

ANNUAL PROGRAMME

MEMBER STATE: **REPUBLIC OF ESTONIA**
FUND: **RETURN FUND**
RESPONSIBLE AUTHORITY: **MINISTRY OF THE INTERIOR**
YEAR COVERED: **2008**

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

The annual programme (AP) of the Return Fund (RF) for the year 2008 is in conformity with the provisions of the multi-annual programme (MAP), i.e. all general rules for the selection of projects to be financed under the programme for the year 2008 are in conformity with the provisions of the MAP.

On selecting and implementing the projects, the Ministry of the Interior (MoI) as the Responsible Authority (RA) of the RF may act as an awarding body or as an executing body.

Responsible authority acting as an awarding body

Co-financed projects will be selected on the basis of annual open call for proposals and call for tenders. Measures to ensure open competition and adequate publicity are foreseen in the procedural rules of the RF. The call for proposals will be published in national daily newspapers and at the website of the MoI (www.siseministeerium.ee).

The RA prepares an evaluation grid for the Monitoring Committee members (comprising of high officials from the RA and the national competent bodies) where the minimum criteria of the basic act are presented.

The project proposals are evaluated by the Monitoring Committee who selects a list of projects to finance on the basis of the materials presented by the RA after checking the proposals' conformity with the rules set. The compliance with the MAP, strategic guidelines and national acts are taken into account while selecting the projects.

The agreements will be signed by the Deputy Secretary-General for Internal Security who is authorised by the Secretary General. Adequate ex-post information on the results of the selection process to the applicants will be ensured.

Awarding body method will be used to select and implement projects under the actions 3.1.1 (developing a voluntary return-related consultation system) and 3.1.2 (developing of a support system for voluntary return) of the AP for 2008.

Responsible authority acting as an executing body – if applicable

Since some of the final beneficiaries – the Citizenship and Migration Board, the Board of Border Guard, the Police Board – are in *de jure* monopoly situation in the Republic in asylum procedures and reception centres respectively, the RA may act as an executing body (indirectly). In the AP for 2008 of the RF, the executive body method will be used under the actions 3.1.3 (developing of special measures to be applied for expulsion of persons in vulnerable groups by forced return) and 3.1.4 (implementing forced expulsion of aliens whose stay in the country is not (no longer) legal) of the AP 2008.

The project proposals are evaluated by the Monitoring Committee who selects a list of projects to finance on the basis of the materials presented by the RA after checking the proposals' conformity with the rules set. The compliance with the MAP, strategic guidelines and national acts are taken into account while selecting the projects.

The Secretary-General of the MoI approves by directive the list of projects to be financed. The Secretary-General does not take part in the process of selection.

Public procurement procedures must be fully applied by the national competent bodies. A legal instrument equivalent to the grant agreement (a memorandum of understanding or an implementation contract) will be concluded between the RA and the governmental agency.

Public procurement

In case the projects involve public procurement of services or goods, the national competent bodies are responsible for carrying out the public procurement according to national law (Public Procurement Act (entered into force on 24 January 2007)) and in accordance with Article 11 of the implementing rules. The minimum threshold for carrying out the public procurement procedure in Estonia is 40 000 EUR for goods and services and 250 000 EUR for construction works. If the value of the planned contract (not including the VAT) is less than the abovementioned threshold, the simplified procedure of public procurement is carried out. By that procedure the basic requirements of the public procurement principles must be followed by the final beneficiary (effective and efficient use of resources, the transparency of actions etc).

2. CHANGES IN THE MANAGEMENT AND CONTROL SYSTEMS (if appropriate)

N/A

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

3.1 Actions implementing priority 1

3.1.1 Development of a voluntary return-related consultation system

<p>Purpose and scope of the action</p>	<p>The general objective of this action is to increase the knowledge regarding return-related opportunities among both the direct and indirect target group. The objective is to achieve a situation where the availability of information in matters related to voluntary return has improved and where general awareness regarding this topic (especially among aliens staying in Estonia) has also improved. The primary result desired to be seen is that the percentage of voluntary returning aliens will rise in comparison to forced expulsions.</p> <p>The specific objective of this action is to guarantee that voluntary returnees receive information regarding the opportunity for voluntary return as well as social and legal consultation in matters pertaining to return. It is desired to carry out the following sub-activities in the</p>
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	<p>framework of the action:</p> <ol style="list-style-type: none"> 1. Compiling, printing and distributing informational material to members of the direct and indirect target group. For instance, the informational material shall contain information regarding what the general opportunities for voluntary return are in Estonia, what are the primary rights and obligations of returnees, whom to contact to obtain additional information and assistance etc. 2. Training social workers and other officials who have contact with members of the direct target group. 3. Offering translation services to those in need of assistance. 4. Offering consultation services in matters related to return. 5. Creation of a database containing information on the primary destination countries (such as legislation, authorities and other institutions). 6. Organizing travel to the destination country as well as offering assistance for arranging transport of personal belongings. <p>The direct target group consists of people to whom precepts to leave Estonia have been issued and who desire to leave voluntarily during the specified period. Also included in this group are asylum seekers with regard to whose application no decision has been made and who desire to withdraw their asylum application and voluntarily leave the country. At least 50 individuals per year belong to the direct target group and a total of at least 20 officials and social workers are part of the indirect target group.</p> <p>The indirect target group consists of institutions and persons who have contact with the members of the direct target group and who should be competent to inform and advise people in need of assistance in matters related to voluntary return.</p>
<p>Expected grant recipients</p>	<p>Applicants for assistance may include any state and local government authority with contact with the return, and likewise NGOs and non-profit organizations. The Estonian Migration Foundation (SA Eesti Migratsioonifond) has had the most contact with the aforementioned field in Estonia. Under its statute, the Migration Foundation is a legal person governed by private law. The primary goal of its action is to support migration and integration processes and to raise funds for this purpose. SA Eesti Migratsioonifond has been engaged in consultation and support in the field of voluntary return (above all immigrants from the former Soviet Union) since 1992. In the framework of the <i>“Provision of information, consultation and assistance to applicants for international protection and persons who have received international protection upon return to their country of origin”</i> programme, co-financed by the European Refugee Fund and the Estonian Ministry of the Interior, consultation was provided in the case of 18 voluntary returns and one asylum seeker’s voluntary return was supported as well in the amount of 10,944 EEK (698.85 EUR).</p> <p>Other NGOs and international organizations such as the IOM, UNHCR, and Caritas may also participate in promoting voluntary returns.</p>
<p>Justification regarding project implemented directly</p>	<p>N/A</p>

<p>by the responsible authority acting as an executing body</p>	
<p>Expected quantified results and indicators to be used</p>	<p>The objective in the framework of the assistance is to achieve the following results:</p> <ul style="list-style-type: none"> - Informational material has been compiled, printed and distributed to at least 50 beneficiaries (i.e. the direct target group) as well as to about 25 individuals and institutions (i.e. the indirect target group). - At least 15 social workers and officials working with the direct target group have been trained. - Translation service is guaranteed for providing information and consultation regarding voluntary return. - Consultation service will be offered to at least 30 persons in need of assistance per year. - A database containing information on legislation, authorities and contacts etc in destination countries has been created. - An opportunity has been created for receiving assistance in resolving other matters related to return, such as assistance in the organizing of travel, organizing the transport of belongings, finding a place of employment and residence etc. - Consultation service will be offered to at least 20 persons in need of assistance per year.
<p>Visibility of EC funding</p>	<p>All project applicants and grant beneficiaries will be informed about RF co-financing. Agreements between the Ministry of the Interior and the national competent body will contain provisions whereby the grant beneficiaries must print the EU logo and signs indicating the RF co-financing to all items of equipment obtained, and to all buildings and rooms renovated, with support from the Fund. RF co-financing must also be mentioned if the project is presented to the public. The MBPD monitors the implementation of the projects and conducts on-the-spot checks for that purpose at least once during the project.</p>
<p>Complementarity with similar actions financed by other EC instruments, if appropriate</p>	<p>In 2007, the voluntary return of one asylum seeker was supported as well in the framework of the “<i>Provision of information, consultation and assistance to applicants for international protection and persons who have received international protection upon return to their country of origin</i>” programme, co-financed by the European Refugee Fund and Ministry of the Interior.</p> <p>In addition, the following has been done in the framework of the aforementioned project:</p> <ul style="list-style-type: none"> - a team has been assembled; - the necessary training has been organized for team members; - an interactive information database (www.migfond.ee/avr) has been created; - materials introducing the programme have been compiled in three languages; - articles relevant to the topic have been published in a newspaper;

	<ul style="list-style-type: none"> - one major seminar has been held; - training has been administered for organizations related to the field; - consultation service was offered to 18 members of the target group with regard to possibilities for return; - return procedure has been developed during participation in the assisted voluntary return programme.
Financial information	Estimated allocation for the activity 3.1.1 is ca 88 831, 63 EUR, among this Community contribution ca 66 623, 63 EUR and public allocation 22 208 EUR.

3.1.2 Development of a support system for voluntary return

Purpose and scope of the action	<p>The objective of the given action is to motivate target group members to take advantage of the possibility of voluntary return as this is less costly for the state and more dignified for the returnee. The Estonian state has been previously engaged in promoting returns. In accordance with the articles of association, the Estonian Migration Foundation (SA Eesti Migratsioonifond) is engaged in supporting migration processes. The target groups for the assistance have thus far primarily been individuals who have a legal basis for stay in Estonia and wish to return to their country of origin. Pursuant to the priorities of the European Return Fund, it is desired to provide increasing incentives for voluntary departure to persons who lack a basis for legal stay in Estonia, on whom an obligation to leave has been imposed and asylum seekers.</p> <p>The following must be done in the framework of the given action:</p> <ol style="list-style-type: none"> 1. Develop procedures for obtaining primary and additional support on the basis of which disbursement of support would begin taking place. 2. Providing basic allowances and additional support to people in need of assistance, allowing returnees to carry out organizational changes related to place of residence and employment. 3. Development work related to databases in the field (such as development of the return support recipient database). 4. Preparations for offering reintegration service, e.g. creating contacts and drawing up cooperation plans with countries of origin and international organizations.
Expected grant recipients	<p>In Estonia, essentially all state and local government institutions may be engaged in supporting voluntary returns including NGOs and non-profit organizations. To this point, Estonian Migration Foundation is the institution in Estonia that has dealt with voluntary returns. Under its statute, the Estonian Migration Foundation is a legal person governed by private law. The primary goal of its activity is to support migration and integration processes and to raise funds for this purpose, including providing financial support to voluntary returnees.</p> <p>International organizations such as the IOM, UNHCR, and Caritas etc may also participate in promoting voluntary returns in the process of applying for support.</p>

Justification regarding project implemented directly by the responsible authority acting as an executing body	N/A
Expected quantified results and indicators to be used	<p>The general objective of the above activities is to achieve a situation where individuals who wish to return voluntarily enjoy conditions in which their desire can be implemented. This means bringing the assistance system into better conformity with the interests of the returnees as well as increase in the number of opportunities and amount of support.</p> <p>In addition to the general objective, it is desired to achieve the following specific results:</p> <ul style="list-style-type: none"> - By creating the necessary opportunities for basic and additional support, about 20 individuals in need of assistance will be supported each year. - The return assistance recipient database has been organized and conforms to all security requirements and personal data protection rules.
Visibility of EC funding	<p>All project applicants and grant beneficiaries will be informed about RF co-financing. Agreements between the Ministry of the Interior and the national competent body will contain provisions whereby the grant beneficiaries must print the EU logo and signs indicating the RF co-financing to all items of equipment obtained, and to all buildings and rooms renovated, with support from the Fund. RF co-financing must also be mentioned if the project is presented to the public. The MBPD monitors the implementation of the projects and conducts on-the-spot checks for that purpose at least once during the project.</p>
Complementarity with similar actions financed by other EC instruments, if appropriate	N/A
Financial information	<p>Estimated allocation for the activity 3.1.2 is ca 203 171 EUR, among this Community contribution ca 152 378 EUR and public allocation 50 793 EUR.</p>

3.1.3 Development of special measures to be applied for expulsion of persons in vulnerable groups by forced return

Purpose and scope of the action	<p>Expulsions can often be hindered due to the fact that the person to be expelled lacks the necessary opportunities and means for coping in the country of destination. Heightened attention must be paid to such cases in order to ensure the humane aspect of expulsion (see action 1.3). A case may involve a chronically ill or disabled person, for example. In</p>
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	<p>order for expulsion to still take place, in honour and consideration of all aspects related to human dignity, it would be expedient to ensure that the possibility that the person to be expelled has the opportunity to receive material support based on his or her specific needs. The support should be monetary (e.g. for purchasing a certain medicinal product).</p> <p>The following should be carried out as concrete activities:</p> <ul style="list-style-type: none"> - Compiling, printing and distributing informational material for the governmental agencies engaged in forced return process on matters related to the expulsion of a person belonging to a vulnerable group. This should contain information to which heightened attention is to be paid, as to what kind of assistance a given person in need of assistance should receive and where to turn to receive the assistance. - Offering material assistance to persons belonging to the vulnerable group. - A database including the professional and other institutional contacts for the primary destination countries, where information can be found rapidly on who will assist returnees in the destination country, and where the returnee might contact for receiving additional assistance, etc. will be created for the governmental agencies engaged in forced return matters.
Expected grant recipients	<p>Essentially, assistance may be applied for by all authorities in the area of administration of the Ministry of the Interior engaged in expulsions (i.e., the Citizenship and Migration Board (CMB), the Border Guard Administration (BGA), Police Board and the Security Police Board. To this point, the CMB has had the most contact with the aforementioned field in Estonia. The BGA's role is increasing, however. This means that these authorities have the most contact with the persons to be expelled in the vulnerable group by forced return, estimated by the CMB to be around 10 persons a year.</p>
Justification regarding project implemented directly by the responsible authority acting as an executing body	<p>Pursuant to Section 15 of the Obligation to Leave and Prohibition on Entry Act (OLPEA), a border guard official, an official of the Citizenship and Migration Board or a police officer shall detain an alien upon existence of a basis for expulsion provided for in the Act, and organise the alien's departure from Estonia. As the Border Guard Administration, the Citizenship and Migration Board, the Police Board and the Security Police Board are all in the Ministry of the Interior's area of administration, the Ministry of the Interior in effect has a monopoly on deciding issues related to expulsion. Pursuant to the OLPEA, other institutions and authorities do not implement expulsion. As a result, the implementation of the project directly by the Ministry of the Interior as the responsible institution is justified.</p>
Expected quantified results and indicators to be used	<p>In addition to the general objective, it is desired to achieve the following specific results:</p> <ul style="list-style-type: none"> - Material assistance has been offered to about 10 persons a year. - Corresponding informational material has been compiled, printed and distributed to the relevant institutions. - A database with information on the authorities, contacts, etc in destination countries has been created.
Visibility of EC	<p>All project applicants and grant beneficiaries will be informed about RF</p>

funding	co-financing. Agreements between the Ministry of the Interior and the national competent body will contain provisions whereby the grant beneficiaries must print the EU logo and signs indicating the RF co-financing to all items of equipment obtained, and to all buildings and rooms renovated, with support from the Fund. RF co-financing must also be mentioned if the project is presented to the public. The MBPD monitors the implementation of the projects and conducts on-the-spot checks for that purpose at least once during the project.
Complementarity with similar actions financed by other EC instruments, if appropriate	N/A
Financial information	Estimated allocation for the activity 3.1.3 is ca 51 129 EUR, among this Community contribution ca 38 346 EUR and public allocation 12 782 EUR.

3.1.4 Implementing forced expulsion of aliens whose stay in the country is not/no longer legal

Purpose and scope of the action	<p>The general objective is to achieve a situation where coercive expulsion would take place as rapidly and with as few problems as possible. For this purpose, it is necessary to ensure the existence of sufficient resources to cover the travel expenses of the person to be expelled and his/her escorts, as well as procurement of documents and translation expenses, etc. Achievement of this objective depends a lot on countries willingness to cooperate. In recent years there have been approximately 30 persons in year who have been forcibly returned. The aim is to keep at least the same level in amount of expulsions also in coming years. Most of the expulsions take place via air, although land border with Russia indicates that there are also several expulsions which take place through land border points. The scope of the action foresees all activities related to forced return, such as::</p> <ul style="list-style-type: none"> - organizing travel documents, if necessary, for a returnee; - organizing travel (via land or air) to the returnee; - organizing travel (plane tickets, accommodation, food expenses etc) for escorts.
Expected grant recipients	Essentially, assistance may be applied for by all authorities in the area of administration of the Ministry of the Interior engaged in expulsions (i.e., the Citizenship and Migration Board (CMB), the Border Guard Administration (BGA), Police Board and the Security Police Board. To this point, the CMB has had the most contact with the aforementioned field in Estonia. The BGA's role is increasing, however.
Justification regarding project implemented directly by the responsible authority acting as	Pursuant to Section 15 of the Obligation to Leave and Prohibition on Entry Act (OLPEA), a border guard official, an official of the Citizenship and Migration Board or a police officer shall upon existence of a basis for expulsion provided for in the Act detain an alien and organise the alien's departure from Estonia. As the BGA, the CMB, the

an executing body	Police Board and the Security Police Board are all in the Ministry of the Interior's area of administration, the Ministry of the Interior in effect has a monopoly on deciding issues related to expulsion. Pursuant to the OLPEA, other institutions and authorities do not implement expulsion. As a result, the implementation of the project directly by the Ministry of the Interior as the responsible institution is justified.
Expected quantified results and indicators to be used	It is desired to achieve the following results in the framework of the given activities: <ul style="list-style-type: none"> - The individuals subject to expulsion are expelled. - The average time of aliens' detention at expulsion centre has become shorter. - The time spent on expulsion proceedings is under four months, which is less than the current average.
Visibility of EC funding	All project applicants and grant beneficiaries will be informed about RF co-financing. Agreements between the Ministry of the Interior and the national competent body will contain provisions whereby the grant beneficiaries must print the EU logo and signs indicating the RF co-financing to all items of equipment obtained, and to all buildings and rooms renovated, with support from the Fund. RF co-financing must also be mentioned if the project is presented to the public. The MBPD monitors the implementation of the projects and conducts on-the-spot checks for that purpose at least once during the project.
Complementarity with similar actions financed by other EC instruments, if appropriate	N/A
Financial information	Estimated allocation for the activity 3.1.4 is ca 249 732 EUR, among this Community contribution ca 187 299 EUR and public allocation 62 433 EUR.

4. TECHNICAL ASSISTANCE

As the precise and detailed information about the use of technical assistance (TA) is decided during the programme (when the need occurs), the information presented in the annual programme 2008 is more general and may include activities which in real are not covered, but the possibility of covering the costs from the TA is still foreseen, if appropriate. The possible actions are described in the program and carried out if the need becomes evident. In the phase of compiling the programme, not many concrete actions can be foreseen and there still must maintain an opportunity to carry out other activities that are eligible according to the eligibility rules for the TA stipulated by the EC, if necessary.

4.1 Purpose of the technical assistance

The TA is aimed at simplifying the implementation of the European Return Fund programme by providing the applicants and the project implementers sufficiently with appropriate information and support in order to ensure the quality and consistence of the programme.

Regarding the employment costs, a full-time official in the responsible authority (RA) is coordinating the management of the Return fund. In addition, it is planned to finance 0,25 position from the auditing authority (AA) and 0,25 position from the paying authority (PA) of the Fund. Consequently, TA will be used to cover employment costs mentioned above.

It may be necessary to cover the costs of audit (in case of outsourcing of external audit services), checking of accounts and expenses of the certifying authority from the technical assistance, if necessary.

All staff working part-time under the Return Fund will fill time-sheets indicating the time spent on Return Fund's projects and time spent for other duties.

There is a need to arrange work places and means of work for extra personnel mentioned above under the TA of the Fund. There is planned to procure some inventories (laptops etc). Laptops, for example, are needed for working through considerable amount of documents, participating in the workgroup of the Return Fund or other Fund's matters, taking it along to the on-spot check while carrying out an audit or a monitoring mission etc.

TA will be used for translation of documents related to the implementation of the Return Fund into the Estonian language and from the Estonian into the English language.

TA will be used for covering the expenses related to the announcement of the open call for project proposals (e.g. in newspapers etc.).

For implementing the rules set for the visibility of the EU support the TA will be used (expenses related to distribution of information to potential applicants and project implementers, including the preparation and distribution of information materials, arrangements for meetings, workshops, information days etc.).

TA will be used to cover expenses related to personnel costs of the experts in the projects evaluation and selection process, if necessary.

In principle, TA is used if the Ministry of the Interior (in addition it may be the Ministry of Finance as a certifying authority when the need occurs) carries out on-spot check while monitoring the projects' implementation. As the grant beneficiaries and the objects of the projects can be located outside Tallinn and they are situated some other places in Estonia, travel costs inside Estonia either by car or by public transport will be covered by TA. Costs of participating in various meetings (e.g. SOLID Committee, different workshops arranged by the European Commission etc.) will be covered by TA. In case of assignment (internal or foreign) the allowance per diem will be paid from TA.

It is important to train the personnel of the team that administers the Return Fund in order to master their skills in project management, evaluation of the projects, monitoring and accounting, reporting of the irregularities. TA will be used for these activities.

To meet the requirements of Article 33(2) (b) of the implementing rules for the Return Fund, the RA publishes the launch of a multi-annual programme and the annual programmes on the homepage of the MoI. The achievements of the annual programmes (the results and the usage of the funds) are also published on the home page. If there will be any press releases or articles in commercial newspapers on the subject, these will be financed by the TA.

4.2 Expected quantified results

The main result of the use of TA is a successful implementation of the Return Fund's Programme 2008 (implementation of planned activities).

Possible expected results, depending on the actual activities carried out, will be as follows:

- Sufficient number of competent and trained officials in the designated authorities (effective and timely consulting of the final beneficiaries, monitoring, auditing and certifying activities);
- Work-places and means of work for officials implementing the Return Fund;
- Expenses related to the distribution of information to potential applicants and project implementers, including the preparation and distribution of info materials, arrangements for meetings, workshops, information days etc are covered ;
- Expenses related to the announcement of the open call (in newspapers etc.) for proposals are covered;
- Grant agreements are well prepared;
- Reports to be presented to the European Commission are prepared timely;
- At least one on-spot visit to each grant recipient;
- Fast translation of the necessary documents, which assist the implementation of the Return Fund Programme;
- External auditors are outsourced, if appropriate;
- External experts/evaluators are outsourced, if appropriate;
- Travel and subsistence costs are covered for officials of relevant authorities when participating in the implementation of the Return Fund (incl. allowance per diem);
- Visibility of EC funding is ensured in accordance with the implementing rules of the EBF;
- Exchange of information between the designated authorities and national competent bodies (e.g. in a form of a meeting) is ensured.

4.3 Visibility of EC funding

The EU logo and the sign of EBF co-financing will be applied to all materials prepared by the Ministry of the Interior (instructions, application forms, advertising materials, information sheets, etc). Equipment purchased using the technical assistance resources (e.g. a laptop) will be provided with the EU logo. Informational activities (press releases etc) consist of a notice on the EBF co-financing.

5. DRAFT FINANCING PLAN

According to the article 16(4) in the basic act, as Estonia is also covered by the Cohesion Fund, the Community contribution is increased to 75% per action.

Annual Programme - Draft Financial Plan

Table 1 – Overview table

Member State: REPUBLIC OF ESTONIA Annual programme concerned: 2008 Fund: RETURN FUND								
<i>(all figures in euro)</i>	Ref. priority	Ref. specific priority (1)	Community Contribution (a)	Public Allocation (b)	Private Allocation (c)	TOTAL (d=a+b+c)	% EC (e=a/d)	Share of total (d/total d)
Action 1: Development a voluntary return-related consultation system	1		66 623,63	22 208	0	88 831,63	75,0	14,0
Action 2: Development of a support system for voluntary return	1		152 378	50 793	0	203 171	75,0	31,0
Action 3: Development of special measures to be applied for expulsion of persons in vulnerable groups by forced return	1		38 346	12 782	0	51 129	75,0	9,0
Action 4: Implementing forced expulsion of aliens whose stay in the country is not (no longer) legal (including bearing travel expenses for the persons to be expelled and their escorts)	1		187 299	62 433	0	249 732	75,0	38,0
Technical assistance (incl plus 30 000 EUR)			65 659	0	0	65 659	100%	10,0
Other operations (2)			0	0	0	0	0	0
TOTAL			510 305,63	148 216	0	658 521,63		100,0

[signature of the responsible person: Erkki Koort, Deputy Secretary-General on Internal Security]