



European Commission

EUROPEAN NEIGHBOURHOOD AND PARTNERSHIP INSTRUMENT – REGIONAL EAST ACTION PROGRAMME 2010

EUROPEAN UNION BORDER ASSISTANCE MISSION TO MOLDOVA AND UKRAINE – EUBAM 8

Annex I: Description of the Action

Budget Line: BGUE-B2010-19.08 01 03-C1-AIDCO

Implemented by:	United Nations Development Programme
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1. DESCRIPTION

1.1. Title

European Union Border Assistance Mission to Moldova and Ukraine – EUBAM 8.

1.2. Beneficiary countries

Republic of Moldova and Ukraine.

1.3. Cost of the action and amount requested from the Contracting Authority

Total eligible cost of the action	Amount requested from the Contracting Authority	% of total eligible cost of action
12,000,000 EUR	12,000,000 EUR	100 %

In addition to this budgeted EC contribution, EU Member States are providing a significant contribution in kind through the secondment of their national staff to the Mission, whose salaries will continue being paid by national administrations for the entire period of secondment.

1.4. Summary

The region of Transnistria self-proclaimed independence from the Republic of Moldova in 1992, one year after the dissolution of the Soviet Union. A short conflict ensued, with some 1,000 casualties. A ceasefire brokered with Russian mediation left Tiraspol in control of the region east of the Dniester River in a self-proclaimed Transnistrian Moldovan Republic. Since then, the conflict has been "frozen" in place.

Since September 2005, the EU and the USA participate as observers in the negotiation process in the enlarged format "5+2"; the EU is represented by the EU Special Representative for the Republic of Moldova.

Following a request from Moldova's and Ukraine's Presidents in June 2005, the EU decided to launch an EU Border Assistance Mission (EUBAM) as of 1 December 2005 after the Commission signed a Memorandum of Understanding with the Republic of Moldova and Ukraine on 7 October 2005. Since then, EUBAM enjoyed high political support from all stakeholders. EUBAM's activities indicated that indeed much needs to be done in order to bring border and customs control procedures in line with EU standards.

The EU's involvement increased trust and cooperation between Moldova and Ukraine; this led to a joint declaration signed by the Prime Ministers of Moldova and Ukraine, Tarlev and Yekhanurov, setting in place the May 2003 customs agreement which enforcement started actually as of 3

March 2006. On 17 March 2007 by Decree no. 301, and subsequently on 29 June 2007 by Decree no. 743, the Moldovan Government amended Decree no. 815 of 2 August 2005 extending access to preferential trade certificates of origin to temporarily registered Transnistrian-based companies. EUBAM is closely following the implementation of the Joint Declaration, including registration and reimbursement mechanisms for Transnistrian-based companies in Chisinau.

The initial six months were funded under the EC's Rapid Reaction Mechanism (€ 4 million), followed by the Tacis Regional Action Programmes 2003 (€ 2.2 million), 2004 (€ 4 million) and 2006 (€ 8.885 million) and since 2007 by the European Neighbourhood and Partnership Instrument (ENPI East Regional Programme). The total amount which will have been made available by end of 2011 is EUR 68.2 million.


1.5. Objectives

1.5.1. Overall Objectives

To assist the Republic of Moldova and Ukraine in fulfilling their commitments under the European Association process, thus also contributing to a peaceful resolution of the Transnistria conflict.

1.5.2. Specific Objectives

- a) Enhancing the effectiveness and efficiency of border and customs clearance and controls, including the correct collection of customs revenues: To build up and sustain appropriate tactical, operational, administrative and institutional capacity in the Republic of Moldova and Ukraine to ensure effective and efficient border and customs clearance, controls and surveillance as well as effective fight against criminal cross-border activities and organised crime with particular attention to the Moldovan-Ukrainian state border, including relevant inland areas and locations, as well as at the administrative / internal boundary along the two banks of the Dniester River in the Republic of Moldova.
- b) Enhancing the fight against corruption: To support partner services' anti-corruption efforts at central, regional and local level by underlining the integrity of managers, the need of anti-corruption strategies and action plans, ethics, training, infrastructure and methodologies / technologies relevant to the prevention of and fight against corruption.
- c) Provision of information on EUBAM and border and customs-related issues to the public: To contribute to improve public relations skills and capabilities of the partner services' public relations sections, and to provide objective information to the local population in the Republic of Moldova and Ukraine regarding EUBAM's tasks and assistance provided to the countries, ongoing activities at the border of which travellers and/or the local population benefits, rights and responsibilities of persons crossing the border (e.g. to complement anti-corruption measures), health risks of purchasing smuggled food (e.g. to complement consumer protection measures), etc.
- d) Confidence building and contribution to the Transnistria conflict settlement process: To monitor and advise on the implementation of the Joint Declaration of the Prime-Ministers of Ukraine and the Republic of Moldova of 30 December 2005; to help promoting cooperation between the agencies involved in border and customs controls and fight against crime in the Republic of Moldova and Ukraine through transparency, exchange of analytical and tactical information, and cross-border cooperation; to assist and support the border demarcation



process; to assist developing an atmosphere for extended economic relations; as well as to promote post-conflict consolidation in case of a settlement within the duration of this action.

1.6. Background information and justification

1.6.1. The Transnistria conflict

In spring 1992, a year after the dissolution of the Soviet Union, a short civil war took place in the Eastern region of the Republic of Moldova. "Transnistria" succeeded in establishing *de facto* independence from Moldova, as the ceasefire brokered with Russian mediation (July 1992 Russian-Moldovan Moscow agreement) left Tiraspol in control of the region east of the Dniester River in a self-proclaimed Transnistrian Moldovan Republic. Transnistria has no internationally recognised status.

After the ceasefire, a security zone was established, guarded by peace-keeping forces consisting mostly of Russian troops and troops from the two sides. Since 1998, a small number of Ukrainian troops (10) are also present.

Since February 2006 the official negotiations in 5+2 format¹ have been suspended. However, mediators and observers meet regularly with Chisinau and Tiraspol representatives in order to discuss possibilities for the resumption of formal "5+2" settlement talks. During the last year important progress on confidence-building measures between the sides has been registered inter alia in transport, healthcare and social areas. The joint working groups for building confidence resumed their periodical meetings.

1.6.2. EU policy related to the Transnistria conflict

Over the past years, Moldova has repeatedly called for greater EU and US involvement in the resolution of the Transnistrian conflict. In mid-November 2002 the OSCE decided to send a delegation, including officials from the European Commission, on a fact-finding mission on the Transnistrian segment of the Moldovan-Ukrainian state border. The report presented by the mission pleaded for "the establishment of joint customs points on Ukrainian territory" and expressed the "need for carrying out joint customs controls on the Transnistrian segment". The report also called on Chisinau and Kiev to proceed with negotiations on the creation of joint border posts as foreseen by agreements between both countries.

The Commission has taken forward this issue and launched in March 2003 a process of trilateral discussions on border issues involving Moldova and Ukraine. Since 2003 eight EU-Moldova-Ukraine Trilateral Meetings on border related issues were held. Thus, the level of inter-agency and bilateral cooperation palpably increased. The joint border operations and coordinated efforts led to a more secure border while at the same time facilitating legal trade. The other important topic that is discussed at the trilateral meetings is border demarcation. EUBAM is ready for continuing technical assistance for achieving further progress in the border demarcation process.

In February 2004² the EU imposed (together with the U.S.) a visa travel ban on 17 high-ranking

¹ Transnistria and Moldova are negotiations' parties; Ukraine, Russia, OECD are mediators; EC and US are observers.

² Council Common Position 2004/179/CFSP of 23 February 2004 concerning restrictive measures, in the form of restrictions on admission, against the leadership of the Transnistrian region of the Republic of Moldova; OJ L

Transnistrian "officials". This ban was renewed in February 2005³, 2006⁴, 2007⁵, 2008⁶, 2009⁷, February 2010⁸ and September 2010⁹. In order to encourage progress in reaching a political settlement to the Transnistrian conflict, addressing the remaining problems of the Latin-script schools and restoring free movement of persons, the Council decided in February 2010 to temporarily suspend the application of restrictive measures.

In March 2005, Ambassador Adriaan Jacobovits de Szeged was appointed EU Special Representative for Moldova, with a mandate *inter alia* to contribute to a peaceful settlement of the Transnistria conflict. In February 2007, Dr. Kálmán Mizsei was appointed EU Special Representative for Moldova, replacing Ambassador Adriaan Jacobovits de Szeged in this function.

1.6.3. Chronological evolution of the bilateral cooperation between Moldova and Ukraine on border related issues

A major issue in the relations between Ukraine and Moldova concerning the common border has been the customs regime on the Transnistrian segment of the border. Over the years, there have been several attempts to solve the problem of "Transnistrian exports" (often referred to as "re-exports").

Customs stamps have been a crucial element of control over Transnistrian exports. In February 1996, an agreement was signed between Chisinau and Tiraspol on cooperation between both customs services, which *inter alia* granted Moldovan customs stamps to Transnistria, allowing the latter to benefit from preferential trade regimes Moldova concluded with other countries. This agreement was followed by an agreement between Moldova and Ukraine of March 1997 on the establishment of seven joint border crossing points on the Moldovan-Ukrainian state border: Criva-Mamaliga, Briceni-Rossoshany, Medveja-Zelionaya, Larga-Kelmentsy, Giurgiulesti – Reni

55/68 of 24/02/2004. Council Common Position 2004/622/CFSP of 26 August 2004 amending Council Common Position 2004/179/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 279/47 of 28/08/2004.

³ Council Common Position 2005/147/CFSP of 21 February 2005 extending and amending Common Position 2004/179/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 49/31 of 22/02/2005. Council Common Position 2005/890/CFSP of 12 December 2005 implementing Common Position 2004/179/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 327/33 of 14/12/2005.

⁴ Council Common Position 2006/95/CFSP and 2006/96/CFSP of 14 February 2006 renewing restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 44/31, 32 of 15 February 2006.

⁵ Council Common Position 2007/121/CFSP of 19 February 2007 extending and amending Common Position 2004/179/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 51/31 of 20 February 2007.

⁶ Council Common Position 2008/160/CFSP of 25 February 2008 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 51/23 of 26 February 2008. The restrictive measures have been extended until 27 February 2009.

⁷ Council Common Position 2009/139/CFSP of 16 February 2009 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 46/76 of 17 February 2009. The restrictive measures have been extended until 27 February 2010.

⁸ Council Common Position 2010/105/CFSP of 22 February 2010 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 46/3 of 23 February 2010. The restrictive measures have been extended until 27 February 2011 and suspended until 30 September 2010.

⁹ Council Common Position 2010/573/CFSP of 27 September 2010 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova; OJ L 253/54 of 28 September 2010. The restrictive measures have been extended until 30 September 2011 and suspended until 31 March 2011.



(Road), Pervomaysk-Kuchurgan, and Udobnoye-Palanca-Mayaky. From 1997–2001 ongoing so-called “joint controls”, rather than shared control responsibility are performed on both territories.

With its accession to the WTO in May 2001, Moldova introduced a new customs stamp as of 1 September 2001. This stamp was not given to Transnistria.

From late 2001 until May 2003, relations between Moldova and Ukraine deteriorated. One of the issues was the continued export of goods produced in the Transnistrian region through the Ukrainian border without Moldovan customs documentation.

Ukraine refused access to its border crossing points to the Moldovan border guards and customs officials and withdrew its representatives from the Palanca border crossing point. Ukraine explained this refusal, inter alia, by reference to the lack of required conditions (insufficient infrastructure and means of communication, lack of additional protocols stipulated by the 1997 agreement, lack of documents concerning the preparedness of crossing points for performing the joint control).

Following discussions in the first EC-Moldova-Ukraine Trilateral Meeting on Border Issues, the Customs Department of Moldova and the State Customs Service of Ukraine signed a protocol on 15 May 2003, regulating relevant customs procedures, in particular stipulating that only goods with Moldovan customs documents be allowed entry into Ukraine under the precondition that Moldova enacted a simplified registration procedure for Transnistrian companies. The customs regime was in effect until summer 2004 and led to a much more positive series of negotiations on the issue of joint border crossing points throughout 2003 between Chisinau and Kiev; on 12 January 2004, five protocols were signed in this context.


However, the customs agreement was unilaterally cancelled by Chisinau authorities, in retaliation for actions taken by Tiraspol authorities during summer 2004.¹⁰ In a reaction to Chisinau authorities' decision, on 15 August 2004, Ukraine stopped implementing the customs agreement and began to accept Transnistrian goods without Moldovan customs documentation, clearing them as “third country goods”.

After the 2004 presidential elections in Ukraine, the relations between Moldova and Ukraine improved. In July – August 2005, joint border controls were re-established at four of the seven border crossing points listed in the 1997 agreement. The process of negotiations on joint organisation of border controls at the Transnistrian segment of the state border was re-launched.

On 30 December 2005, the Prime Ministers of Ukraine and Moldova, Yekhanurov and Tarlev, signed a joint declaration to re-implement the customs protocol of 15 May 2003. After additional discussions between the two sides, assisted by the EUBAM, implementation began effectively on 3 March 2006. Since then all exports from Moldova to or via Ukraine, including those via the so-called Transnistrian segment of the border, need to have proper Moldovan documentation. This enables the two countries to exchange information and to carry out proper risk analysis, thus contributing to a more effective fight against smuggling and illegal cross-border activity.

The reinstatement of the customs regime provoked a strong reaction from the Tiraspol leadership which immediately blocked the common border, thus imposing upon itself a blockade and launched a comprehensive propaganda effort involving organised public demonstrations and co-

¹⁰ They sought to ban the teaching of the Moldovan language in the Latin, rather than the Cyrillic, alphabet.



ordinated media articles in Transnistria and Russia aimed at portraying the new regime as an externally imposed economic "blockade" which would lead to a humanitarian catastrophe. The Tiraspol position was firmly backed by Russia which called for the immediate cessation of the customs regime. The EU, U.S. and OSCE Mission to Moldova welcomed the implementation of the agreement and urged Transnistria to end its self-imposed blockade. EUBAM's presence at field level and its neutral status meant that the Mission was able to make objective information available to all interested parties. These observations, together with those made by the OSCE Mission to Moldova, meant that the allegations of an economic "blockade" and a resulting humanitarian catastrophe were comprehensively refuted.

On 16 March 2006, the Transnistrian regime started to lift its self-imposed blockade allowing imports from Ukraine but refusing to accept any goods in transit to other parts of Moldova. EUBAM has monitored the operation of the registration and reimbursement mechanism which is stipulated in the Joint Declaration of 30 December 2005. The mechanism ensures that Transnistria-based companies are not double-taxed.

Partly as a result of the Transnistrian claims of a humanitarian catastrophe, EUBAM looked very closely at the scale of food imports into Transnistria. These observations revealed large-scale smuggling of goods, including vehicles, cigarettes and foodstuff (in particular meat and vegetables) by organised criminal groups and highlighted the Transnistrian authorities' inability or unwillingness to take preventative action.

On 21 November 2006 separate protocols on information exchange between the customs services and between border guards services of Moldova and Ukraine were signed at the Fifth Trilateral Meeting on Border Issues held in Brussels. The protocols have a significant impact on fostering domestic inter-agency co-operation within each state. The four services and EUBAM agreed to produce monthly Common Border Security Assessment Reports (CBSAR) on the Moldova-Ukraine state border which contribute significantly to an improved analytical overview of border security.

A further important step forward towards economic integration of Transnistrian-based companies was the Moldovan Government decree no. 301 dated 17 March 2007, and subsequently the decree no. 743 dated 29 June 2007 which amended the Decree no. 815 dated 2 August 2005. By these amendments the access to the preferential trade certificates of origin was extended to the 'TN' based companies registered on a temporary basis. During the period 2007-2008 Moldova has in the meanwhile also transferred the competences to issue preferential certificates of origin from the Chamber of Commerce to the Moldovan Customs Service.

A working meeting of the Chairman of the UASCS and the Director General of the MDCS took place in Odessa in July 2010. The aim was to discuss and agree on joint actions to improve customs control efficiency on the Moldovan-Ukrainian border. The implementation of the Joint Declaration of the Prime Ministers of Ukraine and Moldova and the relevant protocol was assessed. The Interagency Protocol between the Moldovan Customs Services (MDCS) and the Ukrainian State Customs Services (UASCS) on cooperation at Border Crossing Points (BCPs) on the MD-UA border and the Joint Action Plan on Counteracting Customs Rules Violations for 2010-2011 were signed by the Heads of both Customs Services.

The resumption of the operation through 'TN' region of the passenger train Chisinau-Odessa-Chisinau started on 1 October 2010. EUBAM supported the joint expert mission that conducted an inspection to assess the technological conditions of the 'TN' railway section and contributed in the negotiation process.



1.6.4 EU relations with the Republic of Moldova and Ukraine on border management related issues

The overall framework for EU relations with Moldova and Ukraine is provided by the respective Partnership and Co-operation Agreements (PCA), which entered into force in 1998. Certain elements of the PCAs and of the sectoral dialogue between the countries and the EU which occurs through regular meetings of specialised subcommittees are directly relevant to the areas of customs or justice and home affairs, including border management.

Currently Ukraine and the Republic of Moldova are negotiating Association Agreements with the EU which include a part related to deep and comprehensive free trade area between the EU and these two countries.

Within the context of the European Neighbourhood Policy (ENP), both the Republic of Moldova and Ukraine have agreed to a respective ENP Action Plan with the EU, endorsed in early 2005. The implementation of these Action Plans will further contribute to strengthening the EU's relations with Moldova and Ukraine. The Action Plans contain a series of further commitments to make progress towards a system of efficient and comprehensive border management, including specific commitments related to customs (e.g. the origin of goods) or other border management issues.

A specific double-checking system without quantitative limits for exports of steel from Moldova to the EU was in place from 29 September 2004 until 31 December 2006. This measure enhanced the transparency of steel exports from Transnistria to the EU and precluded Transnistrian steel exports not registered with Moldova's authorities from entering the EU.

At the EU-Ukraine Justice, Freedom and Security (JFS) Ministerial meeting of 11 June 2007, the EU and Ukraine endorsed a revised EU-Ukraine Action Plan on Justice, Freedom and Security, which includes no fewer than 25 joint EU-Ukraine measures to upgrade Ukraine's border management and visa issuing system. Progress is regularly assessed in the form of the so-called "JFS scoreboard" which has been revised.

Within the framework of the Eastern Partnership training and pilot projects are being considered in relation with Integrated Border Management. Moreover, a € 66 Mio Budget Support programme is under preparation in Ukraine on Border Management, supported by specific technical assistance.

1.6.5. EU Border Assistance Mission to Moldova and Ukraine

On 2 June 2005, the Presidents of the Republic of Moldova and Ukraine, Vladimir Voronin and Viktor Yushchenko, addressed a joint letter to the President of the European Commission, Jose Manuel Barroso, and the High Representative, Javier Solana, calling for additional EU support in overall capacity building for border management, including customs, on the entire common Moldovan-Ukrainian border. In this letter, the EU was requested to provide specific assistance in the creation of an "international customs control arrangement and an effective border monitoring mechanism on the Transnistrian segment of the Moldova-Ukraine State border". The Commission and the EU member states agreed in principle to respond positively to this unique request, and a joint EU Council Secretariat/Commission Fact Finding Mission (FFM) visited the Republic of Moldova and Ukraine between 23 and 29 August 2005. As a result of the FFM the EU decided to launch an EU Border Assistance Mission (EUBAM) as of 1 December 2005 after the Commission signed a Memorandum of Understanding (MoU) with the Republic of Moldova and Ukraine on 7 October 2005 in Palanca.



The MoU outlines the mandate: to promote coordinated action of and assist the governments in areas involving border, customs and fiscal matters; provide practical advice and support actions undertaken to the benefit of MD and UA customs administration and border guards as well as other law enforcement and other relevant state agencies; assist in setting up a system to exchange information on customs data and border traffic between relevant administrations of both countries; provide assistance in preventing the smuggling of persons and goods subject to border and customs control.

As agreed with the two countries and approved by the EU, the Mission's mandate has been two times prolonged, each time for two years. The current mandate is extended until 30 November 2011 and covers the phase 7 and the phase 8.

1.6.6. Confidence Building Measures / EUBAM technical initiatives

Confidence building measures include the Mutual Visits Initiative: a proposal regarding the organization of three mutual visits, with the joint participation of customs experts from Chisinau, Tiraspol and EUBAM, was elaborated by EUBAM and agreed by the EU Delegation in Chisinau. The Moldovan authorities agreed with the proposal too. In June 2010 a programme of the three mutual visits was handed over by the EUSR to the 'TN' side for their agreement. The same programme was re-addressed to the MD Government for their further consideration in August 2010. Whilst the MD side reconfirmed its support to this initiative, a consensus from the 'TN' side is still pending.

The Mutual Visits Initiatives aim to ensure familiarization with the European Customs regulations, standards and best practices as well as identification of possibilities to further foster the international trade originated from the 'TN' region. The mutual visits can also contribute to identifying measures for preventing and fighting more efficiently smuggling and other customs offences that may affect the legitimate trade in MD (including 'TN').

1.6.7. Current situation at the Moldovan-Ukrainian state border

The Moldova-Ukraine State Border is 1,222 km long, consisting of 955 km of green border and 267 km of blue border. There are 67 official crossing points¹¹ including international, inter-state and local ones. 452 km of this border on the Moldovan side is under control of the so-called Transnistrian authorities, including 25 official crossing points to Ukraine (5 international, 8 inter-state, 12 local).

The "internal boundary" between the Transnistrian region and Chisinau authorities/ controlled territory has a continued Russian military presence ("peacekeeping forces") and is not monitored by Moldovan border guards, due to its administrative character. The State border with Ukraine along the Transnistrian segment is not under the control of Chisinau authorities; internationally recognised control and protection functions are "only" conducted by the State Border Guard Service of Ukraine.

An important aspect related to current situation at UA/MD border is the potential for expanding the range of information gathered for risk assessment and fraud prevention purposes. Based on the Protocol on the Pre Arrival Information Exchange System (PAIES), the Ukrainian and Moldovan Customs Services exchange data concerning goods and vehicles moving across their common

¹¹ Moldova and Ukraine had agreed to reduce the number of border crossing points to 69; some local BCPs were closed.



state border (included the Transnistrian segment). Development of PAIES is the extension of the exchange of customs data with Russia for both Moldova and Ukraine, an overall indicator of the effectiveness of the system recognized by the Partner Services as well as the confirmation of the sustainability of the EUBAM activities and results.

Since the summer 2008 EUBAM has been providing technical contribution to the issue regarding the full resumption of railway traffic through the 'TN' region of the Republic of Moldova. These efforts were translated into a success on 10 September 2010, when the RF, UA and MD railways agreed to resume the movement of the train # 642/641 Chisinau–Tiraspol–Odessa starting from 1 October 2010. Further efforts are still needed to fully and successfully resume the rail traffic through 'TN', and EUBAM stands ready to further assist the relevant stakeholders to implement customs and border guard/police control during the train *en route*.

On 10 November 2008 EUBAM addressed to Moldovan Border Guard Services (MDCS) a number of suggestions consolidated into a document called "EUBAM Technical Proposal on 'TN' cargo import" (hereinafter called as Technical Proposal). Since February 2010, EUBAM has continued dialogue with the MD Government on this matter, and expressed readiness to assist the MD stakeholders to implement the measures suggested by the Mission in the Technical Proposal.

The infrastructure and equipment at the border crossing points (BCPs) is generally adequate on the Ukrainian side, although both could be improved; there is still a need of some specialised equipment such as mobile X-ray, car-mounted thermo imaging equipment and communication means such as Internet access.

On the Moldovan side, infrastructure at the BCPs or office space available is barely adequate for the current low level of commercial traffic and will not be sufficient in case of an increase in the traffic flows. The infrastructure at the "green border" is also in poor condition and the border is still not fully demarcated. Equipment is often obsolete and seriously insufficient (lack of night vision and other surveillance equipment, sufficient border patrol vehicles, or boats for blue border patrolling).

1.6.8. Capacities of the national services in the relevant sector

Fight against corruption

Corruption continues to be an endemic problem that requires targeted anticorruption support from the international community. In the period 2004-2009 Ukraine and Moldova kept their low rankings in the Transparency International Corruption Perception Index with scores of 2.2 and 3.3¹² respectively, positioning them among the most corrupt countries in the world. While Moldova has achieved some progress moving from 2.3 to 3.3 score, the situation in Ukraine has not changed for the last 5 years. The same tendency has been recognized by the World Bank's Control of Corruption Governance Indicator.

The perceptions of corruption towards the partner services are similar to the overall feeling of corruption in the country. Two surveys conducted under the auspices of USAID in 2007 and 2009 revealed that companies generally view crossing the border and document inspections as the

¹² CPI scale ranges from 0 (perceived to be highly corrupt) to 10 (perceived to have low levels of corruption)

most corrupt stages of the customs clearance process.¹³ In Moldova, Transparency International has revealed that the total value of the money paid by businessmen for bribes has decreased by 15% compared to 2007 but still customs remains the institution where most unofficial payments were made¹⁴.

The satisfaction surveys conducted under the Model BCP Pilot Projects launched by the EUBAM in 2010 on the other side indicated that corruption perceptions of the respondents are very much linked to the management and organisational procedures at the border cross points (long queues, rude attitude etc.). Training on Human Conflict Resolution and measures to improve the managerial and organisational attitudes and procedures have been planned in this regard. The establishment of two pilot projects "International Border Crossing Points" has been among the steps implemented by EUBAM to improve the professional integrity and demonstrate that diminishing the level of corruption at the border crossing points is an achievable target providing there is the presence of strong commitment and leadership. Parallel to this, EUBAM has conducted a number of anticorruption training events for Partner Services in supporting their efforts at operational and tactical levels. Concrete guidelines for anticorruption activities with partner services have been elaborated.

EUBAM has responded to the need for raising the awareness on corruption problems in partner countries with the launch of the anticorruption summer school for students and conduct of anticorruption lectures in Ukrainian and Moldavian universities. Based on the huge success of the initiative, similar initiatives are envisaged for the next programming period. Additional requests for anticorruption support and transfer of good EU practices have been received by the Odessa Regional State Administration and partner services mainly in the areas of corruption prevention and planning, professional skills improvement, organizational performance and efficiency of the implementation of the anticorruption measures.

IBM and Schengen Acquis

EUBAM is contributing to the development of the Integrated Border Management (IBM) concept in the Republic of Moldova and Ukraine for almost five years. The IBM is now considered to be a national border management strategy in Ukraine and the Republic of Moldova, and the governments of both countries have given orders on the elaboration of the national IBM strategy (concept).

In Ukraine the draft of the national IBM was elaborated and inter-ministerial approval was finalized on 8 October in 2010. It was forwarded for approval by the Ukrainian Government.

In Moldova the National IBM Council has been adopted by the government. Finalization of the IBM Strategy of the Republic of Moldova is expected by end of 2010.

The Schengen Acquis and EU Regulations covering border-related matters were introduced to the partner services. The comparison of EU Schengen legislation against UA and MD border-

¹³ Corruption and Business regulations in Ukraine: Customs and Transportation of Goods Comparative Analysis of National Surveys: 2007-2009 for the MCC Threshold Country Program, Management Systems International and InMind, August 2009, USAID

¹⁴ Perceptions and experiences of household representatives and businessmen regarding corruption in the Republic of Moldova, Transparency International Moldova, 2009



related legislation was carried out.

EUBAM provided its expertise and assistance to the Ministry of Foreign Affairs of the Republic of Moldova on MD Visa liberalization with EU as a long term goal.

1.6.8.1.Border Guard Service of the Republic of Moldova

EUBAM developed Recommendations on Reforming the Ministry of Internal Affairs and the Border Security System of the Republic of Moldova. The 10-years vision of the development of MD BG has been created and distributed to the Government level. The final decision on the integration of BGS into the Mol of the Republic of Moldova has not been taken yet.

The distribution of responsibilities and cooperation between law enforcement agencies is under discussion. Thus, MD BGS does not have any crime investigation power or the power to impose sanctions for illegal border crossings.

Information exchange between MD BGS and other Moldovan authorities is regulated by 12 agreements and additional protocols, five of which were concluded in 2010. No regular joint planning, coordination and information exchange with other law enforcement agencies (customs, police) is carried out. However, information exchange and joint planning with customs is carried out on ad-hoc basis.

MD BGS continued to work towards the optimization of their structure.

The leadership of MDBGS is aware of the EU intelligence-led policing model and makes efforts to overcome the presently reactive border control strategy, and achieve an integrated border management driven by intelligence. This is done by increasing the number and training of professional staff and phasing out conscription, introducing risk analysis, developing an integrated modern communication system, and strengthening inter-agency domestic coordination and international cooperation in support of an intelligence-led border control system.

The MD BGS has switched from 4 to a 3-level management system, being now structured into ten regional directorates, out of which five are in charge of the border with Ukraine. Handing over of the range of functions and corresponding authority to the regional directorates from the central apparatus is necessary, together with providing them with financial and economic independence. The Service has reduced the proportion of conscripts from their overall staff complement to 35% in 2008, and plans to be a totally contracted organisation by 2011. Although the global financial crisis has a negative impact on the budget of the MD BGS the service continues to move closer to this established objective.

The risk analysis capability requires further development. It is essential to select, train and deploy staff at the regional level.

The installation of a modern IT based communication system is on-going.

1.6.8.2.Customs Service of the Republic of Moldova

The Customs Service undertook a comprehensive restructuring in spring 2007, reducing the number of customs bureaus from 15 to 8 and reorganising the central level functions. EUBAM assisted the Moldovan Customs Service in establishing the new administrative structure as well as in developing its Strategic Development Action Plan 2009-2011.



After the elections in 2009 the Customs Service has been placed under the Ministry of Finance.

The Moldovan Customs Service has overall adequate administrative capacity / staffing and adequate knowledge of customs rules; customs procedures appear to be normally in line with international standards (Moldova is a member of the WTO). Since 2008 Moldova is a party to the Istanbul Convention and applies as of 1.07.2010 ATA system. However, improvement of the processing capabilities and specialized skills is still needed (e.g. the implementation of transit procedures, the use of modern techniques of selectivity or risk analysis, etc). The Service conducts criminal investigations in accordance with its mandate. Whilst criminal investigators have received some training, additional efforts are required to upgrade investigators knowledge and skills.

The Service has shown greater tangible achievement as regards facilitation of traffic and trade flow by improving communication towards the travelling public and economic operators, through amending rules and regulations, and promulgating this information. MDCS undertook all necessary measures from its side for establishment of web based service with the authorities involved in the process of the implementation of the Single Window. On line connection is place with banks. Server to server connection with BGS is already fully implemented at the BCPs on the border with Romania and is under development at the other borders. Connections with other authorities are also under development.

Based on SOClass IT Platform, IT System is in place, which will allow incorporation of FRONTIERA System into ASYCUDA World System.

Post Clearance Audit (PCA) units are operational. EUBAM is actively supporting the activity by providing assistance in legal gap analysis, amendments of legislation, assessment of needs in PCA staff using best practice of EU Member States. Assistance was also provided in further extension of risk analysis for the purposes of PCA and drafting annual plans for the activity. The current situation still differs from the recommendations given by the EU in PCA Guide and Customs Blue Prints and by the WCO in the PCA Guidelines and needs improvements.

1.6.8.3.State Border Guard Service of Ukraine

SBGSU has introduced a new Law of Ukraine on Border Control Procedures of 5 November 2009. Provisions of the law are very similar to those in the Schengen Borders Code. Nevertheless, some important border control procedures of EU are not included yet and the future implementation is not discussed.

The BCPs are not staffed fully and the available number of border guards causes a need for reinforcement of the BCPs with additional temporary staff during the high season.

The UA SBGS has created a computer network between the HQ, all regional directorates, detachments and the most of departments. The Intranet is under development and has only limited capabilities currently.

In Ukraine information exchange and cooperation between intelligence units of the SBGS, of the Ministry of Interior and of the Security Service is regulated by common orders and instructions. The Common order with the State Customs Service on information exchange is under elaboration. Information exchange between authorities is also regulated by some other common orders approving instructions on cooperation between these authorities.



The SBGS is structured into five regional departments, with Odessa in charge of nearly the entire border with Moldova. The service has transferred from a militarised structure to a law-enforcement structure by switching from a 5-level to a 4-level management system. Whilst EUBAM recognizes that progress has been made from the military to the civilian structure there is still a room for further development.

The EUBAM recommendation of phasing out the conscription has been achieved in Ukraine, where within the Mission area of responsibility conscription has been terminated and all staff are now contracted.

The SBGS has introduced a new 4-level risk analysis structure. The Service should further press ahead with the setting up of the risk analysis structures at the tactical and operational-tactical levels.

The Service's integrated information system was developed and designed in line with requirements for 'open' information systems and allows all subunits to have access to programmes at central, regional and local levels. Currently an Integrated Interagency Information and Telecommunications Program on passengers, vehicles and goods crossing the border is being developed.

1.6.8.4. State Customs Service of Ukraine

Ukraine joined the WTO in 2008. To get acquainted with the changes to the UA legislation following the country's accession to the Kyoto Convention and the WTO, several seminars have been organised for the UASCS with the Mission's active support.

Administrative capacity appears to need reinforcement in some areas. Knowledge and harmonized application of customs rules and procedures is generally better at the main transit points (including the ports of Odessa or Illichevsk) than at BCPs; training in certain specialized skills (e.g. application of risk assessment techniques) appears as necessary.

Post Clearance Audit (PCA) units are operational. EUBAM is actively supporting the activity by providing assistance in legal gap analysis, amendments of legislation, assessment of needs in PCA staff using best practice of EU MS. Assistance was also provided in further extension of risk analysis for the purposes of PCA and drafting annual plans for the activity. The current situation still differs from the recommendations given by the EU in PCA Guide and Customs Blue Prints and by the WCO in the PCA Guidelines and needs improvements.

The State Customs Service (SCS) lacks investigative powers and is only allowed to handle administrative offences. EUBAM has supported the efforts of the SCS and has shared EU best practices on this issue.

The SCS is developing its risk management capacity. EUBAM is of the view that the existing capacity is not adequately used for assisting customs clearances and in addition could be used to provide more assistance to strategic decisions. Risk management including risk analysis at custom house level needs to be developed. It is important to note that access to information is restricted and the ability to use it effectively is on a rather low level.

1.7. Donor coordination and related programmes



Other than the EC, the international actors involved in border-related assistance in Moldova and Ukraine include the Organisation for Security and Co-operation in Europe (OSCE) and the United States (including a programme to support customs and border guards in Moldova), as well as the UN System Agencies (UNHCR, IOM and UNDP).

The EC started developing a long-term policy in the field of justice, freedom and security with both countries since at least 2000. This concerned in particular enhancing border management and helping fight cross-border criminal activities. Various aspects of capacity-building of Ukrainian and Moldovan customs or border guards services have been, are being, or are about to be addressed under the Tacis National, Regional, or Cross-Border Co-operation Action programmes (NAP / RAP / CBC).

In the frame of the Paris Declaration agenda, a sub-working group on border management issues was established by the Government of Ukraine to coordinate donor assistance. As regards border management, besides the EC, there is only one major donor active, the U.S. Close cooperation and coordination of activities are ongoing on a permanent basis in order to ensure synergy effects. Coordination with beneficiaries and donors is also achieved through EUBAM Advisory Board and EUBAM Coordination meetings.

Under the ENPI 2010 Annual Action Programme for Ukraine, the Commission is planning to finance a budget sector support programme in the field of border management, which will have an impact on EUBAM's work and require further coordination in such field.

Close co-ordination will be ensured also with respective activities. This will be facilitated through the OSCE's and UNDP's participation and IOM's observer status in the EUBAM Advisory Board.



1.8. Phase 8 Action Plan – Detailed description of activities

Specific objective 1	To evaluate the border control and surveillance measures by the Moldovan and Ukrainian border guards and customs authorities on the basis of, respectively, relevant Moldovan and Ukrainian legislation and EU-standards with particular attention in this regard to the Moldova-Ukraine State border.
Output 1.1.	The evaluation report on the border control at border crossing points (BCPs) at the border between the Republic of Moldova and Ukraine delivered to the border guard and customs services.
Activities	
1.1.1.	To evaluate all aspects of border control by border guards of Republic of Moldova and Ukraine at BCPs at the border between the Republic of Moldova and Ukraine.
1.1.2.	To evaluate all aspects of border control by customs services at BCPs at the border between the Republic of Moldova and Ukraine.
1.1.3.	To agree with the individual partner services on a plan regarding giving assistance and advice on recommendations made in the specific evaluation reports.
Output 1.2.	The evaluation report on the border control at the Green and Blue border between the Republic of Moldova and Ukraine delivered to the border guard services of both countries.
Activities	
1.2.1.	To evaluate all aspects of border control by the border guards of the Republic of Moldova and Ukraine at their common Green and Blue border.
1.2.2.	To agree with the individual partner services of border guards of Republic of Moldova and Ukraine on a plan regarding giving of assistance and advice on recommendations made in the specific evaluation reports.
Output 1.3.	The evaluation report on the control at the boundary line along the two banks of the Dniester River in the Republic of Moldova delivered to the Ministry of Internal Affairs and the Customs Service of the Republic of Moldova.
Activities	
1.3.1.	To evaluate all aspects of control related to the responsibility of the Ministry of Internal Affairs and the Customs Service of the Republic of Moldova at the boundary line along the two banks of the Dniester River in the Republic of Moldova.
1.3.2.	To agree with partners of the Ministry of Internal Affairs and Customs Service of the Republic of Moldova on a plan regarding giving of assistance and advice on recommendations made in the specific evaluation reports.



Output 1.4.	The evaluation report on the respect of the fundamental human rights in border management at the border between the Republic of Moldova and Ukraine provided.
Activities	
1.4.1.	To evaluate the respect for human dignity and fundamental human rights by the partner services at the border between the Republic of Moldova and Ukraine.
1.4.2.	To facilitate and coordinate the evaluation by external donors of guarantees related to asylum seekers and illegal immigrants during the period of detention and return process.
Specific objective 2	<u>Building capacity and knowledge of EU and other international standards/best practices.</u> To contribute to the development and the implementation of effective border control and surveillance measures in the Republic of Moldova and Ukraine by strengthening the border guards, customs and (other) law enforcement agencies and/or other relevant authorities administrative capacity.
Output 2.1.	Assistance and advice to the partner services on organisational development towards the EU standards and best practice provided.
Activities	
2.1.1.	To contribute on request of the partners to the planning and implementation of their strategy and policy, based upon models of the EU and worldwide best practice.
2.1.2.	To assist the partner services in their leadership and management development based upon the agreed identified needs.
2.1.3.	To assist and advice on request of the partner services in the realisation of the organisational changes based upon the specific needs and reflecting best practice models.
2.1.4.	To assist and advice on request of the partner services in improving the effectiveness of the deployment of their resources.
2.1.5.	To assist and advice partner services on the implementation of the agreed recommendations.
2.1.6.	On request of the State Border Guard Service of Ukraine, to assist and consult on the issues of the development and modernization of operating procedures, infrastructure and systems of control at BCPs according to best practices.
2.1.7.	On request of the Border Guard Service of the Republic of Moldova, to assist and consult on the issues of the development and modernization of operating procedures, infrastructure and systems of border surveillance and control



	(especially to ensure second line control at BCPs).
2.1.8.	To support the European Commission and the partner services in the realisation of the "Eastern Partnership Flagship initiative on Integrated Border Management.
2.1.9.	At the request of the EU Delegations and other relevant donors to provide advice and assistance in the identification of priorities and needs for the development and modernisation of border infrastructure, technical equipment, border surveillance systems, and IT and communications systems.
Output 2.2.	Assistance and advice to the partner services to enhance their organisational capacity to manage and develop the training system towards best practice provided.
Activities	
2.2.1.	To respond to the identified agreed needs of the partner services' training institutions by providing and facilitating advice, assistance and analysis in the development of training strategies, plans, policies, programmes, and curricula, reflecting the EU and worldwide best practice, e.g. to support the European Commission on the "Eastern Partnership Integrated Border Management Flagship Initiative project (EaP IBM flagship Initiative project)
2.2.2.	To facilitate cooperation of the partner services with EU training institutions and with international organisations and especially with FRONTEX, CEPOL and other training institutions of the EU member states.
Output 2.3.	Trainings and related assistance for enhancing sustainable capacity of the partner services to deliver technical training completed.
Activities	
2.3.1.	To provide assistance in developing the training skills and techniques of the designated trainers in the partner services.
2.3.2.	To deliver training to the designated trainers on the specific technical training subjects.
2.3.3.	To provide practical support to individual practitioners of the partner services in accordance with the EU practices.
2.3.4.	In accordance with the agreed training programme to provide training to the practitioners in the partner services.
Output 2.4.	Assistance and advice provided to the partner services on national legislation and EU acquis.
Activities	
2.4.1.	To inform on an ongoing basis partner services on the legal gaps, which have been identified by the EUBAM during its monitoring and analytical activities.
2.4.2.	To provide advice to overcome legal gaps between the customs legislation of the Republic of Moldova and Ukraine and the customs-related EU acquis.



2.4.3.	To provide advice to overcome legal gaps between the border guard related legislation of the Republic of Moldova and Ukraine and the Schengen Aquis.
2.4.4.	On request to provide partner services with expertise on drafts for new legislation, regulations and orders.
2.4.5.	To assist and to advise partner services in the implementation of agreed recommendations as defined in related evaluation reports.
Output 2.5.	Conferences, seminars and study tours on border management issues according to the agreed programme organised.
Activities	
2.5.1.	To organise conferences and seminars on strategic issues, based upon the partner services needs.
2.5.2.	To provide foreign study tours for partner services, reflecting an identified need, and to reinforce development issues with examples and experience of best practice.
Output 2.6.	Assessment provided to the partner services regarding the application of data protection rules and regulations with regard to national legislation and EU standards at the border between Republic of Moldova and Ukraine.
Activities	
2.6.1.	To assess the application of data protection rules and regulations at the border between Republic of Moldova and Ukraine.
Output 2.7.	Analytical support and assistance in relation to the ongoing visa liberalisation dialog provided in line with EU-standards and EU-legislation.
Activities	
2.7.1.	On request to support the Republic of Moldova and Ukraine with analytical support in relation to the ongoing visa liberalisation dialog.
2.7.2.	On request to assist the Republic of Moldova and Ukraine in relation to the ongoing visa liberalisation dialog.
Output 2.8.	A progress report comprising the main achievements in border management obtained by partner services in 5 years of EUBAM activity provided.
Activities	
2.8.1.	To review the progress in border management towards EU standards made by partner services in 5 years of EUBAM activity.
Specific objective 3.	To contribute to preventing border related crimes such as trafficking in persons, trafficking in drugs, smuggling of goods, customs fraud and the proliferation of weapons.
Output 3.1.	Assistance provided to the partner services' in preventing border related



	crimes.
Activities	
3.1.1.	To assist and advise partner services at all management levels in preventing border related crimes in line with EU best practices.
Output 3.2.	Assistance provided to the partner services' criminal investigations related to the Ukrainian-Moldovan border.
Activities	
3.2.1.	On request to advise partner services in the investigation and prosecution of the criminal cases.
3.2.2.	To assist in adoption of modern investigation methods, evidence gathering and use of case analysis.
3.2.3.	To support the Joint Working Group on illegal migration and trafficking in human beings.
3.2.4.	To support the Joint Working Group on trafficking in drugs and weapons, smuggling of goods and customs frauds.
Output 3.3.	Analytical capacity enhanced.
Activities	
3.3.1.	To provide the services with analytical reports and alerts for direct input and tactical purposes.
3.3.2.	To assist the relevant departments of partner services in drafting joint analytical reports and alerts
3.3.3.	To support the partner services in their response to the identified threats.
Output 3.4.	Joint assistance actions aimed at contributing to counteract border related crimes conducted.
Activities	
3.4.1.	To conduct joint assistance actions based on risk analysis and local and regional phenomena, including: <ul style="list-style-type: none">• evaluation of risk;• planning of actions;• implementation of actions;• collation and evaluation of results.
Output 3.5.	Implementation of the recommendations related to the prevention of border related crimes progressed.
Activities	
3.5.1.	To assist and advise the partner services on the agreed implementation of the recommendations at central level.
3.5.2.	To assist and advise the partner services on the agreed implementation of the recommendations at regional and local level.

Output 3.6.	The use of mobile units by partner services in preventing border related crimes improved.
Activities	
3.6.1.	To assist and advise the partner services in further development of the concept of Mobile Units.
3.6.2.	To assist and advise the partner services with regard to the strengthening of inter-agency cooperation in mobile units activities.
Specific objective 4	<u>Enhancing customs revenue</u> To contribute to increasing customs revenue and to create the necessary conditions for the correct implementation of the national trade policy of the Republic of Moldova and Ukraine by upgrading the administrative and operational capacity of their customs administration.
Output 4.1.	Implementation of the recommendations on improving all aspects of the customs clearance at the inland locations for securing the revenue assisted and assessed.
Activities	
4.1.1.	To continue providing assistance and advice to the partner services in developing their policy on the recommendations and the implementation of relevant recommendations at the central level.
4.1.2.	To continue providing assistance and advice to the partner services in implementing the relevant recommendations at the regional and local levels in accordance with their policy.
4.1.3.	To assess the progress made by the partner services at the central level on the implementation of the relevant recommendations.
4.1.4.	To assess the progress made by the partner services at the regional and local levels on the implementation of the relevant recommendations.
Output 4.2.	The pre-arrival information exchange system is efficient and effective.
Activities	
4.2.1.	To assist and advise partner services in making the use of the pre-arrival information exchange system sustainable including the development and implementation of manuals, procedures, training curriculum.
4.2.2.	On request of the partner services to promote the pre-arrival information exchange system as a best practice at the international level.
Output 4.3.	Assistance given in the implementation of the trade facilitation of the Republic of Moldova and Ukraine in the light of the customs control.
Activities	
4.3.1.	To assist partner customs services in defining and implementing more effective procedures in relation to the needs of the business community and in accordance with the requirements of WTO, Kyoto Convention and other agreements.
4.3.2.	To promote partnership between Customs and Business based on mutual respect for each other's roles and responsibilities in order to better secure and facilitate trade.



Output 4.4.	Assistance given in the post clearance control and audit procedures of the customs services of the Republic of Moldova and Ukraine.
Activities	
4.4.1.	To continue and to extend the evaluation process of the policies of partner services compared with the recommendations of the EC and WCO.
4.4.2.	To assist and advise the partner customs services in improving their practice related to post clearance control and audit on central and local level.
Specific objective 5	To support the partner services' anti-corruption efforts.
Output 5.1.	Assistance and advice to develop the capacity to identify and effectively address corruption in the partner services provided.
Activities	
5.1.1.	On request of the partner services to assist and advice in further developing an anti-corruption strategy.
5.1.2.	On request of the partner services to develop a common anti-corruption action plan.
5.1.3.	On request to assist partner services in implementing the common developed action plan at central, regional and local level.
5.1.4.	To assist the partner services in the investigation process of cases where corruption is indicated and report progress and apparent legal, procedural and other obstacles to due process.
5.1.5.	To support and assist as agreed with the relevant state institutions in developing their effectiveness in areas relevant to addressing corruption in partner services and coordinated with the other donors.
5.1.6.	With the agreement and cooperation of all partners to continue to improve the anti-corruption measures in the two pilot projects international border crossing points at the border between the Republic of Moldova and Ukraine and to determine and monitor the feasibility of establishing anti-corruption measures.
5.1.7.	To assist and advise partner services to roll out the successful anti-corruption measures implemented in the two pilot projects to the other border crossing points at the border between Republic of Moldova and Ukraine.
5.1.8.	On request to support the relevant institutions at national, regional and local level of the Republic of Moldova and Ukraine to initiate the organisation of anti-corruption initiatives such as a summer camp for students.
Specific objective 6	<u>Implementing the national Integrated Border Management concept by:</u> 1. improving intra-agency cooperation; 2. improving inter-agency cooperation;



	3. Improving international cooperation: a. bilateral; b. multi-lateral.
Output 6.1.	Assistance and advice provided to the partner services on establishing the national integrated border management.
Activities	
6.1.1.	To advise the partner services on the strategic level in the further development of the integrated border management national concept.
6.1.2.	To assist the partner services in developing a national action plan for implementing the integrated border management concept.
6.1.3.	To assist the partners services in implementing the national action plan.
Output 6.2.	Intra-agency cooperation within the partner services supported.
Activities	
6.2.1.	To continue to assist and advice the partner services in implementing the agreed recommendations related to the delegation of tasks, duties and responsibilities from the central to regional and local levels.
Output 6.3.	Interagency cooperation of border authorities supported.
Activities	
6.3.1.	To assist and advise in further developing and implementing interagency cooperation at the BCPs with regular working sessions for planning, coordination and evaluation.
6.3.2.	To continue supporting the interagency cooperation of the partner services of the Republic of Moldova and Ukraine in organizing Joint Border Control Operations (JBCO).
6.3.3.	To facilitate and chair within the rotation system monthly External Coordination Meetings.
Output 6.4.	International cooperation of the partner services, Law Enforcement Agencies and other relevant authorities supported.
Activities	
6.4.1.	To assist in the continuation of the work of the permanent joint working group on "Joint measures on Border Patrolling" composed of the border guard services of the Republic of Moldova and Ukraine.
6.4.2.	To continue supporting the cooperation between the partner services and the international organisations, law enforcement agencies and other relevant authorities in organizing Joint Border Control Operations (JBCOs).



6.4.3.	To continue assisting and advising in the implementation of the Jointly Operated BCP pilot project Briceni-Rossoshany.
6.4.4.	To continue assisting the partner services in developing and producing the monthly Common Border Security Assessment Report and to ensure the strategic and tactical usage.
6.4.5.	To further develop and jointly elaborate the quarterly "Common Border Security Assessment Report" (CBSAR) towards a strategic document.
6.4.6.	To further develop the exchange of operational information between the Border Guard services of the Republic of Moldova and Ukraine and draft the recommendations.
6.4.7.	To further promote the partner services cooperation with the EU agencies, international organizations and to improve the cooperation within projects such as the "Common pilot project focal point" of FRONTEX and projects of EU member states.
6.4.8.	To initiate together with the partner services social events such as tournaments and other, aiming to build confidence between the border guards and customs services of the Republic of Moldova and Ukraine, other national border related agencies, representative institutions of the civil society and relevant international organisations.
Specific objective 7	<u>Contributing to the settlement of the conflict in Transnistria</u> To make a positive contribution towards the settlement of the conflict in "TN" and, in case a settlement is achieved within the duration of this action, to promote post settlement consolidation.
Output 7.1.	A positive contribution to the settlement of the conflict in "TN" made.
Activities	
7.1.1.	To monitor and advise on the implementation of the Joint Declaration of the Prime-Ministers of Ukraine and the Republic of Moldova of 30 December 2005.
7.1.2.	In case of the partners' commitment, to facilitate the initiatives to contribute in confidence building measures.
7.1.3.	Upon request, to take part in the EUSR and Commission initiated confidence building measures such as the measures aiming at resumption of the railway traffic.
7.1.4.	To provide assistance to the border demarcation along the border between the Republic of Moldova and Ukraine (as associated objective).
7.1.5.	To provide assistance to the EUSR and his Enhanced Border Team in fulfilling their efforts in the conflict settlement process.

7.1.6.	To ensure neutral, objective updates to the EU Commission (including EU Delegations in Chisinau and Kiev), EUSR, EU Member States, host countries Governments, OSCE and other international partners on border issues that relates to the conflict settlement process.
Specific objective 8	<u>Enhancing public awareness on border management and security.</u> a. To contribute to the improvement of public relations capabilities of the public relations sections of the Moldovan and Ukrainian partner services; b. To provide objective information to the local population in the Republic of Moldova, Ukraine and the EU regarding EUBAM mandate and assistance provided to the countries.
Output 8.1.	Public relation capabilities of the public relations sections of the Moldovan and Ukrainian Border Guard and Customs services enhanced and, on request, support in enhancing the public relations capacities of other law enforcement and relevant state agencies provided.
Activities	
8.1.1.	To further promote integrated and practical communication of the partner services with the public through training events and a study tour for public information officers of the Moldovan and Ukrainian border guard and customs services.
Output 8.2.	A set of public communication activities supported to improve the border crossing for travellers and trade.
Activities	
8.2.1.	To continue to assist the partner services in developing and disseminating information materials on the border crossing rules for travellers and trade.
8.2.2.	With the partner services to continue the implementation of public communication activities regarding border management and security, including information campaigns, fairs, publications, and celebration of Europe Day.
8.2.3.	In line with the budget provision, to continue assisting in the development of the border information signs for jointly operated border crossing points including the pilot project in the Rossoshany-Briceni JOBCP.
8.2.4.	Based on the agreement with the partner services, to implement an external survey on the satisfaction of people with the services provided by the border agencies at the key working locations on the MD-UA border.
Output 8.3.	Knowledge about the EU and its institutions as well as about its domestic and foreign policy and political culture shared with authorities and general public of the Republic of Moldova and Ukraine.
Activities	
8.3.1.	To regularly transmit assessments, analysis and proposals to the relevant Moldovan and Ukrainian authorities.



8.3.2.	To inform the population in the Republic of Moldova and Ukraine on the EUBAM mandate, cooperation and activities.
8.3.3.	With the partner services, to deepen and maintain relationships with local communities along the MD-UA border through school visits and information events in local municipalities.
8.3.4.	In the framework of the Mission's mandate, to provide relevant information and support to civil society in the Republic of Moldova and Ukraine, including the business and academic community.
Output 8.4.	The EU institutions, EU Member States and other relevant organisations informed about the achievements in cooperation between EUBAM and the Moldovan and Ukrainian partners.
Activities	
8.4.1.	To host visitors from the EU institutions, EU Member States promoting EUBAM work and cooperation mechanisms with the Moldovan and Ukrainian border services.
8.4.2.	To share EUBAM cooperation and promote achievements of the partner services on the international level.
Output 8.5.	Regular information exchange and communication with the partner services and stakeholders facilitated.
Activities	
8.5.1.	To submit EUBAM routine reports and assessments, analysis papers and findings to the partner services, European Commission, European Council and EU Member States at regular intervals.
8.5.2.	To conduct Advisory Board Meetings.

The Plan of Action is annexed to and incorporated to the EUBAM 8 Description of Action. (Annex 1)

The Mission is expected to initiate the achievement of the results listed at chapter 2 below. In order to achieve these results the Mission and the implementing partner (UNDP) may propose for endorsement alternative or complementary project activities to those identified in this section, where those can be clearly justified.

The Moldovan and Ukrainian authorities are committed to enhancing the effectiveness of their border and customs services, to fight against corruption, to enhance bilateral cooperation and to peacefully resolve the Transnistria conflict. This political commitment was translated in concrete terms through the signature by Moldova and Ukraine of the Memorandum of Understanding on the European Union Border Assistance Mission to Moldova and Ukraine. Under the Memorandum, the countries agreed to the presence and proposed mandate of the EU Border Assistance Mission, including in particular to:

- authorise Mission personnel to perform unannounced inspections at all relevant locations including BCPs, inland customs houses, transit points and locations along the green / blue border;
- authorise Mission personnel to request the head of the relevant customs or border unit to order re-examination of certain cargoes / passengers in case of doubt;
- make available, wherever materially possible, basic office facilities for the local offices of the Mission, include office accommodation and furnishings, and telephone equipment and lines with national and international access;
- appoint senior members of their customs and border administrations to liaise with the Mission, and ensure that staff of the appropriate level is made available to work alongside the Mission personnel.

The project partners, i.e. the customs and border guard administrations of Moldova and Ukraine, undertake to observe the letter and the spirit of the above agreement. They shall provide such assistance to the Mission as necessary to arrange visas for expatriate personnel, and customs clearance and inland transport (from border point to final destination) for the Mission's imported equipment. They should also provide all possible assistance to solve unforeseen problems which the Mission may face. On the other hand, the Mission may, within the limitations of the budget, financially contribute to action and operational costs of the partner services.

In the capacity-building components of the Mission's activities it may promote and finance the e-learning if and when it is more appropriate and cost-effective.

1.9. Target groups and beneficiaries

- a) Ministries of Foreign Affairs of Moldova and Ukraine: EUBAM will, with its technical capacity and expertise, support both countries' political level to find practical solutions for existing cross-border problems caused through the situation in Transnistria. The Mission will also support both countries in the implementation of the Joint Statement of 30 December 2005 through advice provided to the border guard and customs services.
- b) Border Guard Services of Moldova and Ukraine: both services will directly benefit from capacity building measures, i.e. advice provided by EUBAM experts. Another valuable and sustainable effect is direct contacts to EU border police services and EU agencies which will foster cross-border cooperation and information exchange.
- c) Customs Services of Moldova and Ukraine: both services will directly benefit from capacity building measures, i.e. advice provided by EUBAM experts. Also the customs services will benefit from enhanced contacts to EU customs services which in the long run will help fighting customs related fraud and smuggling activities.
- d) Ministries of Internal Affairs of Moldova and Ukraine: police will participate in joint cross-border operations together with the Border Guard Services and the Customs Services which will intensify inter-agency cooperation and coordination between the law enforcement



services. The Moldovan Ministry of Internal Affairs will also benefit from EUBAM's input into the reform of the Internal Customs Control Points (ICCP) on the administrative boundary with the Transnistrian region, as well as from the capacity building work undertaken by the Mission.

- e) General Prosecutors Office and Local Prosecutors Offices in Moldova and Ukraine: prosecutors will be assisted – within their constitutional area of responsibility, i.e. supervising law enforcement services' investigations and coordinating investigations in which several law enforcement services are involved – to ensure proper investigation, evidence gathering and prosecution of criminal activities.
- f) Security Service of Ukraine, and Information and Security Service of Moldova: both intelligence services will participate in joint cross-border operations together with the services mentioned above. This will intensify inter-agency cooperation and coordination between law enforcement services.
- g) Tax authorities of Moldova and Ukraine: Tax authorities will participate in joint cross-border operations together with the services mentioned above. This will intensify inter-agency cooperation and coordination between law enforcement agencies, the customs services and tax authorities.

Final beneficiaries of EUBAM's intervention will be:

- h) Ministry of Finance of Moldova and Ukraine: EUBAM's activities will lead to a more reliable customs valuation of imports as well as decrease the level of cross-border criminal flows such as smuggling of goods. This will considerably increase the amount of customs revenue collected which will be transferred to the State budgets. Increased customs revenues and taxes income will allow the Governments more flexibility in investments.
- i) Citizens of Moldova (including Transnistria) and Ukraine: citizens of both countries will benefit from the acceleration of the transition from border control to border management, which supports freer, legitimate movement of people and fairer, more transparent, as well as freer trading conditions. The Mission's impact in reducing corruption and unnecessary bureaucracy will help people and business get a better service from the Border Guard and Customs Services of Moldova and Ukraine.

1.10. Lessons learned, risks and assumptions

1.10.1. Lessons learned

- a) EUBAM has demonstrated that the innovative institutional compromise under which it was established is able to deliver significant results. The integrated interface between this European Commission Mission and the Council, through the EUSR, and the enhanced border team which includes personnel seconded directly by EU Member States (which also constitutes a considerable equivalent financial contribution), has provided an excellent framework for the Mission to deliver technical advice and assistance, while maintaining awareness of, and responsiveness to, the context in which it operates.
- b) EUBAM benefits from the mix of professional and national backgrounds and their authentic experience, enabling it to give practical expression to the phrase "United in Diversity".



Increased contextual awareness and attention to linguistic and cultural integration into the communities where mission members live and work may pay dividends in future.

- c) Excellent public relations, as EUBAM has had, are essential in promoting the role of the Mission, maintaining momentum and ensuring that the public and customers are aware of the value of such a mission, which also supports the confidence building process with partner services.
- d) The tasks of a mission such as EUBAM are challenging, particularly in scenarios where there is no immediate accession perspective. The framing of the role of a mission as a partner was carefully created to allow it to be perceived as an opportunity, not a threat. The Mission has an advisory nature and is assisting the partner services. The creation of the new Capacity Building Unit and the Liaison Office of EUBAM in the Republic of Moldova is an answer to this need, that is also understood by the partner services in both countries
- e) After the re-establishing of the May 2003 customs agreement based on the Joint Statement of the Republic of Moldova's and Ukraine's Prime Ministers, dated 30 December 2005 and enforced as of 3 March 2006, another major success in the settlement process was the issuing of Decree no. 301 by the Republic of Moldova Government on 17 March 2007 (later replaced by Decree no. 743/2007, establishing more favourable implementing procedures). This new decree amended the Decree no. 815 of 2 August 2005 extending access to preferential trade certificates of origin to companies located in the Transnistrian region of the Republic of Moldova and temporarily registered in the Moldovan State Registration Chamber. Continued EU technical support to the implementation of the Joint Declaration is required (i.a., through facilitating dialogue between the two countries, facilitating the exchange of information, risk analysis). EUBAM has been providing this technical support.
- f) Targeting only border guard and customs services in the fight against smuggling has not proved to be sufficient. Smugglers have been released and the smuggled goods were returned to the smugglers. Corruption continues to be a serious issue. This calls for involving the Prosecutor's offices, the courts and the Ministry of Justice either in EUBAM activities or in accompanying technical assistance projects. Furthermore, EUBAM re-organised its structure in particular to assist partners in improving the whole investigation process. Anti-corruption Advisor, Risk Analysis Specialists and Investigation Specialists positions as well as other positions have been established within the EUBAM Capacity Building Unit and Analytical and Operational Support Unit.
- g) The Mission's logistic set-up was so far managed by UNDP. Both the EU and UNDP had to find a compromise that combined adherence to procedure, while reflecting the unique character and needs of the Mission. In July 2009, UNDP confirmed their agreement on all requirements submitted by the EC Delegation, including on the status of senior staff and visibility issues.

1.10.2. Assumptions underlying the project intervention

Assumption 1: *Ukrainian and Moldovan authorities will remain committed to the reform of their border and customs services, the fight against corruption, and bilateral co-operation, and will accept (at central, regional and local level) the presence and tasks of the Mission personnel throughout its duration.*

The realisation of this assumption is likely, as the countries' political commitment emanates from the highest political level and was confirmed by the signature of the Memorandum of Understanding on the Border Assistance Mission between Ukraine, the Republic of Moldova, and the Commission, as well as by the agreement of all parties to extend the Mission's mandate



for further two years until 2011. Continued commitment and cooperation at the level of services was good during the four years of implementation, and will continue being regularly reported on by the Mission. Moreover, the President of Ukraine adopted the State Border Guard's development strategy up to 2015 in June 2006, a reform document aiming at achieving Schengen standards within the set time horizon. A similar reform strategy is underway for the Moldovan Border Guard Service. Also the State Customs Service of Ukraine started elaborating a strategy paper for the service's development for the next decade.

Assumption 2: *EU Member States customs and border police administrations will accept to prolong the secondment of the staff currently engaged in the Mission as well as to suggest further suitably qualified personnel for reinforcing the Mission and will continue contributing towards the successful operation of this Mission, notably through exchange of information.*

The realisation of this assumption is likely. EU Member States demonstrated strong support in 2006 - 2009 for EUBAM and an interest in continuing / enhancing their contribution to this joint EU endeavour, through seconding own personnel as "field personnel" of the Mission, and accepting to allow continued detachment from national service of the contracted "core" personnel of the Mission.

Assumption 3: *The presence of the Mission personnel at all levels of the partner services organisation will improve the border management of the border between the Republic of Moldova and Ukraine and will contribute to improving the effectiveness of controls towards EU standards and best practices, to diminishing risks of corruption, and to curbing the main illegal cross-border flows.*

The previous years of the Mission's operation demonstrated the partners' sincere interest to improve the effectiveness of border and customs controls. All services cooperate closely with the Mission and implement their recommendations. The assistance in the implementation of the training concepts in a live work environment is proving to be the right approach. This logic has underpinned all EC twinning projects deploying Member States practitioners in the pre-accession context.

Assumption 4: *Improved border and customs controls and border surveillance along the whole border is a crucial element in the peaceful resolution of the Transnistrian conflict.*

This assumption intervenes at the level of wider / overall objectives. Clearly the realisation of this overall objective is beyond the remit of this Mission alone and depends also on other external factors. There is already a clear indication that the expected results and the achievement of specific objectives will significantly contribute to this overall objective. Moldovan-Ukrainian relations improved considerably after the signing and implementing of a Joint Declaration of both countries' Prime Ministers dated 30 December 2005 and implemented since 3 March 2006 as well as the adoption of Decree no. 301/2007, later replaced by Decree no. 743/2007, by the Moldovan Government allowing companies located in the Transnistrian region of the Republic of Moldova and temporarily registered in the State Registration Chamber fully benefiting from the Republic of Moldova's preferential trade certificates of origin.

1.10.3. Risks

The evident high level of corruption in all services could reduce the positive impact of EUBAM's operation. EUBAM is addressing this challenge through assisting the partner services in implementing anti-corruption strategies.



EU will support Ukraine and Moldova on their anti-corruption efforts through the Eastern Partnership initiative, as one of the thematic panels is dedicated to the anti-corruption issues, as well as through a possible anti-corruption project in Ukraine with the Council of Europe, which is currently under preparation.

1.11. Duration and plan of action

1.11.1. Duration (implementation period)

According to the Memorandum of Understanding between the European Commission, the Republic of Moldova, and Ukraine of 7 October 2005, amended on 11 May 2007 and on 15 July 2009 through the exchange of verbal notes between the European Commission, the Republic of Moldova, and Ukraine, EUBAM's overall duration is expected to be six years.

The action is divided into the following phases:

- Phase 1 = EUBAM 1: 21 November 2005 – 20 May 2006;
- Phase 2 = EUBAM 2: 21 May 2006 – 30 November 2006;
- Phase 3 = EUBAM 3: 1 November 2006 – 31 January 2007;
- Phase 4 = EUBAM 4: 1 February 2007 – 30 November 2007;
- Phase 5 – EUBAM 5: 1 December 2007 – 30 November 2008;
- Phase 6 – EUBAM 6: 1 December 2008 – 30 November 2009;
- Phase 7 – EUBAM 7: 1 December 2009 – 30 November 2010; and
- Phase 8 – EUBAM 8: 1 December 2010 – 30 November 2011

The duration of the eighth phase will be 12 months, starting on 1 December 2010. Necessary preparations for potential following phases may be financed under this contribution agreement.



2. EXPECTED RESULTS

2.1. Expected impact / results on target groups

Following on the expected results from the first six phases, it is expected that EUBAM will continue contributing to producing the following results:

- a) Professional capacity of border, customs and law enforcement officials enhanced: EUBAM found clear indications that the Moldovan-Ukrainian border is frequently used for illegal activities, in particular smuggling. EUBAM experts also identified, together with their national partners, a number of large-scale cases related to drug trafficking, trafficking in persons and of stolen vehicles, cigarette smuggling, etc. which remained undetected before the Mission's operation due to a lack of professional skills of the competent authorities. EUBAM will contribute to the development of the Moldovan and Ukrainian border guard and customs authorities' administrative capacity and will contribute to the implementation of effective border control and surveillance measures in the Republic of Moldova and Ukraine with particular attention to the entire Moldovan-Ukrainian State border by strengthening the Ukrainian and Moldovan border guard and customs capacity.
- b) Cross-border cooperation between border, customs and law enforcement authorities increased: Criminal groups still benefit from a lack of cross-border cooperation between border, customs and law enforcement authorities (though cooperation improved considerably since EUBAM's operation and EUBAM helped both countries to establish proper risk analysis systems). EUBAM will continue supporting Republic of Moldova's and Ukraine's authorities to strengthen bilateral and international cooperation and information exchange on statistical, analytical and tactical data through a variety of measures such as initiating/ participating in joint cross-border operations, facilitating the exchange of liaison officers in such operations, offering training for conducting joint border and customs controls, drafting of joint border security assessment reports, etc. In particular the installation of an automatic information exchange on the pre-arrival of goods, based on an agreement signed at the 5th Trilateral meeting on border issues on 21 November 2006 in Brussels, has improved customs controls and the fight against smuggling and undervaluation; being actively used it has become an important tool to fight smuggling and undervaluation effectively. All measures will lead to an improved fight against cross-border crime and will, at the same time, facilitate legal movement of persons and goods across the border. Border and customs services will also get an increased understanding of an integrated approach to border management.
- c) Analytical overview on border security and cross-border movement of goods and persons improved: EUBAM will perform visits and inspections to relevant locations including along the green border by joining border surveillance activities. This monitoring activity will encourage partner services to strictly implement the 2003 customs regime agreed between Ukraine and the Republic of Moldova as well as to take serious counter-measures when criminal activities are detected. This will lead – in the mid-term – to a considerable reduction of illegal cross-border activities due to the increased risk of being detected, apprehended and prosecuted.



- d) Border demarcation at the common Moldovan-Ukrainian State border progressed: The Moldovan and Ukrainian parties, represented by their Ministries of Foreign Affairs and the Joint Moldovan-Ukrainian Commission on Border Demarcation will benefit from EUBAM's expertise and advice regarding European best practices in border demarcation. EUBAM's intervention will promote progress on the completion of demarcation works as well as foster the settlement of open questions. Specific and necessary support, including the provision of maps, can be provided if requested by parties.
- e) Corruption of border guards and customs officials at operational / tactical level decreased: The permanent cooperation with and being monitored by EUBAM experts will motivate partner services' personnel to carry out their duties objectively and according to existing laws. This will reduce the border and customs staff preparedness to demand or accept bribes. All activities will be coordinated with other anti-corruption initiatives, in particular those initiated by the EU and the United States.
- f) Contributed to the settlement of the frozen Transnistria conflict: Several positive contributions have been made in the recent years. The 2003 Customs Protocol concluded between the Customs Service of the Republic of Moldova and the State Customs Service of Ukraine on mutual recognition of shipping, commercial and customs documents supply was reinforced in 2006 by the Prime Ministers of the Republic of Moldova and Ukraine in the Joint Declaration signed on 30 December 2005. EUBAM is permanently and closely monitoring the implementation of the Joint Declaration, including registration and reimbursement mechanisms for Transnistrian-based companies in Chisinau. EUBAM will continue to monitor, to advise and to inform on the implementation of the Joint Declaration. In this regard particular attention will be given to systems and procedures for reporting, registration and reimbursement and inspection of cargo and the issuing of certificates of origin. Upon partners commitment and / or request confidence building measures will be taken in specific areas.
- g) Public awareness in the local population of EUBAM's activities, cross-border crime risks, and the partner services' efforts increased: Awareness in the local population of, for instance, the scale of smuggling and health risks, as well as the losses for the State budget when consuming smuggled food stuff, is extremely low. Targeted and objective information shall help the local population and policy makers to better understand the dimension of the scale of illegal activity and the results of the assistance rendered to the partner countries.
- h) Public relations capabilities of partner services enhanced: Border Guard and Customs Services will be further familiarised with public relations methodologies and tools as well as with the principles of public information. This will, on the one hand, promote a positive image of the services and, on the other hand, help the services to inform citizens professionally about border and customs related issues. The intervention will be completed by supporting partner services in drafting technical specifications for related equipment for the services' public relations sections and, if appropriate, by supplying such equipment.

The expected results will be realized through the joint activities of all partners. The Mission prefers partnership that is based on the full respect of ownership of the Republic of Moldova and Ukraine, equality of all involved parties and their active participation in the joint endeavour. In order to realize the expected results these elements are essential.

The achievement of the results above can be expected only as the end result of EUBAM and related accompanying projects, and, most importantly, the countries' own efforts. During this



eighth phase of EUBAMs mandate, it is expected that the Mission's activities will provide a significant further contribution to the achievement of these results, building on the activities initiated and co-operation established with partner services during the previous phases. The ongoing attention to the implementation of the recommendations as defined in a number of reports produced by EUBAM during the seventh phase. This will contribute to sustainable improvements of the partner services.

2.2. Multiplier effects

EUBAM is providing best practices in integrated border management and in cross-border cooperation. While its initial focus is on the Moldova-Ukraine common border, clearly structural improvements thus initiated will also result in enhancing overall effectiveness of the partner services as far as other borders are concerned. The Mission's long term intervention and guidance on concrete measures of cross-border co-operation will have a positive effect also on other border regions which will take over best practices and cooperation methodologies from the Moldovan-Ukrainian state border which will serve as a positive model in the future.

2.3. Sustainability

EUBAM's activities are aimed to achieve sustainable development to the delivery of good quality border and customs services to the citizens and companies of Republic of Moldova and Ukraine to facilitate contacts and trade. The common goal is to develop a system of border and customs controls and border surveillance which meets European standards and serves the legitimate needs of the citizens of each country. There are some specific areas where Border Guards and Customs Services reached a level to make these sustainable such as Joint Border Control Operations, Common Border Security Assessment Report, exchange of pre-arrival information, and information exchange between Border Guards. However remaining challenges are identified and require more dynamic progress such as further changes of service mentality including public relation and communication, consolidation of ethical values, prevention and fight against organized crime, developing annual threat assessment report, national concept of Integrated Border Management, proper application of national trade policy etc. In accordance with the ongoing modernization plans of the partner agencies EUBAM will continue putting attention to the issue of capacity building through a mix of measures focusing on local, regional and central level. EUBAMs adjusted structure, implemented since 01 December 2009, has proven its effectiveness in this regard.

3. PROJECT IMPLEMENTATION

3.1. Project partners and their role

3.1.1. United Nations Development Programme (UNDP)

The EC's implementing partner for this project is the United Nations Development Programme (UNDP). UNDP supports the work of EUBAM as regards administrative, financial and logistic issues in accordance with the existing agreements between the EC and the UNDP¹⁵. These functions are performed by the UNDP offices in Ukraine and Moldova. Since most of the Mission's core team is based in Ukraine, as well as the responsible EC Delegation, the UNDP office in Ukraine will assume a lead role, especially as regards financial management. Each office will have a focal point to support and backstop the Mission and both will work closely together to ensure proper operation of the Mission, synchronization and timely submission of administrative and financial reports and other required documentation to the EC.

3.1.1.1. Financial management

The UNDP offices in Kiev and Chisinau, in consultation with the EUBAM, will:

- establish the project budget and make resources available to the EUBAM as per UNDP rules and procedures;
- make payments in accordance to the project budget;
- prepare budget revisions and submit financial reports to the EC.

3.1.1.2. Organisational and logistical support

The UNDP offices in Kiev and Chisinau, in consultation with EUBAM, will:

- provide all necessary arrangements for proper functioning of EUBAM including procurement and contracting of all goods and services as well as EUBAM core personnel;
- ensure the administration of contracts and settlement of financial obligations for goods and services as well as personnel related costs of EUBAM such as medical insurance (in accordance with UNDP regulations and provisions);
- provide a security framework, make recommendations and provide implementation support on security-related matters of EUBAM;
- report timely to the European Commission, represented by the Delegation of the European Union to Ukraine and Belarus (and in copy to the Delegation of the European Union to the Republic of Moldova).

3.1.2. European Commission

¹⁵ i.e. the Financial and Administrative Framework Agreement, signed between the European Community, represented by the Commission of the European Communities, and the United Nations on 29 April 2003.



The European Commission, represented by the Delegation of the European Union to Ukraine and Belarus, supported as appropriate by Commission services in headquarters, will:

- provide the financial resources necessary to cover the costs of EUBAM;
- be the focal point for all political and operational issues to be dealt with the Council of the European Union, the EU Member States, the Governments of the Republic of Moldova and Ukraine;
- take all strategic decisions as regards EUBAM's operation in line with the Memorandum of Understanding between the European Commission, the Republic of Moldova and Ukraine dated 7 October 2005;
- be EUBAM's direct communication partner for all operational issues.
- be EUBAM's and EU Member States' direct communication partner for seconded personnel issues.

3.2. EUBAM organisational set-up

3.2.1. EUBAM area of responsibility

All operational activities and administrative activities which have been delegated to the EUBAM Headquarters will be prepared, executed and followed-up by the EUBAM Headquarters in close consultation with the project partners.

EUBAM will be guided by the Memorandum of Understanding concluded between the European Commission, the Republic of Moldova and Ukraine, by this description of the action, as well as by policy and strategic decisions made by the Advisory Board.

On matters related to security and management, the EUBAM will be guided by the applying Financial Rules and Procedures, Security and Safety guidelines, Internal Control Framework as well as project-specific delegation of authority.

The EUBAM Headquarters will be mainly responsible for:

- the implementation of all operational matters in line with the Memorandum of Understanding concluded between the Commission, the Republic of Moldova and Ukraine on 7 October 2005;
- submitting all operational reports (see point 3.4.3.1.) timely to the Commission in accordance with established channels for the circulation of reports, allowing timely forward of these reports also to EU Member States through the EU Council Secretariat. A list of recipients has been agreed with EUBAM;
- carrying out payments related to the activities taking place in Ukraine and Moldova as far as they have been delegated to the EUBAM Headquarters, or preparing requests for payment or recruitment or procurement according to internal UNDP rules and financial system and EU rules;
- transmitting all relevant financial and relevant project documentation to the UNDP offices in Kiev and Chisinau respectively in order to enable them to keep financial oversight;



- supporting the UNDP offices in Kiev and Chisinau in planning budgetary revisions;
- cooperating with the competent Ukrainian and Moldovan services and keeping excellent relations with them;
- organising semi-annual Advisory Board meetings and monthly External Coordination meetings;
- promoting the EUBAM's image through comprehensive public information activities, which include *inter alia* briefing papers, press-releases, maintenance of an interactive website;
- monitoring media on issues related to Transnistria and all information pertinent to EUBAM activities and acting as focal point for queries and information;
- assessing the impact and added value of each activity implemented.

3.2.2. EUBAM Headquarters and Field Offices

The Mission's activities will take place in Moldova and Ukraine. Some Mission personnel (notably the Head of Mission, his Deputy or other "core" personnel) may need, in the exercise of their duties, to travel for coordination / information meetings or to report on the Mission's work abroad (notably to Brussels, to Vienna and EU capitals).

The Mission's Headquarters and most "core" personnel will be located in rented premises in Odessa. Some of the Mission's personnel will be located in national partners' offices. The Liaison Office of EUBAM in the Republic of Moldova will be located in Chisinau to act as liaison between the Mission and the partner authorities to advise on management (organisational) issues of the Border Guards and Customs Services and other services and agencies at strategic level.

The Mission's field personnel will mainly be located in locations close to the countries' common border or relevant inland locations. This will include six Field Offices: in Chisinau, Otaci and Basarabasca (Moldova) and in Kotovsk with two Working Locations in Platonovo and Timkove-Slobidka, in Kuchurgan and Odessa sea port with a Working Location in Illichevsk sea port (Ukraine), as well as working places in the most important Customs Houses. Office space at these locations will be provided wherever materially possible by partner administrations. Each of the Mission's Field Offices will be led by a Head of Field Office (core personnel).

A number of the Mission's "field" personnel will work on a mobile basis at the relevant locations along the countries' common border and relevant inland locations (inland customs houses, main transit ports, including Odessa, Illichevsk, Reni and Izmail).

3.2.3. EUBAM international core personnel

Mission's personnel not seconded by their national administration will be contracted by UNDP for the duration of this action.

UNDP shall ensure that experts are adequately supported and equipped when in the field. In particular it shall ensure that there is sufficient logistic, administrative, secretarial and



interpretation services to enable Mission personnel to concentrate on their core tasks. Likewise, UNDP will ensure that the relevant UN security policies and recommendations are applied to the EUBAM in order to ensure the safety and security of Mission personnel. The UNDP undertakes to ensure that necessary funds are transferred to the field in a timely fashion to support the activities of the project, and that project personnel are paid regularly and in a timely fashion.

Mission personnel will perform their activities on the basis of their job descriptions provided in the annex, any changes to which should be notified to the EU Delegation. Changes to the job description of senior mission personnel (HoM, DHoM, Heads of Departments) require a formal approval of the EU Delegation. A EUBAM-specific Code of Conduct, developed on the basis of the International Civil Service Commission's Standards of Conduct document as well as on the Council of the European Union's Generic Standards of Behaviour for ESDP Operations of 2 May 2005 and reference OPLANs for ESDP missions will be enforced to all Mission personnel, including contracted and seconded personnel, during the duration of their assignment.

The International core personal posts and job descriptions are annexed to and incorporated to the EUBAM 8 Description of Action. (Annex 2)

3.2.4. EUBAM International field personnel

The Mission's field personnel will be composed of up to 60 customs or border police/guard officials seconded from EU Member States. EU Member States propose secondments of suitably qualified national personnel to this Mission.

The Mission's additionally required field personnel will be selected among the secondees proposed by the EU Member States. Selection will be on the basis of the candidates' professional qualifications, work experience, and language skills. Additional selection factors for field personnel will include the desirability of ensuring balanced participation from different EU Member States in view of reflecting the European character of the Mission, and the desirability of ensuring adequate representation of women in the Mission. Achieving an appropriate gender balance is recognized as an important cross-cutting issue, and the success to date (1/3 of the mission is female) is to be built upon.

Exact tasks and detailed work programmes for the teams constituted by the Mission's field personnel will be determined as appropriate by the Head of Mission / Deputy Head of Mission / Heads of Field Offices.

The International field personal job descriptions are annexed to and incorporated to the EUBAM 8 Description of Action. (Annex 2)

3.2.3.3. International short-term experts

In addition to long-term international personnel as described above, the Mission's work will be supported by additional short-term sector specialists. Those short-term experts may notably be deployed for the elaboration of specific studies / assessments or the delivery of specialised training courses, on the basis of needs identified during the Mission's activities and in consultation with the partner services. The use of short-term experts by the Mission will be approved by the Head of Mission who will be responsible for maintaining the quality of the Terms of Reference for short-term experts, their selection, the monitoring of their performance, and the results achieved by the short-term experts. The Head of Mission may delegate this responsibility entirely or partially to the Deputy Head of Mission.



EUBAM will second short-term experts, active in a service of EU member state with updated competences to guarantee a maximum of coherence in the Mission's role of advisor to the partner services. Only as an exception EUBAM will recruit free-lance experts.

The Terms of Reference for the short-term experts' employment will be approved by the Head of Mission or by the Deputy Head of Mission, if this responsibility has been delegated to him. The Head of Mission and the Deputy Head of Mission respectively have to ensure that quality standards of the Terms of Reference will be observed.

3.2.3.4. Local personnel

A sufficient number of local personnel will be hired to ensure adequate administrative, secretarial, IT, logistical and interpreting support, or other services (drivers, security guards, office clerks, and a receptionist and travel manager).

Indicative numbers of local support personnel include:

- 74 administrative support personnel / interpreters. This figure may vary e.g. if language knowledge of international personnel allows to dispense with interpretation in some cases.
- 33 drivers/office clerks.
- 3 local security and safety associates (2 for Ukraine and 1 for Moldova).
- Other support personnel (indicatively two IT Assistants, one Finance Assistant, one Receptionist and Travel Manager in the EUBAM Headquarters, 2 Admin Clerks, eight Security Guards in the EUBAM Headquarters, and two cleaning personnel in the EUBAM Headquarters).


The UNDP as implementing partner shall select and hire local experts as required. The selection procedures shall be in line with UNDP usual transparent procedures, including professional qualification, language skills and work experience. All local personnel are to be independent and free from conflicts of interest. Civil servants and other personnel of the public administrations of the beneficiary countries may not be recruited for the Mission.

The UNDP can propose, together with the action's progress reports, revisions to the numbers of local support personnel.

3.2.4. EUBAM equipment and supplies

The following equipment may indicatively be procured for the Mission (in addition to or in replacement of the equipment already purchased during the previous phases):

- Adequate office furniture and fittings for the EUBAM Headquarters and Field Offices according to demand. This includes the maintenance of Sub-offices and working places, as well as the replacement of broken or fatigued furniture/fittings. For such purpose, a lump sum of € 10,000 will be allocated. For the renovation and refurbishment of Field Offices, a lump sum of € 20,000 will be made available.

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- IT and related equipment or devices as well as IT network equipment for the EUBAM Headquarters and Field Offices (Sub-offices) according to demand (a lump sum of € 20,000 and € 15,000 respectively will be allocated for such purpose), as well as licences and support software which need to be renewed according to demand (a lump sum of € 20,000 will be allocated)
 - In order to ensure the EU's visibility against the partner services and the population living in EUBAM's geographic area of operation, as well as in order to equip EUBAM personnel with adequate clothing and protection means for their monitoring and police-twinning-type of tasks, EUBAM personnel will be equipped with EUBAM-specific summer and winter clothing and other protection means. For this purpose, a lump sum of € 18,000 will be allocated.

If there is a need to purchase, or to replace, additional vehicles, furniture, fittings, IT equipment etc. in order to prepare the Mission for a likely further extension of EUBAM's mandate beyond 30 November 2011, the necessary procurement of supplies required may take place under this action within the overall budget available and after the approval of the European Commission, represented by the Delegation of the European Commission to Ukraine and Belarus.

UNDP will be responsible for the procurement of all equipment, which can be purchased under UN procurement procedures in accordance with the General Conditions of the EC contribution agreement with international organisations, and the Financial and Administrative Framework Agreement between the European Commission and the United Nations.

Equipment purchased for EUBAM under the Rapid Reaction Mechanism and under the Tacis Regional Action Programmes 2003, 2004 and 2006, as well as under the ENPI East Regional Action Programme 2007 will be retained by the Mission during the subsequent phases of ENPI financing. At the end of the Border Assistance Mission, all its equipment will be transferred to the Moldovan and Ukrainian authorities (half to each country). For supplies (vehicles, furniture, equipment) which need to be taken out of service during the lifetime of the Mission because they have either been damaged or become dysfunctional, or a handover of the supplies to the partner services would harm the European Commission's or the Mission's reputation, the UN rules will apply. In such cases, UNDP shall inform the Contracting Authority accordingly in writing.

3.2.5. EUBAM communication and communication lines

3.2.5.1. Operational communication

EUBAM will communicate directly with the European Commission on all issues which are related to its Mission mandate. Relevant reports (see point 3.4.3.1.) will be directly submitted to the European Commission, represented by the EU Delegation to Ukraine and Belarus, in accordance with the communication scheme which will be agreed and modified as necessary. UNDP will receive copies of such reports, except in cases where reports have been classified as "EU restricted". The Commission will ensure rapid forward as appropriate of EUBAM reports to the EU Member States.

3.2.5.2. Administrative, financial and logistic communication

Administrative, financial and logistic communication, i.e. all issues which concern the implementation of the action such as IT, finance, procurement, logistics, contracting, security or

other administrative matters will be forwarded and discussed with UNDP. This includes project related reports (progress reports, financial reports) as well as requests for addenda, etc. (see point 3.4.3.2.).

3.3. Advisory Board

An Advisory Board will provide advice to the Mission concerning the quality and adequacy of its tasks and the implementation of the Memorandum of Understanding, signed between the European Commission, the Republic of Moldova and Ukraine on 7 October 2005.


3.3.1. Responsibility

The Advisory Board's role is in particular:

- To advise and support the Mission with respect to strategic and operational planning and other matters.
- To endorse the action plan of EUBAM.
- To advance strategic, collaborative and complementary approaches to border and customs control and surveillance development and implementation.
- To collate and analyse information / feedback from the Mission and from the monthly Coordination Meetings.
- To review the achievement of the Mission's objectives.
- To ensure the Government of the Republic of Moldova's, the Government of Ukraine's and the Commission's involvement in the establishment and ongoing management of the Mission.
- To review the situation at the Moldovan-Ukrainian state border and to advise on improving border security.
- To review the implementation of the Agreement between the Customs Service of the Republic of Moldova and the State Customs Service of Ukraine dated 15 May 2003 regarding customs control procedures and the Joint Declaration of the Prime Ministers of Moldova and Ukraine of 30 December 2005.
- To review the implementation of the Protocol on the exchange of (pre-arrival) information on goods between the Customs Service of the Republic of Moldova and the State Customs Service of Ukraine, as well as the Protocol on the exchange of information on persons between the Border Guard Service of the Republic of Moldova and the State Border Guard Service of Ukraine, both signed on 21 November 2006 in Brussels.
- To maintain interactive and pro-active involvement and communication with EUBAM.

3.3.2. Membership

The Advisory Board shall consist of high-level representatives of the following:

- 
- Ministry of Foreign Affairs and European Integration of the Republic of Moldova
 - Ministry of Foreign Affairs of Ukraine
 - Border Guard Service of the Republic of Moldova
 - State Border Guard Service of Ukraine
 - Customs Service of the Republic of Moldova
 - State Customs Service of Ukraine
 - Any special envoys for Transnistria or for EUBAM issues appointed by the respective Presidents or Cabinets of Ministers of Moldova or Ukraine.
 - EU External Action Service
 - European Commission
 - EU Border Assistance Mission
 - EU Special Representative for the Republic of Moldova (until the expiry of his mandate)
 - Organisation for Security and Cooperation in Europe (OSCE)
 - United Nations Development Programme (UNDP)

The following authorities and institutions will be observer to the Advisory Board meetings:

- International Organization for Migration (IOM)
- Ministry of Internal Affairs of the Republic of Moldova
- Ministry of Internal Affairs of Ukraine
- Ministry of Justice of the Republic of Moldova
- Ministry of Justice of Ukraine
- Information and Security Service of the Republic of Moldova
- Security Service of Ukraine
- General Prosecutor Office of the Republic of Moldova
- General Prosecutor Office of Ukraine

In order to maintain the balance of representation and to ensure continuity and effectiveness of the Advisory Board, substitution of representatives at meetings should be limited to the absolute necessary.

Each member in the Advisory Board may be accompanied by experts as he/she wishes.

3.3.3. Chair

The Advisory Board will be chaired by the European Commission, represented by the Head of Delegation of the European Union to Ukraine and Belarus. The Chair will be supported by the Advisory Board Secretariat.

3.3.4. Meetings



Advisory Board meetings will be held semi-annual, usually at the EUBAM Headquarters in Odessa. On behalf of the Chairperson EUBAM will invite the Advisory Board members and the observers timely in writing.

3.3.5. Advisory Board Secretariat

The EUBAM Headquarters will fulfil the role of the Advisory Board Secretariat. The Secretariat will support the Chair in the fulfilment of his function and will in particular:

- prepare the meetings and provide all logistic support, including simultaneous interpretation;
- draft the minutes of the Advisory Board meetings;
- distribute meeting documents, summaries, and minutes to the Advisory Board members upon approval by the Chair.

3.3.6. Language

The language of the Advisory Board will be English and Russian.

3.3.7. Terms of Reference

The Advisory Board may endorse Terms of Reference in order to further regulate the procedures applied.

3.4. Coordination mechanism and working groups

An External Coordination mechanism will ensure the implementation of the Memorandum of Understanding, signed between the European Commission, the Republic of Moldova and Ukraine on 7 October 2005.

3.4.1 Responsibility

The External Coordination Committee's role is in particular:

- To fulfil the directives and advice provided by the Advisory Board.
- To perform detailed technical reviews of the border security situation at the Moldovan-Ukrainian state border.
- To review the border and customs control standards applied by the parties.
- To participate and monitor the work in the joint working groups on specific issues as well as in the joint operations which have been agreed upon by the Advisory Board.
- To exchange information on all aspects related to border security, border and customs controls, customs clearance.



- To initiate proposals which are aimed to improve border security as well as border and customs control standards, even if on a pilot basis, and to submit them to the Advisory Board for discussion and approval.
- To monitor the implementation of the Agreement between the Customs Service of the Republic of Moldova and the State Customs Service of Ukraine dated 15 May 2003 regarding customs control procedures and the Joint Declaration of the Prime Ministers of Moldova and Ukraine of 30 December 2005.
- To monitor the implementation of the Protocol on the exchange of (pre-arrival) information on goods between the Customs Service of the Republic of Moldova and the State Customs Service of Ukraine, as well as the Protocol on the exchange of information on persons between the Border Guard Service of the Republic of Moldova and the State Border Guard Service of Ukraine, both signed on 21 November 2006 in Brussels.
- To maintain interactive and pro-active involvement and communication with EUBAM.

3.4.2. Membership

The External Coordination Committee shall consist of representatives/experts of the following:

- Ministry of Foreign Affairs and European Integration of the Republic of Moldova
- Ministry of Foreign Affairs of Ukraine
- Border Guard Service of the Republic of Moldova
- State Border Guard Service of Ukraine
- Customs Service of the Republic of Moldova
- State Customs Service of Ukraine
- Ministry of Internal Affairs of the Republic of Moldova
- Ministry of Internal Affairs of Ukraine
- Information and Security Service of the Republic of Moldova
- Security Service of Ukraine
- General Prosecutor Office of the Republic of Moldova
- General Prosecutor Office of Ukraine
- European Commission
- EU Border Assistance Mission
- United Nations Development Programme

In order to maintain the balance of representation and to ensure continuity and effectiveness of the Coordination Committee, substitution of representatives at meetings should be limited to the absolute necessary.

Membership to other law enforcement services in Moldova and Ukraine may be granted, if deemed suitable and necessary.



3.4.3. Chair

The External Coordination Committee will be chaired on rotation basis by EUBAM and the services that hosted the meeting.

3.4.4. Meetings

External Coordination Committee meetings will be held monthly in the premises of the participating services in Chisinau or in Odessa.

3.4.5. Language

The language of the External Coordination Committee will be English and Russian.

3.4.6. Terms of Reference

The External Coordination Committee may endorse Terms of Reference in order to further regulate the procedures applied, if required and appropriate.

3.5. EU visibility

All EUBAM activities will adhere to the requirements for communication and visibility as described in Art. 11 of the Financial and Administrative Framework Agreement between the European Community and the United Nations. Art. 6 of the General Conditions of this Agreement, as well as to the Joint Visibility Guidelines for EC-UN Actions in the Field.

This shall include, but not be limited to, press releases and briefings, reports, events, websites and any promotional items. Structures funded by this project shall display the required EU commemorative plaques and equipment paid for by this project will have EU panels. Events funded under this project will have an EU flag prominently displayed that is the same size or larger than any other flags present. All publications produced under this project shall have the EU logo displayed at the same size or larger than any other logos, display the text:

"Entirely funded by the EU",

as well as include the disclaimer:

"This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of <name of the author/contractor/implementing partner> and can in no way be taken to reflect the views of the European Union."

All communication products will be made available to the Delegation of the European Union to Ukraine and Belarus when and as they are issued. A publication disclaimer according to EC rules will be placed on all publications and equipment funded by the project.

All press releases will be sent to the Delegation of the European Union to Ukraine and Belarus for review and approval before being distributed. All invitation letters will feature the EU logo equal in size and prominence to those of the partner organizations, clearly identifying the project as being part of an EU-funded programme. In line with provisions of the Financial and



Administrative Framework Agreement between the Commission and the United Nations, the logo of the UNDP as Commission's implementing partner will also be displayed as appropriate.

3.6. Monitoring and reporting

3.6.1. Monitoring

UNDP's general monitoring system is based on a continuous review of all related activities throughout the life cycle of programme implementation to ensure that operations are proceeding correctly. UNDP will assess progress; identify operational difficulties, alert relevant personnel to implementation problems and other problem areas, and recommend remedial action.

Monitoring of the programme will be an ongoing activity that serves the purpose of ensuring that inputs through activities are transformed into outputs and the planned and stated results according to the programmes work plan.

Specifically the monitoring process will include the following:

- exchange of information between all involved parties in the implementation of the programme to ensure that activities are implemented in an appropriate and coordinated way;
- recording of Minutes of envisaged meetings organised by the various actors involved in programme implementation will assist in monitoring processes and procedures.

Furthermore, the ENPI Monitoring Team, in accordance with their Terms of Reference, will carry out periodic monitoring on behalf of the European Commission, represented by the EC Delegation to Ukraine and Belarus.

3.6.2. Objectively verifiable indicators

The following indicators of achievement are indicatively proposed for the expected results:

- a) *Enhanced professional capacity of Ukrainian and Moldovan customs officials and border guards at the operational / tactical level.*

Measurable by: level of customs revenue / excise duties collected at the Moldovan-Ukrainian state border; volume / value of seized smuggled goods and intercepted illicit goods; number of intercepted illegal immigrants / trafficked persons.

- b) *Decreased corruption of border guards and customs officials at operational / tactical level.*

Corruption assessed through rotation, figures of disciplinary cases related to corruption/bribery of officials, assessment of border region populations, Independent reports and surveys such as Transparency International, UNDP, OSCE, World Bank etc. Regular updated assessments by the Mission of the counterparts' capacities.

- c) *Improved risk analysis capacity in terms of gathering, analysing, and disseminating information and intelligence at strategic, operational and tactical level as well as reinforced use of risk assessment techniques.*



Measurable by: proportion of successful interceptions / seizures due to use of risk assessment techniques; assessment from operational / tactical level on quality of strategic analysis; assessment from strategic level on quality of operational / tactical inputs.

- d) *Improved knowledge of EU standards and good / best practices and their practical application by Moldovan and Ukrainian services.*

Measurable by: knowledge by counterparts of EU standards / practices; availability of handbook / SOPs; periodic assessments by the mission of standards applied; other reports of (ENP, JHA scoreboard).

- e) *Increased co-operation and complementarities between border guards and customs services, and other law enforcement agencies, as well as increased understanding of an integrated approach to border management.*

Measurable by: the level of inter-agency co-operation, i.e. volume and frequency of information exchange; number of joint operations etc.; level of application of integrated border management approach.

- f) *Improved analytical overview on border security and cross-border movement of goods and persons.*

Measurable by: availability of reliable information on legal and illegal cross-border flows through comparison between official and intelligence estimates on cross-border criminal flows, economic and statistical reports/data on legal cross-border movement of goods and persons.

- g) *Improved cross-border cooperation between Moldovan and Ukrainian services including the implementation of specific joint initiatives.*

Measurable by: respect of current arrangements; volume and frequency of bilateral information exchange; cooperation in trilateral, advisory board and monthly coordination meetings; number of joint operations, coordination of border surveillance etc.

- h) *Progress in the demarcation of the common Moldovan-Ukrainian State border.*

Measurable by: length of border actually demarcated; solutions found regarding disputed border sections.

3.6.3. Reporting

3.6.3.1. Operational reporting

The Head of the Mission will submit regular reports on EUBAM operational issues which are of interest for the EU Member States and the European Commission, directly (see point 3.2.3.) to the Commission and to the EU Special Representative for Moldova. Minimum requirements for regular reports are:

- **Monthly** operational reports, providing an analysis of the situation at the Moldovan-Ukrainian state border (border security issues), information of EUBAM's activities, all other relevant information related to EUBAM's mandate.



- **Special reports**, when a situation requires immediate information to be provided for EU Member States and the European Commission.

The reporting frequency may be altered if required by particular circumstances.

3.4.3.2. Project related reporting

Taking into account that the project has initially been started under the Rapid Reaction Mechanism which was immediately followed by the Tacis funded phases, UNDP will submit to the Contracting Authority for approval:

A progress report by mid-January 2011 (covering the period from 1 December 2010 – 30 November 2011), consisting of a narrative and a financial report following the United Nations – European Commission FAFA and Joint Guidelines on reporting obligations under the FAFA. The narrative report will also include an overview of the deployment of the project's resources, a work programme for the subsequent period, indications on likely financial savings or shortcomings. The report should be accompanied, if applicable, by any request for amendments of the contract (including the project budget) for the following project period.

All reports shall be submitted in hard copy and in electronic format through UNDP. UNDP shall also provide the EC Delegation to Ukraine and Belarus with electronic versions and hard copies of all assessment reports, study reports, training material, etc. prepared under this project. The front pages of all reports must follow the *2008 Communication and Visibility Manual for EU External Actions*.

No report shall be distributed to third parties prior to the approval by the European Commission (EU Delegation in Kiev or Commission headquarter services, as appropriate). Copyright on all reports and other material prepared under this contract shall reside with the European Commission.



II. THE UNITED NATIONS DEVELOPMENT PROGRAMME

1. Identity

Full legal name:	United Nations Development Programme
Acronym:	UNDP
Legal status:	International organisation
VAT registration number (where applicable):	n/a
Official address:	1, United Nations Plaza, New York, NY10017
Postal address:	1, Klovskiy uzviz, Kyiv, Ukraine, 01021
Contact person:	Ms. Ricarda Rieger, Country Director
Telephone n°:	+38044 253 40 13
Fax n°:	+38044 253 26 07
E-mail address:	ricarda.rieger@undp.org
Website:	www.undp.org.ua

2. Bank details

Account name:	UNDP Contributions Account
Bank account no:	BE80301018613977
Bank code:	
SWIFT code:	BBRUBEBB010
Bank name:	ING Belgium S.A./N.V.
Bank address:	60, Cours Saint Michel, Brussels 1040, Belgium
Name(s) and position (s) of signatory(ies):	



III. DECLARATION BY UNDP

I, the undersigned, being the person responsible in the implementing organisation for the project, certify that the information given in this document is correct:

Name:	Ricarda Rieger
Position:	UNDP Country Director
Signature:	
Date and Place:	15 November 2010, Kyiv, Ukraine



Plan of action

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
Objective 1:													
To evaluate the border control and surveillance measures by the Moldovan and Ukrainian border guards and customs authorities on the basis of, respectively, relevant Moldovan and Ukrainian legislation and EU-standards with particular attention in this regard to the Moldova-Ukraine State border													
Output 1.1													
The evaluation report on the border control at border crossing points (BCPs) at the border between the Republic of Moldova and Ukraine delivered to the border guard and customs services.													
1.1.1													- EUBAM - BG Services - CS Services
1.1.1.1													- EUBAM - BG Services - CS Services
1.1.1.2													- EUBAM - BG Services - CS Services
1.1.1.3													- EUBAM - BG Services - CS Services
Output 1.2													
The evaluation report on the border control at the Green and Blue border between the Republic of Moldova and Ukraine delivered to the border guard services of both countries.													
1.2.1													- EUBAM - BG Services
1.2.1.1													- EUBAM - BG Services
1.2.1.2													- EUBAM - BG Services
Output 1.3													
The evaluation report on the control at the boundary line along the two banks of the Dniester River in the Republic of Moldova delivered to the Ministry of Internal Affairs and the Customs Service of the Republic of Moldova.													
1.3.1													- EUBAM - MIA Moldova - CS Service MD
1.3.1.1													- EUBAM - MIA Moldova - CS Service MD
1.3.1.2													- EUBAM - MIA Moldova - CS Service MD
Output 1.4													
The evaluation report on the respect of the fundamental human rights in border management at the border between the Republic of Moldova and Ukraine provided.													
1.4.1													- EUBAM - BG Services - CS Services
1.4.1.1													- EUBAM - BG Services - CS Services

	Semester1 / Month						Semester2 / Month						Responsible	
	1	2	3	4	5	6	7	8	9	10	11	12		
1.4.2. To facilitate and coordinate the evaluation by external donors of guarantees related to asylum seekers and illegal immigrants during the period of detention and return process														- EUBAM - Relevant donors
Objective 2: <u>Building capacity and knowledge of EU and other international standards/best practices.</u>														
To contribute to the development and the implementation of effective border control and surveillance measures in the Republic of Moldova and Ukraine by strengthening the border guards, customs and (other) law enforcement agencies and/or other relevant authorities administrative capacity.														
Output 2.1 Assistance and advice to the partner services on organisational development towards the EU standards and best practice provided.														
2.1.1. To contribute on request of the partners to the planning and implementation of their strategy and policy, based upon models of the EU and worldwide best practice														- EUBAM - BG Services - CS Services
2.1.2. To assist the partner services in their leadership and management development based upon the agreed identified needs.														- EUBAM - BG Services - CS Services
2.1.3. To assist and advice on request of the partner services in the realisation of the organisational changes based upon the specific needs and reflecting best practice models.														- EUBAM - BG Services - CS Services
2.1.4. To assist and advice on request of the partner services in improving the effectiveness of the deployment of their resources.														- EUBAM - BG Services - CS Services
2.1.5. To assist and advice partner services on the implementation of the agreed recommendations.														- EUBAM - BG Services - CS Services
2.1.6. On request of the State Border Guard Service of Ukraine, to assist and consult on the issues of the development and modernization of operating procedures, infrastructure and systems of control at BCPs according to best practices.														- EUBAM - UA SBGS
2.1.7. On request of the Border Guard Service of the Republic of Moldova, to assist and consult on the issues of the development and modernization of operating procedures, infrastructure and systems of border surveillance and control (especially to ensure second line control at BCPs).														- EUBAM - MD BGS
2.1.8. To support the European Commission and the partner services in the realisation of the "Eastern Partnership Flagship initiative on Integrated Border Management.														- EUBAM - BG Services - CS Services - EC

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
2.1.9. At the request of the EU Delegations and other relevant donors to provide advice and assistance in the identification of priorities and needs for the development and modernisation of border infrastructure, technical equipment, border surveillance systems, and IT and communications systems.													- EUBAM - EU-Delegations - relevant donors
Output 2.2 Assistance and advice to the partner services to enhance their organisational capacity to manage and develop the training system towards best practice provided.													
2.2.1. To respond to the identified agreed needs of the partner services' training institutions by providing and facilitating advice, assistance and analysis in the development of training strategies, plans, policies, programmes, and curricula, reflecting the EU and worldwide best practice, e.g. to support the European Commission on the "Eastern Partnership Integrated Border Management Flagship Initiative project (EaP IBM flagship Initiative project)													- EUBAM - BG Services - CS Services
2.2.2. To facilitate cooperation of the partner services with EU training institutions and with international organisations and especially with FRONTEX, CEPOL and other training institutions of the EU member states.													- EUBAM - BG Services - CS Services - relevant international organisations
Output 2.3 Trainings and related assistance for enhancing sustainable capacity of the partner services to deliver technical training completed.													
2.3.1. To provide assistance in developing the training skills and techniques of the designated trainers in the partner services.													- EUBAM - BG Services - CS Services
2.3.2. To deliver training to the designated trainers on the specific technical training subjects.													- EUBAM - BG Services - CS Services
2.3.3. To provide practical support to individual practitioners of the partner services in accordance with the EU practices.													- EUBAM - BG Services - CS Services
2.3.4. In accordance with the agreed training programme to provide training to the practitioners in the partner services.													- EUBAM - BG Services - CS Services
Output 2.4 Assistance and advice provided to the partner services on national legislation and EU acquis.													
2.4.1. To inform on an ongoing basis partner services on the legal gaps, which have been identified by the EUBAM during its monitoring and analytical activities.													- EUBAM - BG Services - CS Services
2.4.2. To provide advice to overcome legal gaps between the customs legislation of the Republic of Moldova and Ukraine and the customs-related EU acquis.													- EUBAM - CS Services

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
2.4.3. To provide advice to overcome legal gaps between the border guard related legislation of the Republic of Moldova and Ukraine and the Schengen Aquis.													- EUBAM - BG Services
2.4.4. On request to provide partner services with expertise on drafts for new legislation, regulations and orders.													- EUBAM - BG Services - CS Services
2.4.5. To assist and to advise partner services in the implementation of agreed recommendations as defined in related evaluation reports.													- EUBAM - BG Services - CS Services
Output 2.5 Conferences, seminars and study tours on border management issues according to the agreed programme organised.													
2.5.1. To organise conferences and seminars on strategic issues, based upon the partner services needs.													- EUBAM - BG Services - CS Services
2.5.2. To provide foreign study tours for partner services, reflecting an identified need, and to reinforce development issues with examples and experience of best practice.													- EUBAM - BG Services - CS Services
Output 2.6 Assessment provided to the partner services regarding the application of data protection rules and regulations with regard to national legislation and EU standards at the border between Republic of Moldova and Ukraine.													
2.6.1. To assess the application of data protection rules and regulations at the border between Republic of Moldova and Ukraine.													- EUBAM - BG Services - CS Services
Output 2.7 Analytical support and assistance in relation to the ongoing visa liberalisation dialog provided in line with EU-standards and EU-legislation.													
2.7.1. On request to support the Republic of Moldova and Ukraine with analytical support in relation to the ongoing visa liberalisation dialog.													- EUBAM
2.7.2. On request to assist the Republic of Moldova and Ukraine in relation to the ongoing visa liberalisation dialog.													- EUBAM
Output 2.8. A progress report comprising the main achievements in border management obtained by partner services in 5 years of EUBAM activity provided.													
2.8.1. To review the progress in border management towards EU standards made by partner services in 5 years of EUBAM activity.													- EUBAM - BG Services - CS Services
Objective 3 To contribute to preventing border related crimes such as trafficking in persons, trafficking in drugs, smuggling of goods, customs fraud and the proliferation of weapons.													
Output 3.1 Assistance provided to the partner services' in preventing border related crimes.													
3.1.1. To assist and advice partner services at all management levels in preventing border related crimes in line with EU best practices.													- EUBAM - BG Services - CS Services

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
Output 3..2													
Assistance provided to the partner services' criminal investigations related to the Ukrainian-Moldovan border.													
3.2.1. On request to advise partner services in the investigation and prosecution of the criminal cases.													- EUBAM - BG Services - CS Services
3.2.2. To assist in adoption of modern investigation methods, evidence gathering and use of case analysis.													- EUBAM - BG Services - CS Services
3.2.3. To support the Joint Working Group on illegal migration and trafficking in human beings.													- EUBAM - BG Services
3.2.4. To support the Joint Working Group on trafficking in drugs and weapons, smuggling of goods and customs frauds.													- EUBAM - CS Services
Output 3.3.													
Analytical capacity enhanced.													
3.3.1. To provide the services with analytical reports and alerts for direct input and tactical purposes.													- EUBAM - BG Services - CS Services
3.3.2. To assist the relevant departments of partner services in drafting joint analytical reports and alerts													- EUBAM - BG Services - CS Services
3.3.3. To support the partner services in their response to the identified threats.													- EUBAM - BG Services - CS Services
Output 3.4.													
Joint assistance actions aimed at contributing to counteract border related crimes conducted.													
3.4.1. To conduct joint assistance actions based on risk analysis and local and regional phenomena, including: <ul style="list-style-type: none"> • evaluation of risk; • planning of actions; • implementation of actions; • collation and evaluation of results. 													- EUBAM - BG Services - CS Services
Output 3.5.													
Implementation of the recommendations related to the prevention of border related crimes progressed.													
3.5.1. To assist and advise the partner services on the agreed implementation of the recommendations at central level.													- EUBAM - BG Services - CS Services
3.5.2. To assist and advise the partner services on the agreed implementation of the recommendations at regional and local level.													- EUBAM - BG Services - CS Services
Output 3.6.													
The use of mobile units by partner services in preventing border related crimes improved.													

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
Output 4.4.													
Assistance given in the post clearance control and audit procedures of the customs services of the Republic of Moldova and Ukraine.													
4.4.1. To continue and to extend the evaluation process of the policies of partner services compared with the recommendations of the EC and WCO.													- EUBAM - CS Services
4.4.2. To assist and advise the partner customs services in improving their practice related to post clearance control and audit on central and local level.													- EUBAM - CS Services
Objective 5													
To support the partner services' anti-corruption efforts.													
Output 5.1													
Assistance and advice to develop the capacity to identify and effectively address corruption in the partner services provided.													
5.1.1. On request of the partner services to assist and advice in further developing an anti-corruption strategy.													- EUBAM - BG Services - CS Services
5.1.2. On request of the partner services to develop a common anti-corruption action plan.													- EUBAM - BG Services - CS Services
5.1.3. On request to assist partner services in implementing the common developed action plan at central, regional and local level.													- EUBAM - BG Services - CS Services
5.1.4. To assist the partner services in the investigation process of cases where corruption is indicated and report progress and apparent legal, procedural and other obstacles to due process.													- EUBAM - BG Services - CS Services
5.1.5. To support and assist as agreed with the relevant state institutions in developing their effectiveness in areas relevant to addressing corruption in partner services and coordinated with the other donors.													- EUBAM - relevant state institutions of MD and UA
5.1.6. With the agreement and cooperation of all partners to continue to improve the anti-corruption measures in the two pilot projects international border crossing points at the border between the Republic of Moldova and Ukraine and to determine and monitor the feasibility of establishing anti-corruption measures.													- EUBAM - BG Services - CS Services
5.1.7. To assist and advise partner services to roll out the successful anti-corruption measures implemented in the two pilot projects to the other border crossing points at the border between Republic of Moldova and Ukraine.													- EUBAM - BG Services - CS Services

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
5.1.8. On request to support the relevant institutions at national, regional and local level of the Republic of Moldova and Ukraine to initiate the organisation of anti-corruption initiatives such as a summer camp for students.													- EUBAM - Relevant state institutions
Objective 6: Implementing the national Integrated Border Management concept by:													
1. improving intra-agency cooperation;													
2. improving inter-agency cooperation;													
3. improving international cooperation:													
a. bilateral;													
b. multi-lateral.													
Output 6.1 Assistance and advice provided to the partner services on establishing the national integrated border management.													
6.1.1. To advise the partner services on the strategic level in the further development of the integrated border management national concept.													- EUBAM - BG Services - CS Services
6.1.2. To assist the partner services in developing a national action plan for implementing the integrated border management concept.													- EUBAM - BG Services - CS Services
6.1.3. To assist the partners services in implementing the national action plan.													- EUBAM - BG Services - CS Services
Output 6.2 Intra-agency cooperation within the partner services supported.													
6.2.1. To continue to assist and advise the partner services in implementing the agreed recommendations related to the delegation of tasks, duties and responsibilities from the central to regional and local levels.													- EUBAM - BG Services - CS Services
Output 6.3. Interagency cooperation of border authorities supported.													
6.3.1. To assist and advise in further developing and implementing interagency cooperation at the BCPs with regular working sessions for planning, coordination and evaluation.													- EUBAM - BG Services - CS Services
6.3.2. To continue supporting the interagency cooperation of the partner services of the Republic of Moldova and Ukraine in organizing Joint Border Control Operations (JBCCO).													- EUBAM - BG Services - CS Services

	Semester1 / Month						Semester2 / Month						Responsible	
	1	2	3	4	5	6	7	8	9	10	11	12		
6.3.3. To facilitate and chair within the rotation system monthly External Coordination Meetings.														- EUBAM - BG Services - CS Services - Security Services - relevant partners
Output 6.4.														
International cooperation of the partner services, Law Enforcement Agencies and other relevant authorities supported.														
6.4.1. To assist in the continuation of the work of the permanent joint working group on "Joint measures on Border Patrolling" composed of the border guard services of the Republic of Moldova and Ukraine.														- EUBAM - BG Services - CS Services
6.4.2. To continue supporting the cooperation between the partner services and the international organisations, law enforcement agencies and other relevant authorities in organizing Joint Border Control Operations (JBCOs).														- EUBAM - BG Services - CS Services
6.4.3. To continue assisting and advising in the implementation of the Jointly Operated BCP pilot project Briceni-Rossoshany.														- EUBAM - BG Services - CS Services
6.4.4. To continue assisting the partner services in developing and producing the monthly Common Border Security Assessment Report and to ensure the strategic and tactical usage.														- EUBAM - BG Services - CS Services
6.4.5. To further develop and jointly elaborate the quarterly "Common Border Security Assessment Report" (CBSAR) towards a strategic document.														- EUBAM - BG Services - CS Services
6.4.6. To further develop the exchange of operational information between the Border Guard services of the Republic of Moldova and Ukraine and draft the recommendations.														- EUBAM - BG Services
6.4.7. To further promote the partner services cooperation with the EU agencies, international organizations and to improve the cooperation within projects such as the "Common pilot project focal point" of FRONTEX and projects of EU member states.														- EUBAM - BG Services - CS Services - relevant EU agencies and international organisations
6.4.8. To initiate together with the partner services social events such as tournaments and other, aiming to build confidence between the border guards and customs services of the Republic of Moldova and Ukraine, other national border related agencies, representative institutions of the civil society and relevant international organisations.														- EUBAM - BG Services - CS Services
Objective 7:														
Contributing to the settlement of the conflict in Transnistria														
To make a positive contribution towards the settlement of the conflict in "TN" and, in case a settlement is achieved within the duration of this action, to promote post settlement consolidation.														

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
Output 7.1													
A positive contribution to the settlement of the conflict in "TN" made.													
7.1.1. To monitor and advise on the implementation of the Joint Declaration of the Prime-Ministers of Ukraine and the Republic of Moldova of 30 December 2005.													- EUBAM - CS Services
7.1.2. In case of the partners' commitment, to facilitate the initiatives to contribute in confidence building measures.													- EUBAM - MD CS
7.1.3. Upon request, to take part in the EUSR and Commission initiated confidence building measures such as the measures aiming at resumption of the railway traffic.													- EUBAM
7.1.4. To provide assistance to the border demarcation along the border between the Republic of Moldova and Ukraine (as associated objective).													- EUBAM
7.1.5. To provide assistance to the EUSR and his Enhanced Border Team in fulfilling their efforts in the conflict settlement process.													- EUBAM
7.1.6. To ensure neutral, objective updates to the EU Commission (including EU Delegations in Chisinau and Kiev), EUSR, EU Member States, host countries Governments, OSCE and other international partners on border issues that relates to the conflict settlement process.													- EUBAM
Objective 8:													
Enhancing public awareness on border management and security.													
a. To contribute to the improvement of public relations capabilities of the public relations sections of the Moldovan and Ukrainian partner services;													
b. To provide objective information to the local population in the Republic of Moldova, Ukraine and the EU regarding EUBAM mandate and assistance provided to the countries.													
Output 8.1													
Public relation capabilities of the public relations sections of the Moldovan and Ukrainian Border Guard and Customs services enhanced and, on request, support in enhancing the public relations capacities of other law enforcement and relevant state agencies provided.													
8.1.1. To further promote integrated and practical communication of the partner services with the public through training events and a study tour for public information officers of the Moldovan and Ukrainian border guard and customs services.													- EUBAM - BG Services - CS Services
Output 8.2.													
A set of public communication activities supported to improve the border crossing for travellers and trade.													
8.2.1. To continue to assist the partner services in developing and disseminating information materials on the border crossing rules for travellers and trade.													- EUBAM - BG Services - CS Services

	Semester1 / Month						Semester2 / Month						Responsible	
	1	2	3	4	5	6	7	8	9	10	11	12		
8.2.2. With the partner services to continue the implementation of public communication activities regarding border management and security, including information campaigns, fairs, publications, and celebration of Europe Day.														- EUBAM - BG Services - CS Services
8.2.3. In line with the budget provision, to continue assisting in the development of the border information signs for jointly operated border crossing points including the pilot project in the Rossoshany-Briceni JOBCP.														- EUBAM - BG Services - CS Services
8.2.4. Based on the agreement with the partner services, to implement an external survey on the satisfaction of people with the services provided by the border agencies at the key working locations on the MD-UA border.														- EUBAM
Output 8.3. Knowledge about the EU and its institutions as well as about its domestic and foreign policy and political culture shared with authorities and general public of the Republic of Moldova and Ukraine.														
8.3.1. To regularly transmit assessments, analysis and proposals to the relevant Moldovan and Ukrainian authorities.														- EUBAM
8.3.2. To inform the population in the Republic of Moldova and Ukraine on the EUBAM mandate, cooperation and activities.														- EUBAM
8.3.3. With the partner services, to deepen and maintain relationships with local communities along the MD-UA border through school visits and information events in local municipalities.														- EUBAM - BG Services - CS Services
8.3.4. In the framework of the Mission's mandate, to provide relevant information and support to civil society in the Republic of Moldova and Ukraine, including the business and academic community.														- EUBAM
Output 8.4> The EU institutions, EU Member States and other relevant organisations informed about the achievements in cooperation between EUBAM and the Moldovan and Ukrainian partners.														
8.4.1. To host visitors from the EU institutions, EU Member States promoting EUBAM work and cooperation mechanisms with the Moldovan and Ukrainian border services.														- EUBAM
8.4.2. To share EUBAM cooperation and promote achievements of the partner services on the international level.														- EUBAM
Output 8.5> Regular information exchange and communication with the partner services and stakeholders facilitated.														

	Semester1 / Month						Semester2 / Month						Responsible
	1	2	3	4	5	6	7	8	9	10	11	12	
8.5.1. To submit EUBAM routine reports and assessments, analysis papers and findings to the partner services, European Commission, European Council and EU Member States at regular intervals.													- EUBAM
8.5.2. To conduct Advisory Board Meetings.													- EUBAM - EC



Annex 2

EUBAM International core personnel – Job Descriptions

1. The core personnel of the EUBAM will consist of the following posts:

- 1.1. Head of Mission
- 1.2. Deputy Head of Mission
- 1.3. Chief of Administration
- 1.4. Executive Assistant to the Head of Mission
- 1.5. Strategic, Planning and Performance Officer
- 1.6. Communication Officer
- 1.7. Trust Officer (seconded)
- 1.8. Liaison Officer of the EUBAM in the Republic of Moldova and Border Police Advisor
- 1.9. Customs Specialist in the Republic of Moldova
- 1.10. Head of Analytical and Operational Support Unit
- 1.11. Operational Quality Control Coordinator
- 1.12. Operational Desk Officer (seconded) (4)
- 1.13. Customs Analyst
- 1.14. Customs Investigation Analyst
- 1.15. Fiscal Analyst
- 1.16. Border Police/Guard Analyst
- 1.17. Border Police/Guard Analyst
- 1.18. Border Police/Guard Risk Analysis Specialist
- 1.19. Customs Risk Analysis Specialist
- 1.20. Investigation Specialist on Customs related Offences
- 1.21. Organised Crime Investigation Specialist
- 1.22. Investigation expert (border police/guard; customs) (2)
- 1.23. Head of FO in Odessa
- 1.24. Head of FO in Kuchurgan
- 1.25. Head of FO in Kotovsk
- 1.26. Head of FO in Basarabeaska
- 1.27. Head of FO in Otaci
- 1.28. Head of FO in Chisinau
- 1.29. Head of Capacity Building Unit
- 1.30. Anti-Corruption Advisor
- 1.31. Advisor on the Implementation of Schengen Acquis
- 1.32. Advisor on Integrated Border Management
- 1.33. Border Police /Guard Management Specialist
- 1.34. Customs Management Specialist
- 1.35. Customs Status and Customs Procedures Specialist
- 1.36. Specialist on Customs Tariff and Tariff Classification of Goods and Origin of Goods
- 1.37. Post-clearance Control and Audit Specialist
- 1.38. Training Specialist



- 1.39. Training expert (seconded)
- 1.40. Head of Safety and Security Unit
- 1.41. Administrative Officer
- 1.42. Procurement/logistics and Contracting Officer
- 1.43. Financial Officer
- 1.44. Information Technology Officer

2. Job Descriptions of the EUBAM Core International Personnel are as follows:

2.1. Head of Mission

Functions (indicative):

- Overall responsibilities for the Mission's implementations of strategy and policy, operation, communication, reporting and its daily management.
- Overall accountability for the management of the project's resources, within the framework of the Mission's mandate ("description of the action"), relevant financial rules and procedures, security and safety guidelines, as well as the Internal Control Framework.
- To supervise and instruct all mission personnel as regards the Mission's practical operation and work programme.
- To ensure conformity of the Mission's operation with the standard operating and administrative procedures, and specific applicable internal procedures.
- On matters related to security and management, to ensure the application of the relevant Financial Rules and Regulations, Security and Safety guidelines as well as project-specific delegation of authority to the Head of Mission.
- To ensure compliance of EUBAM procedures with the applying Internal Control Framework and the EUBAM-specific division of roles and responsibilities in managing the Mission's resources, as per delegation to the Head of Mission.
- To manage the activities of the Mission's personnel through general and individual instructions for issues not covered in the standard operating procedures and administrative procedures.
- To ensure timely and appropriate reporting, including regular operational reporting on the Mission's work to the High Representative of the Union for Foreign Affairs and Security Policy, to the European Commission or relevant Council bodies (notably PSC, as well as COEST, CIVCOM, or



the ENPI committee) as well as project reporting (progress and financial reports) according to ENPI reporting guidelines.

- To represent the Mission in senior level meetings with Moldovan and Ukrainian partner services, with EU Member States representations in the Republic of Moldova and Ukraine, and with the international community, notably the OSCE (including in Vienna, as appropriate).
- To work closely with the High Representative of the Union for Foreign Affairs and Security Policy and Commission services (notably the EU Delegations in Chisinau and Kiev), including on coordinating the Mission's work with other related EC assistance projects, and on delivering recommendations for specific capacity building tasks.
- To nominate Mission personnel for the participation in other EU funded capacity building activities, as appropriate.
- As a Senior Political Adviser to the EU Special Representative for the Republic of Moldova, to fulfil all tasks delegated to him by the EU Special Representative and to lead the EU Special Representative enhanced team¹, as well as generally to ensure that EUBAM and the EUSR's team continue to operate in complementarity and as mutually reinforcing.

Requirements:

- Master's degree preferably in law, economics, business management or related fields.
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- At least 20 years of relevant professional experience in border management, customs management, law enforcement, crisis management or related fields, of which at least 7 years spent in senior management positions (Director or equivalent).
- Relevant operational experience with border police / customs / other law enforcement services active in the fight against corruption / smuggling / trafficking / fraud / organised crime within the EU Member States or at the European level.
- Excellent leadership, senior management and political skills, as well as operational experience.

¹ The team will assist the EUSR *inter alia* in his task of regularly reporting to the Political and Security Committee on all aspects regarding the EU's engagement in this issue.



- Experience with capacity building projects related to law enforcement services or with EU/EC police or customs missions in transition countries / other developing countries is highly desirable.
- Excellent communication skills.
- Very good command of written and spoken English; knowledge of other EU languages is an asset.
- Knowledge of Russian is an asset.
- Valid security clearance of at least level "EU Secret".

2.2. Deputy Head of Mission

Functions (indicative):

- To coordinate the Mission's operation, communication, reporting and its day-to-day management as far as these have been delegated to the Deputy Head of Mission.
- To represent the Head of Mission in his functions during his absence and within the framework of the Mission's mandate ("Description of the Action").
- To represent and promote EUBAM at different levels in the Republic of Moldova and Ukraine.
- To support the Head of Mission in the planning and development of the Mission.
- To ensure timely and appropriate reporting, including regular operational reporting on the Mission's work to the Commission as well as project reporting (progress and financial reports) according to the ENPI reporting guidelines.
- To represent the Mission on behalf of the Head of Mission at senior level meetings with Moldovan and Ukrainian partner services, with EU Member States representations in the Republic of Moldova and Ukraine, and with the international community, notably the OSCE (including in Vienna, as appropriate).
- To work closely with Commission services (notable the EU Delegations in Chisinau and Kiev), including on coordinating the Mission's work with other related EU assistance projects, and on delivering recommendations for specific capacity building tasks.
- To coordinate the activities of the Capacity Building Unit, the Analytical Operational Support Unit and the field offices.
- To perform other tasks assigned by the Head of Mission.

Requirements:



- Master's degree preferably in law, economics, business management or related fields.
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- At least 15 years of operational experience of border management (preferably in IBM), customs management, law enforcement, crisis management or related fields, of which at least 5 years spent at senior management positions, preferably in a multinational environment.
- Relevant operational experience with border police / customs / other law enforcement services active in the fight against corruption / smuggling / trafficking / fraud / organised crime within the EU Member States or at the European level.
- Experience in working in, or designing of / or managing customs / border guard reform projects / missions in transition countries / other developing countries will be an asset.
- Very good command of written and spoken English; knowledge of Russian will be an asset.
- Excellent communication, interpersonal and management skills.
- Valid security clearance of at least level "EU Secret".

2.3. Chief (Administration)

- Functions (indicative):
- To advise the Head of Mission on all aspects related to the administrative management of the Mission.
- To liaise with the Deputy Head of Mission on all aspects concerning Operations.
- To obey relevant Financial Rules and Regulations (EU and UNDP), the applying Security and Safety guidelines as well as project-specific delegation of authority to the Chief of Administration.
- To ensure compliance of EUBAM procedures with the applying Internal Control Framework and the EUBAM-specific division of roles and responsibilities in managing the Mission's resources, as per delegation to the Chief (Administration).
- To set policies and methods to maximise the administrative performance demonstrating capacity for innovation and creativity and providing advice to the Head of Mission on readjustment of the administration to take into account changes in the operating environment and when needed.



- To lead and guide the Mission administration team, to foster collaboration within the team and with other Mission functional teams/personnel consistent with the rules and a client-oriented approach.
- To ensure the strategic direction of the administration, including:
 - To ensure compliance with EU and UNDP rules, regulations and policies, implementation of corporate operational strategies, establishment of management targets and monitoring achievement of results.
 - To provide advice on strategies, policies and plans affecting the Mission's administration, delivery of practice advisory, knowledge and learning services.
 - To establish collaborative arrangements with potential partners, a Client Relationship Management System for service provision purposes and appropriate administrative partnership arrangements.
 - To map Mission business processes in cooperation with the UNDP Country Offices and to establish of internal Standard Operating Procedures in Mission Finance, Human Resources Management, Procurement, Logistical and ICT services, Results Management.
 - To monitor and analyse constantly the administrative environment, to apply quick readjustments as required, to advice on legal considerations and risk assessment (IA).
 - To build and share knowledge with regard to management and administration in the Mission, to organise administration personnel trainings, synthesis of lessons learnt/best practices, and sound contributions to UNDP knowledge networks and communities of practice.
- To ensure effective and accurate financial resources management and supervision of the Finance team, including (IA):
 - To proper plan and track expenditure of Mission financial resources in accordance with UNDP rules and regulations.
 - To organise the Mission cash management.
 - To routinely monitor financial exception reports for unusual activities, transactions, and to investigate anomalies or unusual transactions. (To inform supervisors and other UNDP staff at Headquarters of the results of the investigation when satisfactory answers are not obtained).
- To ensure strategic human resources management and supervision of the HR team, including:
 - To ensure compliance with corporate human resources policies and strategies.



- To ensure optimal staffing of the Mission.
- To oversee recruitment processes and performance management systems ensuring link of job design with recruitment, performance management and career development (latter as applicable).
- To develop logistical and administrative notes for the induction / briefing kit as well as a code of conduct for all Mission personnel.
- To ensure practical and effective work arrangements through the development and application of team rotation and shift systems and procedures.
- To ensure efficient procurement and logistical services management and supervision of the Procurement team, including:
 - To ensure compliance with corporate rules and regulations in the field and management of procurement strategies including sourcing strategy, supplier selection and evaluation, quality management, customer relationship management, e-procurement promotion and introduction, performance measurement.
 - To manage the Mission contract strategy including tendering processes and evaluation, to manage the contract and contractor, as well as legal implications.
 - To oversee procurement processes and logistical services in accordance with UNDP rules and regulations.
 - To properly manage UNDP assets, facilities and logistical services.
- To ensure forward-looking information and communication management and to supervise ICT team, including:
 - To maintain a secure, reliable infrastructure environment for ICT and to adequately plan for disasters and recoveries.
 - To use Atlas functionality for improved business results and improved client services.
 - To identify opportunities and ways of converting business processes into web-based systems to address the issues of efficiency and full accountability.
 - To promote different systems and applications for optimal content management, knowledge sharing, information provision and learning including e-registry, web-based office management system, etc.
- To oversee financial and administrative reports.
- To prepare inputs to UNDP reports to the EU on EUBAM.
- To perform other tasks assigned by the Head of Mission.



Requirements:

- Advanced university degree in Business Administration, Logistics/Procurement, Project Management, Economics or related discipline.
- Minimum of 7 to 10 years of progressive relevant experience in programme administration, preferably in a UNDP direct execution context, with excellent hands-on experience of administration management, of which at least the last 2 years with UNDP.
- Excellent knowledge of UNDP all administrative rules, regulations, procedures (including finance, procurement, asset management, contracting, human resources, general services, logistics, etc), best practices and related documentation.
- Excellent knowledge of EU administrative and financing rules, regulations, procedures (finance, procurement, asset management, etc.), best practices and related documentation.
- Integrity by modelling the EU's and UN's values and ethical standards.
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.
- Treats all people fairly without favouritism.
- Ability to lead strategic planning, results-based management and reporting.
- Builds strong relationships with clients, focuses on impact and result for the client and responds positively to feedback.
- Consistently approaches work with energy and a positive, constructive attitude.
- Excellent oral and written communication skills.
- Openness to change and ability to manage complexities.
- Good mentoring and conflict resolution skills.
- Remains calm, in control and good humoured even under pressure.
- Proficiency in oral and written English. Knowledge of Russian will be an asset.
- Good knowledge of ATLAS system and MS Office software is an asset.

2.4. Executive Assistant to the Head of Mission

Functions (indicative):



- Under the direct supervision of the Head of Mission, to ensure the effective, efficient and result-oriented functioning of the Head of Mission office / secretariat.
- To coordinate the activities of the EUBAM Secretariat.
- To coordinate the Head of Mission's calendar and contacts with high-ranking visitors, to arrange appointments and meetings, to take minutes of meetings.
- To ensure that visits are prepared in compliance with protocol procedures.
- To assist preparing high quality briefing materials for the Head of Mission.
- To draft the minutes of senior level meetings and letters related to the senior management.
- On explicit request of the Head of Mission to provide legal advice.
- To elaborate guidelines for the management and archiving of the EUBAM documents and correspondence and to assist in elaboration of other EUBAM internal rules and regulations.
- To monitor the implementation of the guidelines for the management and archiving of the EUBAM documents and correspondence.
- To organise / manage the Head of Mission's representation schedule, missions, etc.
- To assist planning and organising political and technical visits to EUBAM and to coordinate social and operational aspects of such visits.
- To coordinate official EUBAM correspondence, directives, and comments on behalf of the Head of Mission for his signature and ensure follow-up when required.
- To manage incoming and outgoing correspondence of the Head of Mission and to ensure a proper follow-up.
- To manage activities for which the Executive Assistant is responsible within the Action Plan of EUBAM.
- To perform other tasks assigned by the Head of Mission.

Requirements:

- University degree preferably in law or international relations;
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution
- At least 5 years of administrative experience at the national or international level.



- Proven planning and organisational skills for meetings, events, etc.
- Demonstrated ability to develop and maintain effective work relationships and to work in teams.
- Advanced knowledge and experience in using IT software tools such as MS Office, experience in handling of web-based management systems.
- Excellent communication, drafting and interpersonal skills.
- Ability to work under pressure and to deadlines.
- Fluency in written and spoken English; knowledge of Russian will be an asset.
- Valid security clearance of at least level "EU Secret".

2.5. Strategy, Planning and Performance Officer

Functions (indicative):

- To assist the Mission management in developing and administering the strategic frameworks for achieving the Mission's goals.
- To ensure proper follow-up of the implementation of the Mission's Implementation Plan.
- To provide the Mission management with the information and analysis necessary to plan the Mission's work in accordance with the strategic frameworks.
- To design and implement a Quality Management System for measuring and improving the Mission's performance and impact.
- To manage specific activities for which the Strategy, Planning and Performance Officer is responsible within the action plan of EUBAM.
- To report on a regular basis on the above aspects as foreseen in EUBAM Description of Action.
- To assist preparing discussion papers on the Mission's development, its focus and working methods.
- To support the development of improved performance management amongst the Mission's partner services as requested.
- To perform other tasks assigned by the Head of Mission.

Requirements:

- Master's degree in a related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience



- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- A minimum of four (4) years relevant working experience in a related field such as a strategy development and/or quality management, preferably for a national or international public administration, or an EU or UN Mission.
- Very good overall understanding of border security and law enforcement issues and to analyse, summarise and present related issues clearly both to a generalist and specialist audience.
- Advanced experience of creating, implementing and developing projects or performance management systems.
- Demonstrated analytical skills complemented with relevant work experience.
- Earlier international exposure, ability to work in a multicultural environment, or participation in border police or customs reform projects in developing countries or in an EU or UN Mission is an asset.
- Familiarity with relevant IT software tools such as MS Office applications and the ability to creatively use these applications.
- Excellent knowledge of written and spoken English; knowledge of Russian will be an asset.
- Excellent drafting and communication skills.
- Valid security clearance of at least level "EU Secret".

2.6. Communication Officer

Functions (indicative):

- To plan and elaborate the communication needs assessment for EUBAM.
- To elaborate the EUBAM communications and outreach strategy based on corporate EU and UNDP standards.
- To provide constructive and timely advice on inclusion of communications components in programme formulations to integrate advocacy and communication strategies into all aspects of EUBAM.
- To elaborate and implement the EUBAM publications strategy and plan based on the EU publications policy.
- To identify and develop storylines for publications and substantive articles contributing to debates on key development issues.
- To coordinate and manage all EUBAM publication activities, including content management, norms for publishing, design, liaison with printers and other suppliers to oversee production and supervision of publications dissemination.



- To design the office web sites based on corporate requirements in cooperation with the IT staff.
- To supervise and prepare the content for the web sites ensuring consistency of the materials.
- To create and promote campaigns to local and regional media that position EUBAM and influences the development agenda based on current action plan and new initiatives.
- To promote and disseminate corporate advocacy materials for launching flagship initiatives and publications such as the EUBAM annual report and etc.
- To create, promote and maintain public information campaigns on EUBAM activities.
- To increase coverage and understanding of the EUBAM's work or practice area through development and maintenance of media contacts and providing newsworthy information to national public and donors.
- To format, package and submit respective initiatives for donor review in close collaboration with EUBAM staff.
- To develop close contacts with press-services of government institutions, multilateral and bilateral donors, civil society and private sector for implementation of the communications strategy, organization of roundtable discussions, press conferences, briefing sessions, interviews, launches, etc.
- To ensure access for journalists to subject matter experts.
- To effectively response to inquiries for public information materials.
- To provide innovative and creative solutions to sensitive or corporately strategic public communications issues.
- To advocate and promote EUBAM mandate, mission, objectives and values.
- To provide advice and support to UNDP inputs to various publications and other documents, if needed.
- Sound contributions to knowledge networks and communities of practice including corporate communications repositories.
- To effectively manage the Communications Office, including preparation of the work plans, reports and etc. and supervision/performance appraisal of Communications staff.
- To organization and provide training, consultancy and advice to EUBAM staff on communications.
- To liaise with respective communications and media officers of the EU and UNDP.
- To perform other tasks assigned by the Head of Mission

Requirements:



- Master's degree preferably in media relations, journalism, publishing and public relations;
- At least 5 years of relevant professional experience in public relations, communications or advocacy.
- Very good overall understanding of border security issues and the ability to present related issues clearly both to a generalist and a specialist audience.
- Ability to elaborate and implement communications and publications strategies.
- Demonstrated effectiveness in developing media campaigns, including well-written information about UNDP, its objectives and activities.
- Ability to effectively manage an advocacy campaign.
- Ability to effectively plan and manage the Unit
- Communicates sensitively and effectively across different constituencies
- Outstanding drafting and communication skills.
- Excellent command of written and spoken English.
- Knowledge of Russian, Ukrainian and Moldovan will be an asset.
- Familiarity with relevant IT software tools, including power point presentations, web page design, update and maintenance.
- National certificate of no criminal record.

2.7. Trust Officer (seconded post)

Functions (indicative):

- To serve as a point of contact for all staff with regards to personal problems, issues related to the job or the social environment out of the chain of command.
- To liaise between Head of Mission and Mission personnel in the relations in the tasks as specified above.
- To be readily accessible to all staff regardless of geographical location. and be available for travelling to the FOs as required
- To support the implementation of the EUBAM code of conduct and gender mainstreaming.
- To maintain frequent and close contact with the personnel in the HQ/FOs.
- To develop a trustful relationship with the staff.
- To review the social situation in the HQ/FOs.
- To identify possible problems regarding the working environments and social aspects.
- To make recommendations/proposals - anonymous if necessary – to the Head of Mission or in his absence, to the Deputy Head of Mission to achieve/maintain a stable working environment within the HQ and the FOs.



- To perform other tasks assigned by the Head of Mission or the Deputy Head of Mission.

Requirements:

- Education background preferably in psychology.
- Experience in working for staff associations and/or trade unions.
- Very good command of written and spoken English; knowledge of other EU languages is an asset.
- Knowledge of Russian will be an asset.
- Excellent interpersonal and communications skills.

2.8. Liaison Officer of the EUBAM in the Republic of Moldova and Border Police Advisor

Functions (indicative):

- To manage the Liaison office of the EUBAM in the Republic of Moldova.
- To work as EUBAM Adviser and Liaison Officer for the Border Guard Service and other law enforcement agencies of the Republic of Moldova and other law enforcement attachés of EU Member States and Moldovan authorities.
- To advise on management (organisation issues) of the Border Guard Service at strategic level.
- To contribute to the development and implementation of operational/technical issues of the Border Guard Service of the Republic of Moldova.
- Upon assignment of the Head of Mission to represent EUBAM in meetings with Moldovan partner services.
- To implement all other tasks assigned by the Head of Mission.

Requirements:

- Master's degree in law, economics or in other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- At least 8 years of relevant professional experience in border management, law enforcement, crisis management or related fields, of which at least 5 years spent in management positions, preferably in a multinational environment.



- Relevant operational experience with border police services active in fighting against corruption / trafficking / fraud/ organised crime within the EU Member States or at the European level. Additional operational experience with other law enforcement services in those fields of attention is an advantage.
- Excellent senior management and diplomatic skills, as well as operational experience.
- Experience with capacity building projects related to law enforcement services or with EU/EC police missions in transition countries / other developing countries is highly desirable.
- Excellent communication, analysis and reporting skills.
- Very good command of written and spoken English; knowledge of other EU languages is an asset.
- Knowledge of Russian and Moldovan language will be an asset
- Valid security clearance of at least level "EU Secret".

2.9. Customs Specialist in the Republic of Moldova

- To work as EUBAM specialist and liaison officer for the Customs Service of the Republic of Moldova, and law enforcement attachés of EU Member States as well as other Moldovan authorities related to the customs service.
- To advise in the development and implementation of the organisational / structural development of the Customs Service of the Republic of Moldova at central, middle and local level in order to bring the service to the EU best practice.
- To contribute to the development and implementation of operational issues of the Customs Service of the Republic of Moldova in relation to the settlement of the conflict in Transnistria.
- In cooperation with the specialists on customs status and customs procedures, customs tariff and tariff classification of goods and origin of goods, post-clearance control and audit and on customs management to elaborate a concept of the EUBAM on further development of the Customs Service of the Republic of Moldova based on the EU standard and best practices and within the mandate of the Mission.
- To elaborate special report and draft proposal on particular cases for the proper implementation of the customs status and customs procedures of the Customs Service of Republic of Moldova in the context of the Transnistrian issue.
- To implement all other tasks assigned by the Head of Mission.

Requirements:



- Master's degree in the field of economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) national or international customs officer or civil servant of an EU Member State or an EU Institution dealing with customs issues.
- At least 8 years experience in a customs administration or a related service dealing with customs issues of an EU Member State, an EU institution or an international organisation (e.g. World Customs Organisation)), of which at least 4 years experience in the area of customs status and customs procedures.
- Relevant operational experience with customs services active in the fight against corruption / smuggling / trafficking / fraud / organised crime within the EU Member States or at the European level. Additional operational experience with other law enforcement services in those fields of attention is an advantage.
- Excellent management and diplomatic skills, as well as operational experience.
- Experience with capacity building projects related to law enforcement services or with EU/EC customs missions in transition countries / other developing countries is highly desirable.
- Excellent communication, analysis and reporting skills.
- Very good command of written and spoken English; knowledge of other EU languages is an asset.
- Knowledge of Russian and Moldovan language will be an asset.
- Valid security clearance of at least level "EU Secret".

2.10. Head of Analytical and Operational Support Unit

Functions (indicative):

- To support the Deputy Head of Mission in daily and operational management issues.
- To coordinate all activities between and among the Operations Quality Control cell, Analytical cell, and Investigation Advice cell, as well as with the Field Offices on issues related to the activities of the Unit.
- To manage all activities for which the Analytical and Operational Support Unit is responsible within the action plan of EUBAM.
- To supervise all the activities of the unit for carrying out the tasks related to information collection, collation, its interpretation, analysis and



dissemination of analytical products in accordance to the EUBAM mandate as stipulated in the MoU.

- To supervise the timely and accurate delivery to the Deputy Head of Mission all documents and reports to be produced by the unit for internal and external purposes.
- To ensure the examination, evaluation and analysis of all incoming reports and information.
- To ensure the information flow, constant information sharing and the use of risk analysis in decision making; and to contribute to the timely and qualitative delivery of information for the Strategy, Planning and Performance Officer.
- To draft periodical strategic crime threat assessment reports of the region in the area of the EUBAM responsibility and to take into account the EU organised crime threat assessment reports.
- To contribute and facilitate the elaboration of a common border security threat assessment.
- To provide assistance to the Deputy Head of Mission by preparing documents such as ad hoc reports, targeted risk analyses, special reports, contextual briefings, etc. to be submitted to the Head of Mission in his capacity of Senior Advisor to the EU Special Representative to the Republic of Moldova.
- To draft operational plans / operational orders, official documents, correspondence, including those associated with sensitive or EU restricted data and information related to its activities.
- To contribute to the elaboration and regular updating of assessments of operational capacities of all levels of border management - at the strategic, operational and tactical level.
- To provide advice on risk analysis activity in the establishment and guidance of common risk analysis standards and the implementation of structured, systematic and coordinated risk analysis process of customs and border guard services of the Republic of Moldova and Ukraine.
- To provide advice to the partner services on the management of investigations.
- To assist the Deputy Head of Mission in providing advice and facilitating the implementation of joint cooperation activities at national and international levels between the law enforcement authorities of the Republic of Moldova and Ukraine such as joint border control operations, as well as carrying out of special investigative techniques.
- To assist the Deputy Head of Mission in facilitating cooperation and communication with EU agencies such as FRONTEX and Europol as well as with other international organisations and regional institutions (Interpol,



World Customs Organisation, IOM, SECI Center, etc.) in order to support the operational activities of the law enforcement authorities of the Republic of Moldova and Ukraine.

- To assist the Deputy Head of Mission in facilitating communication between the law enforcement authorities of the EU member states and the law enforcement authorities of the Republic of Moldova and Ukraine.
- To maintain frequent contacts and to coordinate the AOSU activities with the activities of Capacity Building Unit and Field offices under the supervision of the Deputy Head of Mission.
- To perform other tasks assigned by Deputy Head of Mission.

Requirements:

- Master's degree in the field of law or any other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- At least 8 years of operational experience of border and customs controls, of which at least 4 years spent at middle management level (Head of Unit or equivalent).
- Experience of working in, or designing / managing customs / border guard reform projects / missions in transition countries / other developing countries will be an asset.
- Excellent skills in making analysis and operational reports.
- Experience of working with data analysis and research software, preferably Analyst Notebook (i2).
- Demonstrated ability to decisively build and manage teams in a multinational environment.
- Excellent ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Excellent command of written and spoken English.
- Knowledge of Russian will be an asset.
- Experienced in giving qualitative presentations
- Valid security clearance of at least level "EU Secret".

2.11. Operational Quality Control Coordinator

Functions (indicative):



- To support the Head of Analytical and Operational Support Unit in daily and operational management issues regarding all activities of the unit.
- To replace the Head of Analytical and Operational Support Unit in his/her functions during his/her absence.
- To assist the Head of Analytical and Operational Support Unit in following up all activity plans for which the Unit is responsible within the action plan of EUBAM.
- To realise a quality control on the outgoing documents such as reports, letters, etc. of the Analytical and Operational Support Unit in order to guarantee that the quality criteria are fulfilled.
- To ensure all activities needed to be the 1st service point for the operational issues.
- To be the contact point for operational issues especially with the Field Offices.
- To evaluate and to review regularly the flow of operational information (daily reports, weekly reports, etc) of the unit.
- To ensure proper control on the non-violation of data-protection guidelines within the unit.
- To ensure archiving of all operational data of the unit.
- To apply the quality control approach in line with the all-over quality management system in place within EUBAM.
- To perform other tasks assigned by the Head of Analytical and Operational Support Unit.

Requirements:

- Master's degree in public or business administration or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- At least 8 years of operational experience of border and / or customs controls, of which at least 4 years spent at management level.
- Experience at operational level of working in or managing customs / border police reform projects / missions in transition countries / other developing countries will be an asset.
- Knowledge and experience of quality control / quality assurance and to have put it into practice.
- Demonstrated ability to decisively build and manage teams in a multinational environment.



- Excellent ability to work with word and power point programmes, e-mail, internet and spreadsheet applications
- Excellent command of written and spoken English.
- Knowledge of Russian will be an asset.
- Experienced in giving qualitative presentations
- National certificate of no criminal record.

2.12. Operational Desk Officer (seconded expert) (4)

Functions (indicative):

- To ensure all activities needed to be the first service point for the operational issues
- To deal with operational issues especially with the Field Offices
- To ensure the delivery of the daily / weekly report
- To contribute to the realisation of quality control on the outgoing documents such as reports, letters, etc. of the analysis and operational unit in order to guarantee that the quality criteria are fulfilled
- To enhance EUBAM's capability for situational awareness outside duty hours. For this purpose members of the Operational Quality Control cell shall work in shifts.
- To perform other tasks assigned by the Operational Quality Control Coordinator.

Requirements:

- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution..
- At least 5 years of operational experience of border and / or customs controls,
- Practical experience of quality control / quality assurance and to have put it into practice
- Excellent ability to work with word and power point programmes, e-mail, internet and spreadsheet applications
- Excellent command of written and spoken English.
- Knowledge of Russian will be an asset.
- Experienced in giving qualitative presentations



2.13. Customs Analyst

Functions (indicative):

- To contribute to the delivery of information by preparing special, incident, weekly, monthly, interim and annual reports.
- To gather information from internal and external sources such as Field Offices, Risk Analysis and Investigation Advice cells and other units, partner services as well as from international organisations and media sources.
- To compare and make analysis of the information received in order to find out criminal phenomena and individual cases related to the Moldovan-Ukrainian border.
- To produce statistical information regarding the expected results as foreseen in EUBAM's annual "Description of the Action".
- To share information between the Analytical cell and other units, field offices of EUBAM and partner services.
- To contribute to the development of EUBAM's and partner services analytical capacity in the field by giving advise and providing training.
- To perform other tasks assigned by the Head of Analytical and Operational Support Unit.

Requirements:

- Master's degree in economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) customs official or civil servant of an EU Member State, an EU institution or an international organisation dealing with customs related issues (e.g. World Customs Organisation).
- Previous experience (minimum 8 years) in port or inland customs operations of which a minimum of 4 years in an analytical unit or equivalent.
- Good experience in analysis of customs trade data with a view to detect patterns of customs-related fraud.
- Fluency in working with data analysis and research software, preferably Analyst Notebook (i2).
- Earlier international exposure, the ability to work in a multicultural environment, or participation in customs reform projects in developing countries is an asset.



- Very good ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Very good command of written and oral English.
- Knowledge of Russian will be a distinct asset.
- National certificate of no criminal record.

2.14. Customs Investigation Analyst

Functions (indicative):

- To gather information from partner services, EUBAM Field Offices, Risk Analysis cell as well as from international organisations and media sources.
- To compare and make analysis of the information received in order to find out criminal phenomena and individual cases related to the Moldovan-Ukrainian border.
- To support activities in the field by targeting Mission specific phenomena and objectives.
- To produce statistical information about the effectiveness of EUBAM activities.
- To contribute to the delivery of information by preparing special, incident, weekly, monthly, interim and annual reports.
- To share information between the analysis cell and other cells and units, field offices of EUBAM and partner services.
- To develop the EUBAM's and partner services analytical capacity in the field by giving advises and providing training.
- To perform other tasks assigned by the Head of Analytical and Operational Support Unit.

Requirements:

- Master's degree in economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) customs official or civil servant of an EU Member State, an EU institution or an international organisation dealing with customs related issues (e.g. World Customs Organisation).
- Previous experience (minimum 8 years) in port or inland customs operations of which a minimum of 4 years in an investigative unit (e.g. customs investigation department) or equivalent.



- Good experience in analysis of customs trade data, customs documents etc. with a view to detect patterns of customs-related fraud.
- Fluency in working with data analysis and research software, preferably Analyst Notebook (i2).
- Very good ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Respect of confidentiality clauses regarding any sensitive/confidential information which could be received or handled in the exercise of the duties.
- Earlier international exposure, the ability to work in a multicultural environment, or participation in customs reform projects in developing countries is an asset.
- Very good command of written and oral English.
- Knowledge of Russian will be a distinct asset.
- National certificate of no criminal record.

2.15. Fiscal analyst

Functions (indicative):

- To collect information from internal and external sources such as Field Offices, Risk Analysis and Investigation Advice cells and other units, partner services as well as from international organisations and media sources.
- To compare and make analysis of the information received in order to find out criminal phenomena and individual cases related to the Moldovan-Ukrainian border.
- To support daily activities in the field as a contribution for targeting Mission specific phenomena and objectives.
- To produce statistical information regarding the expected results as foreseen in EUBAM's annual "Description of the Action".
- To contribute to the delivery of information by preparing special, incident, weekly, monthly, interim and annual reports.
- To share information between the analysis cell and other units, field offices of EUBAM and partner services.
- To contribute to the development of EUBAM's and partner services analytical capacity in the field by giving advise and providing training
- To perform other tasks assigned by the Head of Analytical and Operational Unit



Requirements:

- Master's degree in economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) customs official or civil servant of an EU Member State, an EU institution or an international organisation dealing with customs related matter (e.g. World Customs Organisation).
- Previous experience (minimum 8 years) in port or inland customs operations of which minimum of 4 years in a customs fiscal unit or equivalent.
- Good experience in analysis of customs trade data with a view to detect patterns of customs-related fraud.
- Fluency in working with data analysis and research software, preferably Analyst Notebook (i2).
- Very good ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Respect of confidentiality clauses regarding any sensitive/confidential information which could be received or handled in the exercise of the duties.
- Earlier international exposure, the ability to work in a multicultural environment, or participation in customs reform projects in developing countries is an asset.
- Very good command of written and oral English.
- Knowledge of Russian will be a distinct asset.
- National certificate of no criminal record.

2.16. Border Police / Guard Analyst (2)

Functions (indicative):

- To collect information from internal and external sources such as Field Offices, risk analysis and investigation Advice cells and other units, local partner services as well as from international organisations and media sources.
- To compare and make analysis of the information received in order to find out criminal phenomena and individual cases related to the Moldovan-Ukrainian border.
- To support daily activities in the field as a contribution for targeting Mission specific phenomena and objectives.



- To produce statistical information regarding the expected results as foreseen in EUBAM's annual "Description of the Action".
- To contribute to the delivery of information by preparing special, incident, weekly, monthly, interim and annual reports.
- To share information between the analysis cell and other units, field offices of EUBAM and local partner services.
- To contribute to the development of EUBAM's and local partner services analytical capacity in the field by giving advise and providing training
- To perform other tasks assigned by the Head of Analytical and Operational Unit.

Requirements:

- Master's degree in a related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience
- Active (or recently retired) border police/ guard official or law enforcement (police) official of an EU Member State or an EU institution.
- Previous experience (minimum 8 years) in border control/surveillance operations of which are minimum of 4 years in an analytical unit, criminal investigation department or equivalent.
- Good experience in analysis of smuggling patterns with a view to detect patterns of trafficking of drugs, persons and weapons as well as customs-related fraud.
- Fluency in working with data analysis and research software, preferably Analyst Notebook (i2) will be an asset.
- Very good ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Respect of confidentiality clauses regarding any sensitive/confidential information which could be received or handled in the exercise of the duties.
- Earlier international exposure, the ability to work in a multicultural environment, or participation in customs reform projects in developing countries is an asset.
- Very good command of written and oral English.
- Knowledge of Russian will be a distinct asset.
- National certificate of no criminal record.

2.17. Border Police/Guard Risk Analysis Specialist



Functions (indicative):

- To provide initial advice and training on risk analysis including the cross-border movement of persons, on irregularities, on the principles of collection, collation, analysis, and information handling
- To provide practical advice and guidance on the information collection, collation, analysis and dissemination
- To contribute to the improvement and strengthening of the function of risk analysis and units at strategic level in order to guarantee its sustainability and to evaluate the interaction between strategic, operational and tactical levels.
- To assist in maintaining sustainability of the functioning of Risk Analysis.
- To contribute to the sharing and exchanging of information with and between all authorities involved in border management focussing on customs and police.
- To collect incident, daily, weekly, monthly, quarterly, semi-annual, annual and multi-annual reports, relevant strategic, operational and economic plans as well as other relevant documents from the Moldovan and Ukrainian Border Guard Services and further distribute within EUBAM, if required.
- To assist EUBAM experts in developing and implementing risk analysis profiles, basic tools and operational planning models taking into account the economic-political situation and the cultural links for each region at which border control is exercised in order to ensure that effective controls of all persons at the border is based on the use of proper risk analysis.
- To perform other tasks assigned by the Head of Analytical and Operational Unit.

Requirements:

- Master's degree in a related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) border police/border guard or law enforcement official of an EU Member State or an EU institution.
- Extensive experience (minimum 8 years) in the areas of risk analysis and border police/border guard or police intelligence, including analysis of cross-border trafficking, smuggling and economic fraud patterns, etc.; excellent knowledge of latest developments in the EU in this regard.



- Familiarity with the EU acquis communautaire on border management.
- Experience in planning and delivery of training in risk analysis and border policing intelligence.
- Fluency in working with data analysis and research software used by border policing intelligence and risk analysis.
- Very good ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Respect of confidentiality clauses regarding any sensitive/confidential information which could be received or handled in the exercise of the duties.
- Very good communication and drafting skills.
- Very good command in written and oral English.
- Knowledge of Russian will be an asset.
- Earlier international exposure, the ability to work in a multicultural environment, or participation in customs reform projects in developing countries is an asset.
- National certificate of no criminal record.

2.18. Customs Risk Analysis Specialist

Functions (indicative):

- To provide initial advice and training regarding customs risk analysis, intelligence and information systems in order to support customs controls at border crossing points, the internal "boundary" in the Republic of Moldova and in inland customs houses.
- To advise on gathering, analysing and disseminating information related to risk analysis of partner services.
- To advise EUBAM experts on establishing/implementing risk profiles taking into account the economic situation in the region concerned for each location at which customs control is exercised in order to ensure that selectivity of customs examination is based on the use of proper analysis of risk involved.
- To assist in maintaining sustainability of the functioning of the Central Bureaus of Risk Analysis.
- To identify and evaluate the gaps, lack of information flow between different levels - tactical, operational and strategic, developing proposals for further activities- additional training, lack of computerized tool or other equipment etc to overcome the gaps.



- To liaise with other EU and non-EU international assistance organisations, criminal intelligence and investigation, and wider law enforcement areas.
- To collect incident, daily, weekly, monthly, quarterly, semi-annual, annual and other periodic reports, relevant strategic, operational and economic plans as well as other relevant documents from the Moldovan and Ukrainian Customs Services and their further distribution within EUBAM.
- To perform other tasks assigned by the Head of Analytical and Operational Unit.

Requirements:

- Master's degree in economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU institution.
- Extensive experience (minimum 8 years) in the areas of risk analysis and customs, including analysis of smuggling and economic fraud patterns, etc.; excellent knowledge of latest developments in the EU in this regard.
- Experience in planning and delivery of training in risk analysis and customs issues.
- Fluency in working with data analysis and research software used by customs services and risk analysis.
- Earlier international exposure, the ability to work in a multicultural environment, or participation in customs reform projects in developing countries is an asset.
- Very good ability to work with word and power point programmes, e-mail, internet and spreadsheet applications.
- Respect of confidentiality clauses regarding any sensitive/confidential information which could be received or handled in the exercise of the duties.
- Very good communication and drafting skills.
- Very good command in written and oral English.
- Knowledge of Russian will be an asset.
- National certificate of no criminal record.

2.19. Investigation Specialist on Customs related Offences

Functions (indicative):



- To assist and advise the criminal investigation of significant cross-border crimes at the Moldovan-Ukrainian state border and led by Moldovan and Ukrainian competent partner services and law enforcement authorities.
- To assist and advise Moldovan and Ukrainian competent partner services and law enforcement agencies in the establishment of Joint Investigation Teams aimed at fostering more effective investigation against criminal groups and networks involved in cross-border crime at the Moldovan-Ukrainian state border.
- To assist and advise Moldovan and Ukrainian competent partner services and law enforcement agencies in the development/planning, implementation and evaluation of joint operations.
- To examine, in relation to the tasks of the investigation advice cell, all incoming reports and information, to prepare adequate information for the Strategy, Planning and Performance Officer and to contribute to the drafting of reports.
- To ensure close cooperation with the Analytical cell in order to render sufficient analytical assistance for the decision makers.
- To ensure close cooperation with the appropriate cells of the Capacity Building Unit in order to identify and address training needs of Moldovan and Ukrainian partner services' investigators.
- To ensure assistance for and advice to the EUBAM Field Offices in their efforts to advise Moldovan and Ukrainian competent services in effectively and efficiently preventing and fighting against crime, in particular in the area of customs frauds, smuggling of goods and trafficking in drugs and weapons.
- To assist the EUBAM Field Offices in the development of Targeted Monitoring Actions aiming at preventing and fighting cross-border crime and corruption.
- To make reports e.g. special reports including recommendations for the Moldovan and Ukrainian partner services and law enforcement agencies in his/her area of responsibility.
- To perform other tasks assigned by the Head of Analytical and Operational Unit.

Requirements:

- Master's degree in law, economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.



- At least 8 years of operational experience of customs investigations
- Demonstrated knowledge of classical and modern investigation techniques, including interviewing and interrogation of suspects, witnesses and victims of crime, controlled delivery actions, securing the crime scene and evidence, profiling, risk assessment, exchange of operational information at international level, etc.
- Experience in working at regional or international level related to the prevention of and fight against organised cross-border crime, in particular in the field of customs fraud, trafficking in drugs, smuggling of goods and high-taxed goods as cigarettes and alcohol, weapons, will be an asset.
- Experience of working in, or designing / managing / customs / border guard reform projects / missions in transition countries / other developing countries will be an asset.
- Demonstrated ability to decisively build and manage teams in a multinational environment will be an asset.
- Excellent command of written and spoken English.
- Knowledge of Russian will be an asset.
- Valid security clearance of at least level "EU Secret".

2.20. Organised Crime Investigation Specialist

Functions (indicative):

- To assist and advise the criminal investigation of significant cases related to the Moldovan-Ukrainian state border and led by Moldovan and Ukrainian competent partner services and law enforcement agencies.
- To assist and advise Moldovan and Ukrainian competent partner services and law enforcement agencies in the establishment of Joint Investigation Teams aimed at fostering more effective investigation against organised criminal groups and networks involved in cross-border crime at the Moldovan-Ukrainian state border.
- To assist and advise the Joint Investigation Teams established in the Republic of Moldova and Ukraine in conducting criminal investigations aiming at approximating their standards and practice to those of the EU Member States.
- To assist and advise Moldovan and Ukrainian competent partner services and law enforcement agencies in the development/planning, implementation and evaluation of joint operations.
- To examine, in relation to the tasks of the investigation cell, all incoming reports and information, to prepare adequate information for the Strategy,



Planning and Performance Officer and to contribute to the drafting of reports.

- To make reports e.g. special reports including recommendations for the Moldovan and Ukrainian partner services and law enforcement agencies in his/her area of responsibility.
- To ensure close cooperation with the Analytical cell in order to render sufficient analytical assistance for EUBAM Field Offices and Moldovan and Ukrainian competent partner services.
- To ensure close cooperation with the appropriate cells of the Capacity Building Unit in order to identify and address training needs of Moldovan and Ukrainian partner services' investigators.
- To contribute to the cooperation with international organisations
- To ensure assistance for and advice to the EUBAM Field Offices in their efforts to advise Moldovan and Ukrainian competent services in effectively and efficiently preventing and fighting against crime, in particular in the area of trafficking of human beings, smuggling of drugs and stolen vehicles, smuggling of persons, smuggling of goods and weapons.
- To assist the EUBAM Field Offices in the development of Targeted Monitoring Actions aiming at preventing and fighting cross-border crime and corruption.
- To perform other tasks assigned by the Head of Analytical and Operational Unit.

Requirements:

- Master's degree in law or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international law enforcement official or civil servant of an EU Member State or an EU Institution.
- At least 8 years of operational experience of criminal investigations.
- Demonstrated knowledge of classical and modern investigation techniques, including interviewing and interrogation of suspects, witnesses and victims of crime, controlled delivery actions, securing the crime scene and evidence including DNA evidence, profiling, risk assessment, exchange of operational information at international level, etc.
- Experience in working at regional or international level related to the prevention of and fight against cross-border organised crime, in particular in the field of fight against illegal migration and smuggling of persons,



trafficking in human beings, smuggling of drugs, stolen vehicles, smuggling of goods (for instance, cigarettes and alcohol) and weapons, as well as in the field of customs evaluation fraud, will be an asset.

- Experience of working in, or designing / managing / customs / border guard reform projects / missions in transition countries / other developing countries will be an asset.
- Demonstrated ability to decisively build and manage teams in a multinational environment will be an asset.
- Excellent command of written and spoken English.
- Knowledge of Russian will be an asset.
- Valid security clearance of at least level "EU Secret".

2.21. Investigation expert (seconded experts) (border police / guard; customs) (2)

Functions (indicative): (for border police)

- To contribute to the implementation of the overall objectives assigned to the Investigation Advice cell
- To assist in criminal investigations conducted by Moldovan and Ukrainian Border Guard personnel, to assist and advice them on standards and practices applied in EU Member States, to come up with recommendations on how to make criminal investigations and collection and securing the evidence more effective and result oriented, and to provide related on-the-job training to Moldovan and Ukrainian Border Guard personnel on a daily basis.
- To improve the operational effectiveness of Moldovan and Ukrainian Border Guard services through the transfer of skills and identified best practices, including, for instance, profiling and other risk assessment, the use of special investigation and evidence securing equipment, the interviewing and interrogation of suspects, witnesses and victims of crime, etc
- To provide pro-active advice and support to Moldovan and Ukrainian Border Guard services in the actual working environment on the basis of relevant Moldovan and Ukrainian national legislation.
- To assist and advice Moldovan and Ukrainian partner services and law enforcement agencies in the detection, investigation and examination of criminal activities, in particular related to the trafficking of human beings, drugs and stolen vehicles, the smuggling of persons, high-taxed goods, weapons, irregular migration, in identification, detection, examination



and investigation of abuse and counterfeiting of travel documents, and the prevention of and fight against corruption.

- To report the lack of capacity of Moldovan and Ukrainian Border Guard personnel to the supervisor/head of the unit in order to promote a more effective border control and surveillance regime.
- To perform other tasks assigned by the Head of Analytical and Operational Unit.

Requirements (indicative):

- Active Border Police or Police official of an EU Member State, an EU institution dealing with the prevention of or fight against crime at the tactical level with sufficient experience in classical and modern investigation techniques, including interviewing and interrogation of suspects, witnesses and victims of crime, controlled delivery actions, securing of evidence (including DNA evidence), profiling and risk management.
- Previous experience (minimum 8 years) in a Border Police / Guard / Customs operational service of which a minimum of 4 years in a criminal investigation department or equivalent.
- Knowledge of recognised data protection provisions, respect of confidentiality clauses regarding any sensitive/confidential information which could be received or handled in the exercise of the duties, especially related to the personal data
- Earlier international exposure, the ability to work in a multicultural environment, or participation in Border Police/Customs reform projects in developing countries is an asset.
- Very good command of written and oral English.
- Knowledge of Russian will be a distinct asset.
- Valid security clearance of at least level "EU Secret".

2.22. Heads of Field Offices in Chisinau, Otaci, Basarabasca (the Republic of Moldova) and Kotovsk, Kuchurgan, and Odessa (Ukraine) (6)

Functions (indicative):

- To contribute to the implementation of the Mission's mandate (Description of Action) and under the supervision of the Deputy Head of Mission to organise the work of the seconded field personnel under his/her direct supervision and responsibility, to determine results and



tasks and to define their work schedule and working plans (including time table).

- To ensure field personnel's discipline and the obeying of the Code of Conduct/Standard Operating Procedures and the Standard Administrative Procedures as well as of individual instructions received from the EUBAM Headquarters.
- To oversee the on-the-job training and support delivered by the field personnel to their operational customs or border guards partner services in a live work environment, and of the practical work organisation and implementation of the field personnel.
- To ensure pro-active advice and support provided by the field personnel to their partner services in the practical working environment on the basis of the Moldovan and Ukrainian legislation, in order to assist them through the transmission of EU good/best practices.
- To keep frequent contact with the EUBAM Headquarters, in particular the Deputy Head of Mission.
- To regularly report on the implementation of the activities plans.
- To ensure the monitoring, assistance, advice, recommendations and in-job training at border crossing points, inland customs houses, relevant law enforcement posts and along the green and blue border areas as regards control and clearance standards, prevention of and fight against smuggling of goods, customs valuation and fraud, trafficking of drugs, human beings and weapons as well as prevention of corruption.

For the Head of the Chisinau Field Office in addition:

- To ensure the monitoring, assistance, advice, recommendations and on the job training in the large middle part of the Transnistrian boundary.
- To ensure the monitoring, assistance, advice, recommendations and on the job training at the customs houses responsible for customs clearance and collection of customs revenue.

For the Head of the Odessa Field Office in addition:

- To ensure the monitoring, assistance, advice, recommendations and on the job training at the seaports regarding control and clearance standards, prevention of and fight against smuggling of goods, customs valuation and fraud, trafficking of drugs, human beings and weapons as well as prevention of corruption.
- To ensure the assessment of the control and clearance procedures applied and the existing mechanism of the cargo control system, in particular to the cargo coming from or going to the Republic of Moldova (export/import).



- For all Heads of Field Offices to perform other tasks assigned by the Deputy Head of Mission.

Requirements:

- Master's degree in law, economics or other related field; in case of lower academic background, it shall be complemented with minimum 10 years of relevant working experience.
- Active (or recently retired) customs or border police/border guard or related law enforcement official of an EU Member State or an EU institution.
- At least 10 years of operational experience of border and/or customs controls, of which at least 5 years spent at middle management level (e.g. Head of Unit).
- Experience of working in, or designing / managing customs / border guard reform projects / missions in transition countries / other developing countries will be an asset.
- Demonstrated ability to decisively build and manage teams in a multinational environment is required.
- Very good communication and drafting skills.
- Very good command in written and oral English.
- Knowledge of Russian will be an asset.
- Knowledge of Moldovan will be an asset for the heads of field office Basarabasca, Chisinau and Otaci
- Valid security clearance of at least level "EU Secret".

2.23. Head of Capacity Building Unit

Functions (indicative):

- Overall responsibility of the Mission's activities related to capacity building within the framework of the Mission's mandate ("Description of Action")
- To supervise and coordinate the activities of the Strategy and Policy Development and Implementation cell and the Training cell in relation to: EU customs standards as stipulated in Community Customs Code (Modernised Customs Code) and as described in EU Customs Blue Prints; the EU border policing standards in accordance with the Schengen acquis; the EU Integrated Border Management concept; Moldovan and Ukrainian border and customs legislations and practice; the organisational/structural development of the partner services/at strategic, operational and tactical level in order to assist to reach the EU



best practices in general and the EU anti-corruption best practices in particular

- To maintain frequent contacts and to coordinate the Capacity Building Unit activities with the activities of the AOSU and Field offices under the supervision of the Deputy Head of Mission.
- To monitor all the activities for which the Unit is responsible as agreed within the action plan of EUBAM.
- To ensure the elaboration by analogue a handbook of the EU border-related legislation and of best practices from the EU Member States (including the EC Regulations on establishing rules for border control of persons crossing the EU's external border, the Schengen Catalogue on External borders control Return and Readmission, catalogue of best practice, Integrated Border Management Concept etc.)
- To ensure the elaboration by analogue a handbook of the EU customs legislation and best practices from EU Member States. To ensure the identification of legal gaps based on special reports of the Field Offices and Analytical and Operational Support Unit and draft recommendations to be provided to the partner services.
- To keep close overview on the activity of the related border projects from the EC and/or other donors
- To participate upon request of the EU Delegation in Kiev and in Chisinau in the implementation of capacity building measures in other EC projects.
- To keep overview of all advice and recommendations in accordance with EU standards and practices offered to the partner countries.
- To ensure the elaboration and regularly updating of assessments of the operational capacities of the Moldovan and Ukrainian services, also in view of making recommendations for structural reform efforts as regards sustainable improvements of those operational capacities, including through provision of specialized equipment.
- To submit to the senior management of the Mission proposals of recommendations for approval by the Head of Mission within the framework of the Mission's mandate as regards sustainable improvements.
- To implement and/or assist in the implementation of EC technical assistance projects.
- To ensure that the Mission's personnel have sufficient knowledge and understanding of the Moldovan and Ukrainian legislation so as they to assist and advice sufficiently the partner services.
- To perform other tasks assigned by the Senior Management of the Mission.





Requirements:

- Master's degree in law, economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international civil servant of an EU Member State or an EU Institution
- At least 8 years of operational experience in border or customs management activities, of which at least 4 years spent at management level
- Experience of working in / or designing of / or managing customs / border police reform capacity building projects / missions in transition countries / other developing countries will be an asset.
- Excellent communication skills.
- Very good command of written and spoken English; knowledge of Russian will be an asset.
- Valid security clearance of at least level "EU Secret".

2.24. Anti-corruption Advisor

- To advise in the development and implementation of the anti-corruption strategy of partner services.
- To coordinate the activities of the Capacity Building Unit in case of absence of the Head of Capacity Building Unit.
- To assist in the development / implementation of departments /centres/ agencies dealing with anti-corruption of the Republic of Moldova and Ukraine.
- To advise partner services on the implementation of anti-corruption measures based on EU practices.
- To assist and advise EUBAM experts on assisting and giving advice to the partner services related to anti-corruption.
- To provide practical advice on implementation of the partner services' ethical policies and strategies so to make those sustainable.
- To implement all other tasks assigned by the Head of Capacity Building Unit.

Requirements:



- Master's degree in law, economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international civil law enforcement official or civil servant of an EU Member State or an EU Institution
- At least 4 years of experience in national anti-corruption service.
- In depth knowledge of anti-corruption strategies as applied by the EU-member states.
- Experience of working in / or designing of / or managing capacity building projects / missions in transition countries / other developing countries related to anti-corruption.
- Experienced in implementing anti-corruption strategies preferably in border police or customs services at all levels of the organisation
- Excellent communication skills.
- Very good command of written and spoken English; knowledge of Russian will be an asset.
- Valid security clearance of at least level "EU Secret".

2.25 Advisor on the Implementation of Schengen Acquis

Functions (indicative):

- To advise partner services in the further development and implementation of the border police / border guard strategy within the mandate of EUBAM.
- To advice in the further organisational / structural development and implementation at the strategic, operational and tactical level in order to facilitate the implementation of best practices and recommendations.
- To follow the developments of the Schengen Acquis in order to provide updated advice to the partner services.
- In coordination with the Adviser on Integrated Border Management to contribute and to maintain close contact with FRONTEX and the General Secretariat of the Council of the EU as well as with the relevant services of the EU Member States and other EU stakeholders
- To contribute and to maintain close contact with representatives of other relevant international organisations such as Europol, IOM.
- To provide training, seminars, workshops to the partner services regarding matters related to the Schengen Acquis.



- To provide information and to deliver training to the experts of EUBAM at their arrival in the mission and to update them about the latest developments.
- To implement all other tasks assigned by the head of Capacity Building Unit.

Requirements:

- Master's degree, preferably in law; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international civil servant of an EU Member State or any other EU Institution
- At least 10 years of operational experience in border management activities, of which at least 5 years spent at management level
- Experience of working with capacity building projects missions in transition countries or other developing countries will be an asset.
- Experienced in developing and implementing border police strategies.
- In depth knowledge of the Schengen Acquis.
- Excellent communication skills.
- Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
- Very good command of written and spoken English; knowledge of Russian will be an asset.
- National certificate of no criminal record.

2.26. Advisor on Integrated Border Management

Functions (indicative):

- To advise partner services in the further development and implementation of their strategy related to the Integrated Border Management (IBM) Concept within the mandate of EUBAM.
- To advise and assist partner services in the further development and implementation of elements of IBM, including Jointly Operated Border Crossing Points, the principles of coordinated/joint patrols, the joint border control operations, etc.



- To contribute to the reviewing and implementation of the agreements/protocols related to the exchange of information between the partner services.
- In coordination with the Adviser on the Implementation of Schengen Acquis to contribute and to maintain close contact with FRONTEX and the General Secretariat of the Council of the EU as well as with the relevant services of the EU Member State.
- To contribute and to maintain close contact with representatives of other relevant international organisations such as Europol, IOM, SECI Center.
- To provide training, seminars, workshops to the partner services regarding matters related to integrated border management.
- To provide information and to deliver training to the experts of EUBAM on integrated border management at their arrival in the mission and to update them about the latest developments.
- To implement all other tasks assigned by the head of Capacity Building Unit.

Requirements:

- Master's degree preferably in law; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) national or international law enforcement servant of an EU Member State or any other EU Institution.
- At least 10 years of operational experience in border management activities, of which at least 5 years spent at management level.
- In depth knowledge of the integrated border management concept.
- Experience of working with capacity building projects missions in transition countries or other developing countries related to integrated border management will be an asset.
- Experienced in implementing the concept of integrated border management at all levels of the organisation.
- Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
- Excellent communication skills.
- Very good command of written and spoken English; knowledge of Russian will be an asset.
- National certificate of no criminal record.




2.27. Border Police/Guard Management Specialist

Functions (indicative):

- To advise and assist partner services to implement the border guard strategy and to make the realisations sustainable.
- To advise in the further implementation of the EU border policing standards (as also described in the Schengen acquis) in order to make those sustainable, e.g. to assist in developing procedures.
- To oversee and coordinate advices related to the border police and delivered by the Mission's field personnel.
- To elaborate by analogy a "handbook" of the EC border-related legislation and of best practices from EU Member States (including the Community Code on the rules governing the movement of persons across borders (so called Schengen Borders Code) establishing rules for border control of persons crossing the EU's external border, the Schengen Catalogue on External borders control, Return and Admission (best practices), Integrated Border Management Concept, etc.) which will guide the Mission's field personnel daily work in the transmission of EU standards and practices to their Moldovan and Ukrainian partners.
- To keep a close overview of the activities of related border police/guard reform projects from the EC and other donors.
- To participate, upon request of the EC Delegation in Kiev and Chisinau, in the implementation of capacity building measures in other EC projects.
- To make proposals for initiating and conducting additional training for the border officials
- To implement all other tasks assigned by the Head of Capacity Building Unit.

Requirements:


- Master's degree in law, economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) border police/border guard or other law enforcement official dealing with border related issues of an EU Member State or an EU Institution.
- At least 8 years experience in a border police/border guard administration or a related law enforcement service dealing with border control and surveillance issues and the fight against cross-border crime and corruption of an EU Member State or an EU institution.

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- Extensive experience with, and knowledge of, both the common EU *acquis communautaire* related to border controls, and specific legislation and good/best practices of EU Member States, including a comparative and conceptual overview, as well as an understanding of customs issues through cooperative operational experience.
 - Experience in border management reform projects of candidate countries for EU accession, preferably in transition countries (possibly as a twinning adviser).
 - Very good command of written and spoken English.
 - Knowledge of Russian will be an asset.
 - Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
 - National certificate of no criminal record.

2.28. Customs Management Specialist

Functions (indicative):

- To advise partner services in the development and implementation of the customs strategy within or in relation to the mandate of EUBAM.
- To advise in the development and implementation of the EU customs standards in accordance with the EU Customs Blue Prints.
- To advise in the development and implementation of the organisational / structural development at central, middle and local level in order to bring the service to the EU best practice
- To acquire and maintain a full view of the applicable Moldovan and Ukrainian customs legislation and practice.
- To assist in the implementation of the anti-corruption strategy
- To keep a close overview of the activities of related customs reform projects from the EC and other donors.
- In cooperation with the specialists on customs status and customs procedures, customs tariff and tariff classification of goods and origin of goods, post-clearance control and audit and the customs specialist in the Republic of Moldova to elaborate a concept of the EUBAM on the further development of the Moldovan Customs Service based on the EU standards and best practices and within the mandate of the Mission.
- To participate, upon request of the EU Delegation in Kiev and Chisinau, in the implementation of capacity building measures in other EC projects.

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- To implement all other tasks assigned by the Head of Capacity Building Unit.

Requirements:

- Master's degree in economics or other related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) customs officer or civil servant dealing with customs issues of an EU Member State or an EU Institution.
- At least 8 years experience in a customs administration or a related service dealing with customs management issues of an EU Member State, an EU institution or an international organisation (e.g. World Customs).
- Extensive experience with, and knowledge of, Community Customs Code (Modernized Customs Code) and other relevant regulations and EU practice, including a comparative and conceptual overview, as well as understanding of border policing/immigration issues through cooperative operational experience.
- Experience in the customs approximation process of candidate countries for EU accession, preferably in transition countries (possibly as a twinning adviser).
- Very good command of written and spoken English.
- Knowledge of Russian will be an asset.
- Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
- National certificate of no criminal record.

2.29. Customs Status and Customs Procedures Specialist

Functions (indicative):

- To assist the Head of the Capacity Building Unit in the development of advice and recommendations on customs status and customs procedures in line with the EU rules and regulations - Community Customs Code (Modernised Customs Code) as well as in line with the "single window" concept and the EU reform concerning the implementation of the electronic customs
- To analyse the Moldovan and Ukrainian rules and regulations in the area of customs status and customs procedures and based on those studies to prepare and provide:
 - a) training to the partner services;



- b) training respectively in the Republic of Moldova and in Ukraine for the EUBAM personnel.
- To elaborate action plan for improvement of the customs status and customs procedures and further approximation of the Customs administrations (in the Republic of Moldova and in Ukraine) towards the EU rules and regulations in order to:
 - a) Establish more favourable conditions for the economic operators in line with the trade facilitation agenda;
 - b) Carry out efficient customs clearance and risk-based controls;
 - c) Increase the revenue and reduce the risk of frauds and smuggling.
- To advise in implementing in practice the EU customs standards in accordance to the EU Customs Blue Prints.
- To advise on the non-tariff measures and their implementation, and in particular those related to security and safety, to fight against counterfeit goods (Intellectual Property Rights), application of sanitary, healthy, environmental and consumer protection measures as well as collection of VAT and excise duties on importation or exemption from such taxes on exportation.
- To manage the advice and proposals of recommendations regarding the application of customs standards and best practices delivered by the Mission's personnel.
- To maintain a register on the provided advice and recommendations of the Mission in the area of the customs status and customs procedures.
- To elaborate by analogy a "handbook" of the EU customs legislation and of good practices from EU Member States; this will guide the daily work of the Mission's personnel in the transmission of EU standards and practices to their Moldovan and Ukrainian partners
- In cooperation with the specialists on customs tariff and tariff classification of goods and origin of goods, post-clearance control and audit, on customs management and customs specialist in the Republic of Moldova to elaborate a concept of the EUBAM on further development of the Moldovan Customs Service based on the EU standard and best practices and within the mandate of the Mission.
- To follow all developments and changes of the EU rules and regulations in the area of the customs status and customs procedures and to provide information (training if it is needed) to the EUBAM personnel on the latest developments.
- To implement all other tasks assigned by the head of Capacity Building Unit.

Requirements:



- Master's degree in economics or related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) customs officer or civil servant dealing with customs issues of an EU Member State or an EU Institution.
- At least 8 years experience in a customs administration or a related service dealing with customs issues of an EU Member State, an EU institution or an international organisation (e.g. World Customs Organisation), of which at least 4 years experience in the area of customs status and customs procedures.
- Extensive experience with, and knowledge of, Community Customs Code (Modernised Customs Code) and other relevant regulations and EU practice, including a comparative and conceptual overview, as well as understanding of border policing/immigration issues through cooperative operational experience.
- Experience in the customs approximation process of candidate countries for EU accession, preferably in transition countries (possibly as a twinning adviser) and other developing countries.
- Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
- Very good command of written and spoken English.
- Knowledge of Russian will be an asset.
- National certificate of no criminal record.

2.30. Specialist on Customs Tariff and Tariff Classification of Goods and Origin of Goods

Functions (indicative):

- To assist the Head of the Capacity Building Unit in the development of advice and recommendations on customs tariff and tariff classification of goods and origin of goods following the EU rules and regulations (Community Customs Code (Modernized Customs Code)), Harmonized Commodity Description and Coding System (HS), EU Combined Nomenclature (CN) and other relevant regulations in this field.
- To analyse the Moldovan and Ukrainian rules and regulations in the area of customs tariff and tariff classification of goods and origin of goods and base on the studies to prepare and to provide:
 - a) training to the partner services;
 - b) training respectively in the Republic of Moldova and in Ukraine for the EUBAM personnel.



- To elaborate action plan for improvement of the customs tariff and tariff classification of goods and origin of goods and further approximation of the Customs administrations (in the Republic of Moldova and in Ukraine) towards the EU rules and regulations in order to:
 - a. Establish more favourable conditions for the economic operators in line with the trade facilitation agenda;
 - b. Carry out efficient customs clearance and risk-based controls;
 - c. Increase the revenue and reduce the risk of frauds and smuggling.
- To advise in implementing in practice the EU customs standards in accordance to the EU Customs Blue Prints.
- To manage the advices and proposals of recommendations regarding the application of customs standards and best practices delivered by the Mission's personnel.
- To maintain a register on the provided advice and recommendations of the Mission in the area of the customs tariff and tariff classification of goods and origin of goods.
- To elaborate special report and draft proposal on particular cases for the proper implementation of the customs tariff and tariff classification of goods and origin of goods in the context of the Transnistrian issue.
- To elaborate by analogy a "handbook" of the EC customs legislation and of good practices from EU Member States; this will guide the daily work of the Mission's personnel in the transmission of EU standards and practices to their Moldovan and Ukrainian partners.
- To provide training to the partner services in the area of the customs tariff and tariff classification of goods and origin of goods upon their request and after approval.
- In cooperation with the specialists on customs status and customs procedures, post-clearance control and audit; on customs management and customs specialist in the Republic of Moldova to elaborate a concept of the EUBAM on further development of the Moldovan Customs Service based on the EU standard and best practices and within the mandate of the Mission.
- To follow all developments and changes of the EU rules and regulations in the area of the customs tariff and tariff classification of goods; origin of goods and the customs laboratories and to provide information (training if it is needed) to the EUBAM personnel on the latest developments.
- To implement all other tasks assigned by the head of Capacity Building Unit.

Requirements:

- Master's degree in economics or related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) customs officer or civil servant dealing with customs issues of an EU Member State or an EU Institution.
- At least 8 years experience in a customs administration or a related service dealing with customs issues of an EU Member State, an EU institution or an international organisation (e.g. World Customs Organisation), of which at least 4 years experience in the customs tariff and tariff classification of goods and origin of goods.
- Extensive experience with, and knowledge of, Community Customs Code (Modernized Customs Code) and other relevant regulations and EU practice, including a comparative and conceptual overview, as well as understanding of border policing/immigration issues through cooperative operational experience.
- Experience in the customs approximation process of candidate countries for EU accession, preferably in transition countries (possibly as a twinning adviser) and other developing countries.
- Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
- Very good command of written and spoken English.
- Knowledge of Russian will be an asset.
- National certificate of no criminal record.

2.31. Post-clearance Control and Audit Specialist

Functions (indicative):

- To assist the Head of the Capacity Building Unit in the development of advice and recommendations on Post-clearance Control and Audit following the EU rules and regulations.
- To analyse the Moldovan and Ukrainian rules and regulations in the area of post-clearance control and audit and based on those studies to prepare and to provide:
 - a) training to the partner services ;
 - b) training respectively in the Republic of Moldova and in Ukraine for the EUBAM personnel.
- Based on the analyses of the Moldovan customs legislation to elaborate a proposal for legal changes in the area of customs post-clearance control and audit.



- To elaborate an action plan for the improvement of post-clearance control and audit of the Moldovan Customs Service towards the EU rules and regulations having in mind the main preconditions that are needed such as exchange of customs information in real time; efficient risk based controls; cooperation on daily bases with the tax administration, police and the judicial authorities.
- To advice in implementing in practice the EU customs standards in accordance to the EU Customs Blue Prints.
- To manage the advices and proposals of recommendations regarding the application of customs standards and best practices delivered by the Mission's personnel.
- To maintain a register on the provided advice and recommendations of the Mission in the area of post-clearance control and audit
- To elaborate a special report and draft proposals on particular cases for the proper implementation of the post-clearance control and audit in the context of the Transnistrian issue.
- To elaborate by analogy a "handbook" of the EC customs legislation and of good practices from EU Member States; this will guide the daily work of the Mission's personnel in the transmission of EU standards and practices to their Moldovan and Ukrainian partners
- In cooperation with the specialists on customs status and customs procedures, customs tariff and tariff classification of goods and origin of goods, on customs management and customs specialist in the Republic of Moldova to elaborate a Concept of the EUBAM on further development of the Moldovan Customs Service based on the EU standard and best practices and within the mandate of the Mission.
- To follow all developments and changes of the EU rules and regulations in the area of the post-clearance control and audit and to provide information (training if it is needed) to the EUBAM personnel on the latest developments.
- To implement all other tasks assigned by the head of Capacity Building Unit.

Requirements:

- Master's degree in economics or related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) customs officer or civil servant dealing with customs issues of an EU Member State or an EU Institution.
- At least 8 years experience in a customs administration or a related service dealing with customs issues of an EU Member State, an EU



institution or an international organisation (e.g. World Customs Organisation) of which at least 4 years experience in the area of the post-clearance control and audit.

- Extensive experience with, and knowledge of, Community Customs Code (Modernized Customs Code) and other relevant regulations and EU practice, including a comparative and conceptual overview, as well as understanding of tax administration and police issues through cooperative operational experience.
- Experience in the customs approximation process of candidate countries for EU accession, preferably in transition countries (possibly as a twinning adviser) and other developing countries.
- Good drafting skills, familiarity with relevant IT software tools such as power point, etc.
- Very good command of written and spoken English.
- Knowledge of Russian is an asset.
- National certificate of no criminal record.

2.32. Training Specialist

Functions (indicative):

- To draft a proposal of training plan of EUBAM for partner services.
- To organise trainings through seminars, workshops, conferences, study visits, etc. in customs and border policing related issues for the partners of the Republic of Moldova and Ukraine.
- To provide training to the partner services for improvement of their training function.
- To ensure the elaboration of manuals, curricula and training materials.
- On request to contribute to the recruitment, monitoring and evaluation of short term experts.
- To draft a proposal of training plan and to organise training for experts of EUBAM, such as induction training.
- To implement and/or assist in the implementation of the EC technical assistance projects.
- To implement all other tasks assigned by the head of Capacity Building Unit.

Requirements:



- Master's degree in related field; in case of lower academic background, it shall be complemented with minimum 8 years of relevant working experience.
- Active (or recently retired) civil servant dealing with customs issues of an EU Member State or any other EU Institution.
- Minimum 8 years of experience in training and education preferably in relation to customs / border police or police services of an EU Member State, an EU institution or an international organisation, of which at least 4 years spent at management level.
- Good drafting skills, good experience in drafting layouts for training manuals, familiarity with relevant IT software tools such as power point, etc.
- Very good command of written and spoken English.
- Knowledge of Russian will be an asset.
- National certificate of no criminal record.

2.33. Training Expert (seconded expert)

Functions (indicative):

To assist the training specialist in relation to his/her tasks, specifically in:

- Monitoring of the training plans
- Organising trainings
- Preparing and conducting of study visits
- Ensuring proper evaluation of trainings (seminars, etc)
- Contributing to drafting of booklets after each study visit
- Supporting experts of EUBAM for their delivering of local training
- Assisting in evaluation of training courses delivered by EUBAM experts

Assist in the implementation of the EC technical assistance projects.

To perform other tasks assigned by the Head of Capacity Building Unit and the Training Specialist.

- Requirements:

2. Active civil or law enforcement servant of an EU Member State or any other EU Institution.
3. Experience in training and education preferable in relation to customs / border police or police services of an EU Member State,



4. Good drafting skills, good experience in drafting layouts for training manuals, familiarity with relevant IT software tools such as power point, etc.
5. Very good command of written and spoken English.
6. Knowledge of Russian will be an asset.

2.34. Head of Safety and Security Unit

Functions (indicative):

- To serve as the principal advisor to the Head of Mission, the Designated Official (DO) of the UN system in Ukraine and senior Mission management in the execution of safety and security responsibilities of EUBAM personnel, their eligible dependants and Mission property in accordance with the UN DSS Security Management System reporting to the Head of the Mission and the DO.
- To undertake threat assessments for all locations in the Mission area where EUBAM personnel are present.
- To update, test and manage separate warden systems for both international and national personnel.
- To contribute to the planning, implementation, and evaluation of the effectiveness of security plans and other aspects of security operations.
- To review and monitor activities related to the Mission security programme and Mission security plans, including all aspects related to the elaboration, development and updating of such plans and, if necessary, their implementation. Identify air and land evacuation requirements to be used in emergency cases.
- To maintain continuing awareness of prevailing local security conditions, to identify probable threats and to advise EUBAM staff to follow appropriate preventative steps.
- To brief incoming Mission personnel about the local security situation and any possible risks/threats, and ensure where appropriate that Mission personnel have an adequate knowledge of self-protection and security awareness, including the provision of on-the-job training.
- To arrange protection detail for senior personnel or visiting VIP's as necessary.
- To compile and maintain an updated staff list that includes all personnel, including visiting delegations and consultants.
- To establish and maintain contact with national security agencies in the EUBAM Area of Responsibility (AoR) in order to obtain the best information and protection for EUBAM personnel and their eligible dependants, operations and EUBAM property.
- To establish and maintain contact with security officials of diplomatic missions and International Organisations, specifically, OSCE, UNDP, UNDSS, EU and to share information pertaining to staff safety and security.



- To act as the EUBAM representative on the SMT for both the Republic of Moldova and Ukraine and advising Designated Officials (DOs) and Security Management Teams (SMTs) on operational security requirements consistent with the MOSS.
- To establish and maintain dialog with international institutions for coordination of efforts in the event of natural or man-made disasters.
- To assume responsibility for the monitoring and evaluation of office physical security measures.
- To determine need for, and provide training and advice to EUBAM personnel on residential security measures.
- To establish procedures for and conduct investigations on all deaths and all accidents and incidents in which mission personnel have been victims of crime.
- To follow up on all arrest of EUBAM personnel or suspected breaches of the EUBAM code of conduct.
- To assume responsibility for guard force management and issuance of ID cards.
- To evaluate effectiveness of prevailing fire safety measures in effect in assigned areas of responsibility, including fire prevention devices, fire-fighting equipment, and evacuation plans.
- To coordinate 24-hour response to all security related incidents involving EUBAM personnel and eligible dependants.
- To perform other security related tasks assigned by the Head of Mission, UNDP, UNDSS or DOs.
- To work closely with the Procurement Officer (DoA) on the identification and procurement of security-related equipment.
- To perform other appropriate tasks assigned by the Head of Mission or the Deputy Head of Mission, Chief of Administration.

Requirements:

- Master's degree in security management or related field; in case of lower academic background, it shall be complemented with minimum 10 years of relevant working experience or an EU Institution.
- Active (or recently retired) national or international Security Officer of the EU Member State.
- Minimum of ten (10) years of progressively responsible experience in security issues in a national service of an EU Member State or in an International Organisation or Mission, including operations in developing countries.
- Demonstrated leadership skills in managing security operations as well as capabilities in security risk assessment, planning and organisation.
- Proven crisis management capabilities, including the ability to make quick but thorough decisions in emergency cases or when rapid response is required.



- Excellent knowledge of the Minimum Operating Security Standards (MOSS) used in the United Nations operations.
- Extensive knowledge of, and experience with, secure information exchange systems.
- Good knowledge of the applicable procedures for the management of classified information (registry, etc.).
- Fluency in written and spoken English; knowledge of Russian will be an asset.
- Valid driving license of at least category B.
- Familiarity with relevant IT software tools.
- Earlier international exposure, the ability to work in a multicultural environment, and a high level of integrity and reliability.
- Valid security clearance of at least level "EU Secret".

2.35. Administrative Officer

Functions (indicative):

- Under the supervision of the Chief of Administration; to manage matters related to general administration and HR and to ensure a successful implementation of the programme by UNDP.
- To apply and ensure at all times full compliance and application of standard EC and UNDP administrative, human resources and financial rules, procedures and best practices.
- To provide inputs to draft Standard Operating Procedures (SOP) for all administrative processes, in cooperation with the Finance and the Procurement, Logistic and Contracting Officer.
- To provide support to kick-start the establishment of Mission offices and ensure their immediate and continuous functionality (office equipment, supplies, communications, vehicles, support and maintenance systems) when required
- To brief staff on standard operating procedures and other relevant related rules and procedures.
- To set up and maintain effective and results-oriented administration of personnel contracts, insurance, travel, accreditation/permits processing, filing.
- To administer personnel contracts and insurance coverage, draft terms of reference for support personnel, to advertise vacancies and organise recruitment processes.
- To advice and assist EUBAM management in recruitment process, management of competitive recruitment and selection processes including updated job descriptions, proper job classification, vacancy announcements, screening of candidates, organisation of interview panels.
- To develop team rotation and work shift systems and procedures.



- To identify accommodation options for field personnel in the selected Mission locations in the operation area.
- To draft administrative notes for the induction / briefing kit as well as a Code of Conduct for all Mission personnel.
- To oversee the proactive and appropriate vehicle management and to ensure the application of vehicle maintenance protocols, vehicle use logs and procedures, safety procedures, standards of conduct/behaviour for drivers.
- To ensure optimum working conditions of all Mission premises and offices, including good operating conditions of office equipment, availability of office consumables, water, and electricity.
- To follow up with field offices and seconded personnel to ensure timely and effective provision of administrative services and back-up adopting a client-satisfaction approach.
- To oversee the successful organisation of special events, conferences and meetings.
- To assist in the preparation of reports with administrative inputs.
- To manage timely processing of travel requests, ticketing, per diem, accommodation.
- To process all required transactions through ATLAS (pre-encumbrances, purchase orders, payment requests, personnel contracts, etc.).
- To set up and maintain proper filing and correspondence management systems.

Requirements:

- Citizenship of an EU Member State or a country eligible under the Tacis Regulation.
- University degree in Business Administration, Logistics/Procurement, Project Management or related discipline.
- Minimum 5 years of progressive relevant experience in programme administration, preferably in a UNDP direct execution context, with good knowledge of general services management, procurement, and human resources management.
- Excellent knowledge of EU and UNDP administrative, financial, procurement and contracting rules, regulations, procedures, best practices and related documentation.
- Strong focus on client-satisfaction and quality results.
- Resourceful, dynamic, self-starter, mature, tactful and team-player.
- Demonstrated ability to develop and maintain effective work relationships.
- Ability to establish priorities and to plan, coordinate and monitor own work plan and those under his/her supervision.
- Ability to draft clear concise procurement documentation.

- Demonstrated ability to provide seasoned technical advice and training in specific HR and contracting areas to UNDP and programme colleagues.
- Excellent drafting and communication skills.
- Excellent command in oral and written English. Knowledge in Russian and/or Ukrainian and/or Moldovan is an asset.
- Good knowledge of the ATLAS system and MS Office software is an asset.
- National certificate of no criminal record.

2.36. Finance Officer

Functions (indicative):

- Under the direct supervision of the Chief (Administration), to manage all Mission-related finance and donor reporting.
- To act in full compliance with EU and UN/UNDP rules and regulations of financial processes, financial records and reports and audit follow up; to implement the effective internal control framework.
- To manage and administer all Mission funds efficiently.
- To map CO Finance business processes and to elaborate the content of internal Standard Operating Procedures in Finance in consultation with the direct supervisor and office management.
- To continuously analyse and monitor the Mission's financial situation; to present expenditure forecasts and actual performance results to the management through ATLAS reports (expenditure status).
- To exercise control and monitoring over the adequate disbursement of resources as well as to provide technical advice on related financial policies and decision making.
- To maintain ledgers and accounting records, to classify and record financial transactions, to reconcile accounts and to prepare financial reports.
- To prepare and modify the Mission budget (i.e. progress reports, addenda, budget revisions).
- To administrate the Mission's budget in ATLAS.
- To ensure that timely corrective actions on unposted vouchers and reversal of charges, including the vouchers with budget check errors, match exceptions, unapproved vouchers.
- To advise and provide guidance to the CO and Mission management on financial and administrative matters.
- To produce quality periodic financial reports as per donor regulations and contractual obligations.
- To organise and backstop audit or verification missions, and participation in their briefing and debriefing.

- To act as focal point, in liaison with CO Operations, with verification missions and financial checks commissioned by the EC and governed by the UN-EC FAFA.
- To ensure financial follow-up and control of the Mission cash-flow, evaluate and report on gaps between the actual financial situation and work plan targets and commitments (i.e. currently exchange losses, delays in payments transfers, etc).
- To assist, if required, in the preparation and review of contractual documents.

Requirements:

- Citizenship of an EU Member State or a country eligible under the Tacis regulation.
- University degree in Business Administration, Economics, Finance or equivalent discipline.
- Minimum of 5 years of progressive relevant experience in programme management with particular focus on financial analysis, control and reporting of EC-funded projects.
- Excellent knowledge of EU and UNDP financial rules, regulations, procedures and best practices.
- Demonstrated ability to write concise analytical papers for decision-making as well as presentations.
- Strong focus on client-satisfaction and quality results.
- Resourceful, dynamic, self-starter, mature, tactful and team-player.
- Demonstrated ability to develop and maintain effective work relationships.
- Ability to establish priorities and to plan, coordinate and monitor own work plans and those under his/her supervision.
- Ability to draft clear concise procurement documentation.
- Excellent communication and drafting skills.
- Excellent command in oral and written English. Knowledge of Russian and/or Ukrainian and/or Moldovan is an asset.
- Good knowledge of ATLAS system and MS Office software is an asset.
- National certificate of no criminal record.

2.37. Information Technology Officer

Functions (indicative):

- Under the supervision of the Chief (Administration), to execute ICT services for the Mission, to implement ICT management systems and strategies, to provide daily technical support to users of information management tools and technology infrastructure, including telecommunication.
- To review and advice on the use of new technologies that will enhance the Mission's productivity.



- To ensure the implementation of ICT strategies and to introduce / implement new technologies, including:
 - To comply with corporate information management and technology standards, guidelines and procedures for the Mission's technology environment.
 - To elaborate internal policies and procedures on the use of ICT.
 - To elaborate the content of internal Standard Operating Procedures in Information Technology, including telecommunication, in consultation with the office management.
 - To develop and update the ICT annual plan.
- To ensure effective functioning of the Mission's hardware and software packages, including:
 - To advise on maintenance of equipment and acquisition of hardware supplies, to make routine repairs and to change hardware electronic components.
 - To supervise the implementation of corporate systems.
 - To develop new software for high impact results (e.g. office management system, electronic registry, etc).
- To ensure efficient networks administration, including:
 - To operate network utility procedures, to define network users and security attributes, to establish directories, menus and drive-mappings, to configure network printers and to provide user access.
 - To trouble-shoot and monitor network problems.
 - To respond to user needs and questions regarding network access.
 - To maintain up-to-date parameters of information for network clients and electronic mail.
 - To implement backup and restoration procedures for local drives. To maintain backup logs. To organise off-site storage of backups.
 - To timely upgrade LAN Infrastructure and Internet connectivity based on the Mission requirements.
- To provide web management services, including:
 - To identify opportunities and ways of converting business processes into web-based systems; to address the issues of efficiency (office management system, EC profile software, knowledge management systems).
 - To create and maintain the Mission's web site, internet and intranet.
- To provide administrative support, including:
 - To advise on and assist in procurement of new equipment for the Mission; to provide technical specifications and information on best options in both local and international markets; to review quotations and bids.
 - To maintain up-to-date inventory of the software and hardware.



- To maintain the library of reference materials.
- To maintain the inventory and stock of supplies and spare parts in cooperation with the Procurement Unit.
- To ensure facilitation of knowledge building and knowledge sharing in the Mission, including:
 - To identify and to promote different systems and applications for optimal content management, knowledge management and sharing; to provide related information.
 - To organise trainings for the operations / project personnel on ICT issues.
 - To maintain personnel training profiles.
 - To synthesise lessons learned and best practices in ICT.
 - To contribute to the knowledge of networks and practical network communities.

Requirements:

- Citizenship of an EU Member State.
- University degree in information technology, preferably computer science
- Minimum of 5 years working experience in network administration and the use of hardware / software, telecommunication facilities.
- Ability to develop systems for structuring, codifying and providing access to information and knowledge.
- Excellent knowledge of database packages and experience in web design.
- Ability to provide IT support services, including IT hardware / infrastructure support, ERP support, other IT applications support, web design and maintenance.
- Good knowledge of PC/LAN operating systems, Microsoft Windows, corporate protection systems, programming with PHP, SQL, HTML, JavaScript, knowledge of Microsoft network administration.
- Ability to provide input to business processes re-engineering, elaboration and implementation of new systems.
- Focuses on results and responds positively to feedback
- Approaches consistently work with energy and a positive, constructive attitude.
- Demonstrates openness to change and ability to manage complex situations.
- Good command in oral and written English. Knowledge of Russian and/or Ukrainian and/or Moldovan is an asset.
- Valid security clearance of at least level "EU Secret".

2.38. Procurement/Logistics/Contracting Officer

Functions (indicative):



- Under the direct supervision of the Chief of Administration, to manage all programme-related logistics, procurement and contracting activities implemented by UNDP.
- To ensure the success of the overall logistics and procurement activities, including efficient utilisation of resources in accordance with EC and UNDP administrative, and procurement procedures.
- To ensure full compliance and application of standard EU and UNDP administrative, procurement and contracting rules, procedures and best practices (taking into account the Financial and Administrative Framework Agreement between the European Community and UNDP (FAFA), the Tacis Regulation and the EC Financial Regulations).
- To prepare and implement a comprehensive programme procurement plan taking into account strict adherence to deadlines, priorities, availability of financial resources, operational feasibility, procurement modalities, alternative scenarios.
- To provide inputs to the programme formulation phases which ensure UNDP's ability to deploy equipment, materials and personnel on time.
- To establish and maintain logistics, procurement and contracting systems and processes which ensure effective programme delivery.
- To provide support to kick-start the establishment of Mission offices and ensure their immediate and continuous functionality (office equipment, supplies, communications, vehicles, support and maintenance systems) when required.
- To set up systems and to administer all programme assets, to supervise the performance of inventory control and assets management.
- To source and deliver quality goods and services (including personnel), including, inter alia, vendors' database, prequalification of suppliers, standardisation of equipment, simplification and grouping of procurement processes.
- To manage local and international logistic, procurement and contracting activities, including solicitation processes, evaluation, selection and contract issuance (i.e. RFQ, RFP, ITB, direct contracting, open/limited competition, contract types, contract negotiation and management, shipping and insurance, etc.).
- To coordinate shipping and delivery arrangements of purchased goods and equipment. To liaise with clients on quality control, specification conformity, volume assessment, monitoring and verification of deliveries.
- To develop and update on a regular basis a roster of suppliers; to ensure that the Mission suppliers are selected on the basis of an open and transparent competition.
- To ensure budget availability in order to cover the obligations made by the programme prior to raising any commitments.
- To manage procurement contracts and, upon delegation of responsibility, perform the ATLAS functions as prescribed in EUBAM and UNDP Standard Operating Procedures.



- To elaborate an internal control system that will ensure that Purchase orders are duly prepared and dispatched. To ensure timely corrective actions on POs with budget check errors and other problems.
- To employ rigorous standards regarding fairness, integrity, transparency, effective competition and best value for money in all logistic, procurement and contracting activities.
- To prepare quarterly reports on the status of the overall programme logistics, procurement and contracting processes.

Requirements:

- Citizenship of an EU Member State or of a country eligible under the Tacis Regulation.
- University degree in Business Administration, Logistics/Procurement, Economics, Finance or equivalent disciplines.
- Minimum of 7 years of progressive relevant experience in procurement and contracts management with solid administrative background.
- Excellent knowledge of EU and UNDP administrative, procurement and contracting rules, regulations, procedures and related documentation.
- Good knowledge of EU and UNDP financial rules and procedures.
- Knowledge of local and European market conditions is desirable.
- Strong focus on client-satisfaction and quality results.
- Resourceful, dynamic, self-starter, mature, tactful and team-player.
- Demonstrated ability to develop and maintain effective work relationships.
- Demonstrated ability to provide seasoned technical advice and training in specific procurement and contracting areas to UNDP and programme colleagues.
- Ability to establish priorities and to plan, coordinate and monitor own work plan and those under his/her supervision.
- Ability to draft clear concise procurement documentation.
- Proficiency in English and Russian. Knowledge of Ukrainian and/or Romanian is an asset.
- Good knowledge of ATLAS system and MS Office software is an asset.
- National certificate of no criminal record.

ANNEX I

General Conditions applicable to European Union contribution agreements with international organisations

General and administrative provisions

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GENERAL AND ADMINISTRATIVE PROVISIONS

Article 1 - GENERAL OBLIGATIONS

- 1.1 The Organisation shall ensure that the Action is carried out in accordance with the Description of the Action contained in Annex 1 and is responsible for achieving the objectives set out therein. The Organisation shall report on the indicators of achievement specified in the Description of the Action.
- 1.2 The Organisation shall implement the Action with the requisite degree of care, efficiency, transparency and diligence, as required by best practice in the field concerned, and in compliance with this Agreement.

The Organisation shall make every effort to mobilise all the financial, human and material resources required for full implementation of the Action, as specified in the Description of the Action.

- 1.3 The Organisation may act either alone or in partnership with one or more organisations mentioned in the Description of the Action. It may also contract parts of the Action, in accordance with the provisions of article 10 hereof.

Partners participate in implementing the Action, and the costs they incur are eligible under the same conditions as those incurred by the Organisation.

The Organisation is fully responsible for the co-ordination and execution of all contracted activities.

- 1.4 The Organisation undertakes to ensure that the conditions imposed upon it under Articles 1, 3, 4, 5, 6, 7, 14, 16 and 17 of this Agreement also apply to all partners and, where applicable, contractors involved.
- 1.5 The Organisation shall take appropriate measures to prevent irregularities, fraud, corruption or any other illegal activity in the management of the Action. All suspected and actual cases of irregularity, fraud and corruption related to this Agreement as well as measures related thereto taken by the Organisation must be reported to the Contracting Authority without delay.

Where appropriate the Organisation shall terminate contracts with partners, contractors or agents involved in fraudulent behaviour or corrupt practices in connection with this or any other actions implemented by the Organisation and financed by the European Union or the Contracting Authority, and take all reasonable measures to recover funds unduly paid.

- 1.6 Without prejudice to Articles 1.3 and 10, the Agreement and the payments attached to it may not be assigned to a third party in any manner whatsoever without the prior written consent of the Contracting Authority.

- 1.7 The provisions regarding "Joint Management Actions" in these General Conditions may be applied where at least one of the following conditions is met:
- the performance of the Action requires the pooling of resources from a number of donors, and where it is not reasonably possible or appropriate to assign the share contributed by each donor to each type of expenditure (hereinafter, "Multi-donor Actions"). Article 3(2) of the Special Conditions will not show the percentage of estimated total eligible cost, to which the Contracting Authority contributes, where the final funding of the Action is not known at the time of signing the Agreement, or
 - the European Commission and the Organisation are bound by a long-term framework agreement laying down the administrative and financial arrangements for their cooperation; or
 - the European Commission and the Organisation have jointly assessed the feasibility and defined the implementation of the Action.
- 1.8 Where the European Union is not the Contracting Authority, it shall not be a party to this Agreement, which shall only confer on it rights and obligations where explicitly stated. It will nevertheless endorse the Agreement to ensure that the Contracting Authority's contribution is eventually paid by the EU budget¹, and the provisions on visibility in this Agreement will apply accordingly.

Article 2 - OBLIGATIONS REGARDING INFORMATION AND FINANCIAL AND NARRATIVE REPORTS

- 2.1 The Organisation shall provide the Contracting Authority with full information on the implementation of the Action. To that end, the Organisation shall provide before signature of this Agreement a work plan for the first period of implementation as specified in the Description of the Action. The Organisation shall also draw up progress reports and a final report. These reports shall consist of a narrative part and a financial part. Reporting, narrative as well as financial, shall cover the whole of the Action, regardless of whether this Action is wholly financed or co-financed by the Contracting Authority.
- 2.2 The Contracting Authority may request additional information at any time, providing the reasons for the request. Such information shall be supplied within 30 days of the request.
- 2.3 The Organisation shall send the Contracting Authority progress reports in accordance with the provisions below. Every report shall provide a complete account of all aspects of implementation for the period covered.

The report shall be laid out in such a way as to allow comparison of the objective(s), the means envisaged or employed (in particular all expenses actually incurred by the Organisation), the results expected and obtained and the budget details for the Action. The level of detail in any report should match that of the Description of the Action and of the Budget for the Action.

¹ Where the contribution is financed out of the European Development Fund, mentions of European Community financing must be read as referring to European Development Fund financing.

- 2.4 The narrative report shall directly relate to this Agreement and shall at least include:
- Summary and context of the Action;
 - Activities carried out during the reporting period (i.e. directly related to the Action description and activities foreseen in this Agreement);
 - Difficulties encountered and measures taken to overcome problems;
 - Changes introduced in implementation;
 - Achievements/results by using the indicators included in this Agreement;
 - Work plan for the following period including objectives and indicators of achievement. If the report is sent after the end of the period covered by the preceding work plan, a new work plan, albeit provisional, is always required before such date.
- 2.5 The final report shall contain the above information (excluding the last indent) covering the whole implementation period of this Agreement, information on the measures taken to identify the European Union as the source of financing and details on the transfers of assets mentioned in article 7.3 if relevant, plus a full summary of the Action's income and expenditure and payments received.
- 2.6 The reports shall be presented in the same language as the Agreement. They shall be submitted at the following intervals:
- if payments follow option 1 in Article 15.1:
- a progress report shall be forwarded to the Contracting Authority at the end of every twelve-month period, where the implementation period of this Agreement is longer;
 - a final report shall be forwarded to the Contracting Authority within six months of the end of the implementation period of this Agreement as defined in Article 2 of the Special Conditions;
- if payments follow option 2 in Article 15.1:
- a progress report shall accompany every request for further instalment of pre-financing;
 - the final report shall be forwarded to the Contracting Authority within six months of the end of the implementation period of this Agreement as defined in Article 2 of the Special Conditions.
- 2.7 Reports will be submitted in Euro, and may be drawn from financial statements denominated in other currencies as per the Organisation's legislative requirements. Where necessary, actual expenditure will be converted into Euro using the rate of exchange at which the Contracting Authority's contribution was recorded in the Organisation's accounts, unless otherwise specified in article 4(3) of the Special Conditions.
- 2.8 Any additional reporting requirement will be set out in the Special Conditions.
- 2.9 If the Organisation fails to supply a final report by the final report deadline laid down in Article 2.6, and fails to furnish an acceptable written explanation of the reasons why it is unable to comply with this obligation, the Contracting Authority may refuse to pay any outstanding amount and recover any amounts unduly paid.

Furthermore, where the Organisation fails to present a progress report and where relevant a request for payment by the end of each twelve-month period following the date laid down in Article 2(2) of the Special Conditions, the Organisation shall inform the Contracting Authority of the reasons why it is unable to do so, and shall provide a summary of the state of progress of the Action. If the Organisation fails to comply with this obligation, the Contracting Authority may terminate the Agreement in accordance with the first indent of Article 12.2, refuse to pay any outstanding amount and recover any amounts unduly paid.

- 2.10 In addition to the above mentioned reports, the Organisation will ensure that progress and situation reports, publications, press releases and updates, relevant to this Agreement, are communicated to the Contracting Authority as and when they are issued.

The Organisation and the Contracting Authority (the "Parties") will further endeavour to promote close collaboration and exchange of information on the Action. The Organisation will invite the European Commission to join any donor committee which may be set up in connection with Multi-Donor Actions.

- 2.11 In any event the Organisation shall inform the Contracting Authority without delay of any circumstances likely to hamper or delay the implementation of the Action.

Article 3 - LIABILITY

- 3.1 The Organisation shall have sole responsibility for complying with any legal obligation incumbent on it.
- 3.2 The Contracting Authority cannot under any circumstances or for any reason whatsoever be held liable for damage or injury sustained by the staff or property of the Organisation while the Action is being carried out or as a consequence of the Action. The Contracting Authority cannot therefore accept any claim for compensation or increases in payment in connection with such damage or injury.
- 3.3 Subject to the rules governing the Organisation's privileges and immunities, the Organisation shall assume sole liability towards third parties, including liability for damage or injury of any kind sustained by them in respect of or arising out of the Action. The Organisation shall discharge the Contracting Authority of all liability associated with any claim or action brought as a result of an infringement by the Organisation or the Organisation's employees or individuals for whom those employees are responsible of rules or regulations, or as a result of violation of a third party's rights.

Article 4 - CONFLICT OF INTERESTS

The Organisation undertakes to take all necessary precautions to avoid conflicts of interests and shall inform the Contracting Authority without delay of any situation constituting or likely to lead to any such conflict.

There is a conflict of interests where the impartial and objective exercise of the functions of any person under this Agreement is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with another party.

Article 5 - CONFIDENTIALITY

Subject to article 16, the Contracting Authority and the Organisation undertake to preserve the confidentiality of any document, information or other material directly related to the Agreement and duly classified as confidential, until at least five years after the end date as specified in article 12.5. Where the European Commission is not the Contracting Authority, it shall still have access to all documents communicated to the Contracting Authority, and will maintain the same confidentiality.

Article 6 - VISIBILITY AND TRANSPARENCY

- 6.1 Unless the European Commission requests or agrees otherwise, the Organisation shall take all appropriate measures to publicise the fact that an Action has received funding from the European Union. Information given to the press, the beneficiaries of an Action, all related publicity material, official notices, reports and publications, shall acknowledge that the Action was carried out "with funding by the European Union" and shall display in an appropriate way the European logo (twelve yellow stars on a blue background).

It is understood that the Organisation's equipment and vehicles may routinely carry its emblem and other indications of ownership prominently displayed. In cases where equipment or vehicles and major supplies have been purchased using funds provided by the European Union, the Organisation shall include appropriate acknowledgement on such vehicles, equipment and major supplies (including display of the European logo (twelve yellow stars on a blue background) provided that such actions do not jeopardise the Organisation's privileges and immunities and the safety and security of the Organisation's staff.

- 6.2 The size and prominence of the acknowledgement and European Union logo shall be clearly visible in a manner that will not create any confusion regarding the identification of the Action as an activity of the Organisation, the ownership of the equipment and supplies by the Organisation, and the application to the Action of the Organisation's privileges and immunities.
- 6.3 All publications by the Organisation pertaining to Actions that have received funding from the European Union, in whatever form and whatever medium, including the internet, shall carry the following or a similar disclaimer: "This document has been produced with the financial assistance of the European Union. The views expressed herein can in no way be taken to reflect the official opinion of the European Union."
- 6.4 If the equipment bought with a European Union contribution is not transferred to local partners of the Organisation or the final recipient of the Action at the end of the implementation period of this Agreement, the visibility requirements as regards this equipment (in particular display of the European logo) shall continue to apply between the end of the implementation period of this Agreement and the end of the overall Action, if the latter is longer.

- 6.5 Publicity pertaining to European Union contributions shall quote these contributions in Euro, in parenthesis if necessary. The Organisation's publications and reports prepared in response to, and in accordance with, its legislative directives are excluded from this provision.
- 6.6 The Organisation accepts that the Contracting Authority and the European Commission (where it is not the Contracting Authority) publish in any form and medium, including on their websites the name and address of the Organisation, the purpose of the contribution as well as the amount contributed and if relevant the percentage of co-financing.

Upon a duly substantiated request by the Organisation, the European Commission may agree to forego such publicity if disclosure of the above information would risk threatening the Organisation's safety or harming its interests.

- 6.7 With due regard to the applicable rules on confidentiality, security and protection of personal data, the Organisation shall publish, on an annual basis, including by electronic means such as Internet, the following information on grant and procurement contracts financed by the Contracting Authority: title of the contract/project, name and nationality of the contractor or grant beneficiary and amounts of the contract/project. For Multi-donor Actions, the level of information will comply with the Organisation's rules and procedures pertaining to ex-post publicity.

The Organisation shall provide to the Contracting Authority the address of the website where this information can be found and shall authorise the publication of such address in the Contracting Authority's internet site.

The Organisation ensures that the obligation to publish this information is also applied by its implementing partners as described in Annex I of this Agreement, with regard to their own grant and procurement contracts financed by the Contracting Authority.

Article 7 - OWNERSHIP/USE OF RESULTS AND EQUIPMENT

- 7.1 Ownership, title and industrial and intellectual property rights in the results of the Action and the reports and other documents relating to it shall vest in the Organisation, as the case may be together with third parties or as may otherwise be agreed by the Organisation.
- 7.2 Notwithstanding the provisions of the first paragraph and subject to Article 5, the Organisation grants the Contracting Authority (and the European Commission where it is not the Contracting Authority) the right to use free of charge and as it sees fit all documents deriving from the Action, whatever their form, provided it does not thereby breach existing industrial and intellectual property rights.
- 7.3 Unless otherwise specified in the Special Conditions, the equipment, vehicles and supplies paid for by the Contracting Authority's funding shall be transferred to local authorities or partners (excluding commercial contractors) of the Organisation or to the final recipients of the Action by the end of the Action. The documentary proof of those transfers shall be kept for verification along with the documents mentioned in article 16.3.

Article 8 - EVALUATION OF THE ACTION

- 8.1 Representatives of the European Commission shall be invited to participate in the main monitoring and in the evaluation missions relating to the performance of the Action. The results of such missions shall be reported to the European Commission.

- 8.2 This is without prejudice to any evaluation mission which the European Commission as a donor may wish to perform. Evaluation missions by representatives of the European Commission should be planned and completed in a collaborative manner between the Organisation's staff and the European Commission's representatives, keeping in mind the commitment of the Parties to the effective and efficient operation of this Agreement. These missions are to be planned ahead and procedural matters are to be agreed upon by the European Commission and the Organisation in advance. The mission will offer to make a draft of its report available to the Organisation for comments prior to final issuance.

Article 9 - AMENDMENT OF THE AGREEMENT

- 9.1 Any modification of the Agreement, including the annexes thereto, shall be set out in writing in an amendment.

If the request for an amendment comes from the Organisation, the latter shall submit that request to the Contracting Authority one month before the amendment is intended to enter into force, unless there are special circumstances duly substantiated by the Organisation and accepted by the Contracting Authority. A request to extend the implementation period of this Agreement must be duly justified and submitted no later than one month before the end of it.

- 9.2 Where a modification to the Description of the Action and/or the Budget does not affect the basic purpose of the Action and the financial impact is limited to a transfer within a single budget heading, including cancellation or introduction of an item, or a transfer between budget headings involving a variation (as the case may be in cumulative terms) of 15 % or less of the amount originally entered (or as modified by a formal amendment) in relation to each concerned heading for eligible costs, the Organisation may amend the Budget and shall inform the Contracting Authority accordingly in writing. This method may not be used to amend headings for administrative costs or the contingency reserve.

Changes of address and changes of bank account may simply be notified in writing to the Contracting Authority. Changes of bank account must be specified in the request for payment, using the financial identification form attached as Annex IV.

Article 10 - CONTRACTING

- 10.1 If parts of the Action are contracted, the contracting arrangements, including in particular the principles for the award of procurement and grants, will be as specified in the Description of the Action. If they are not specified therein, the Organisation will present them to the Contracting Authority as soon as they are available. The Organisation will also inform the Contracting Authority, with as much prior notice as possible, of changes in these arrangements. The Organisation will provide detailed information on contracting arrangements in the final report.

- 10.2 Unless otherwise agreed by the Parties in writing, the procurement of any goods, works or services and the award of grants by the Organisation and its partners in the context of the Action shall be carried out in accordance with the applicable rules and procedures adopted by the Organisation.

This is based on the understanding that the Organisation's rules and procedures conform to internationally accepted standards, in compliance with the principles of transparency, proportionality, sound financial management, equal treatment and non discrimination, care being taken to avoid any conflict of interests.

Without prejudice to the specific procedures and exceptions applied by the Organisation, the award by the Organisation of grants financed by the Contracting Authority's contribution shall comply with the following principles:

- may not be cumulative, awarded retrospectively or have the purpose or effect of producing a profit for the grant beneficiary;
- must involve co-financing from other donors, save in cases of humanitarian and crisis situation, the protection of health and fundamental rights of people, where the grant beneficiaries are third countries or other international organisations and where it is in the interest of the European Commission to be the sole donor.

- 10.3 If allowed by the applicable regulatory provisions of the European Union, the origin of the goods and the nationality of the organisations, companies and experts selected for carrying out activities in the Action shall be determined in accordance with the Organisation's relevant rules. In any event goods, organisations, companies and experts eligible under the applicable regulatory provisions of the European Union shall be eligible.

In all other cases the partners, contractors, experts and goods, the cost of which are financed out of the Contracting Authority's contribution, shall originate in the European Union or the country or countries eligible under the programme of which the Action is part. Any departure from the rules of origin and nationality set out above is subject to the specific provisions of the applicable regulatory provisions of the European Union.

- 10.4 The Organisation shall adopt reasonable measures, in accordance with its own procedures, to ensure that potential candidates or tenderers and grant beneficiaries shall be excluded from the participation in a procurement or award procedure financed by the Contracting Authority's contribution, if:
- they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
 - they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the EU's financial interests;
 - they are guilty of misrepresentation in supplying the information required as a condition of participation in the procedure or fail to supply this information.

- are subject to a conflict of interest.

10.5 In the event of failure to comply with the above provisions the relevant costs shall not be eligible for funding by the Contracting Authority.

Article 11 - IMPLEMENTATION PERIOD OF THE AGREEMENT, SUSPENSION, FORCE MAJEURE

11.1 Irrespective of the starting date and implementation period of the Action, the implementation period of this Agreement shall be as set out in Article 2 of the Special Conditions

11.2 The Organisation may suspend implementation of all or part of the Action if circumstances (chiefly *force majeure*) make it too difficult or dangerous to continue. It shall inform the Contracting Authority without delay and provide all the necessary details. This Agreement may be terminated in accordance with Article 12.1. If the Agreement is not terminated, the Organisation shall endeavour to minimise the duration of the suspension and may resume implementation of the Action once the conditions allow, and shall inform the Contracting Authority accordingly.

11.3 The Contracting Authority may request the Organisation to suspend implementation of all or part of the Action if circumstances (chiefly *force majeure*) make it impossible or too difficult or dangerous to continue. This Agreement may be terminated in accordance with Article 12.1. If the Agreement is not terminated, the Organisation shall endeavour to minimise the duration of the suspension and shall resume implementation of the Action once the conditions allow, with the prior written approval of the Contracting Authority.

11.4 The implementation period of this Agreement is automatically extended by an amount of time equivalent to the duration of the suspension. This is without prejudice to any amendments to the Agreement which may be necessary to adapt the Action to the new implementing conditions.

11.5 *Force majeure* shall mean any unforeseeable exceptional situation or event beyond the Parties' control which prevents either of them from fulfilling any of their obligations under this Agreement, was not attributable to error or negligence on their part (or of their partners, contractors, agents or employees), and could not have been avoided by the exercise of due diligence. Defects in equipment or material or delays in making them available, labour disputes, strikes or financial problems cannot be invoked as *force majeure* by the defaulting party. Neither of the Parties shall be held liable for breach of its obligations under the Agreement if it is prevented from fulfilling them by *force majeure*. Without prejudice to Articles 11.2 and 11.3 above, the Party invoking *force majeure* shall notify the other without delay, stating the nature, likely duration and foreseeable effect, and take any measure to minimise possible damage.

Article 12 - *TERMINATION OF THE AGREEMENT*

12.1 If, at any time, either Party believes that the purposes of this Agreement can no longer be effectively or appropriately carried out, it shall consult the other Party. Failing agreement on a solution, either Party may terminate this Agreement by serving two months' written notice. In this event, the Organisation shall be entitled to payment of the contribution only for the part of the Action carried out, and to reimbursement of commitments entered into by the Organisation for the implementation of the Action, which the Organisation cannot reasonably terminate on legal grounds.

12.2 Where the Organisation:

- fails, without justification, to fulfil any of the obligations incumbent on it and, after being given notice by letter to comply with those obligations, still fails to do so or to furnish a satisfactory explanation within 30 days of sending of the letter;
- fails to comply with articles 1.5, 1.6 or 4;
- makes false or incomplete statements to obtain the contribution provided for in the Agreement or provides reports that do not reflect reality;
- commits financial irregularities or is guilty of grave professional misconduct;
- undergoes legal, financial, technical or organisational change that is liable to affect this Agreement substantially or to call the award decision into question;

the Contracting Authority will enter into discussions with the Organisation and, failing a proper solution within one month, may terminate this Agreement, without prior notice and without paying compensation of any kind. In that event the Contracting Authority may demand full or partial repayment of any amounts unduly paid, after allowing the Organisation to submit its observations.

12.3 Prior to or instead of terminating the Agreement as provided for in Article 12.2, the Contracting Authority may suspend payments or (exceptionally) the eligibility of expenses as a precautionary measure, informing the Organisation immediately.

12.4 This Agreement shall be automatically terminated if it has not given rise to a payment by the Contracting Authority (including pre-financing) within three years of its signature.

12.5 Unless this Agreement is earlier terminated pursuant to this Article 12.2, the payment obligations of the European Union hereunder shall cease at the "end date", which shall occur 18 months after the end of the implementation period as defined in Article 2 of the Special Conditions.

The Contracting Authority notifies the Organisation of any postponement of the end date. The Contracting Authority shall postpone the end date, so as to be able to fulfil its payment obligations, in all cases where the Organisation has filed the payment request in accordance with contractual provisions or, in case of dispute, until completion of the dispute settlement procedure provided for in article 13.

Article 13 - SETTLEMENT OF DISPUTES

- 13.1 The Parties shall endeavour to settle amicably any dispute or complaint relating to the interpretation, application or fulfilment of this Agreement, including its existence, validity or termination. In default of amicable settlement, any Party may refer the matter to arbitration in accordance with the Permanent Court of Arbitration Optional Rules for Arbitration Involving International Organisations and States in force at the date of this Agreement.
- 13.2 The language to be used in the arbitral proceedings shall be English. The appointing authority shall be the Secretary General of the Permanent Court of Arbitration following a written request submitted by either Party. The Arbitrator's decision shall be binding on all Parties and there shall be no appeal.
- 13.3 Nothing in this Agreement shall be interpreted as a waiver of any privileges or immunities accorded to any Party hereto by its constituent documents or international law.

FINANCIAL PROVISIONS

Article 14 - ELIGIBLE COSTS

- 14.1 To be considered eligible as direct costs under this Agreement, costs must:
- be necessary for carrying out the Action, be provided for specifically in this Agreement and comply with the principles of sound financial management, in particular value for money and cost-effectiveness;
 - have actually been incurred during the implementation period of this Agreement as defined in article 2 of the Special Conditions, whatever the time of actual disbursement by the Organisation;
 - be recorded in the Organisation's or Organisation's partners' accounts, be identifiable, backed by originals of supporting evidence (as the case may be in electronic form), and verifiable pursuant to the provisions of article 16.4.
- 14.2 Subject to the above and without prejudice to article 10.4, the following direct costs of the Organisation or its implementing partners may in particular be eligible:
- the cost of staff assigned to the Action, corresponding to actual salaries plus social security charges and other remuneration-related costs (including in the form of provisions made in accordance with the Organisation accounting rules in case of Joint Management Action). Identifiable personnel costs at headquarters level arising as a direct consequence of the Action may be included. Salaries and costs will not exceed those normally borne by the Organisation or partners;
 - travel and subsistence costs for staff taking part in the Action, provided they do not exceed those normally borne by the Organisation or partners;
 - purchase costs for equipment (new or used) which are attributable to the Action;
 - purchase costs for goods and services (transport, storage and distributing, rent of equipment, etc.) which are directly attributable to the Action;

- costs directly arising out of, or related to, accepting or distributing contributions in kind;
- costs of consumables and supplies directly attributable to the Action;
- expenditure on contracting directly attributable to the Action;
- the proportion of field office costs that corresponds to the amount of activity directly attributable to the Action or to the proportion of funding by the Contracting Authority;
- costs deriving directly from the requirements of this Agreement (dissemination of information, evaluation specific to the Action, specific reporting for the needs of the Contracting Authority, translation, reproduction, insurance, targeted training for those involved in the Action, etc.) including financial service costs (in particular bank fees for transfers).

14.3 The following costs shall not be considered eligible:

- debts and provisions for possible future losses or debts;
- interest owed by the Organisation to any third party;
- items already financed from other sources;
- purchases of land or buildings;
- currency exchange losses;
- taxes, duties and charges charged to the Organisation (unless the Organisation is not able to reclaim them and if allowed by the applicable regulatory provisions of the European Union).

14.4 A fixed percentage of direct eligible costs, not exceeding 7 %, may be claimed as indirect costs by the Organisation to cover the administrative overheads incurred for the Action.

Subject to the above, for comparable Actions and Actions where there is more than one donor the amount recovered shall not, in percentage terms, be higher or lower than for other comparable contributions.

Indirect costs are eligible provided that they do not include costs assigned to another heading of the budget of this Agreement.

Indirect costs may be charged on the value of in-kind commodities delivered by the Contracting Authority, including their associated costs.

Where the rates applied in accordance with the Organisation's governing bodies' decisions exceed 7%, the Organisation may recover the balance as direct eligible costs, subject to the provisions governing direct eligible costs referred to in this article 14 being fulfilled.

Indirect costs shall not be eligible where the Agreement concerns the financing of an Action where the Organisation is already receiving an operating grant from the European Union during the period in question.

- 14.5 A contingency reserve may be included in the Budget of the Action, to cover any adjustment necessary in the light of changed circumstances on the ground. The contingency reserve should not be higher than 5% of eligible costs and can only be used with the prior written (by letter) authorisation of the Contracting Authority, upon a duly justified request from the Organisation.
- 14.6 In the case of co-financing, contributions in kind made by the Organisation or its partners may neither be considered as co-financing nor as eligible costs. The cost of staff assigned to the Action is not a contribution in kind and may be considered as co-financing in the Budget for the Action when paid by the Organisation or its partners.

Article 15 - PAYMENTS

- 15.1 Payment procedures are set out in Article 4 of the Special Conditions and follow one of the two options below:

Option 1: When the implementation period of the Agreement does not exceed 12 months or the contribution is less than EUR 100 000

The Contracting Authority will provide a payment of pre-financing of from 80% up to 95% of the sum referred to in Article 3(2) of the Special Conditions less contingencies within 45 days of receiving the Agreement signed by both Parties and accompanied by a request for payment conforming to the model attached as Annex V.

The Contracting Authority will pay the balance within 45 days of approving the final report.

Option 2: When the implementation period of the Agreement exceeds 12 months and the contribution is of EUR 100 000 or more

The Contracting Authority will provide a payment of pre-financing of from 80% to 95% of that part of the forecast budget for the first 12 months of an Action which is being financed by it (excluding contingencies) within 45 days of receiving the Agreement signed by both Parties and accompanied by a request for payment conforming to the model attached as Annex V.

Each further instalment of pre-financing will cover the remainder of the Contracting Authority's part of the planned budget for the previous period (including any approved contingencies) plus a pre-financing of from 80% to 95% of that part of the forecast budget for the subsequent 12-month period (or of the remaining period if shorter as regards the last instalment of pre-financing) which is financed by it (excluding contingencies), and be made by the Contracting Authority within 45 days of approving a progress report, provided that at least 70% of the immediately preceding payment (and 100% of previous payments if any) has been incurred, as proven by the relevant report. For the purpose of this provision funds are incurred when they are the subject of a formal legal commitment between the Organisation (or its partners) and a third party.

The Contracting Authority will pay the balance within 45 days of approving the final report.

- 15.2 Any report will be deemed approved 45 days after receipt, accompanied by a request for payment conforming to the model attached as Annex V, if the Contracting Authority has not reacted.

If the Contracting Authority does not intend to approve a report, as submitted, it shall revert to the Organisation with a request explaining the reason and specifying the

additional information it requires within the first 45-day period. The deadline for approving the report shall be suspended pending the receipt of the requested information. If the Contracting Authority deems that a payment request cannot be met, it shall revert to the Organisation with a request explaining the reason and specifying the additional information it requires within the second 45-day period. The payment period shall be suspended pending the registration of a properly formulated payment request.

Reports shall be presented in accordance with the stipulations of Article 2.

Approval of a report does not imply recognition of the regularity, authenticity, completeness and correctness of the declarations and information contained therein.

- 15.3 On expiry of the payment period specified in article 15.1, the Organisation may, within two months of receiving late payment, demand interest at the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the Official Journal of the European Union on the first day of the month in which payment was due, increased by three and a half percentage points.

The interest shall be payable for the period elapsing from the day following expiry of the time limit for payment up to the day of payment. Any partial payment shall first cover the interest.

The interest shall not be treated as an income for the purposes of determining the final amount of European Union financing within the meaning of article 17. The suspension of payment by the Contracting Authority may not be considered as late payment.

- 15.4 The level of pre-financing referred to in article 15.1 above shall be set at a level of between 80% and 95 % in 5% increments taking into account past record of the Organisation in particular as regards timely submission of the final report.
- 15.5 The Contracting Authority will make payments in EUR into the bank account referred to in the financial identification form in Annex IV. Where payment is to be made to a bank account which is already known to the Contracting Authority, the Beneficiary may provide a copy of the relevant financial identification form.
- 15.6 Where feasible, the funds paid by the Contracting Authority shall be maintained in Euro denominated bank accounts. They may be pooled together with contributions from other donors. They may be exchanged for other currencies in order to facilitate their disbursement.
- 15.7 For Joint Management and/or Multi-Donor Actions, the Organisation's rules and procedures pertaining to bank interest shall apply, and an equal treatment among donors shall be ensured. This is based on the understanding that these rules and procedures conform to internationally accepted standards.

In all other cases, interest earned by the Organisation on funds received from the Contracting Authority shall be identified as such and reflected in reports to the Contracting Authority. In such cases, subject to the conditions provided for in the applicable regulations of the European Union:

- for pre-financing payments equal or below EUR 250 000 (or for crisis management, equal or below EUR 750 000 per agreement at the end of each financial year and for projects of a duration of more than 12 months), interests earned on such pre-financing payments shall not be due to the Contracting Authority.

- for pre-financing payments exceeding the amounts indicated above and below EUR 750 000 (except in case of crisis management), interest earned on such pre-financing payments shall be assigned to the Action and deducted from the payment of the balance of the amounts due to the Organisation, unless the Contracting Authority requests the Organisation to reimburse the interest generated by pre-financing payments before the payment of the balance.
- for pre-financing payments exceeding EUR 750 000 per agreement at the end of the financial year, the amount of earned interests on such pre-financing payments shall be recovered by the Contracting Authority for each reporting period following the implementation of the Agreement.

Article 16 - ACCOUNTS AND TECHNICAL AND FINANCIAL CHECKS

16.1 The Organisation shall keep accurate and regular records and accounts of the implementation of the Action. Separate accounts shall be kept for each Action, and shall detail all income and expenditure.

For Joint Management and/or Multi-Donor Actions, the accounting regulations and rules of the Organisation shall apply. This is based on the understanding that these regulations and rules conform to internationally accepted standards.

In all other cases the Organisation shall use a dedicated double-entry book-keeping system as part of or as an adjunct to the Organisation's own accounts. This dedicated system shall follow the procedures dictated by professional practice and provide precise details of interest accruing on funds paid by the Contracting Authority.

16.2 Financial transactions and financial statements shall be subject to the internal and external auditing procedures laid down in the Financial Regulations, Rules and directives of the Organisation. A copy of the audited financial statements shall be submitted to the European Commission by the Organisation.

16.3 The Organisation shall, until at least five years after the end date as specified in article 12.5:

- keep financial accounting documents concerning the activities financed by the contribution and,
- make available to the competent bodies of the European Union, upon request, all relevant financial information, including statements of accounts concerning the Action, whether they are executed by the Organisation or by its implementing partners or contractors.

16.4 In conformity with its financial regulations, the European Union, including its Court of Auditors, may undertake, including on the spot, checks related to the Actions financed by the Contracting authority.

16.5 These provisions shall be applied in accordance with any specific agreement concluded in this respect by the Organisation and the European Union.

Article 17 - FINAL AMOUNT OF FINANCING BY THE CONTRACTING AUTHORITY

17.1 The total amount to be paid by the Contracting Authority to the Organisation may not exceed the maximum contribution established by Article 3(2) of the Special Conditions,

even if the overall actual expenditure exceeds the estimated total budget set out in Annex III.

- 17.2 Where Article 3(2) of the Special Conditions sets out a maximum percentage of estimated total eligible cost to be financed by the Contracting Authority, and if the eligible costs at the end of the Action are less than the estimated total cost specified in Article 3(1) of the Special Conditions, the contribution of the Contracting Authority may be limited to the amount produced by multiplying the actual expenditure by the percentage laid down in Article 3(2) of the Special Conditions.

Where the percentage set out in article 3(2) of the Special Conditions is likely to change in the course of implementation, the Organisation will consult the Contracting Authority without delay so as to agree on appropriate measures, in accordance with Article 9.

- 17.3 The Organisation accepts that the contribution of the Contracting Authority shall be limited to the amount required to balance income and expenditure for the Action and that it may not in any circumstances result in a surplus for the Organisation.
- 17.4 In cases where the Action is suspended or not completed within the implementation period of this Agreement, the funds that remain unexpended after all liabilities incurred in this period have been satisfied, including interest earned where applicable, will be reimbursed to the Contracting Authority.
- 17.5 Where the Action is not carried out at all, or is not carried out properly, in full or on time and without prejudice to its right to terminate this Agreement pursuant to article 12.2, the Contracting Authority may, after allowing the Organisation to submit its observations and without prejudice to article 13, reduce the contribution pro rata the actual implementation of the Action on the terms laid down in this Agreement.

Article 18 - RECOVERY

- 18.1 Where recovery is justified, the Organisation undertakes to repay to the Contracting Authority within 45 days of the issuing of the debit note, the latter being the letter by which the Contracting Authority requests the amount owed by the Organisation, any amounts paid in excess of the final amount due.
- 18.2 If the Organisation fails to repay by the due date, the sum due shall bear interest at the rate indicated in article 15.3. The interest shall be payable for the period elapsing from the day following expiry of the time limit for payment up to the day of payment. Any partial payment shall first cover the interest.
- 18.3 Amounts to be repaid to the Contracting Authority may be offset against amounts of any kind due to the Organisation, after informing it accordingly. The Organisation's prior consent is not required. This shall not affect the Parties' option to agree on payment in instalments.
- 18.4 Bank charges incurred by the repayment of amounts due to the Contracting Authority shall be borne entirely by the Organisation.

1



Annex III EUBAM 8 Budget

EXPENSES

	Unit	# People	# Units	Unit Price	Total in Euro
1. HUMAN RESOURCES					
1.1. Salaries of contracted personnel					
1.1.1 Core International personnel (SSA and FTA)					
Head of Border Assistance Mission	per month	1	12,0	14800	177 600,00
Deputy Head of Mission	per month	1	12,0	11300	135 600,00
Chief of Administration (FTA)	per month	1	12,0	10450	125 400,00
Head of Analytical and Operational Support Unit	per month	1	12,0	9900	118 800,00
Head of Capacity Building Unit	per month	1	12,0	9900	118 800,00
Executive Assistant to the Head of Mission and Event Manager	per month	1	12,0	9300	111 600,00
Head of Security and Safety Unit	per month	1	12,0	9300	111 600,00
Heads of Field Offices	per month	6	12,0	9300	669 600,00
Liaison Officer MD and Senior Border Police Advisor	per month	1	12,0	9300	111 600,00
Customs Specialist in the Republic of Moldova	per month	1	12,0	8500	102 000,00
Public Relation and Communication officer	per month	1	12,0	8500	102 000,00
Strategy Planning and Performance Officer	per month	1	12,0	9300	111 600,00
Operational Quality Control Coordinator	per month	1	12,0	9300	111 600,00
(Senior) Anti-corruption Advisor	per month	1	12,0	9300	111 600,00
Senior Advisor on the Implementation of Schengen Acquis	per month	1	12,0	9300	111 600,00
Senior Advisor on Integrated Border Management	per month	1	12,0	9300	111 600,00
Customs Analyst	per month	1	12,0	8500	102 000,00
Customs Investigation Analyst	per month	1	12,0	8500	102 000,00
Customs Fiscal Analyst	per month	1	12,0	8500	102 000,00
Customs Risk Analysis Specialist	per month	1	12,0	8500	102 000,00
Border Police Risk Analysis Specialist	per month	1	12,0	8500	102 000,00
Border Guards/Police Analyst	per month	2	12,0	8500	204 000,00
Investigation Specialist on Customs related Offences	per month	1	12,0	8500	102 000,00
Organized Crime Investigation Specialist	per month	1	12,0	8500	102 000,00
Border Police Management Specialist	per month	1	12,0	8500	102 000,00
Customs Management Specialist	per month	1	12,0	8500	102 000,00
Customs Status and Customs Procedure Specialist	per month	1	12,0	8500	102 000,00
Specialist on Customs Tariff and Tariff Classification of Goods and Origin of	per month	1	12,0	8500	102 000,00
Post-clearance Control and Audit Specialist	per month	1	12,0	8500	102 000,00
Training Specialist	per month	1	12,0	8500	102 000,00
Procurement / Logistics and Contracting Officer (FTA)	per month	1	12,0	8500	102 000,00
Administrative Officer (FTA)	per month	1	12,0	8500	102 000,00
Administrative Officer (temporary replacement)	per month	1	3,0	8500	25 500,00
Finance Officer (FTA)	per month	1	12,0	8500	102 000,00
IT Officer	per month	1	12,0	8400	100 800,00
Sub total international personnel		41			4 404 900,00
1.2 Local personnel					
Expert / assistant	per month	2	12,0	1000	24 000,00
Finance Assistant	per month	1	12,0	1000	12 000,00
Administrative assistant / interpreter	per month	74	12,0	1000	888 000,00
Drivers	per month	33	12,0	800	316 800,00
Admin Clerks	per month	2	12,0	700	16 800,00
Local Security advisors for UKR and MD	per month	3	12,0	1000	36 000,00
Security guards for HQ in Odessa	per month	8	12,0	500	48 000,00
Receptionist and Travel Manager for HQ in Odessa	per month	1	12,0	1000	12 000,00
Cleaning personnel for HQ in Odessa	per month	2	12,0	400	9 600,00
Sub total local personnel		126			1 363 200,00
1.1.3 Short-term international experts					
Sector specialists for specialist training / studies	per day		55,0	400	22 000,00
Sub total short-term international experts					22 000,00
Subtotal 1.1: Salaries / Fees					5 790 100,00

EXPENSES	Unit	# People	# Units	Unit Price	Total in Euro
1.2 Per diems					
International personnel abroad	per day		210,0	250	52 500,00
Short-term international experts	per day		55,0	110	6 050,00
Short-term lecturers/trainers from EU	per day		180,0	110	19 800,00
Ukrainian and Moldovan counterparts - abroad (study tours, etc.)	per day		210,0	250	52 500,00
Ukrainian and Moldovan counterparts - national events, elsewhere	per day		900,0	60	54 000,00
Ukrainian and Moldovan counterparts - national events, Kyiv, Chisinau, OD	per day		5960,0	110	655 600,00
Ukrainian and Moldovan counterparts - confidence building measures	per day		350,0	100	35 000,00
Participants from abroad - confidence building measures	per day		450,0	100	45 000,00
Subtotal 1.2: Per diems					920 450,00
1.3 Reimbursement of additional costs					
International personnel accommodation outside place of residence	per day		140,0	60	8 400,00
International personnel accommodation outside place of residence - Kyiv, C	per day		960,0	110	105 600,00
Local personnel outside place of residence	per day		140,0	60	8 400,00
Local personnel outside place of residence - Kyiv, Chisinau, ODS	per day		360,0	110	39 600,00
Subtotal 1.3: Reimbursement of additional costs					162 000,00
1.4 Living / hardship / risk allowance					
International seconded personnel living / risk / hardship allowance	per month	60	12,0	3300	2 376 000,00
Subtotal 1.4: Living / hardship / risk allowance					2 376 000,00
1.5 Insurance for personnel					
Insurance for personnel	per month	226	12,0	110	298 320,00
Subtotal 1.5: Insurance for personnel					298 320,00
SUBTOTAL 1: HUMAN RESOURCES					9 546 870,00

2. Travel					
Round trip and a trip home for all international personnel	per flight		100,0	700	70 000,00
Flights international personnel abroad	per flight		60,0	700	42 000,00
Flights short-term international experts	per flight		2,0	700	1 400,00
Flights for short-term lecturers/trainers from EU	per flight		35,0	700	24 500,00
Flights core personnel within Ukraine and to/from Moldova	per flight		70,0	200	14 000,00
Flights core personnel (study tours abroad, etc.)	per flight		6,0	700	4 200,00
Flights Ukrainian and Moldovan counterparts (study tours abroad, etc.)	per flight		60,0	700	42 000,00
Local travel costs for Ukrainian and Moldovan counterparts	per trip		334,0	110	36 740,00
Local travel costs for confidence building measures	per trip		90,0	110	9 900,00
SUBTOTAL 2: TRAVEL					244 740,00

3. Equipment and Supplies					
3.1 Cross-country vehicles					
Purchase of cross-country vehicles			0,0	0	0,00
Subtotal 3.1: Cross-country vehicles					0,00
3.2 Furniture, Computer Equipment (incl. software), Supplies					
Furniture / Fittings	lumpsum				10 000,00
IT equipment and related devices	lumpsum				20 000,00
IT network equipment	lumpsum				15 000,00
Renewal and upgrade of software licenses and support software	lumpsum				20 000,00
Subtotal 3.2: Furniture and Computer Equipment					65 000,00
3.3 Communication equipment					
Mobile phones (GSM)	per item		60,0	100	6 000,00
Subtotal 3.3: Communication equipment					6 000,00
3.4 Security System and Security Devices					
Equipment related to security systems and security devices, including radic	lumpsum				30 000,00
Subtotal 3.4: Security System and Security Devices					30 000,00
SUBTOTAL 3: EQUIPMENT AND SUPPLIES					101 000,00

EXPENSES

	Unit	# People	# Units	Unit Price	Total in Euro
4. Local Office Costs / Action Costs					
Office Rent Operational Headquarter in Odessa	per month	1	12,0	21500	258 000,00
Cleaning Services for Offices	per month	9	12,0	100	10 800,00
Electricity, water, heating, garbage	per month	11	12,0	90	11 880,00
Internet access	per office	8	12,0	200	19 200,00
Internet access via Satellite for FOs	per office	3	12,0	300	10 800,00
Communication costs GSM	per GSM	110	12,0	100	132 000,00
Communication costs satellite phone	per phone	15	12,0	25	4 500,00
Communication costs fixed telephone / fax (landline)	per month	11	12,0	100	13 200,00
Office supplies, stationary and other consumables	per month	11	12,0	500	66 000,00
Fuel, maintenance and running costs cross-country vehicles	per vehicle	43	12,0	300	154 800,00
Car insurance	per vehicle	43	12,0	125	64 500,00
SUBTOTAL 4: LOCAL OFFICE COSTS / ACTION COSTS					745 680,00

5. Other Costs / Services					
Renovation and refurbishment of Field Offices	lumpsum				20 000,00
Representation	lumpsum				20 000,00
Confidence building measures/strengthening coherence	lumpsum				32 000,00
EU Visibility including press/conferences and other PR events	lumpsum				120 400,00
Protection and visibility clothing for Mission members	lumpsum				14 263,27
Organisation of seminars and internal training	lumpsum				170 000,00
External Survey	lumpsum				200 000,00
SUBTOTAL 5: OTHER COSTS / SERVICES					576 663,27

6. SUBTOTAL DIRECT COSTS OF THE ACTION (1-5)	11 214 953,27
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7. Administrative fees (7% of 6 - eligible costs)	785 046,73
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8. TOTAL ELIGIBLE COSTS OF THE ACTION (6+7)	12 000 000,00
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FINANCIAL IDENTIFICATION

PRIVACY STATEMENT

http://ec.europa.eu/budget/execution/ftiers_fr.htm

ACCOUNT NAME

ACCOUNT NAME(1)	UNITED NATIONS DEVELOPMENT PROGRAMME		
ADDRESS	ONE UNITED NATIONS PLAZA		
TOWN/CITY	NEW YORK	POSTCODE	NY 10017
COUNTRY	UNITED STATES		

CONTACT	Ms. Julie Anné Mejia, Treasurer		
TELEPHONE	+1-212-906-5690	FAX	+1-212-906-5645
E - MAIL	julie.anne.mejia@undp.org		

BANK

BANK NAME	ING Belgium SA/NV		
BRANCH ADDRESS	60 COURS ST MICHEL		
TOWN/CITY	BRUSSELS	POSTCODE	1040
COUNTRY	BELGIUM		
ACCOUNT NUMBER	301-0186139-77		
IBAN(2)	BE80301018613977		

REMARKS:

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BANK STAMP + SIGNATURE OF BANK REPRESENTATIVE

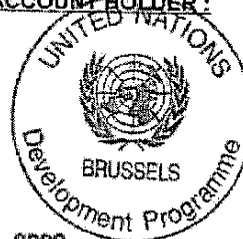
(Both Obligatory)(3)

Antoinette D'YVE
Relationship Manager
Institutionals

ING Belgium SA/NV
avenue Marnixlaan, 24
1000 BRUSSELS
Phone 02/547.21.11

DATE + SIGNATURE ACCOUNT HOLDER :

(Obligatory)



DATE

1 FEB. 2009

- (1) The name or title under which the account has been opened and not the name of the authorized agent
(2) If the IBAN Code (International Bank account number) is applied in the country where your bank is situated
(3) It is preferable to attach a copy of recent bank statement, in which event the stamp of the bank and the signature of the bank's representative are not required. The signature of the account-holder is obligatory in all cases.

ANNEX V

Request for payment for contribution agreement with an international organisation

Date of the request for payment <.....>

For the attention of
<Address of the Contracting Authority>
<Financial unit indicated in the Agreement>¹

Reference number of the Agreement: ...

Title of the Agreement: ...

Name and address of the Organisation: ...

Request for payment number: ...

Period covered by the request for payment: ...

Dear Sir/Madam,

I hereby request payment of the first prefinancing/further instalment of prefinancing/balance² under the Agreement mentioned above.

The amount requested is [as indicated in Article 4.2 of the Special Conditions of the Agreement/the following: ...]³

Please find attached the following supporting documents:

- signed Agreement (for the payment of the first prefinancing)
- narrative and financial progress report (for further instalments of pre-financing)
- final implementation report (for payment of the balance)⁴

The payment should be made to the following bank account:...⁵

I hereby certify on honour that the information contained in this request for payment is full, reliable and true, that the costs incurred can be considered eligible in accordance with the Agreement and that this request for payment is substantiated by adequate supporting documents that can be checked.

Yours faithfully,

<signature>

¹ Please do not forget to address a copy of this letter to the Commission delegation mentioned in Article 5.1 of the Special Conditions of the Agreement.

² Delete the two options which do not apply.

³ Delete the option which does not apply.

⁴ Delete the items which do not apply.

⁵ Indicate the account number shown on the identification form annexed to the Agreement. In the event of change of bank account, please complete and attach a new identification form as per model.

N.B.: Further instalments of prefinancing and final payments are subject to the approval of the corresponding report (see Article 15(1) of the General Conditions of Agreement)