

OMB/6/18



Mediateur européen

17 MAI 2016

12 May 2016

Date d'arrivée

Ms Emily O' Reilly
European Ombudsman
1 avenue due President Robert Schuman
CS 30403
F-67001 Strasbourg Cedex

Dear Madam

Re – Respect for the human rights of asylum seekers and resettled persons in the context of the Asylum, Migration and Integration Fund (AMIF)

Reference is made to your correspondence concerning the aforementioned issue dated 27th April 2016 where you once again voiced your concern over the lack of publically available information about the AMIF national programmes. As already explained in my predecessor's reply dated 12th January 2016, Malta's National Programme for the AMIF was approved by the Commission in March 2015 and is administered and managed by the Funds and Programmes Division within the Office of the Deputy Prime Minister.

As observed by the European Commission in its reply, Member States are required to make available the details of their national programmes on their website and the local Funds and Programmes Division has ensured that the necessary information about the applicable regulations and the Programme are available on its website¹, including the relevant Manual of Procedures which specifies the roles and responsibilities of the relevant authorities and the rules applicable to the financing of projects. One can also find a

¹ <https://eufunds.gov.mt/en/EUFundsProgrammes>

presentation prepared by the Division's officials for the launch event of the Programme held in November 2015 (a copy of which is enclosed for ease of reference).

This Office is not the National Prevention Mechanism and therefore it does not specifically monitor how the Programme is implemented. We however verify the local authorities' compliance in their use of EU funds and review the manner in which these funds were utilised, when complaints concerning AMIF funding are lodged with us by NGO's or individuals. This review is obviously limited to an investigation of the particular funding to which the complaint refers.

Yours sincerely



A C Mifsud
Ombudsman

Documents enclosed



PROGRAMMING OF EUROPEAN
FUNDS FOR MALTA

2014 2020

2nd November 2015



OFFICE OF THE DEPUTY PRIME MINISTER
MINISTRY FOR EUROPEAN AFFAIRS
PARLIAMENTARY SECRETARIAT
FOR THE EU PRESIDENCY 2017 AND EU FUNDS

EUROPEAN UNION
EUROPEAN
FUND FOR
REGIONAL DEVELOPMENT
2014-2020

**Asylum, Migration and Integration
Fund
National Programme for Malta
2014-2020**

“Sustainable Management of Migration Flows”

AMIF – Timeline

Policy Dialogue	4 th of June 2013
Discussions Stakeholders	12 th June 2013
Deadline for Submission of Feedback	10 th July 2013
Public Consultation	9 th September 2013
Deadline for Submission of Feedback	2 nd October 2013
Submission of 1 st Drafts of the National Programme	1 st December 2013
Adoption of the Regulations	16 th April 2014
Inter-Consultation Discussions	31 st October 2014 29 th January 2015
Final Decision	19 th March 2015
Implementation Period	1st January 2014 – 30th December 2022

AMIF – Basic Act

The Asylum, Migration and Integration Fund (AMIF) is governed by mainly by the following Regulations:

- *Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund*
- *Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crises management*

AMIF - Objective

General Objective

Effective management of migration Flows

Specific Objectives

Common European
Asylum System

Integration and
legal migration

Return

Solidarity and
Responsibility sharing

Core Objectives

Ensure efficient
and uniform
application of the
Union acquis on
asylum

Set up and develop
integration strategies at
local/regional level (two
way process, specific
needs, effective
partnership)

Develop an assisted
voluntary return
programme including
a component on
Reintegration as well as
Forced Return
Measures

Support establishment
and development of
Union Resettlement
Programme

PROPOSAL FOR THE
EUROPEAN
2014 2020

Asylum & Reception

AMIF – Specific Objective

- (a) to strengthen and develop the Common European Asylum System, including its external dimension;

*This objective provides amongst others for the provision of **material aid including assistance at border, education, support services, health and psychological care, setting-up and improvement of administrative structures, provision of legal assistance, specific assistance to the identification of vulnerable groups, the establishment and improvement of alternative measures to detention as well as improvement and maintenance of accommodation infrastructure.***

AMIF – National Objective

- To address the Specific Objective outlined, the National programme provides for the following measures amongst others:
 - *renovation of current buildings and the setting up of new facilities to increase the accommodation capacity;*
 - *Material aid will continue to be provided especially health and other essential services, with special attention given to vulnerable groups;*
 - *Training will be provided to officials working with the target group, and support and assistance will be given to the Office of the Commissioner for Refugees.*

AMIF – Asylum & Reception Target Group

- The specific and National Objective Identified Targets the following Target Group:
 - (a) *those who enjoy refugee status or subsidiary protection status within the meaning of Directive 2011/95/EU;*
 - (b) *those who have applied for one of the forms of international protection referred to in point (a) and have not yet received a final decision;*
 - (c) *those who enjoy temporary protection within the meaning of Directive 2001/55/EC;*
 - (d) *those who are being or have been resettled in or transferred from a Member State.*

Integration

AMIF – Specific Objective

- b) to support legal migration to the Member States in accordance with their economic and social needs, such as labour market needs, while safeguarding the integrity of the immigration systems of Member States, and to promote the effective integration of third-country nationals;

*This objective provides for the **setting up and development of integration strategies, the provision of assistance in adapting to the host country, measures focusing on education, language training and cultural-awareness classes. Actions that promote self-empowerment.***

AMIF – National Objective

- To address the Specific Objective outlined, the National programme provides for the following measures:
 - *Training in schools where third country national minors will be participating in classes together with other children. Training and education will also be extended to the parents of the minors as well as all third country nationals who wish to enhance their linguistic skills and would like to follow a cultural integration programme.*
 - *The setting up of an Integration Unit within MSDC to act as an umbrella organisation to coordinate and harmonise all the services vis a vis immigration, residence and employment of Third Country Nationals. The Unit will also be responsible for the establishment and monitoring of a National Integration Policy.*

AMIF – Integration Target Group

- The specific and National Objective identified, targets the following Target Group:
- *third-country nationals who are residing legally in a Member State or, where appropriate, who are in the process of acquiring legal residence in a Member State.*

GOVERNMENT OF MALTA
FUND FOR MALTA
2014-2020

Return

AMIF – Specific Objective

- (c) to enhance fair and effective return strategies in the Member States with emphasis on sustainability of return and effective readmission in the countries of origin;

*This objective provides for the **provision of preparatory measures necessary for return operations, cooperation with consular authorities. The provision of assisted voluntary return measures together with reintegration measures in the country of origin as well as removal operations.***

AMIF – National Objective

- To address the Specific Objective outlined, the National programme provides for the following measures:
 - *The provision of Voluntary Return Measures including reintegration programmes.*
 - *Cooperation with Third Countries and the Member States, on return measures to be adopted, as well as the provision of training to officials in charge of return.*
 - *The provision of removal operations together with the preparatory measures .*

AMIF – Return Target Group

- The specific and National Objective identified, targets the following Target Group:

(a) third-country nationals who have not yet received a final negative decision in relation to their request to stay, their legal residence and/or international protection in a Member State, and who may choose to make use of voluntary return;

(b) third-country nationals enjoying the right to stay, legal residence and/or international protection within the meaning of Directive 2011/95/EU, or temporary protection within the meaning of Directive 2001/55/EC in a Member State, and who have chosen to make use of voluntary return;

(c) third-country nationals who are present in a Member State and do not or no longer fulfil the conditions for entry and/or stay in a Member State, including those third-country nationals whose removal has been postponed in accordance with Article 9 and Article 14(1) of Directive 2008/115/EC.

AMIF – Budget Available

Specific Objective	EU Funds Available
Asylum & Reception	€9,818,239
Integration	€3,435,800
Return	€1,980,000
Solidarity	Still to be provided
TA	€1,944,838
Total	€17,178,877

Thank You for your attention



Asylum, Migration and Integration Fund
Co-Financing Rate: 75% EU Funds 25% Beneficiary's
Funds

Sustainable Management of Migration Flows

