

Standard Summary Project Fiche – IPA centralised programmes
Project Fiche 3

1. Basic information

1.1 CRIS Number: 2009/021-170

1.2 Title: **Support to the Reception Centre for Asylum Seekers**

1.3 ELARG Statistical code: 01.63

1.4 Location: Montenegro

Implementing arrangements:

1.5 Contracting Authority: Delegation of the European Commission to Montenegro

1.6 Implementing Agency: N/A

1.7 Beneficiary (including details of project manager):

Bureau for the Care of Refugees
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Financing:

1.8 Overall cost: 780.000 EUR

1.9 EU contribution: 450,000 EUR

1.10 Final date for contracting: Two years from the date of the conclusion of the Financing Agreement

1.11 Final date for execution of contracts: Two years from the final date for contracting

1.12 Final date for disbursements: One year from the final date for execution of contract

2. Overall Objective and Project Purpose

2.1 Overall Objective:

To align the Montenegrin migration and asylum policy with EU policy, through the implementation of the Montenegrin Law on Asylum and fulfilment of international and EU standards in the area of asylum.

2.2 Project purpose:

To improve the conditions for asylum seekers in Montenegro by developing asylum system infrastructure. .

2.3 Link with AP/NPAA / EP/ SAA

The **European Partnership (EP)** was adopted following the independence of Montenegro in June 2006. The EP sets as a short term priority under Justice, Freedom and Migration Section the construction of the planned reception centres for asylum seekers and refugees .

The **2008 Progress Report** underlines the need to build up overall capacity of the Bureau for Care of Refugees responsible for, inter alia, providing accommodation for persons seeking asylum.

The **Stabilisation and Association Agreement (SAA)** highlights, under article 82, the need for cooperation in the areas of visa, border control, asylum and migration. This need should be in particular focused on the area of asylum on the implementation of national legislation to meet the standards of the 1951 Geneva Convention and the 1967 New York Protocol, thereby to ensure that the principle of ‘non-refoulement’ is respected as well as other rights of asylum seekers and refugees.

2.4 Link with MIPD 2009-2011

The **MIPD** underlines the need for supporting the implementation of visa, asylum and migration policy.

2.5 Link with National Development Plan

Not applicable.

2.6 Link with national/ sectoral investment plans

Link with **National Program for Integration (NPI)**

NPI (2008-2012) stipulates the full implementation of the Law on Asylum which depends on the provision of technical conditions for Reception Centre for Asylum Seekers.

3. Description of project

3.1 Background and justification:

The Law on Asylum adopted in July 2006 created preconditions for the establishment of the institutional framework for its implementation: Asylum Office of the Ministry of Interior and Public Administration in charge of processing asylum applications, a state Asylum Appeals Commission and the Bureau for Care of Refugees.

The Bureau for Care of Refugees, a successor institution to the Commissariat for the Displaced Persons, will be in the new system of asylum responsible for the care of asylum seekers, refugees, and those who were granted subsidiary or temporary protection. This care includes the provision of assistance in exercising the rights to accommodation, education, legal assistance, health and social protection, religious freedoms, access to the humanitarian and non-governmental organizations, humanitarian aid, family reunification, socialization, and other rights stipulated by the Law on Asylum. Activities of the Bureau will also include the provision of assistance to the returnees in accordance with the signed Readmission Agreements.

The Law on Asylum prescribes that all asylum seekers should be accommodated in a Reception Centre for Asylum Seekers. Since the Reception Centre has not been completed yet, the Bureau provides alternative solutions by accommodating them in different towns in premises, which do not often fulfil required conditions. This often makes the Bureau's task difficult and complex.

Therefore, the construction of such a building and supporting facilities are needed in order to meet the accommodation and other needs of asylum seekers. A kitchen, a dining room and laundry rooms facilities are in this fiche termed as Department C, and accommodation facilities as Department B within the Reception Centre for Asylum Seekers. The provision of equipment for these departments is also required in order to make these premises functional.

The Government of Montenegro passed a Systematisation Act, prescribing the conditions for the establishment of the department – Reception Centre for Asylum Seekers within the Bureau. It has only two out of 16 required employees, and will be fully staffed when working premises in the Reception Centre's building are built.

The asylum system in Montenegro will be fully functional following the construction of the Reception Centre (consisting of Departments B and C).

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact

The project is expected to have **positive impact** on asylum seekers, by ensuring them a secure and proper accommodation and all required services. There is a general consensus on the effectiveness of proper accommodation for asylum seekers.

The **catalytic effect** of the project will be achieved through the following: legal assistance for applicants will be met, families will be encouraged to send their children to school, vulnerable groups will be supported with psycho-social assistance by social workers.

Asylum is by nature **cross border issue**, and therefore, neighbouring countries and EU countries will directly benefit from improved regulatory and legal frameworks for asylum seekers in Montenegro.

3.3 Results and measurable indicators:

Results

The expected results for the activities are:

Result 1: The building and infrastructure of the Reception Centre for Asylum Seekers (Department B) finalized.

The achievement of this result will be indicated by the following:

- The Reception Centre connected to all utilities and required infrastructure completed
- Asylum Office of the Ministry of Interior and Public Administration and Office/ Department Reception Centre of the Bureau for Care of Refugees moved into the new premises of the Reception Centre
- Accommodation facilities with the capacity for up to 100 asylum seekers provided in accordance with EU standards

Result 2: Department C of the Reception Centre for Asylum Seekers (comprising a kitchen, a dinning room and a laundry-room) completed

The achievement of this result will be indicated by the following:

- A kitchen, a dinning and a laundry-room facilities , with the capacity for 100 asylum seekers built up
- Premises for specific services – medical care, legal aid built up.

Result 3: The Reception Centre for Asylum Seekers (Department B and C) properly equipped and services for asylum seekers improved.

The achievement of this result will be indicated by the following:

- Specific services for asylum seekers provided
- Premises furnished with specialised equipment for people with special needs and their families
- Adequate and specialised equipment for specific services (medical and legal aid, kindergarten, etc.)

Result 4: The capacities of all staff, working in the department of the Reception Centre for Asylum Seekers developed in order to be able to efficiently address asylum seekers needs.

- 16 employees working in the department Reception Centre within the Bureau trained on different working procedures, standards, etc.
- At least five training courses provided
- At least one study visit organised

3.4 Activities:

Activities related to Result 1: The building and infrastructure of the Reception Centre for Asylum Seekers (Department B) finalized.

1.1 Connecting the Reception Centre to the utilities

1.2. Completing the infrastructure around the Reception Centre for Asylum Seekers.

Activities related to Result 2: Department C of the Reception Centre for Asylum Seekers (comprising a kitchen, a dinning room and a laundry-room) completed.

2.1 Carrying out tenders and selecting contractors for the construction of Department C building

2.2 Construction of supporting facilities

Activities related to Result 3: The Reception Centre for Asylum Seekers (Department B and C) properly equipped and services for asylum seekers improved

3.1 Carrying out tenders and selection of contractors for purchasing required and specialized equipment for the Reception Centre.

3.2 Equipping the premises for asylum seekers with special needs, premises for medical assistance, legal aid services, kindergarten, etc.

Activities related to Result 4: The capacities of all staff, working in the department of the Reception Centre for Asylum Seekers developed in order to be able to efficiently address asylum seekers needs.

4.1 Organising trainings on the Centre's operations, work with beneficiaries, legal procedures, etc for the Centre's employees.

4.2 Organising study visits for staff members to the countries which have developed asylum system in line with EU standards;

4.3 Developing a Manual on Procedures, regulations and policies guiding the work of the employees of the Centre

3.5 Conditionality and sequencing:

- Commitment by the Government to: (i) complete the construction of the Reception Centre for Asylum Seekers (ii) provide co-financing in time; (iii) provide all required construction permits.
- Participation by the beneficiary institution in the tender process as per EU regulations.
- Appropriate coordination with other international organisations active in Montenegro in the same sector.

The Implementation of the Project will be carried out in four phases:

- I. Connecting the Department B building to utilities and completion of the infrastructure around it, which will be covered with national funds.
- II. Construction of the Department C (a kitchen, a dining room and a laundry-room) which will be funded by EU.
- III. Provision of the equipment which will be funded by EU.
- IV. Capacity building of the Reception Centre's employees which will be covered with national contribution.

In kind contribution by beneficiary institution will cover: the provision of required licences and permits; the completion of construction of the Department B; complete project documentation for the construction of the Department C; the development of technical specifications for equipment.

In the event that these conditions are not met, suspension or cancellation of the project will be considered.

3.6 Linked activities

Institutional Building Support to the Commissariat for Displaced Persons (now Bureau for Care of Refugees)- CARDS National Programme 2005 €0.4 million: aimed at strengthening the organisational capacity of the Commissariat so as to address the issues of refugees and DPs and to be the interface of their rights/interests.

3.7 Lessons learned

The full implementation of the Law on Asylum requires for the development of infrastructure, institutional organization, provision of necessary equipment and a comprehensive training programmes.

- **Coordination within the government:** Further improvements- in line with the spirit of EU accession - could be realised in a stronger government leadership in the coordination efforts among the responsible governmental bodies.
- **Conditionality:** Often project implementation is hampered by either insufficient staff or resources allocated to (newly established) institutions. Therefore sufficient operational funds should be available in the government budget to allow for appropriate implementation of the mandate of the concerned department.
- **Balance between different measures:** The provision of technical assistance for capacity building remains one of priorities to be addressed. However, TA will not be effective if the working environment of the counterparts is not up to standards. Therefore, both technical advisory support and material support are essential to realise the expected impact of the projects.

4. Indicative Budget (amounts in EUR)

			TOTAL EXP.RE	SOURCES OF FUNDING								
				IPA COMMUNITY CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB	INV	EUR (a)=(b)+(c)+(d)	EUR (b)	%	Total EUR (c)=(x)+(y)+(z)	%	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (d)	%
Activities 1.1; 1.2;												
Contract 1 (works)		x	300,000			300,000	100%	300,000				
Activities 2.1; 2.2												
Contract 2 (works)		x	200,000	200,000	100%							
Activities 3.1; 3.2												
Contract 3 (supply)		x	250,000	250,000	100%							
Activities 4.1; 4.2; 4.3												
Contract 4 (service)	x		30,000			30,000	100%	30,000				—
TOTAL IB			30,000			30,000						
TOTAL INV			750,000	450,000		300,000						
TOTAL PROJECT			780,000	450,000	57,7%	330,000	42,3%					

Amounts net of VAT

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 2 Works	Q4 2009	Q2 2010	Q1 2011
Contract 3 Supply	Q1 2010	Q4 2010	Q2 2011

Contracts 1 and 4 are under the responsibility of the national authorities.

Contracts	Start of Tendering	Signature of contract	Project Completion
1. Works contract	Q3 2009	Q4 2009	Q1 2010
4. Service* contract	Q3 2010	Q4 2010	Q3 2011

6. Cross cutting issues

6.1 Equal Opportunity

According Law on Gender Equality, State administration bodies, local administration bodies, public institutions, public enterprises and legal persons with public authority (hereinafter: organs), in all phases of planning, adopting and implementing decisions, and carrying out the activities, are obliged to assess and evaluate the impact of those decisions and activities upon the position of women and men, with the aim of achieving gender equality.

6.2 Environment

Environmental issues will be mainstreamed through the whole project. Construction (water supplies, sewage and garbage systems) will be carried out with respect to the environmental protection standard.

6.3 Minorities

The projects shall take into account the specific needs of ethnic communities, in particular Roma, who are generally considered to be the most marginalised ethnic in the region and those asylum seekers belonging to specific minorities or ethnic groups in their state of origin.

ANNEXES

Annex 1- Log frame in Standard Format

Annex 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme

Annex 3 - Reference to laws, regulations and strategic documents:

Annex 4- Description of the Institutional framework

Annex 5- Details per EU funded contract

Annex 1- Log frame in Standard Format

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number: Support to the Reception Centre for Asylum Seekers (2009/021-170)		
	Contracting period expires two years from the date of the conclusion of the Financing Agreement	Disbursement period expires one year from the final date for execution of contracts	
	Total budget :€ 780, 000,00	IPA budget: € 450.000,00	
Overall objective	Objectively verifiable indicators	Sources of Verification	
To align the Montenegrin migration and asylum policy with EU policy, through the implementation of the Montenegrin Law on Asylum and fulfilment of international and EU standards in the area of asylum.	Progress in the implementation of the Law on Asylum	Reports by UNHCR; 2011 EC Progress Report; EX-post and impact evaluation of the project;	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
To improve the conditions for asylum seekers in Montenegro by developing asylum system infrastructure. .	<ul style="list-style-type: none"> Existence of the operational Reception Centre for Asylum seekers in Montenegro. Number of asylum seekers and returnees serviced by the centre 	Budget/financial data for the Reception Centre for Asylum Seekers. Periodical reports to the Government, and to relevant international organizations and donors.	Government's commitment to maintain facilities and strengthen structures for asylum policy implementation and to ensure co-financing.

Results	Objectively verifiable indicators	Sources of Verification	Assumptions
1) The building and infrastructure of the Reception Centre for Asylum Seekers (Department B) finalized.	<ul style="list-style-type: none"> The Reception Centre connected to all utilities and required infrastructure completed Asylum Office of the Ministry of Interior and Public Administration and Office/ Department Reception Centre of the Bureau for Care of Refugees moved into the new premises of the Reception Centre. Accommodation facilities with the capacity for up to 100 asylum seekers provided in accordance with EU standards 	<p>Report on the Technical Acceptance by relevant Commission</p> <p>Licence on technical acceptance.</p> <p>Advertisement in the media.</p>	Licence on using the main building issued.
2) Department C of the Reception centre for Asylum Seekers (comprising a kitchen, a dinning room and a laundry-room) completed	<ul style="list-style-type: none"> A kitchen, a dinning and a laundry-room facilities , with the capacity for 100 asylum seekers built up Premises for specific services – medical care, legal aid built up 	<ul style="list-style-type: none"> Report on the Technical Acceptance by relevant Commission Licence on technical acceptance. 	Licence on using Department C building issued
3) The Reception Centre for Asylum Seekers (Department B and C) properly equipped and services for asylum seekers improved	<ul style="list-style-type: none"> Specific services for asylum seekers provided; Premises furnished with specialised equipment for people with special needs and their families Adequate and specialised equipment for specific services (medical and legal aid, kindergarten, etc.) 	<ul style="list-style-type: none"> Progress report of the Bureau submitted to the Government of Montenegro Reports made by Sanitary, Health Care and Safety at Work Inspection Monitoring reports by UNHCR, Ombudsman and relevant NGOs Reports by the Bureau to relevant institutions Conclusions from the Governmental sessions 	Adequate equipment available at the market
4) The capacities of all staff, working in the department of the Reception Centre for Asylum Seekers developed in order to be able to efficiently address asylum seekers needs.	<ul style="list-style-type: none"> 16 employees working in the department Reception Centre within the Bureau trained on different working procedures, standards, etc.; At least five training courses provided At least one study visit organized 	<ul style="list-style-type: none"> Documentation and reports available in the Bureau for Care of Refugees Reports to the relevant institutions 	Qualified staff employed in the Reception Centre for Asylum seekers

Annex 2- Indicative amounts in EUR of IPA funds contracted and disbursed per quarter over the full duration of Programme

Contracted	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011
Contract 2	200,000					
Contract 3			250,000			
Cumulated	200,000		450,000			
Disbursed	Q2 2010	Q3 2010	Q4 2010	Q1 2011	Q2 2011	Q3 2011
Contract 2	20,000	80,000	80,000		20,000	
Contract 3			150,000			100,000
Cumulated	20,000	100,000	330,000	330,000	350,000	450,000

Annex 3 - Reference to laws, regulations and strategic documents:

International Law

European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950

UN Convention relating to the Status of Refugee as amended by the 1967 Protocol, 1951

UN Convention Related to the Status of Stateless Persons, 1954

International Covenant on Civil and Political Rights, 1966

International Covenant on Economic, Social and Cultural Rights, 1966

Laws of the Republic of Montenegro

Law on Adoption and Promulgation of the New Constitution of Montenegro

(Official Gazette of the Republic of Montenegro No.66/06)

Constitutional Law for the Implementation of the Constitution of The Republic of Montenegro

Official Gazette of the Republic of Montenegro No 66/06

Law on Asylum of the Republic of Montenegro,

Official Gazette of the Republic of Montenegro No. 45/2006

Decree on Changes and Amendments to the Decree on the Government Administration's Organization and Manner of Work,

Official Gazette of the Republic of Montenegro, No.72/06

Law on Residence

Official gazette of the Republic of Montenegro No. 45/93 and No.27/24

Law on Employment of Aliens

Official Gazette of the Republic of Montenegro No.22/08

Law on Health Care

Official Gazette of the Republic of Montenegro No.39/04

Decree on financial support for the asylum seekers, persons who have been recognized as refugees and persons who have been granted subsidiary protection Official Gazette of Montenegro No. 56/2008

European Partnership

The European Council updated its decision “On Principles, Priorities and Conditions contained in European Partnership with Montenegro” in January 2007, that lists priorities which Montenegro has to meet in short-term (1-2 years) period. The chapter on Justice, Freedom and Security requires from Montenegro to meet the following criterion:

- *To adopt the Asylum Law and carry out the construction of planned reception centres for asylum seekers and refugees.*

EC 2008 Progress Report for Montenegro:

The Reception Centre for asylum seekers is not finished. The task of providing the accommodation for persons seeking asylum is carried out by the Bureau for the Care of Refugees, but the resources allocated to this Bureau are limited and its overall capacity needs to be build up.

MIPD:

Expected results under the section European Standards underlines:

- *Existence of a satisfactory legal framework for a visa policy and sustainable system for its implementation*

Stabilisation and Association Agreement (SAA):

Article 82

The Parties shall co-operate in the areas of visa, border control, asylum and migration ...

Co-operation will focus in particular:

- *on the area of asylum on the implementation of national legislation to meet the standards of the 1951 Geneva Convention and the 1967 New York Protocol thereby to ensure that the principle of ‘non-refoulement’ is respected as well as other rights of asylum seekers and refugees.*
- *In relation to migration, the Parties agree to the fair treatment of nationals of other countries who reside legally on their territories and to promote an integration policy aiming at making their rights and obligations comparable to those of their citizens.*

National Programme for Integration (NPI):

By the end of 2008 overall function, structure and filling out the vacancies in the Asylum Office will be established. Activities on completing the Asylum seeker Centre, with filling out the vacancies, in accordance with the general act on systematization of the Bureau, will be intensified. Professional improvement in the area of asylum for the Bureau for taking care of refugees’ employees will be continued (specialized trainings, seminars).

Annex 4- Description of the Institutional framework

The Bureau for Care of Refugees is the successor to the Montenegrin Commissariat for Displaced Persons. It was established by the Government's decree on the organisation and work of state administration (Official Gazette of the Republic of Montenegro No. 72/06) as a new administrative body under the umbrella of the Ministry of Health, Labour and Social Welfare. However, it enjoys a broad measure of operational independence. The BCR's present mandate is defined in the Law on Asylum of 2006. It encompasses assistance in realisation of the rights of asylum seekers and persons recognised as refugees or accorded subsidiary or temporary protection to:

- Accommodation, education, healthcare, social welfare, labour
- Legal assistance
- Religious freedom
- Access to humanitarian and non-governmental organisations, humanitarian assistance
- Family reunification
- Social inclusion
- Other rights prescribed by this law.

The BCR is composed of: (i) the sector for rendering legal and other types of assistance, (ii) the sector for finance and general affairs. The former sector consists of two departments: (i) for legal and other assistance, (ii) Asylum centre. The staff of the department for legal aid includes a sociologist, a liaison officer for EU integration and public relations, a lawyer, a person in charge of buildings and other structures, a database operator. The BCR is not fully staffed yet. It would be fully staffed after the finalization of the Reception Centre for Asylum Seekers.

Annex 5- Details per EU funded contract

Supply Contract funded by EU: The supply contract, with several lots will cover the following activity:

A3.1 Carrying out tenders and selection of contractors for the purchasing necessary and specialized equipment for the Reception Centre.

A3.2 Equipping the premises for asylum seekers with special needs, premises for medical assistance, for legal aid, for kindergarten, etc.

The ownership of the equipment purchased under this contract will be transferred to the Bureau for Care of Refugees. Amortisation and other costs related to the use of the equipment, after the expiration of guarantees, will be carried out by the Bureau for Care of Refugees.

The supply contract will be implemented through an open procedure and in timely manner. The contract will be 100% financed from IPA funds.

The following is technical specifications for the equipment for the Reception Centre for Asylum seekers:

1. Professional equipment for kitchen	55,527.47
2. Dining room	4,107.00
3. Laundry equipment	20,116.39
4. Specific kitchen x 4	20,000.16
5. Room furniture	23,900.57
6. Bed clothes, mattresses, quilts and blankets	10,020.82
7. Office equipment	20,853.44
8. Sanitary equipment	3,500.00
9. Computers and informatics system	21,355.50
10. Fax and copy machines	1,430.50
11. Telephone installations	3,217.50
12. Video control	9,020.00
13. TV sets x 7	3,500.00
14. Apparatus for the disabled	2,000.00
15. Air conditioning x51	18,950.00
16. Requisites for the children's play area	1,000.00
17. Pick-up vehicles	20,000.00
18. Equipment for sports	3,000.00
19. Equipment for children's play area	2,000.00
20. Ambulance equipment	6,959.65
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TOTAL	250,459.00 €

Works Contract funded by EU: This contract will be used for the construction of Department C of the Reception Centre that will include: a kitchen, a dining room, and a laundry- room. The detailed Project Documentation for the Department C has already been prepared.

SPECIFICATIONS FOR DEPARTMENT “C”

No.	Name	Area m²	Size/Extent	Floor/Ground	Wall	Ceiling
1.	Connection between departments B and C	75.43	117.57	Stone	bavalit	bavalit
2.	Restaurant	58.72	47.06	Ceramic	jupol	jupol
3.	Kitchen	49.57	44.46	Ceramic	jupol	
4.		6.89	15.31	Ceramic	jupol	
5.	Laundry	16.98	17.30	Ceramic	jupol	
6.	Sanitary	2.41	6.70	Ceramic	jupol	
7.	Space for the goods from donation	7.99	11.55	Ceramic	jupol	
8.	Storage room	10.39	13.85	Ceramic	jupol	
	ALL NETO (m²)	228.38	-3%	221.53		
	ALL GROSS (m²)	245.77	-3%	253.14		

All Gross Area for Department “C” ----- 253.14 (m²)

In accordance with current market prices

PRICE ----- 253.14 (m²) x 650.00 €= 164,541.00 €

35,000.00€ are necessary for additional works on the ground because of specific ground conditions (humidity, water in the ground) and the development of the surrounding area of the Department “C”.

TOTAL PRICE FOR CONSTRUCTION OF DEPARTMENT “C”

164,541.00€+ 35,000.00€= 199,541.00€