy on migration. The objective of this directive is to respond to this call and to provide for clear, transparent and fair common rules concerning return, removal, use of coercive measures, temporary custody and re-entry, whilst respect the human rights and fundamental freedoms of the persons concerned (it is on discussion in the working party on Visa and its adoption is forthcoming during Portuguese Presidency).
3. On the programs of the EU for the voluntary return of 3rd country nationals.
4. Council Directives 2005/71/EO concerning specific procedure for admitting the 3rd country nationals for the purposes of scientific research. The Directive as it states in article (5) "is intended to contribute to achieving these goals by fostering the admission and mobility for research purposes of third-country nationals for stays of more than three months, in order to make the Community

FINAL

more attractive to researchers from around the world and to boost its position as an international centre for research". A working group within Ministry of Interior with the relevant state authorities was established for the transposition in the Bulgarian legislation (a draft for norms implementation is foreseen for shortest terms and amending the Bulgarian Law for foreigners).

5. Council Directives 2003/109/EO concerning the status of 3rd country nationals who are long-term resident or a MS family member. The objective of the Directive is to make third-country nationals legally residing the European Union more equal to the citizens of the EU regarding their legal status, rights and obligations. This means the harmonization of the legislation of the member States concerning common social rights, equal treatment in the labour market, studying, recognition of diplomas etc. With amendments in the Law for foreigners this Directive has been transponned in the beginning of this year. And the staff both from headquarters and Migration Regional Units (MRUs) needs training on its practical implementation (it has been amended in the Bulgarian Law for foreigners from 27 March 2007 but migration staff needs further training on practical application of the Directive and the individual cases).

6. Council Directive 2003/86/EC concerning the rights of family reunification. The objective of this Directive as it states in article (4) "Family reunification is a necessary way of making family life possible it helps to create sociocultural stability facilitating the integration of third-country nationals in the Member States, which also serves to promote economic and social cohesion, a fundamental Community objective states in the Treaty". With amendments in the Law for foreigners this Directive has been transponned in the beginning of this year. And the staff both from headquarters and Migration Regional Units (MRUs) needs training on its practical implementation. With amendments in the Bulgarian Law for foreigners this Directive has been transponned in the beginning of this year and the staff both from headquarters and Migration Regional Units (MRUs) needs training on its practical implementation and individual cases for day-to-day work.

The Council Directives: 2003/86/EC, 2003/109/EC, 2005/71/EC, 2004/114/EC are transponned into the Bulgarian legislation in the beginning of 2007 with the amendments in Law for foreigners. The proper practical implementation of the new *acquis* requires purposeful efforts as elaboration of internal methodical guidelines and updated training plans, reflecting the changes in the control procedures and requirements.

The second main topic of the project is focused on the improvement of the cooperation and collaboration with the relevant authorities dealing with managing migration. The achievements from the completed 2003 TWL Project are in the field of better cooperation with authorities out of the MoI as Ministry of Labor and Social Policy, the Ministry of Education and Ministry of Foreign affairs and State Agency for Refugees. The accent of the Transition facility project is on the optimization of the cooperation of the services within the MoI (Security Police, Border Police and Chief Directorate Combating Organized Crime) in order to execute control of residence and illegal migration counteraction.

The achievements of the 2003 TWL Project concerning "forcible temporary accommodation of foreign nationals with order for forcible escort to the borders" were mainly related to elaboration of regulations for the accommodation centre. Within the Transition facility project the attention should be drawn on the development of internal procedures for 3rd country nationals' forced escort to the border and expulsion and provision of adequate training of the staff, based on updated training plans according to the new *acquis*.

3.2 Linked activities:

In order to strengthen the administrative capacity of the Migration Directorate of MoI established in 2004 a PHARE Twinning Light Project BG 2003/004-937.04.10.05 "Support (assistance) to the Ministry of Interior (MoI) of Republic of Bulgaria in strengthening the capacity of the recently established Migration Directorate of MoI to comply with EU requirements" has been implemented. The overall objective was to improve the system of administrative control of residence of foreign nationals in the Republic of Bulgaria.

More specifically, the main mandatory result consisted of drafting intra-MoI rules and procedures for the day-to-day operation of Migration directorate, by a comprehensive draft "Manual of Procedures of the Migration Directorate". This has been achieved at the end of the project.

FINAL

The Specific objectives were:

- To develop/improve the legal framework of Migration Control in Bulgaria;
- To strengthen the administrative capacity of the Migration Directorate of Ministry of Interior of Bulgaria.

During the executed Twinning light project 5 training seminars and 2 study visits were conducted both for the migration servants from headquarters and for the representatives from the Migration Regional Units. The commencement of the Migration Directorate's institutional building was set up.

The project helped the Migration Directorate in a substantial way to develop internal regulations, working methods and practices that are in line with the EU *acquis*. Acquaintance with the acting Implementing Acts, Council Directives, Regulations of the EU etc. in the field of migration was a significant and important part of the strengthening the administrative capacity – the main goal of this project.

There is no overlap and duplication of activities and results with other projects of the Migration Directorate.

Within BG/2003/IB/JH/01/UE Twinning Light Project the transposition of the most important EU directive regarding treatment of EU nationals was initiated.

“Further strengthening the capacity of Migration Directorate in order to fully implement the EU *acquis* in management and migration control” is a project proposed for endorsement under UIBE 2005. The aim of the project is: Further efficient implementation of the *acquis* on management of migration and migration control in the Republic of Bulgaria marked on implementation of a new model of training of personnel and knowledge management. This will be performed through the elaboration of a Guidance for tendencies and recommendations for job descriptions on the main activities, organising staff selection competitions as well as improving the criteria for staff selection, know-how in human resources and knowledge management; job descriptions for Immigration Liaison Officers (ILOs), further development of a logistical tool, programs including training methods and didactic skills for intra staff training on the main activities, methods for professional attestations.

The Guidance will be the practical manual for the knowledge stewards who constitute the Unit for knowledge, Advise and Development. Training trainers on the principal activities of the directorate: admission; removal procedures; functional and strategic analyses; ICT – including use of biometric data in ID documents, closed centres is foreseen UIBE 2005.

3.3 Results:

Both project partners shall commit themselves to work towards commonly agreed results in a joint project implementation process.

3.3.1. Operational guidelines for better practical application of the new EU *acquis* in the field of migration policy on the basis of the relevant national legislation;

3.3.2. Operational guidelines for facilitation in organisation and practical application of admission procedures for the purposes of studies, pupil exchange, unremunerated training, voluntary service and scientific research;

3.3.3. Operational guidelines for facilitation in organisation and practical application of admission procedures for long-term resident of a MS family member and rights of family reunification;

3.3.4. Expert advice for the coercive administrative measures effective execution – issuing the return decisions and removal orders;

3.3.5. Expert advice for improvement the effectiveness during the 3rd country nationals' forcible escorts to the borders/ by air or expulsion;

3.3.6. Improvement of the cooperation and collaboration with the relevant EU and other 3rd country authorities dealing with migration management;

3.3.7. Further MoI staff qualification in the field of migration control via training plans and training on multipliers;

3.3.8. Experts advice on joint operations together with the relevant services within National Police Service (Security Police, Border Police, organized crime, migration officers) in order to execute residence control and illegal migration counteraction.

FINAL

3.4 Activities:

Institutional Building

Twinning Contract – 0, 600 MEURO – 12+3 months duration

3.4.1. Elaboration of operational guidelines for better practical application of the new EU acquis in the field of migration policy on the basis of the relevant national legislation;

3.4.2. Elaboration of operational guidelines for facilitation in organisation and practical application of admission procedures for the purposes of studies, pupil exchange, unremunerated training, voluntary service and scientific research;

3.4.3. Elaboration of operational guidelines for facilitation in organisation and practical application of admission procedures for long-term resident of a MS family member and rights of family reunification;

3.4.4. Elaboration of operational guidelines for the coercive administrative measures effective execution – issuing the return decisions and removal orders;

3.4.5. Elaboration of operational guidelines for improvement the forcible escort to the borders/by air or expulsion.

3.4.6. Elaboration of Instructions for improvement the cooperation and collaboration with the relevant EU and other 3rd country authorities dealing with migration management;

3.4.7. Elaboration of training plans and training of multipliers.

3.4.8. Elaborations of Instruction for organizing joint operations together with the relevant services within National Police Service (Security Police, Border Police, organized crime, migration officers) in order to execute residence control and illegal migration counteraction.

Proposed methodology for project implementation:

During the project implementation we envisaged workshops, seminars, study visits in BC with MS experts participation. During study visits the BG officers will be acquainted on the spot with the admission and return procedures as it is envisaged in the described above activities. The experts participating in the study visits will compile a report that will be distributed within the administration and train the colleagues on the newly acquired skills as appropriate.

For the purposes of Project preparation 3 missions of 5 working days each are envisaged for the Project MS Leader and the RTA.

The BC will submit the existing legislation, intra MoI rules and regulation to the MS counterpart in order to prepare short-terms experts missions.

The PL will participate in 4 PSC meetings.

3.5 Lessons learned:

Migration Directorate executed a twinning light project BG 2003/004-937.04.10.05 "Support to the Ministry of Interior of the Republic of Bulgaria in strengthening the capacity of the recently established Migration Directorate of MoI to comply with EU requirements". The workshops and study visits executed were good methods to develop internal regulations, acquaint staff of the Migration Directorate with recent developments and working methods and organize training and transfer of knowledge for a great part of the personnel of the Migration Directorate. The concern of the project was to involve as many staff members from the regional units as possible during the study visits and the workshops.

The project was a successful example of an European project implemented together with the Bulgarian counterpart and had been presented during an information session within Belgian institutions. The closed and direct contact between the MS experts and Bulgarian officers was the best way to acquaint the main and significant topics of the migration *acquis* in the area of the relevant competences.

The Manual of procedures was presented at a press conference as a concrete result of a successful project and a sign of good co-operation and progress in the field of migration management.

From this experience the Bulgarian Migration Directorate has learned that the twinning projects are the best way to comply with the EU standards and practices in a concrete area. Besides that, the twinning activities are the more comprehensive and sophisticated way to exchange experience between the administrations, regarding the national specifics of the beneficiaries' countries.

FINAL

4. Institutional Framework

The Migration Directorate within the National Police Service will be the beneficiary institution and will be responsible for the overall management, implementation and co-ordination of the Project. The necessary intra organization was established in order to set the working team under the projects implementation; the duties and responsibilities are shared; the instructions are studied in conformity with the established regulations.

The Migration Directorate operates both on a central and on a regional level. At national level (at headquarters' level) the process of structuring of the Migration Directorate is now being completed. The detention centre in Busmantzi (suburb of Sofia) was opened in the end of March last year. The inauguration of the second detention centre in town of Lyubimetz is forthcoming during 2007 (near Bulgarian Turkish border).

At the regional level, in each of the 28 districts where the Regional Police Directorates (RPDs) function, Migration Regional Units (MRUs) are set up and function. Additionally, in some other major towns, which are centres of tourism or of other importance, there are responsible migration officers in the relevant Police Stations.

5. Detailed Budget

€M	Transition Facility support			Co-financing			Total cost
	Investment	Institution Building	Total Transition Facility (=I+IB)	National Public Funds (*)	Other Sources (**)	Total co-financing of the project	TF plus co-financing
Contract 1 Twinning	-	0.600	0.600	*	-	*	0.600
Total		0.600	0.600		-		0.600

*Up to 10% National Co-financing for Institutional Building.

* National co-financing on Twinning component - up to 10%

The national co-financing will be ensured by the state budget through Directorate "National Fund" – Ministry of Finance.

To ensure smooth implementation of the project, the beneficiary will provide adequately equipped office space with telephone, PC (Internet) and fax. Photocopier and access to the necessary information as well as secretarial support will be ensured during the project life-time. In addition the beneficiary will provide space, facilities and training materials for workshops (training), consultations and seminars. The national co-financing will be specified in the twinning contract.

6. Implementation Arrangements

6.1 Implementing Agency

The Implementing agency – CFCU (Ministry of Finance) will be responsible for the administrative and financial implementation of the project and will work in close co-operation with the beneficiary at the Ministry of Interior, and in particular the SPO and the operational Project Implementation Unit at the Migration Directorate.

Administrative office
CFCU: Ministry of Finance
Mr Lyubomir Tushanov
Director

FINAL

BG 1000 Sofia
 Tel: +359 2 9859 2772
 Fax: +359 2 9859 2773

The responsibility for technical project preparation, implementation and control will remain with the SPO and the beneficiary institution Migration Directorate – National Police Service.

SPO

Lachezar Elenkov

Director

Coordination, Information and Analysis Directorate (CIAD), MoI,
 29, Shesti Septemvri Str.

1000 Sofia

Tel.: +359 2 982 29 49

Fax: +359 2 982 49 78

6.2 Twinning

Twinning procedure is envisaged for the Institutional Building component. In this order standard twinning procedures are to be used. The implementation period of the twinning project (i.e. legal duration of the twinning contract) will be 12 +3 months.

The implementation of the twinning project requires following **MS input**:

The successful implementation of the Twinning project requires commitment of two Project Leaders, appointed in the MS and the BC administrations respectively.

The MS Project Leader will continue to work in his/her MS administration but who devotes a portion of his/her time to conceiving, supervising and co-ordinating the overall thrust of the project. The MS Project Leader should be a high-ranking official commensurate with the requirement for an operational dialogue and backing at political level.

- The required **MS project leader's** qualification is as follows:
- High level Public sector expert, in particular migration officer
- At least 10 years of experience in international migration law, in particular sound knowledge on the new migration *acquis*;
- At least 5 years professional experience in the organisation of the practical application of the EU migration *acquis*
- Management skills, administrative and organisational experience
- International expertise;
- Good knowledge of the Community working language (English, French or German)

S/he is always complemented by the **Resident Twinning Adviser (RTA)**, from a MS to work on a day-to-day basis with the beneficiary administration in the BC and accompany the implementation of the Twinning project.

The Ministry of Interior and in particular the Migration Directorate – National Police Service requires a Resident Twinning Advisor. The RTA's qualification, status and duties are in line with those set out in the Twinning manual.

In particular following professional profile is required:

- Public sector expert, in particular police staff /officer/;
- At least 3 years professional experience in international migration law, in particular sound knowledge on the new migration *acquis*;
- At least 3 years experience in the field of admission/removal procedures;
- Management skills, administrative and organisational experience;
- Good knowledge of the Community working language (English, French or German);
- Experience in international co-operation and negotiations;

FINAL

- Experience in use of confidential information.

RTA will be seconded to work and be based in the BC for twelve consecutive months.

MS Short term experts:

To achieve its objectives, the Twinning project needs short-term expert inputs:

Public Sector short-term experts (STEs): A well-balanced team of STEs shall be created in order to cover all the required expertise and advice related to exercising the described Council Directives, EU programs for voluntary return, joint operations, and admission and removal procedures. The following key experts are required:

2 experts experienced in admission procedures as follows: purposes of studies, pupil exchange, unremunerated training, voluntary service; scientific research. They must have relevant university degree. They should have knowledge concerning the EU *acquis* and EU policy in the field and sound practical experience. International experience is advantage. The experts should have good command in at least one of the working languages of twinning projects English, French and German.

2 experts experienced in long-term resident of a MS family member and rights of family reunification. They must have relevant university degree. They should have knowledge concerning the EU *acquis* and EU policy in the field and sound practical experience. International experience is advantage. The experts should have good command in at least one of the working languages of twinning projects English, French and German.

2 experts experienced in expel procedures: issuing return decisions and removal orders and programs for voluntary return. They must have relevant university degree. They should have knowledge concerning the EU *acquis* and EU policy in the field and sound practical experience. International experience is advantage. The experts should have good command in at least one of the working languages of twinning projects English, French and German.

They should have an experience in training methods and prepare guidance for practical application of the new EU *acquis* in the migration policy on the basis of the relevant national legislation.

The contribution of each expert to project activities will be specified in the Twinning work plan.

BC input

The BC Project Leader acts as the counterpart of the MS Project Leader and ensures in close cooperation the overall steering and co-operation of the project. S/he is high ranking official in the BC administration, who is in a position to operate at the appropriate political level. The BC project leader possesses sufficient authority to administer and properly implement the project in practice.

The Bulgarian Project leader will be the Director General of Migration Directorate – National Police Service.

Mr. Stefan Hristov

Director General of Migration Directorate

48, Maria Louisa Blvd.

1202 Sofia

Tel.: 00359 2/982 30 77

Fax: 00359 2/982 37 75

E-mail: migration@mvr.bg

The Bulgarian Project Leader shall direct the implementation of the project and shall be responsible for the substance and the progress of the project.

The RTA counterpart in the BC administration will be nominated from Bulgarian side before project starting. S/he will work on a day-to-day basis with the RTA and provide the necessary support.

BC experts

FINAL

At project level, BC staff will actively participate to implement the particular project components. The BC staff inputs will be detailed within the Twinning work plan to ensure that there is full recognition of both the practical and political commitments required to achieve the desired results.

RTA assistant

The RTA will be supported by full time assistant (BC national). Who deals with both translation, interpretation and other general project issues on a daily basis is essential.

Recruitment must take place in accordance with standard rules for subcontracting, as outlined in section 7.6. of the Twinning Manual.

RTA assistant profile

A full time RTA assistant (BC national), should have university degree, strong communication and organization skills, very good knowledge in English and the language of the project, agreed between the twinning partners as working language. Previous experience in the field of EU financed projects will be considered an advantage.

Reporting requirements:

The twinning partners shall submit following reports:

- Jointly drafted **Interim Quarterly Reports** at three-monthly intervals according to the Twinning Manual requirements.
- A jointly drafted **Final report** describing the project implementation, including detailed information on the results achieved, follow-up recommendations and any necessary corrective actions. The final financial report must be accompanied by an audit certificate from a recognised, independent auditor, following the template in Annex VI to the Twinning Contract

Reports will follow the templates of Annex C4 of the Common Twinning Manual

In addition to these formal reporting stages, the twinning partners are obliged to inform in writing the Administrative Office and the Monitoring bodies, of the action of any critical aspects or conditions of project implementation, or any amendments/modifications necessary within the budget.

All reports could be produced in one of the languages eligible for reporting purposes as per the Twinning manual (English, German or French language).

The reports should be presented in electronic and hard copy. These reports shall be signed by both project leaders.

Each report must be presented in electronic format and in one hard copy to the following addresses:

Administrative office

Mr. Lubomir Tushanov

Director, Central Finance and Contracts Unit, Ministry of Finance

102, Rakovski St., 1040 Sofia, Bulgaria

Tel: (+359 2) 9859 2431

E-mail: l.tushanov@minfin.bg

BC Project Leader

Stefan Hristov

Director General of Migration Directorate

48, Maria Louisa Blvd.

1202 Sofia

Tel.: 00359 2/982 30 77

Fax: 00359 2/982 37 75

E-mail: migration@mvr.bg

FINAL

Kick – off and final meeting with all parties involved in the project implementation will be held.

Language

The twinning partners will agree upon common working languages and the language skills required of the RTA for carrying out day-to-day duties and upon English, German or French as the language to be used for reporting purposes.

There will be also need for provision of funds for translation of the relevant documentation (legal acts) and interpretation in the project budget. Specific services will be provided in the language of the BC (i.e. brochures).

Monitoring

Members of the Steering committee will be particularly the MS project leader, the BC project leader, the RTA and his counterpart from Bulgarian side, the sub-projects leaders within the project. In the Steering Committee meetings will take part also the responsible Twinning Task Manager in CFCU.

The progress of this project will be monitored during the regular Progress Monthly meetings and the Sectoral Monitoring Sub-Committee Justice and Home Affairs in order to review results and achievements of the project against those set out in the work plan.

The effect on the management migration will be assessed on regular basis. Therefore the Director General– National Police Service must provide full operational analysis; statistics, the amended relevant national legislation.

Close monitoring of project will be carried out in order to identify and rectify any problems that may arise.

Private Sector; Sub-contracting

The twinning partners must provide adequate certification to activity to be subcontracted to the private sector, in the Twinning Contract and Twinning work plan.

All services that are to be contracted by the administrative office or by the Member State partners (as specified under section 7.6 of the Common Twinning Manual) should be detailed in the project budget, with an annotation making clear by which authorities they will be contracted.

6.3 Non-standard aspects

N/A

6.4 Contract

The following contract is envisaged:

Contract 1 – Twinning Contract - 0,600 MEURO;

7. Implementation Schedule

7.1 Start of tendering/call for proposals

Institution Building

Contract 1 Twinning Contract – 4Q/2007

7.2 Start of project activity

Institution Building

Contract 1 Twinning Contract – 4Q/2008

7.3 Project Completion

Institution Building

Contract 1 Twinning Contract – 4Q/2009

8. Sustainability

FINAL

The compliance of the priorities with the European standards and requirements in the field of migration policy should guarantee the sustainability of the measures taken.

The migration policy concerning admission procedures; residence rights of natural persons in international agreements between the EU and third countries, provisions on residence rights of third country nationals and preferential access to the Member States labour market, voluntary return, cooperation with FRONTEX for return of third country national illegally staying on the MS territories, readmission agreements etc. is reflected in the Bulgarian migration policy. The compliance of the priorities with the European standards and requirements is the main precondition for the sustainability of the measures taken. The successful implementation is possible due to the further practical application of the new EU migration *acquis*.

Sustainability of the project will be ensured by setting up a guidance for practical application of the described above Council Directives regarding the admission and removal procedures.

In order to guarantee the sustainability of the project all presentations made during the training seminars will be included in a Guidance for practical application of the EU legislation concerned, which could be use for further intra training activities beyond of the scope of the project.

The elaboration of operational guidelines for better practical application of the new EU *acquis* in: the field of migration policy; different types of residents permits; improvement of the coercive administrative measures; return and removal procedures, cooperation and collaboration with the relevant authorities dealing with migration at EU and 3rd countries level will be a significant step for the Migration Directorate endorsement as a contemporary migration service.

The joint operations among competent authorities should be repeated on a regular basis beyond of the project.

The Bulgarian Authorities are fully aware of their responsibilities for their financial participation concerning the co-financing of Transition facility project and are ready to ensure that the required resources (financial, staff) will be mobilised in a Twinning project.

9. Conditionality and sequencing

N/A

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format (compulsory)
2. Detailed implementation chart (compulsory)
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) (compulsory)
4. Needs Assessment

FINAL

ANNEX 1

LOGFRAME PLANNING MATRIX FOR PROJECT FICHE			
Effective practical application of the new EU <i>acquis</i> in the field of migration policy and further strengthening the Migration Directorate institutional capacity		Programme name and number 2007/019-303.05.11 Contracting period expires: 15 Dec. 2009 Total budget: 0,600 MEUR	Disbursement period expires: 15 Dec. 2010 TF Contribution: 0,600 MEUR
Overall objective	Objectively verifiable indicators	Sources of Verification	Assumptions
Practical application of the new EU <i>acquis</i> and promotion of an effective and uniform application of common standards on migration flow control and counteracting the illegal migration	<ul style="list-style-type: none"> • Compliance with the EU best practices in the field of migration; • More effective implementation of the new EU <i>acquis</i> • Equal treatment and application of uniform rights for third country nationals • Increased cooperation between national administrations related to the admission procedures for third countries nationals • Implementation of the elaborated operational guidelines for admission and removal procedures according the new EU <i>acquis</i> on the basis of the national legislation. 	<ul style="list-style-type: none"> • EC Schengen Evaluation Reports • Sectoral Monitoring Subcommittee (SMSC) Reports for the Home Affairs Sector • Twinning Reports • Statistics on the anti-drug activities carried out by the MoI 	<ul style="list-style-type: none"> • Continued political will to en-sure closer political and economic integration with neighbouring countries and the EU; • The MoI demonstrates capacity to effectively combat organised crime in accordance with EU standards and requirements;
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
To absorb adequately best MS expertise related to the latest Migration <i>acquis</i> , thus further enhance the capacity of Migration Directorate, both in headquarters and Migration	<ul style="list-style-type: none"> • Improved organization and implementation of the migration management; • Improved effectiveness of return procedures measured by rate of reduction • Intensified co-operation with the authorities, having competencies on migration; • Increased number of MoI officials qualified 	<ul style="list-style-type: none"> • EC Schengen Evaluation Reports • Sectoral Monitoring Subcommittee (SMSC) Reports for the Home Affairs Sector 	<ul style="list-style-type: none"> • Continued political will to en-sure closer political and economic integration with neighbouring countries and the EU; • The MoI demonstrates capacity to effectively combat

Regional Units (RMUs) and elaboration of guidance for practical application on admission and removal procedures.	in the field of migration control	<ul style="list-style-type: none"> • Twinning Reports • Statistics for the issued permits for 3rd country nationals as well as data for the coercive and executed administrative measures towards the 3rd country nationals. 	organised crime in accordance with EU standards and requirements;
Results 3.3.1. Operational guidelines for better practical application of the new EU acquis in the field of migration policy on the basis of the relevant national legislation; 3.3.2. Operational guidelines for facilitation in organisation and practical application of admission procedures for the purposes of studies, pupil exchange, unremunerated training, voluntary service and scientific research; 3.3.3. Operational guidelines for facilitation in organisation and practical application of admission procedures for long-term resident of a MS family member and rights of family reunification;	Objectively verifiable indicators <ul style="list-style-type: none"> • The national primary and secondary legislation aligned in accordance with the new EU acquis in the field of migration • Optimizing the process of issuing certificates for EU citizens and their family members and cards for 3rd country nationals. Reduction of the time needed for processing by 50% • Guidelines for improvement of execution of the coercive administrative measures towards the 3rd country nationals illegally staying on the national territory elaborated • Increasing the number of executed coercive administrative measures (both of the forcible escorts and expulsions) - (baseline data – according to the statistics at the beginning of the project; target value – 50% less after project completion) • Increased cooperation and exchange of information on the global migration process with other EU member-states and 3rd countries in the field]; • Increased number of conducted joint operations with the relevant law enforcement authorities in the field of counteracting the 	Sources of Verification <ul style="list-style-type: none"> • EC Schengen Evaluation Reports • Sectoral Monitoring Subcommittee (SMSC) Reports for the Home Affairs Sector • Twinning Reports • Statistics for the issued permits for 3rd country nationals as well as data for the coercive and executed administrative measures towards the 3rd country nationals. 	Assumptions <ul style="list-style-type: none"> • The Bulgarian authorities to fulfil their obligations for co-financing • Readiness for co-operation among the authorities involved in the compulsory border control • The beneficiary to guarantee the participation of the selected experts in the field • Commitment of the beneficiary to maintain all acquired means;

FINAL

<p>3.3.4. Expert advice for the coercive administrative measures – issuing the execution – return decisions and removal orders;</p> <p>3.3.5. Expert advice for the improvement the effectiveness during the 3rd country nationals' forcible escorts to the borders/ by air or expulsion;</p> <p>3.3.6. Improvement of the cooperation and collaboration with the relevant EU and other 3rd country authorities dealing with migration management</p> <p>3.3.7. Further MoI staff qualification in the field of migration control via training plans and training on multipliers;</p> <p>3.3.8. Experts advice on joint operations together with the relevant services within National Police Service (Security Police, Border Police, organized crime, migration officers) in order to execute residence control and illegal migration counteraction.</p>	<p>illegal migration – at least two each month</p> <ul style="list-style-type: none"> • Training Plan elaborated • Approx. 100 MoI officers trained. • Use of newly acquired skills by the trained officials 	
--	---	--

FINAL

Activities	Means	Assumptions
------------	-------	-------------

FINAL

<p>3.4.1. Elaboration of operational guidelines for better practical application of the new EU acquis in the field of migration policy on the basis of the relevant national legislation;</p> <p>3.4.2. Elaboration of operational guidelines for facilitation in organisation and practical application of admission procedures for the purposes of studies, pupil exchange, unremunerated training, voluntary service and scientific research;</p> <p>3.4.3. Elaboration of operational guidelines for facilitation in organisation and practical application of admission procedures for long-term resident of a MS family member and rights of family reunification;</p> <p>3.4.4. Elaboration of operational guidelines for the coercive administrative measures effective execution – issuing the return decisions and removal orders;</p>	<p>Twinning Contract – 12 months duration</p>	<ul style="list-style-type: none">• The Bulgarian authorities to fulfil their obligations for co-financing• Readiness for co-operation among the authorities involved in the compulsory border control• The beneficiary to guarantee the participation of the selected experts in the field• Commitment of the beneficiary to maintain all acquired means;
--	--	---

FINAL



<p>3.4.5 Elaboration of operational guidelines for improvement the effectiveness during the 3rd country nationals' forcible escorts to the borders/ by air or expulsion;</p> <p>3.4.6 Elaboration of Instructions for improvement of the cooperation and collaboration with the relevant EU and other 3rd country authorities dealing with migration management</p> <p>3.4.7. Elaboration of training plans and training of multipliers;</p> <p>3.4.8. Elaborations of Instruction for organizing joint operations together with the relevant services within National Police Service (Security Police, Border Police, organized crime, migration officers) in order to execute residence control and illegal migration counteraction.</p>			
--	--	--	--

FINAL

ANNEX 4**NEEDS ASSESSEMENT**

On 11 November 2003 the National Assembly adopted the Amending and Supplementing Act to the Ministry of the Interior Act. The Act provides the establishment of the Migration Directorate within the Ministry of the Interior, as a specialized unit responsible for the administrative control of residence of foreign nationals in the Republic of Bulgaria. MoI Act defines in detail the tasks and activities of the Migration Directorate:

(Quote from the new MoI Act entered into force since 1st May 2006)

The Migration Directorate within National Police Service shall be the MoI specialized operative search and security service in charge with the following:

- *Administrative control over foreigners' stay in the Republic of Bulgaria.*
 - *In compliance with the tasks under Art. 51 the National Police Service shall:*
 - *Receive and transfer breakers to entry or stay regimen – from and to other states, in compliance with the law and the international treaties, to which the Republic of Bulgaria is a party;*
 - *Perform conveying of foreigners subject to deportation or to coercive bringing to the border of the Republic of Bulgaria, in compliance with the law and the international treaties, to which the Republic of Bulgaria is a party;*
 - *The police organs may accommodate in special homes for temporary accommodation foreigners, subject to coercive bringing to the border of the Republic of Bulgaria, or to deportation.*
 - *The organization, activity and procedure of accommodation in special homes for temporary accommodation of foreigners shall be regulated by regulation signed by the Minister of Interior.*
 - *At fulfilling the administrative control of foreigners' stay in the Republic of Bulgaria the police organs shall propose measures for regulation of migration processes; allow, refuse or withdraw the right of long stay or prolong the term of stay for foreigners in the Republic of Bulgaria;*
- Establish administrative violations and implement measures of administrative pressure;*
- Deliver opinions on applications for acquisition, restoration or release of Bulgarian citizenship, for issue of visas or other permits to foreigners as provided by law;*
- Cancel visas or cut down the terms of foreigners' stay in the country fixed by visas, if the latter fail to meet the legal requirements;*
- Perform activity in connection with the issue of foreigners' travel documents who belong to diplomatic or consular representative services of other states in the Republic of Bulgaria.*

In view of its geographical position, the Republic of Bulgaria is used as a transit point in formation of the migration flows, orientated mainly to the countries of the European Union. The EU accession of the Republic of Bulgaria to the European Union will be further followed by the increase of migration pressure towards the country. The application of contemporary methods, standards and practices for regulation of this process will be realized by the established in 2004 a specialized state authority - Migration Directorate - Ministry of Interior.

FINAL

The 2005 Monitory report states the harmonization of Bulgarian legislation in the field of migration and recommendations are: a coherent training system for all those agencies working in the area of migration policy (in addition to Migration Directorate, the border police, the police and the Agency for Refugees) should be developed in view of fostering a harmonised approach for interception, identification and expulsion procedures.

The following equipment is delivered for the needs of the Migration Directorate within **BG2004/016-711.08.04** – phase 1 of MAP PHARE 2004 - 2006 “Modernising Bulgarian Police and enhancing its efficiency”, sub-project 3 “Further strengthening the capacity of Migration Directorate - Ministry of Interior – by supply of equipment”

Under Lot 1 PC configurations and server -

PC Configuration 1 – 43; PC Configuration 2 – 187; Notebook PC – 6; Server – 1; Multimedia projector – 1;

Under Lot 2: printers, fax machines, multifunction machines

B&W Network Laser printers – 37; B&W Laser printers – 112; Color Laser Printer – 2; Fax machines – 37; Multifunction – 37; Copiers – 37

Under lot 3: scanners - 62

The second phase of the project **BG2005/017-353.07.04** – Sub-project 3 aims at introduction of technologies for finding the identity of foreigners on the ground of biometric indices and construction of a modern centre on the territory of Sofia for accommodation of foreigners, subject to expulsion out of the country, combining measures for security and obeying the citizens' rights.

Within this project procurement of telecommunication equipment; technical equipment for laboratory for establishing false ID documents; PC configurations and other office equipment is envisaged.

Under Project **BG2006/018-343.07.04** – phase 3 of the above mentioned project the delivery of technical equipment for the functioning of the special home for foreigners in the town of Ljubimetz such as structural cable system, the electric power supply, automatic fire detection system, etc is planned.

Pursuit to all above the implementation of the proposed Transition facility project will affect onto the further alignment of the EU acquis and promotion of an effective and uniform application of common standards on migration flow control and counteracting the illegal migration and will be instrumental for establishing a contemporary European migration service ready to meet all challenges from the EU membership.

FINAL

RO 0004.02.01 –Civil Society Development Programme (civil society components without Roma)

Component	Type of Evaluation report	Date in Delegation	Date out Delegation	Comments
1. Citizens Advice Bureaux (CABs)				
Contractor 1	Evaluation report services (local)	04.10.01	16.10.01	12 calendar days
Contractor 2	Evaluation report services (local)	16.10.01	23.10.01	13 calendar days
Contractor 3	Evaluation report services (local)	17.10.01	23.10.01	6 calendar days
Contractor 4	Shortlist report services (international) rejected	17.10.01	23.10.01	6 calendar days
	Shortlist report services (international) approved	27.11.01	10.12.01	13 calendar days
	Evaluation report services (international)	22.03.02	29.04.02	38 calendar days - Delay due to the fact that the winner had 4 third parties in SINCOM in red. Consultation with HQ was necessary. Evaluation report approved
1 st Call for proposals	Evaluation report grants	01.03.02	25.03.02	24 calendar days (depending on the number of applications received the grants evaluation reports could take more time for processing)
2 nd Call for proposals	Evaluation report grants	13.11.02	28.11.02	15 calendar days
2. Capacity Building				
Contractor 5	Shortlist report services (international)	27.11.01	10.12.01	13 calendar days
	Evaluation report services (international)	04.04.02	24.04.02	20 calendar days
Call for express of interest	Evaluation report (non-standard)	08.05.02	29.05.02	11 calendar days
Call for proposals	Evaluation report grants	05.11.02	18.11.02	13 calendar days
3. NGO sector development				
1 st Call for proposals	Evaluation report grants	07.03.02	28.03.02	21 calendar days (depending on the number of applications received the grants evaluation reports could take more time for processing)
2 nd call for proposals	Evaluation report grants	13.11.02	28.11.02	15 calendar days

FINAL

2020

FINAL