

SUMMARY

ENI EAST REGIONAL ACTION PROGRAMME 2018, PART 1

1. Identification

Budget Heading	22.04.02.01
Total EU Contribution	<p>€ 10.192 million from the general budget of the European Union 2018. Analytical breakdown:</p> <ul style="list-style-type: none"> - € 6.640 million on <i>Eastern Partnership Integrated Border Management Flagship initiative: Demarcation of the Belarus-Ukraine border, installation of a stationary X-ray complex at Novaya Guta border crossing point and development of a mobile application supporting the crossing of state borders;</i> - € 3.552 million on <i>Eastern Partnership Integrated Border Management Flagship Initiative: Implementation of a video-control system at road border crossing points and support for sustainable joint blue border surveillance.</i>
Basic act	Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (ENI)

2. Regional background

Despite the diversity of transition in the Eastern part of the European neighbourhood (hereinafter the ENI East region), its countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova¹, and Ukraine) share common historical legacies and common challenges.

The Global Strategy² and the revised European Neighbourhood Policy (ENP)³ call for a focus on achieving the overall goals of increasing the stabilisation and resilience in the ENI East region. The Eastern Partnership (EaP) Summit in Riga in 2015, followed up by the Foreign Affairs Ministerial in May 2016, confirmed the consensus to step up actions in the four key priorities areas of: (1) economic development and market opportunities; (2) strengthening institutions and good governance; (3) connectivity, energy efficiency, environment and climate change; (4) mobility and people-to-people contacts. All actions undertaken in the framework of the EaP pursue the outreach and inclusion of civil society and foster gender equality.

3. Summary of the Action Programme

The EU policy responses to the challenges of the ENI East region are guided by the ENP, including the EaP and the bilateral relations between the EU and each of these countries.

The total allocation of € **10.192** million under this ENI East Regional Action Programme 2018, Part 1 will be used for two Actions in the field of Integrated Border Management.

¹ Hereinafter referred to as Moldova.

² A Global Strategy for the EU's Foreign and Security Policy was presented by the High Representative in June 2016.

³ JOIN (2015) 50 final of 18 November 2015.

Action 1, *Eastern Partnership Integrated Border Management Flagship initiative: Demarcation of the Belarus-Ukraine border, installation of a stationary X-ray complex at Novaya Huta border crossing point and development of a mobile application supporting the crossing of state borders*, foresees three components. The first is aimed at supporting the demarcation of the Belarus-Ukraine border and at facilitating inter-agency and international coordination and cooperation on the issues of border demarcation and control. The second concerns the purchase and installation of a new stationary X-ray scanning complex at the main road border crossing point at the Belarus-Ukraine border. The third aims at supporting citizens and traders planning to cross the external borders of Belarus and Ukraine, by means of an application for mobile devices.

Action 2, *Eastern Partnership Integrated Border Management Flagship Initiative: Implementation of a video-control system at road border crossing points and support for sustainable joint blue border surveillance*, aims to encourage inter-agency cooperation through joint control and information exchange on persons/vehicles/goods crossing the Moldovan-Ukrainian border, and through joint border surveillance along common border.

3.1 Consistency with the programming documents:

The Regional Action Programme 2018, Part 1 is fully in line with the ENI East Regional Strategy Paper and Indicative Programme 2017-2020, and Article 7 of the ENI Regulation. Proposed actions under this Programme are foreseen in the framework of the Regional Indicative Programme 2017-2020.

Action	Priority area	Reference to the priority area of the multiannual indicative programme
Action 1	Mobility and people-to-people contacts	3.1.5. Mobility and people-to-people contacts
Action 2	Mobility and people-to-people contacts	3.1.5. Mobility and people-to-people contacts

3.2 Identified actions and expected results

Expected results for **Action 1**:

1. The Belarus-Ukraine state border is marked with clearly visible border signs, border demarcation documents are produced and signed between Belarus and Ukraine, local inhabitants are better aware of the presence and importance of the state border;
2. The capacity of Belarus and Ukraine to detect and deal with border violations is increased;
3. Time needed to carry out customs and border crossing formalities for trucks and buses at the border crossing point is reduced;
4. The efficiency and effectiveness of the work of the Belarusian and Ukrainian customs and border guard services is increased, their capacity to prevent and fight cross-border crimes, including smuggling of illicit goods, at the border crossing point is enhanced;
5. Due to shorter vehicle queues and waiting time, environmental situation in the areas adjacent to the border crossing point improved;
6. A mobile application has been designed, developed and launched, and is providing real time information for interested citizens about the situation at different border

crossing points of Ukraine and Belarus, including information on the length of queues, expected waiting time, and possibly also providing the possibility for booking a border crossing time in advance.

Expected results for **Action 2**:

1. 24/7 joint video monitoring and ANPR-based pre-arrival information exchange carried out at selected road BCPs;
2. Joint patrolling capacities improved and response time to border incidents (including urgent search and rescue needs) on common blue border reduced;
3. Knowledge and skills (on specialised equipment) of relevant staff increased.

3.4 Past EU assistance and lessons learnt

Regional activities should either support initiatives where political willingness among beneficiary countries to cooperate on a regional basis exists, or on initiatives which can foster political commitment for regional cooperation in areas where this does not exist yet. Support from the Partner Countries' Ministries and Agencies are needed to reach the projects' objectives. Experience from recent projects shows that this assumption is reasonable if project results and activities are agreed in advance and countries' preferences are taken into account. In addition, all the Actions included in the ENI East Regional Action Programme 2018, Part 1 build on previous similar EU support actions.

3.5 Complementary actions/donor coordination

Activities will be coordinated with other EU-funded activities and with other donors' activities. Project implementation is also reported to the EaP platforms and panels. All regional programmes are approved by the ENI Committee before their adoption by the European Commission.

4. Communication and visibility

Communication and information activities are an integral part of the support measure 'ENI-East Global Allocation' aiming at enhanced visibility and better understanding of EU-funded activities in the region. Moreover, each specific project shall have its own communication component elaborated in line with the Communication and Visibility Manual for EU External Action⁴.

5. Cost and financing

The total cost of the ENI East Regional Action Programme 2018, Part 1 is € **10.192** million from the general budget of the EU 2018.

Action	EUR
Action 1 Budget line: 22.04.02.01	6.640.000
Action 2 Budget line: 22.04.02.01	3.552.000
Total Amount of the Action Programme	10.192.000

⁴ https://ec.europa.eu/europeaid/funding/communication-and-visibility-manual-eu-external-actions_en

The Committee is invited to give its opinion on the attached ENI East Regional Action Programme 2018 part 1.



ANNEX 1

of the Commission Implementing Decision on the ENI East Regional Action Programme
2018 Part 1

Action Document for Eastern Partnership Integrated Border Management Flagship initiative: Demarcation of the Belarus-Ukraine border, installation of a stationary X-ray complex at Novaya Huta border crossing point and development of a mobile application supporting the crossing of state borders

1. Title/basic act/ CRIS number	Eastern Partnership Integrated Border Management Flagship initiative: Demarcation of the Belarus-Ukraine border, installation of a stationary X-ray complex at Novaya Huta border crossing point and development of a mobile application supporting the crossing of state borders CRIS number: ENI/2018/040-619 financed under European Neighbourhood Instrument	
2. Zone benefiting from the action/location	Eastern Europe Region Belarus and Ukraine The action shall be carried out at the following location: Belarus and Ukraine	
3. Programming document	Regional East Strategy Paper (2014-2020) and Multiannual Indicative Programme (2017-2020)	
4. Sector of concentration/ thematic area	Integrated Border Management	DEV. Aid: YES
5. Amounts concerned	Total estimated cost: EUR 8 310 000 Total amount of EU budget contribution EUR 6 640 000 This action is co-financed in parallel by: - Republic of Belarus for an amount of EUR 1 160 000 - Ukraine for an amount of EUR 500 000 The International Organization for Migration (IOM) is contributing to the budget of the action for an amount of at least EUR 10 000	
6. Aid modality(ies)	Project Modality	

and implementation modality(ies)	Direct Management – Procurement of supplies Indirect management with the International Organization for Migration (IOM)			
7 a) DAC code(s)	15210 – Security system management and reform 33120 – Trade facilitation			
b) Main Delivery Channel	47066 – International Organization for Migration			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	X	<input type="checkbox"/>
	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	X	<input type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input type="checkbox"/>	x	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input type="checkbox"/>	X	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
9. Global Public Goods and Challenges (GPGC) thematic flagships	Not applicable			
10. SDGs	Goal 9: Build resilient infrastructure, promote sustainable industrialization and foster innovation			

SUMMARY

This action foresees three components supporting different aspects of Integrated Border Management (IBM) in Belarus and Ukraine.

The first component is aimed at facilitating the demarcation of the Belarus-Ukraine border. Belarus and Ukraine agreed on the state border line in the State Border Treaty in 1997. By mid-2017, 404 km of the border had been demarcated out of the 1 084 km in total. The purpose of this project is to assist Ukraine and Belarus to complete the demarcation process and to facilitate inter-agency and international coordination and cooperation between Belarus and Ukraine on the issues of border demarcation and control.

The second component of this action concerns the purchase and installation of a new stationary X-ray scanning complex at the Novaya Huta – Novi Yarilovychi road border crossing point at the Belarus-Ukraine border. The new X-ray scanning complex will help the customs and border guard services of Belarus and Ukraine to carry out their work more effectively and efficiently, in particular helping them to detect more easily any illegally transported goods or persons. Novaya Huta - Novi Yarilovychi is the busiest border crossing

point at Belarus-Ukraine border and it is located on the main road Minsk-Kiev (E95). The new X-ray complex will be hooked up to the existing pre-arrival information exchange system (PRINEX), launched in 2015 and developed with EU support, which enables sharing of data between Belarus and Ukraine border and customs services.

The third component of this action is aimed at supporting citizens and traders planning to cross the external borders of Belarus and Ukraine. The concept still needs to be developed, but it could include the possibility for booking border crossing time in advance and providing real-time information about the time needed for customs checks, supported by online video material. The application for mobile devices shall be developed taking into account best practises with similar applications used in other countries and keeping in mind long term financial sustainability for using the application.

EU financing for this action is almost 80%. IOM provides a minor contribution. Belarus and Ukraine will co-finance in parallel the remaining 20% of costs. Details are provided in section 4.3.

1 CONTEXT

1.1 Sector/Country/Regional context/Thematic area

Ukraine

Ukraine is a lower-middle-income country with a population of 45.2 million inhabitants. According to IMF world economic outlook, Ukraine's GDP per capita in 2016 was USD 2 052 (138th of 189 countries), and its GDP per capita at Purchasing Power Parity (PPP) USD 8 230 (116th). According to most recent available figures for human development index (HDI), Ukraine's HDI in 2015 was 0.743, which gave the country the rank of 84th out of 185 states. The HDI of the region "Europe and Central Asia" stood at 0.756, placing Ukraine slightly below the regional average.

Belarus

Belarus is an upper-middle-income country with a population of 9.5 million inhabitants. According to IMF world economic outlook for 2016, Belarus' GDP per capita was USD 5 092 (92nd out of 189 countries), and its GDP per capita at Purchasing Power Parity (PPP) USD 17 497 (72nd out of 189 countries). Compared to the other Commonwealth of Independent States (CIS), Belarus has a relatively high level of socioeconomic development. According to most recent available figures for human development index Belarus' HDI in 2015 was 0.796, which gave the country the rank of 52nd out of 187 states. The HDI of the region "Europe and Central Asia" stood at 0.756, placing Belarus slightly above the regional average.

1.1.1 Public Policy Assessment and EU Policy Framework

Eastern Partnership

Belarus and Ukraine are EU's partners in the framework of the Eastern Partnership (EaP), which commits to building strong and mutually beneficial relations. The Eastern Partnership flagship initiative for Integrated Border Management was created in 2010. It aims at improving security, reducing smuggling and human trafficking and facilitating mobility of

people across the borders in the Eastern Partnership region. It provides support to the development of national IBM strategies and promotes national and international coordination and cooperation among all the relevant authorities and agencies involved in border security and trade facilitation to establish effective, efficient and coordinated border management, in order to reach the objective of open, but well controlled and secure borders.

EU Policy Framework: Ukraine

Ukraine is a priority partner for the European Union in the Eastern Partnership. An Association Agreement (AA), including a Deep and Comprehensive Free Trade Area (DCFTA) between the EU and Ukraine, was signed in 2014. The Association Agreement promotes deeper political ties, stronger economic links and the respect for common values.

In the area of integrated border management, Ukraine adopted its first national IBM Concept in 2010, and it was revised in 2015. The related Action Plan contains a list of specific tasks including enhancement of the legal framework, enhancing cooperation with national and international stakeholders, and bringing the procedure of border crossing of persons, vehicles and goods in line with EU standards. EU is committed to supporting Ukraine in the implementation of the national IBM Concept.

In the area of customs, EU's cooperation aims at the gradual alignment of Ukraine's customs legislation to the EU customs acquis. The EU-Ukraine Association Agenda, which has to facilitate the implementation of the Association Agreement, includes the priorities on "Risk management and fight against fraud" and "Investment in Customs Modernisation". An EU-Ukraine Customs Sub-Committee is established and meets regularly to monitor the implementation of Chapter 5 "Customs and trade facilitation" of the Association Agreement. In the 2014 Association Agreement Ukraine took up the commitment to develop and implement an Authorised Economic Operator (AEO) concept in line with the EU legislation. The expected future accession of Ukraine to the conventions on a "Common transit procedure" and on the "Simplification of formalities in Trade in Goods" with subsequent participation in the EU's common transit system will be an important step forward in the country's integration into the EU customs system. Ukraine has the status of an informal observer in the EU-EFTA Working Group on "Common Transit and the Simplification of Formalities in Trade in Goods" and has become a party to the Pan-Euro-Mediterranean Convention on Preferential Rules of Origin (PEM).

In November 2010 the EU presented a Visa Liberalisation Action Plan (VLAP) to Ukraine, containing benchmarks on IBM which needed to be fulfilled before visa liberalisation could be granted for the country. The European Commission published a legislative proposal for a visa free regime with Ukraine in April 2017, which was endorsed by the European Council in May 2017. The visa-free regime was introduced as of 11 June 2017. Under the revised visa-waiver suspension mechanism, Ukraine has to continuously fulfil the VLAP benchmarks (to avoid suspension of the visa-free regime).

EU Policy Framework: Belarus

Building on positive steps undertaken by Belarus, the EU lifted most of the restrictive measures against Belarus in February 2016. An EU-Belarus "Coordination Group" was set-up in April 2016 and meets twice per year. In 2017, Partnership Priorities for EU-Belarus relations were mutually agreed upon.

In the area of integrated border management, Belarus has drafted a national IBM Strategy, but it has not yet been adopted. Several principles of IBM are however applied in practise.

In the area of customs cooperation, the EU-Belarus Customs Dialogue resumed its work in 2016. In October 2016 the State Customs Committee of Belarus and the European Commission agreed on an Action Plan for 2016-2019 for the EU-Belarus Customs Dialogue. It prioritizes policy and technical cooperation relating to trade facilitation (including customs valuation practices, customs transit, risk analysis and management and post-clearance control activities), combatting customs fraud and enforcing IPR protection, as well as capacity building and customs modernisation. There is increased inflow of illicit cigarettes from Belarus to the EU, as Belarussian products account for around 15% of the illicit tobacco market in the EU. The EU invites Belarus to enhance the fight against illicit trade in tobacco products and strengthen the cooperation with the Commission/OLAF in this regard (the issue was raised at the 4th meeting of the EU-Belarus Coordination Group, 19 – 20 December 2017). In the coming years, Ukraine will raise its excise duty rates on tobacco products in accordance with the Association Agreement. This may increase the smuggling of cigarettes from Belarus to Ukraine and further. FRONTEX and the State Customs Committee of Belarus signed a Protocol on cooperation in November 2016. A joint declaration for an EU-Belarus Mobility Partnership was signed in October 2016 by EU, Belarus and seven EU member states. It foresees cooperation on a number of issues aiming at well-managed migration and mobility, including different aspects of integrated border management.

Belarus is a member of the Customs Union with Russia, Kazakhstan Kyrgyzstan and Armenia. Apart from further harmonisation efforts linked to the formation of the Customs Union, the creation of a pre-arrival info exchange system with EU countries is the government's main priority as to Europe at the moment. However possibility to exchange pre-arrival information with third countries depends on adoption of a regulatory framework in the EU.

Cooperation between Belarus and Ukraine

The EU is committed to supporting regional cooperation relating to Integrated Border Management. The EU has financed a number of projects supporting Integrated Border Management at the Belarus-Ukraine border. The projects have promoted cooperation of customs and border guard agencies, supplied equipment for customs and border guards, and facilitated the development of different cooperation agreements between the two countries.

Cooperation between Belarus and Ukraine in the sphere of customs information exchange is based on the "Protocol on Information Exchange between the State Customs Committee of the Republic of Belarus and the State Fiscal Service of Ukraine Concerning Goods and Vehicles Crossing the Customs Border of Belarus and Ukraine", which entered into force on 12 September 2004. Complementary "Regulation on the Interaction of Information Systems during Pre-Arrival Information Exchange between the State Customs Committee of the Republic of Belarus and the Ministry of Revenue and Taxes of Ukraine" (now State Fiscal Service) was negotiated in the framework of the EU-funded PRINEX project and signed on 20 June 2014. It provides for a solid legal basis for the data exchange between the customs services of the two countries. Belarus and Ukraine are both parties to the TIR convention.

1.1.2 Stakeholder analysis

Ukraine

The key stakeholders for this action include:

- The Ministry of Foreign Affairs of Ukraine, which conducts Ukraine's foreign policy and international relations, and protects the interests of Ukrainian citizens abroad. The Ministry of Foreign Affairs of Ukraine also has the responsibility for organising and supervising border demarcation of the state borders of Ukraine, and will be the key partner for the border demarcation aspects of this action.
- The State Border Guard Service of Ukraine, which is the body of state administration responsible for ensuring border security. It also has the overall responsibility for the implementation of the national IBM Concept. It will be an important project partner for the border demarcation related activities.
- The State Service of Ukraine for Geodesy, Cartography and Cadastre, which is responsible for the implementation of the state policy in the matter of topography, geodesy, cartography, land relations and state land cadastre. It will be an important project partner for the border demarcation related activities.
- The State Fiscal Service of Ukraine, which is responsible for pursuing state customs policy, regulation and control in customs matters, organising customs control and customs clearance and preventing smuggling and other crimes and administrative violations in the customs. It will be the key interlocutor for the aspects of this action concerning the installation of the stationary X-ray scanning complex as well as development of mobile application.

Belarus

The key stakeholders for this action include:

- The State Border Committee of the Republic of Belarus, which is the republican body of state administration responsible for conducting state border policy, ensuring border security, organising and supervising border demarcation, is in charge of regulation and control in this area, and coordinates the activities of state bodies and other organizations in the field of the state border policy and border security. It will be the key partner for the border demarcation aspects of this action
- The State Customs Committee of the Republic of Belarus, which is the republican body of state administration responsible for pursuing state customs policy, regulation and control in customs matters, organizing customs control and customs clearance, preventing smuggling and other crimes and administrative violations in the customs. It will be the key interlocutor for the aspects of this action concerning the installation of the stationary X-ray scanning complex as well as development of mobile application.

1.1.3 Priority areas for support/problem analysis

Belarus-Ukraine state border

The Belarus-Ukraine border stretches for approximately 1 084 km and runs mainly across a flat, marshy and wooded, land terrain. Around 340 km of the border run in water, including the rivers Pripyat, Dnepr and Sozh. Approximately 120 km of the border run across the contaminated area adjacent to the Chernobyl Nuclear Power Plant. The Belarus-Ukraine state border is established in the State Border Treaty, which was signed in 1997 and entered into force in 2013. By mid-2017, only 404 km of the border had been demarcated. Belarus and

Ukraine have jointly approached the European Union with a request to help finalising the demarcation effort of the state border.

Crossing the state border

There are six railway, nine international road and three river border crossing points as well as 16 border crossing points for local traffic (open only for nationals of Belarus and Ukraine) along the Belarus-Ukraine state border.

Novaya Huta – Novi Yarylovychi is the busiest road border crossing point at the Belarus-Ukraine border. It is located at branches A and B of the Pan-European Transport Corridor IX (Helsinki–St.Petersburg–Moscow/Pskov/Kaliningrad/Klaipeda–Kiev–Chisinau–Bucharest – Dimitrovgrad–Alexandroupoli). Approximately 200 cargo vehicles and 40 buses pass through this border crossing on each day. Due to the significant distance (approximately 2 km) between the vehicle checking installations at Belarus and Ukraine sides, this border crossing point is considered being a high risk one susceptible to illegal actions when goods and vehicles are moved from one checking point to the other.

The EU supplied about a dozen mobile X-rays in 2009/2010 to Belarus and Ukraine customs services, but these X-rays are now at the end of their lifecycle. In 2013-2016 Belarus and Ukraine established a pre-arrival information exchange system "PRINEX" with EU support, which automatized and digitalized data input in the working processes of the customs services of the two countries. It helped to reduce the number of errors and opportunities for misconduct. Currently, an automated video-control tool is being installed and connected to PRINEX at Novaya Huta – Novi Yarylovychi border crossing point.

Belarus and Ukraine have approached the EU with a request to purchase and install one stationary X-ray scanning complex on a pilot basis at the Belarus-Ukraine border. It has been agreed that the X-ray will be installed at the Belarusian side of the border, at Novaya Huta, but it will equally serve the customs and border guard services of Ukraine. Relevant protocols and agreements will need to be developed for that purpose during the implementation period. Also, works on the site are needed in order to establish necessary facilities to host and operate the X-ray scanning complex.

Services available for citizens and traders

Although some initiatives already exist (e.g. <https://belarusborder.by>), Belarus and Ukraine would like to develop mobile applications, providing support and information for citizens and traders planning to cross state borders. Although the concept still needs to be developed, it could include the possibility for booking border crossing time in advance and providing real-time information about the time needed for customs checks, supported by online video material. Examples of best practise from EU member states to be used could be the Estonian "Go Swift" or Polish "Granica". The implementation of this project will involve the purchase and installation of video cameras at selected pilot border crossing points, developing software either on the basis of existing applications or in close coordination with them. The application for mobile devices shall be developed taking into account best practises with similar applications used in other countries and keeping in mind long term financial sustainability for using the application.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
Delays or other complications in the procurement for supplies	M	Launching of procurement well in advance to allow sufficient time for any clarifications, correction and/or re-launch in case needed
Clashes in the timing of delivery of different supplies, services and works	M	An international organisation will be tasked to take care of the coordination of the different tasks to ensure optimum timing
Delays in the implementation of the activities, which are realised through the national co-financing of Belarus and Ukraine	M	Parallel agreements with Ukraine and Belarus need to be concluded (at an appropriate level) for the parts of the action that they are in charge of implementing with clear indications of consequences in case of non delivery
Difficulties in agreeing on the sharing of scanning results	M	The sharing of scanning results will be based on the existing PRINEX system, which already foresees sharing of different data between Belarus and Ukraine. IOM will facilitate bilateral talks and development of new bilateral protocols allowing the sharing of scans.
Assumptions		
<ol style="list-style-type: none"> 1. There is commitment and interest on the part of the two beneficiary countries' administrations to share information amongst each other, harmonise procedures/systems/practices amongst each other in accordance with EU standards and/or project recommendations. 2. The two beneficiary countries will make sufficient numbers of appropriate qualified personnel available for project activities. 3. Project participants of the two beneficiary countries will keep working in their institutions for sufficient time so that the skills and knowledge obtained can be properly applied and transferred to colleagues. 		

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

Lessons learned from previous cooperation with Belarus and Ukraine in the area of integrated border management cooperation include:

- Cooperation projects need to be developed through a constant and often time-consuming dialogue with the governments of the partner countries.
- Cooperation projects have to be tailor-made and have to focus on specific requirements of the individual beneficiary countries, which are diverse as regards to their development levels and foreign policy orientation.
- The provision of equipment has to be linked to training sessions dedicated to the equipment's use and maintenance.

3.2 Complementarity, synergy and donor coordination

This project will build on a number of earlier projects supporting integrated border management and border demarcation in Belarus and Ukraine. An overview of such earlier projects is provided below, and their experiences need to be taken into account in the implementation of this project. Furthermore, coordination of implementation of this action with the CBC programmes will be of added value.

This project has synergy with other currently ongoing actions in Belarus and Ukraine, in particular with the recently launched project "Helping Belarus address the phenomenon of increasing number of irregular migrants", foreseen to be implemented in 2018-2022, and the new foreseen Sector Policy Support Programme for Integrated Border Management in Ukraine.

Border demarcation

The EU has supported border demarcation efforts of Belarus and Ukraine in the past, in particular at the borders shared with the EU, mainly through the relevant Cross Border Cooperation Programmes. The EU also helped to install optical-fiber communication lines along the border of Belarus with Poland.

Border crossing infrastructure

Border crossing infrastructure was improved with EU support in both Ukraine and Belarus, and helped to reconstruct several border crossing points. These have been financed mainly through the Cross-Border Cooperation Programmes and implemented at the borders facing the EU, such as Kozlovichi and Grigorovshchina. There are four Cross Border Cooperation programmes currently operating with Belarus and Ukraine (i.e. "Latvia-Lithuania-Belarus", "Poland-Belarus-Ukraine", "Romania-Moldova-Ukraine" and "Hungary-Slovakia-Romania-Ukraine"), which will continue having a focus on activities at the borders (including border crossing infrastructure) shared with the EU.

Customs cooperation

The EU has supported customs cooperation with Belarus and Ukraine, and already supplied 12 mobile X-ray scanning complexes in 2009-2010. The mobile X-rays were placed mainly at border crossing points at the EU borders and have now come to the end of their lifecycle.

This action will also build on the PRINEX-project, implemented in 2013-2016, which supported the customs authorities of Ukraine and Belarus to set up a new electronic pre-arrival information exchange system. PRINEX allows for sharing of over twenty different types of data sets between Ukraine and Belarus customs and border authorities, as regulated in related protocols signed by the participating countries.

This action will be implemented in close coordination with the Eastern Partnership IBM Flagship Initiative project "IVCO" (Intelligent Automated Video Control), which will be implemented in 2017-2019. It foresees the installation of an automated video control system at Novaya Huta – Novi Yarylovychi border crossing point and hooking it up to the PRINEX system. The new system will automatically scan the number plate and take photographs of vehicles approaching the border crossing point and provide information on the number plate, the country of registration, the vehicle make and the number of persons in the vehicle to the customs and border guard services on both sides of the frontier.

Capacity building in Integrated Border Management

This action will build on the earlier capacity building initiatives funded by the EU for integrated border management in Belarus and Ukraine, such as:

- IBM flagship initiative projects "Strengthening Surveillance and Bilateral Coordination Capacity along the Common Border between Belarus and Ukraine" (SURCAP, SURCAP-2), which helped building trust between the state border services of Belarus and Ukraine and provided equipment for the border guards.
- IBM flagship initiative project "Introduction of an automated intelligent video-control system at the road border crossing point Novaya Huta – Novi Yarylovychi at the Belarus-Ukraine frontier" (IVCO), implemented in 2017-2019, which is increasing efficiency and effectiveness of the work of the Belarusian and Ukrainian customs services, working at the road BCP Novaya Huta – Novi Yarylovychi.
- IBM flagship initiative project "Support to the Creation of an Electronic System of Pre-arrival Information Exchange between Customs Authorities of Belarus and Ukraine" (PRINEX), implemented in 2013-2016, which significantly increased the effectiveness of customs procedures all road BCP along the common border, leading to reduced border crossing time, decreased number of irregular trans-border movements of vehicles and goods, as well as to reduced number of cases of customs fraud.
- Eastern Partnership "IBM Capacity Building Project", implemented by FRONTEX in 2014-2018, including various training events and study visits for representatives of the six Eastern Partnership countries, which, *inter alia*, have supported the beneficiary countries' implementation of the concept of integrated border management in their national system.
- European Border Assistance Mission for Moldova and Ukraine (EUBAM), which has been supporting improvement in border management standards in Moldova and Ukraine by providing technical input, *inter alia*, for the settlement process of the Transnistrian conflict since late 2005.
- Sector Policy Support Programme in the field of border management in Ukraine, in particular of the Integrated Border Management (IBM) strategy (implementation period: 2011-2015)
- Twinning projects with the State Border Guards Service of Ukraine and Customs services of Ukraine.

Donor coordination:

European Union is one of the few donors supporting Integrated Border Management related issues in Belarus and Ukraine. The international organisations, which are active in this field

in Belarus, are the International Organization for Migration (IOM) and the United Nations Development Programme (UNDP), which both mostly implement EU-funded projects. It should be noted, though, that also Russia provides significant aid to Belarus but its extent is very difficult to assess. In the Ukraine, the U.S. is the only major active donor, apart from the EU. In both Ukraine and Belarus, the EU Delegations hold regular contacts and consulting meetings with the main actors.

3.3 Cross-cutting issues

Good governance: The project will promote the principles of good governance, in particular ownership and fight against corruption. The project will promote dialogue between the state administrations of Ukraine and Belarus at different levels. It will also help strengthen the partner countries' capacities to better deal with the management of international borders in line with international best practice.

Environment: The project is expected to reduce waiting time of trucks and busses, which will have a positive impact on the nature adjacent to Novaya Huta – Novi Yarilovychi border crossing point (reduced levels of car exhaust fumes and litter).

Gender: Improved capacity to check contents of trucks and buses will play an important role in fighting trafficking in human beings, including for sexual exploitation. The action will make a specific focus on enhanced professional capacity building of female workers representing benefiting agencies by facilitating their participation in project activities.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results and options

This programme is relevant for the Agenda 2030. It contributes primarily to the progressive achievement of SDG target(s) 9.1 but also promotes progress towards Goal(s) 8.7 and 17.1. This does not imply a commitment by the countries benefiting from this programme.

The overall objective (impact):

The overall objective of this action is to contribute to the enhancement of security of the Belarus-Ukraine state border and to enhance good neighbourly relations, cooperation and coordination between Belarus and Ukraine in line with the principles of integrated border management.

Specific objectives (outcomes):

The specific objectives of this action are the following:

1. To facilitate the process of demarcation of the Belarus-Ukraine state border.
2. To enhance the efficiency and effectiveness of the work of customs and border guard services at the Novaya Huta – Novi Yarilovychi border crossing point. To reduce time needed to carry out customs and border crossing formalities for trucks and buses. To fight smuggling more effectively.

3. To facilitate border crossing and reduce queuing time for citizens.

Expected results (outputs):

1. The Belarus-Ukraine state border is demarcated with clearly visible border signs to the maximum extent possible. Relevant border demarcation documents are produced and signed between Belarus and Ukraine. Local inhabitants are better aware of the presence and importance of the state border. The capacity of Belarus and Ukraine to detect and deal with border violations is increased.
2. A stationary X-ray scanning complex is delivered and installed at Novaya Huta border crossing point and is linked up to the existing PRINEX system. Necessary bilateral protocols are signed enabling the sharing of data between Belarus and Ukraine.
3. Mobile applications have been designed, developed and launched for Belarus and Ukraine. They are providing real time information about the situation at different border crossing points of Ukraine and Belarus, including information on the length of queues, expected waiting time, and possibly also providing the possibility for booking a border crossing time in advance.

4.2 Main activities

Component 1: Demarcation of Belarus-Ukraine border

- Facilitation of regular meetings between concerned authorities of Belarus and Ukraine on issues related to the state border and its demarcation
- Determination and agreement between Belarus and Ukraine of the location of each border sign along the still non-demarcated Belarus-Ukraine border
- Development and publication of demarcation documents, including bilateral protocols on the each border sign
- Purchase and delivery of border posts (up to 3 000) and buoys
- Purchase and delivery of radiation detection equipment allowing to carry out works at the Chernobyl exclusion zone
- Purchase and delivery of vehicles allowing the delegations of Belarus and Ukraine to reach the border easily for purposes of demarcation and signing bilateral protocols
- Works related to the installation of border posts and buoys along the still non-demarcated Belarus-Ukraine border, taking into account specific measures needed for works in the Chernobyl contaminated zone
- Construction of log roads and foot bridges in order to perform border demarcation in the swampy areas most vulnerable to smuggling activities (this new infrastructure would be used to complete demarcation as well as to patrol the border in future)
- Clearance of felled area along the border line (up to 750 km width 12 m).
- Facilitation of inter-agency cooperation between Belarus and Ukraine on border management
- Organisation of up to 5 joint visits of concerned authorities of Belarus and Ukraine to EU countries to study relevant experiences and practises in border demarcation and maintenance

Component 2: Purchase and installation of a stationary X-ray complex at Novaya Huta – Novi Yarilovychi border crossing point

- Facilitation of regular meetings between concerned authorities of Belarus and Ukraine, including in view of concluding necessary bilateral protocols on sharing data
- Organisation of study visits for relevant specialist from Belarus and Ukraine to EU countries to study relevant experiences and practises in installation, integration and use of stationary vehicle X-Ray scanners at the BCP as well as in risk assessment techniques and analysis of X-ray images.
- Purchase and delivery of a stationary X-ray scanning complex in line with local requirements and including a warranty period and maintenance services ideally for the expected lifetime of the equipment, depending on offers received during procurement
- Elaboration of a technical plan for the required works at Novaya Huta site in line with local requirements, procurement to determine a construction company
- Carrying out works at Novaya Huta to establish necessary conditions for the installation of the X-ray scanning complex (buildings, lanes, electricity connection)
- Installation of the X-ray scanning complex at Novaya Huta
- Procurement of software to ensure compatibility with PRINEX system and other possible IT systems in place
- Development of bilateral protocols and agreements between Belarus and Ukraine facilitating the transfer/sharing of X-ray scanning data via PRINEX
- Organisation of end-user and system administrator trainings for customs' and border guards' staff working at Novaya Huta – Novi Yarilovychi (for up to 100 persons)

Component 3: Development of a mobile application

- Review of mobile applications used in other countries, such as Granitsa in Poland and Go Swift in Estonia, organisation of study visits to selected countries for customs and border guards of Belarus and Ukraine to have a closer look at the existing mobile applications in reality, assessment of the feasibility for developing similar ones for Ukraine and Belarus
- Capacity building training for customs expert involved in software design, development and administration
- Design of mobile application for Belarus and Ukraine taking into account possible existing mobile applications and specific language requirements
- Purchase and installation of cameras at selected BCPs at Belarus – Ukraine border
- Launch of the mobile application
- Promotion activities

Activities applicable to all components:

- Engagement of International Experts in relevant professional spheres to assist with the implementation of specifics project tasks including organization of conferences, trainings, seminars, study visits, assessment missions, development of SOPs, TORs for system to be developed, technical specifications for equipment procurement, etc.
- Organisation of expert-level coordination meetings for Belarus and Ukraine stakeholders through the whole project implementation period in order to guarantee coherence in implementation of all three components of the project on both sides of the border ensuring a simultaneous execution pace in both countries.
- Facilitation of bilateral meetings for Belarus and Ukraine customs, border guard and other relevant agencies involved in project implementation to improve cooperation between the services present at the border.

- Organisation of communication and visibility events at key junctures of the action, including publicising the completion of border demarcation, the installation and launch of the stationary X-ray scanning complex and the launch of mobile applications (expected number of events is 5-10).

4.3 Intervention logic

The project will be implemented in line with the principles of Integrated Border Management. This project aims at facilitating cooperation and coordination between relevant services at national level as well as internationally. It is aimed at promoting cooperation and building trust between relevant services within Belarus and Ukraine, as well as between Belarus and Ukraine during the implementation of each of the project components.

The project implementation will follow best European standards and international practises related to the specific themes concerned. For example, international best practise shows that X-ray scanning complexes are the most effective instruments of customs control of bulky cargo and vehicles. In accordance with SAFE standards of the World Customs Organization the use of scanning has been established as one of the basic standards for operational control of containers and cargoes of high risk. The average time of scanning and analysis of 1 vehicle is 10 minutes while physical inspection lasts for on average 3 hours.

Implementation of this project will be carried out using competitive selection procedures for identifying most suitable implementing organisations. It is known that there are several (but limited number of) potential suppliers for the type of stationary X-ray scanning complex, that is required for Novaya Huta. A competitive selection will be carried out among the potential suppliers to ensure best value for money. Also, for the demarcation of the Ukraine-Belarus border there may be several possible contractors, both for the manufacturing of the border posts and buoys as well as for the actual works.

This project will be implemented through co-financing in order to ensure ownership and commitment of all parties to the project implementation and results. In line with the principles of IBM flagship initiative, EU financing is foreseen to cover 80% of the costs, while the remaining 20% will be provided by Ukraine and Belarus. The co-financing provided by Belarus and Ukraine will be parallel co-financing provided outside the delegation agreement between EU and IOM. The contribution of Belarus will be indicatively spent on the purchase and delivery of border posts, border demarcation works and financing part of the works needed at Novaya Huta and the purchase of IT equipment. The contribution of Ukraine will be indicatively spent on the purchase of border posts and the purchase of selected IT equipment.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements

implemented, is 60 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation modalities

Both in indirect and direct management, the Commission will ensure that EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures affecting the respective countries of operation.

5.3.1 Procurement (direct management)

Subject	Type	Indicative number of contracts	Indicative trimester of launch of the procedure
Border buoys, radiation detection equipment, vehicles, X-ray scanning complex, IT equipment etc.	supplies	5-7	4 th quarter of 2018

5.3.2 Indirect management with an international organisation

A part of this action may be implemented in indirect management with International Organization for Migration (IOM) in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012. This implementation entails the organisation and procurement of all services, as well as, possibly, some supplies and works required for the implementation of the three components of the project, as described in section 4 above. This implementation is justified because:

- With the exception of IOM and UNDP, there are few international organisations present in both beneficiary countries and that have relevant experience and track record.
- IOM can build on its long-term relationship with project beneficiaries, something that is particularly important when working with law enforcement agencies in Belarus and Ukraine;
- Given the rather complicated nature of this action, consisting of a large number of supplies, works and services, there is a need for careful supervision and coordination of the implementation, which is best to be done by a specialised entity such as the IOM;
- IOM has significant experience in supporting governments in related areas such as IBM, data management, capacity building, etc.;

- Prior experience and very good performance of IOM in an earlier IBM Flagship Initiative projects concerning the border of Belarus and Ukraine, which this action will partially build on;
- The extensive experience of IOM in implementing projects in Belarus and Ukraine, including those implemented in partnership with the key stakeholders directly involved in this project action, is likely to help avoiding delays at the project start-up phase often caused by project registration procedures.

The entrusted entity would carry out the following budget-implementation tasks: recruitment of external experts, organization of coordination meetings for beneficiaries and other project events, running public procurement procedures for services, as well as for some supplies and works, concluding and managing the resulting contracts, including making of related payments.

If negotiations with the above-mentioned entrusted entity fail, this part of the action may be implemented in indirect management with United Nations Development Programme (UNDP). The implementation by this alternative entrusted entity would be justified because:

- With the exception of IOM and UNDP there are few other international organisations, present both in Belarus and Ukraine and that have relevant experience and track record;
- UNDP can build on its long-term relationship with the governments of Belarus and Ukraine and its experience of implementing technical cooperation projects in a great variety of thematic areas;
- Good performance of UNDP in other EU-funded project, which were implemented with the State Border Committee of Belarus as the main project partner (BOMBEL, AMBEL);
- Due to UNDP's extensive experience in implementing projects in Belarus and Ukraine, and its familiarity with project registration procedures, which are rather complicated and time-consuming, project activities could start without significant delay.

The alternative entrusted entity would carry out the following budget-implementation tasks: recruitment of external experts, organization of coordination meetings for beneficiaries and other project events, running public procurement for services, supplies and works, concluding and managing the resulting contracts, including making of related payments.

5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

	EU contribution (in EUR)	Indicative third party

		contribution (in EUR)
5.3.1 - Procurement (direct management)	3 300 000	N.A
5.3.2 - Indirect management with International Organization for Migration (IOM)	3 340 000	10 000
Parallel co-financing by Belarus	-	1 160 000
Parallel co-financing by Ukraine	-	500 000
Totals	6 640 000	1 670 000

5.6 Organisational set-up and responsibilities

A project steering committee will be set up to oversee and validate the overall direction and policy of the project (or other responsibilities to be specified) and will be convened indicatively twice a year. The project steering committee shall be made up of representatives of the relevant services from Belarus and Ukraine, of the implementing agency, of the Delegations of the European Union to the Republic of Belarus and Ukraine.

5.7 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) or the list of result indicators (for budget support). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.8 Evaluation

Having regard to the nature of the action, a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission. It will be carried out for accountability and learning purposes at various levels (including for policy revision),

The Commission shall inform the implementing partners at least two months in advance of the dates foreseen for the evaluation missions. The implementing partners shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner countries, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Where relevant, the provisions of the Financial and Administrative Framework Agreement (FAFA) between the European Union and the United Nations of 29 April 2003 and its addendum No1 of 26 February 2014 shall apply.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Where relevant, the provisions of the Financial and Administrative Framework Agreement (FAFA) between the European Union and the United Nations of 29 April 2003 and its addendum No1 of 26 February 2014 shall apply.

The financing of the audit shall be covered by another measure constituting a financing decision.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations shall be included in the financing agreements or delegation agreements.

With regards to the Neighbourhood East, all EU-supported actions shall be aimed at increasing the awareness level of the target audiences on the connections, the outcome, and the final practical benefits for citizens of EU assistance provided in the framework of this action. Visibility actions should also promote transparency and accountability on the use of funds.

Outreaching/awareness raising activities will play a crucial part in the implementation of the action, in the case of budget support the national government shall ensure that the visibility of the EU contribution is given appropriate media coverage. The implementation of the communication activities shall be the responsibility of the implementing organisations, and shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions. Additional Visibility Guidelines developed by the Commission (European Neighbourhood Policy and Enlargement Negotiations) will be strictly adhered to.

Where relevant, the provisions of the Financial and Administrative Framework Agreement concluded between the European Union and the selected international organisations shall apply.

It is the responsibility of the implementing organisation to keep the EU Delegations and, where relevant, DG NEAR, fully informed of the planning and implementation of the appropriate milestones specific visibility and communication activities.

The implementing organisation shall report on its visibility and communication actions, as well as the results of the overall action to the relevant monitoring committees.

This action will be communicated externally as part of a wider context of EU support to the country, and where relevant to the Eastern Partnership region in order to enhance the effectiveness of communication activities and to reduce fragmentation in the area of EU communication.

The implementing organisation shall coordinate all communication activities with EU Delegations as well as regional communication initiatives funded by the European Commission to the extent possible. All communication strategies developed as part of this action shall ensure they are in line with the priorities and objectives of regional communication initiatives supported by the European Commission and in line with the relevant EU Delegation's communication strategy under the "EU4Country" umbrella initiative.

APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY) ¹

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	To contribute to the enhancement of security of the Belarus-Ukraine state border and to enhance good neighbourly relations, cooperation and coordination between Belarus and Ukraine in line with the principles of integrated border management	Public perception of border security			Official documents, public opinion surveys	International situation remains sufficiently stable
Specific objective(s): Outcome(s)	<p>1. To finalise the demarcation of the Belarus-Ukraine state border.</p> <p>2. To enhance the efficiency and effectiveness of the work of customs and border guard services at the Novaya Huta – Novi Yarilovychi border crossing point. To reduce time needed to carry out customs and border crossing formalities for trucks and buses.</p> <p>3. To facilitate border crossing and reduce queuing time for citizens.</p>	<p>Kilometres of demarcated border</p> <p>Maximum capacity of the BCP for border crossings for buses and trucks / 24 hours</p> <p>Average time needed for checking one bus or truck</p> <p>Average time spent in queue</p>	<p>404 km (2017)</p> <p>200 cargo vehicles, 40 buses (2017)</p> <p>3 hours (2017)</p>	<p>1.084 km (2020)</p> <p>10 minutes (2020)</p>	<p>Physical existence of border posts</p> <p>Official statistics of Novaya Huta BCP</p>	International situation remains sufficiently stable

¹ Mark indicators aligned with the relevant programming document mark with '*' and indicators aligned to the EU Results Framework with '**'.

Outputs	<p>The Belarus-Ukraine state border is marked with clearly visible border signs</p> <p>Border demarcation documents are produced and signed.</p> <p>A stationary X-ray scanning complex is installed at Novaya Huta, and scanning data is shared by Ukraine and Belarus.</p> <p>A mobile application has been designed, developed and launched.</p>	<p>Kilometres of demarcated border</p> <p>Number of signed border protocols (one for each border post) (approximate number)</p> <p>Number of installed X-ray scanning complex</p> <p>Number of Mobile applications</p>	<p>404 km (2017)</p> <p>1.200 (2017)</p> <p>0 (2017)</p> <p>0 (2017)</p>	<p>1.084 km (2020)</p> <p>3.000 (2020)</p> <p>1 (2020)</p> <p>2 (2020)</p>	<p>Physical existence of border posts, photos</p> <p>Signed border protocols</p> <p>Physical existence of the X-ray scanning complex</p> <p>Physical existence of the mobile apps</p>	<p>Ukraine and Belarus remain committed to the tasks, allocate sufficient number of staff to work alongside EU/IOM and implement the activities funded through national co-financing in a timely manner</p>



ANNEX 2

of the Commission Implementing Decision on the ENI East Regional Action Programme 2018
Part 1

Action Document for Eastern Partnership Integrated Border Management Flagship Initiative: Implementation of a video-control system at road border crossing points and support for sustainable joint blue border surveillance

1. Title/basic act/ CRIS number	Eastern Partnership Integrated Border Management Flagship Initiative: Implementation of a video-control system at road border crossing points and support for sustainable joint blue border surveillance CRIS number: ENI/2018/041 171 financed under European Neighbourhood Instrument
2. Zone benefiting from the action/location	Eastern Europe Region: Republic of Moldova and Ukraine The action shall be carried out at the following location: common blue border between Republic of Moldova and Ukraine (except Transnistrian segment)
3. Programming document	Regional East Strategy Paper (2014-2020) and Multiannual Indicative Programme (2017-2020)
4. Sector of concentration/ thematic area	Integrated Border Management
5. Amounts concerned	Total estimated cost: EUR 4 440 000 Total amount of EU budget contribution: EUR 3 552 000 This action is co-financed in parallel co-financing by the Republic of Moldova and by Ukraine for an amount of EUR 888 000
6. Aid modality(ies) and implementation modality(ies)	Project Modality Indirect management with the International Organization for Migration (IOM)
7 a) DAC code(s)	15210 - Security system management and reform 33120 - Trade facilitation
b) Main Delivery Channel	International Organization for Migration - 47066

8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Global Public Goods and Challenges (GPGC) thematic flagships	Integrated Border Management Flagship Initiative			
10. SDGs	Goal 9: Build resilient infrastructure, promote sustainable industrialization and foster innovation			

SUMMARY

This action aims to further enhance the integrated border management (IBM) between the Republic of Moldova¹ and Ukraine by encouraging inter-agency cooperation through joint control and information exchange on persons/vehicles/goods crossing the Moldovan-Ukrainian border, as well as through joint border surveillance along common border.

The proposed action will support the two beneficiary countries with implementing 24/7 automated intellectual video control systems at some of the busiest road border crossing points (BCPs) to develop cross-border and inter-agency real-time information sharing, including pre-arrival data exchange based on Automatic Number Plate Recognition (ANPR). The action is also aimed at improving mobility and accessibility in difficult water areas and/or during unfavorable weather conditions along the common blue border, with the view to enhance preparedness to respond to border incidents and urgent search and/or rescue needs in a bilaterally coordinated and coherent manner.

The action is expected to contribute to the broader objective to facilitate trade and movement of people across borders, while preventing and combating cross-border crime and corruption, and therefore to the economic security and sustainable development of the region. It responds to the priorities as identified in the national integrated border management policy documents of both countries (Moldova IBM Strategy 2015-2017 and Ukraine IBM Concept 2016-2020).

¹ Hereinafter referred to as Moldova.

It does also fit the bilateral and regional cooperation and assistance frameworks, such as the EU Association Agreements and Association Agendas with both countries, the Regional East Strategy Paper 2014-20, and the ENI East Regional Action Plan 2018.

The key stakeholders and beneficiaries are the border and customs authorities of Moldova and Ukraine, which have already committed their support and co-financing to the proposed action during the identification phase.

Quality of implementation will be assured through implementation by IOM², which will – with the support of EUBAM³ thanks to their solid presence at the common border in the past years – conduct the necessary procurement of supplies, work and services to ensure that the partner countries successfully achieve the objectives of this action.

1 CONTEXT

1.1 Sector/Country/Regional context/Thematic area

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 points, including international, inter-state and local ones. 453.4 km of this border on the Moldovan side is under control of the so-called Transnistrian authorities, including 25 official crossing points to the Ukraine (5 international, 8 inter-state, 12 local).

Ukraine and Moldova encountered similar development challenges, such as political instability, limited economic growth, demise of socio-economic infrastructure and corruption. The general pattern of cross-border crimes has not changed. Illegal movement of goods, including excise goods, is defined as the key challenge for the border authorities at the Moldova-Ukraine border. Both price differences across Moldova's and Ukraine's markets and profits emerging from tax and duties evasion create strong incentives for smuggling of tobacco, alcohol and foodstuffs, particularly along the Transnistrian sector of the common border.

The “internal boundary” between the Transnistrian region and Chisinau controlled territory has a continued Russian military presence (“peacekeeping forces”) and is not monitored by Moldovan border police, 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 at international border crossing points (BCPs) together with the State Fiscal Service of Ukraine. At the boundary with Transnistrian region 9 internal customs control posts are organized, composed of customs and police officers.

1.1.1 Public Policy Assessment and EU Policy Framework

Within the context of the European Neighbourhood Policy (ENP), both Moldova and Ukraine have committed to progress towards efficient and comprehensive border management, including specific customs and border matters. Bilateral relations were upgraded with the

² Or UNDP as alternate – see section 5.3 below.

³ EU Border Assistance Mission to Moldova and Ukraine.

signing of Visa Liberalisation Action Plans (VLAP) and of Association Agreements (AA), including a Deep and Comprehensive Free Trade Area (DCFTA)⁴, between the EU and each partner country. The EU gave a positive opinion on adoption of legislation and its implementation in the framework of the Visa Liberalisation dialogue for both countries, including provisions related to border management, fight against organised crime and data protection. Moldova benefits from visa-free regime with the EU since April 2014. The Commission published a legislative proposal for visa-free regime with Ukraine in April 2017, which has been endorsed by the Council in May 2017. Ukraine benefits from visa-free regime with the EU since 11 June 2017. The Commission is monitoring the continuous fulfilment of the VLAP benchmarks by both countries. Backsliding on VLAP benchmarks, including benchmarks on integrated border management, can result in the suspension of the visa-free regime.

These agreements require a stronger commitment from the partner countries in undertaking the necessary administrative reforms, building capacity, adopting legislation and related implementing measures to comply with EU (and international) standards in the area of the movement of people and goods, while achieving an appropriate balance between effective control and the facilitation of legitimate trade. Chief among the leading principles in the field are the basics of Integrated Border Management (IBM), Schengen Border Code and Community (now 'Union') Customs Code (including EU Customs Blueprints).

In Ukraine, a Road Map on joint operational border management with EU Member States and Moldova was endorsed by the Ukrainian President at the end of 2014, whereas the Cabinet of Ministers approved the second IBM Concept 2016-2020. This roadmap together with its Action Plan envisages shared border control, joint border patrolling and operational exchange of data and risk analysis.

In Moldova, the National IBM Strategy 2015-2017 and its Action Plan have been approved through the Government Decision no. 1005 of 10 December 2014. The overall responsibility to coordinate the implementation of tasks arising from the Strategy is vested in the National IBM Council, which coordinates the activity of the agencies involved. A new IBM Strategy for the forthcoming period is currently under development.

The IBM policy documents of both countries identify as priority enhancing the cooperation with the neighbours. More specifically, constructing/reconstructing BCPs according to the current and foreseen needs, organising jointly operated/shared border crossing points using EU principles, or optimizing the number of control agencies are important objectives followed continuously by both countries.

The two countries have signed the inter-governmental Agreement on organization of information exchange on persons and transport crossing the Moldovan-Ukrainian State border (in November 2015). Pursuant to this Agreement, the *Technical principles for information exchange* have also been signed between the two countries (February 2017). These two key documents formally set up the legal framework for bilateral cooperation, as envisaged under this Action.

⁴ For the Ukraine, the full entering into force of VLAP and AA (including DCFTA) is still to be finalized.

1.1.2 Stakeholder analysis

The key stakeholders of the action are the Moldovan Customs Service, the State Fiscal Service of Ukraine, the Moldovan Border Police, and the State Border Guard Service of Ukraine.

The Moldova Customs Service is a law-enforcement body subordinated to the Ministry of Finance, responsible for collecting customs fees and taxes and fighting customs frauds, while facilitating trade and protecting the citizens and market. Its organisational structure consists of the Central Administration, three Customs Houses (North, South and Centre) and 35 customs posts at the border (out of which 24 at the Moldovan-Ukrainian border), as well as 23 internal customs posts (including 9 internal customs control posts on the administrative boundary with the Transnistrian region).

The State Fiscal Service of Ukraine is a governmental agency charged with the implementing the State tax and customs policy and with the fighting tax and customs frauds. The Service consists of 24 headquarters' department and 27 regional customs houses.

The Moldovan Border Police is subordinated to the Ministry of Internal Affairs, charged with implementing the IBM policy and carrying out duties on border surveillance and control, preventing and combating illegal migration and cross-border crime. It carries out its duties through its Central Administration, four Regional Directorates (North, West, South and East) and the Chisinau International Airport, as well as through the 41 Border Police Sectors with 51 BCPs in total (7 with Romania, 43 with Ukraine, 1 at Chisinau Airport).

The State Border Guard Service of Ukraine is part of the Ministry of Internal Affairs and is charged with protecting the border surveillance and control, as well as with fighting organized crime and illegal migration, among others. It is structured in four levels: Central Administration, 5 Regional Directorates, 25 Border Guard Detachments, and Border Guard Units (BCPs, Border Surveillance Posts, and Marine Guards).

All the key stakeholders have been involved at the identification phase and have jointly submitted the project proposal fiche based on which this action document has been developed. In addition, the agencies committed the 20% co-financing through formal letters.

Other target groups and beneficiaries include the trading business and regular travellers, as well as some of the vulnerable groups such as victims of trafficking and smuggling and asylum seekers.

1.1.3 Priority areas for support/problem analysis

The Moldovan-Ukrainian state border is one of the most problematic borders in the region, being violated by illegal crossings westwards, organized and cross-border crime, such as smuggling, trafficking in human beings, arms, drugs and goods. Important to mention is that a segment of 453.4 km on Moldova-Ukraine border is not under the constitutional control of Moldova, but under the unrecognized Transnistrian authorities.

Smuggling, non-declaration and other customs offences affect state revenue and fair trade. Due to lack of modern equipment, the control of the entire customs territory, including the

customs control zones cannot be ensured. Cases of violation of customs rules may occur, via, for example passing goods that have not been cleared, including prohibited ones, to the means of transport that have been checked.

It is proposed to focus on two priority areas, as follows:

- (i) implementation of a video control system at road BCPs, and
- (ii) support for sustainable blue border surveillance

(i) implementation of a video control system at road BCPs

In order to enhance the security along the common Moldovan-Ukrainian border, as well as the risk management capacities of the border agencies, it is also proposed to implement a joint video control system – close circuit television (CCTV) and Automatic Number Plate Recognition (ANPR) – at some of the most important road BCPs.

This activity will strengthen operational capacities and information exchange between the border agencies of the Republic of Moldova and Ukraine, as well as cross-border cooperation. It will allow proper control of the customs control zone and will reduce to minimum possibility for violations, including corruption and smuggling risks, due to permanent surveillance of the territory both on the level of BCP and the central one.

CCTV, ANPR facilities will ultimately be coupled with each country's Customs Analytical and Monitoring Centre, thereby yielding a centralisation of all information received from the above-mentioned systems. The Centre will ensure 24/7 monitoring of information and coordination with the Customs Service subdivisions, especially those from Risk Analysis and Operational Units.

The ANPR will enable real-time pre-arrival information exchange on vehicles before entering/leaving the country – recorded and compared to a so called “watch list” alerting Operational Units of the Customs Service for detailed control. Trade facilitation and streamlining of customs procedures is going to be ensured by integrating both video control system and ANPR with the risk management systems of the customs authorities, thus means of transportation that were identified by the system as presenting risks will be directed for further checks. Clearance and customs control of those compliant with the customs rules will be simplified.

The reasons for selecting the BCPs are the following:

1. Otaci – Mohyliv-Podilskyi is the busiest BCP on the Moldovan-Ukrainian border for cargo traffic, clearing during high season more than 350 cargo units per 24 hours. It is used for the clearance of goods, including transit from the EU and Turkey to the Russian Federation, Republic of Belarus and Baltic states. The BCP is located on the R8 Edinet – Otaci (RM) – M21 Zhitomir – Mohyliv-Podilskyi (UA) road, which was submitted to the Commission to be included in the extended TEN-T network.
2. Criva – Mamaliga BCP is situated on the M14 Criva – Balti – Chisinau – Tiraspol (RM) – M16 Domanovo-Kovel-Chernivtsi Terebleche and H10 Striy-Ivano-Frankivsk-Chernivtsi-Mamalyga (UA) road that is a part of the extended TEN-T network.

3. Tudora – Starokazachie is the second busiest BCPs for cargo traffic, after Otaci – Moghiliov-Podolsk, and the busiest in the southern region. The number of trucks can exceed 250 per 24 hours during high season.
4. Vulcanesti – Vinogradovca BCP – although the number of cargo traffic is not so high there – the number of passenger vehicles, including buses crossing the border can exceed 400 per 24 hours, during high season.
5. Platonovo BCP is situated on the M21 Chisinau – Dubasari (RM) – E584 European route Poltava by Kremenchug – Alexandria – Okny – Kirovograd – Kyshynov – Giurgiulesti – Galati and Slobozyya road, that is a part of the extended TEN-T network.

In case of insufficient budget to fully cover the needs for all the BCPs listed above, partners will give priority to the BCPs situated on the extended TEN-T network.

(ii) Support for sustainable joint blue border surveillance

Currently, border agencies of both countries perform joint patrolling on the basis of the inter-governmental agreement signed on 20 December 2011. Ever since, over 3 000 joint patrolling operations have been carried out by foot, by car or by boat, resulting in a better secured common border and border zone and also contributing to fostering cooperation and mutual trust, raising public awareness on the border activity and facilitating exchange of information between the parties.

As of now, surveillance of about one third of the Moldova-Ukraine blue border is exclusively conducted by land because of insufficient capabilities in terms of special equipment, transportation means on the Nistru River and trained staff. The Northern part of the joint blue border is in its most parts not navigable, given the reduced depth of the river during the hot summer periods (in some places it is below 0.5 meter). Additionally, during winter the river is often frozen and does not allow access with regular equipment. Additional challenges are spring floods when the Nistru overflows its banks, waterlogging border areas, and creating significant problems for patrolling and access in general. The listed factors generate favourable conditions for illegal border crossing, smuggling, trafficking, poaching, including those performed by organised groups. The physical presence by border agencies is limited and surveillance gaps could be closed with competitive innovative solutions, used by EU Member States, such as air-cushion vehicles.

The South-East segment of the Moldova-Ukraine river border is navigable, therefore the use of river boats with a rigid bottom is most appropriate. The lack of docks for boats definitely decrease cooperativity of the border patrols. To organize blue border patrolling it is currently necessary to trail the watercraft, immerse it into the river and vice-versa, which delays the presence of patrols at the borders and the response time, especially in urgent search operations. Moreover, the unfavourable weather conditions mentioned above and complicated landscape (mainly on the northern part) sometimes does not even offer the possibility to bring the boat to the river. In this respect, procurement and mounting of floating docks for boats along the Nistru is a sustainable and added value solution.

Thus, the proposed equipment will enhance the operational capacities on detecting, pursuing, and suppressing offences at the controlled common blue border or adjacent areas of responsibility as well as on ensuring adequate response during rescue missions, presence in

border areas difficult to access and maintaining public order and regimes of the state border and of the border area.

To this end, the Moldovan Border Police aims to endow with proper equipment and watercrafts the „North” and „East” Regional Directorates in charge of the Moldovan-Ukrainian border. For the Ukrainian side the following border detachments (BD) on the Ukrainian-Moldovan border will be equipped: “Izmail” BD, “Bilhorod-Dnistrovskiy” BD, and “Mohyliv-Podilskii” BD.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
Beneficiaries may be at different stages of reform and therefore at different/uneven commitment.	M	With the support of complementary actions (EUBAM, etc.), EU Delegations in both countries will carry out continuous policy dialogue with key stakeholders to ensure that the reform commitment stays strong on both sides. The legal framework of the two countries, and between them, will be checked (and possibly updated) and detailed planning (with target dates and assumed responsibilities) will be put in place to facilitate implementation.
Fulfilling the 20% co-financing requirement from beneficiary countries, given limited budget resources.	M	EU Delegations will follow-up on the commitments of the beneficiaries (letters of commitment signed at beneficiaries' highest possible level)
Trained personnel leaving the beneficiary institution after having being trained.	H	The implementing agency will seek to involve significant numbers of staff in project activities, with a system of focal points in place.
The project activities are not accepted by Transnistria.	L	The action will be accompanied by supporting communication activities, with a gradual implementation approach.
Weak technical capabilities from partners to transfer data (images and JPEG pictures) in a secure way from Platonovo BCP to Moldovan side	M	Partners will ensure a secure way of communication from Platonovo to Moldova.
Ensuring the coverage of maintenance costs of newly acquired equipment by the beneficiaries, given their limited budget resources.	M	EU Delegations will monitor maintenance commitment of the beneficiaries through on-going complementary actions (EUBAM, EUHLAM, etc.)
Assumptions		

There is a continuous commitment from the key stakeholders of the two beneficiary countries to the project objectives, including sharing information, harmonizing their procedures, and working together.

The two beneficiary countries will make sufficient numbers of relevant staff available to project activities, and those will keep working in their institutions for sufficient time so that the skills and knowledge obtained will be properly applied and transferred to colleagues.

The beneficiary countries and implementing agencies will carry out systematic communication activities reflecting gradual implementation of the action.

For the sustainability of the action, the beneficiaries will allocate sufficient resources for maintaining the newly acquired equipment, including by maintenance costs within their respective budgetary planning cycles

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

Many lessons can be taken from similar completed EU support actions on integrated border management (EUBAM, Eastern Partnership IBM Flagship projects, national projects, national budget support in the area of border management, etc.):

- The application of the various aspects of IBM remains limited and inconsistent, whether operationally or in terms of information exchange. In general, all forms of co-operation are still seen as “testing/pilot modes” rather than institutionalised practices.
- Harmonisation of IBM action plans, notably international/cross-border co-operation elements need to be further improved.
- Targeting assistance to different law enforcement agencies in the country proved a good tool in facilitating trade and curbing border security risks (smuggling, trafficking in human beings, controlling food safety and countering public health threats, etc.). A more inclusive approach by partner services in line with IBM principles needed to be promoted, notably in the fight against organised crime.
- The regional delivery of assistance has allowed for economies of scale and synergies and generally, in comparison with national projects, has significantly improved international co-operation and communication, stimulating much needed and useful exchange of practices and experience on a peer-to-peer basis.
- The implementation of the Eastern Partnership (EaP) IBM Flagship Initiative project “*Joint border patrolling on green/blue border between Republic of Moldova and Ukraine*” (implemented during 2014-2015), showed to be effective and efficient, contributing to the further improvement of border management and bilateral ties between the two countries.
- Maintenance costs for newly acquired equipment under various actions has often proved to be an issue on the side of beneficiary institutions given their limited budget resources, which impacts the sustainability of those investments. This required continuous monitoring and policy dialogue efforts from the side of EU Delegations to keep the commitment strong.

3.2 Complementarity, synergy and donor coordination

The EU started developing a long-term policy in the area of integrated border management with both countries since at least 2000. The most relevant institutional actors in the area presently are:

Support Group for Ukraine within Directorate General for Neighbourhood and Enlargement Negotiations (SGUA), established in April 2014, has the role to ensure that all the assistance provided by the EU to Ukraine is focused according to the Association Agreement (including the Deep and Comprehensive Free Trade Area). The Support Group is structured by thematic teams, including Justice and Home Affairs.

EU Border Assistance Mission to Moldova and Ukraine (EUBAM), which since 2005 supports improvements to the IBM standards of border management in Moldova and Ukraine. Implementation of the joint patrolling along common border and of the joint video control in the BCPs, developing the cooperation and exchange of information among the services, among others, are important elements of EUBAM assistance. These matters are on the agenda of the Working Group on Jointly Operated BCPs, under EUBAM auspices.

EU High Level Advisers to Moldova (EUHLAM) embeds a group of experts in various governmental institutions, including the Ministry of Internal Affairs, Ministry of Finance, and the Customs Service.

European Border and Coast Guard Agency (Frontex), which is one of the implementing partners of the EaP IBM Capacity Building Project in the region, among others.

EU Advisory Mission to Ukraine (EUAM) main objective is to support the Government of Ukraine in the preparation and implementation of a comprehensive civil security sector reform, including aspects of border management and customs affairs, good governance and anticorruption;

In that context, EU has disbursed a line of project interventions and financial support, chief among which are:

- the ***EaP IBM Flagship Initiative Training Project*** – a capacity-building project (dialogue support, training, strategy/action plan support) in integrated border management, implemented by the International Centre for Migration Policy Development (ICMPD) until June 2013;
- the ***EaP IBM Flagship Initiative Capacity Building Project*** – a follow-up capacity building project covering 2014 - 2017 and focusing on enhancing the training capacities of each country's national agencies involved in border management.
- the ***EaP IBM Flagship Initiative Pilot projects*** – in general providing equipment and/or infrastructure, complemented with a capacity building component, and focusing on specific border issues or segments. Especially relevant actions in this respect include “*Joint border patrolling on green/blue border between Republic of Moldova and Ukraine*”, implemented during 2014-2015, as well as “*Enhanced IBM through joint border control and exchange of information along the Moldovan-Ukraine border*” contracted in November 2017. The latest provides for a series of interventions related to selected BCPs, namely Kuchurhan-Pervomaisk (making operational the agreement on joint border control), Reni-Giurgiulesti (to allow joint control on a shared BCP on the

Ukrainian side), and Palanca (establishing a bilateral Contact Point), as well as making operational the agreement on data exchange (Automated Info Exchange) on people and transport crossing the border between Moldova and Ukraine.

- the ***EaP - Supporting the Implementation of the Prague Process Action Plan (EaP-SIPPAP) project*** – aimed at contributing to strategic and operational cooperation in the EaP region in areas of cross-border crimes prevention with a special focus on irregular migration.
- As complementary measures, ***three twinning projects*** – one for the Moldovan Customs Service and two for the State Fiscal Service and Border Guards Service of Ukraine – have been initiated during 2016, with the view to further support the implementation of IBM elements and bring them closer to EU standards.
- As part of EU-Moldova visa dialogue, the EU allocated EUR 21 million through the Budget Support Programme on the ***Visa Liberalisation Action Plan***. The programme – with a final target date of December 2016 – envisaged important border management related indicators to achieve, among others.
- The EU has funded the implementation of the ***"Fixed and mobile network communications system for Moldovan Border Police"***, for a total amount of approximately EUR 22 million.
- Ukraine's and Moldova's border agencies benefited from a wide range of activities through the ***TAIEX*** instrument.

3.3 Cross-cutting issues

The following cross-cutting issues will be addressed throughout the project.

3.3.1. Gender:

The relevant Ukrainian and Moldovan Authorities are committed to an equal gender treatment of female travellers and throughout its human resource management. The project will establish a suitable foundation for mainstream gender equality in the future, training both service women and men. The beneficiaries are supporting the combating of all forms of discrimination. Equal opportunities and non-discrimination in Ukraine and in Moldova is increasingly recognised not only as ethical imperatives but also as factors with far-reaching economic and policy implications.

3.3.2. Rights-based approach:

The project will promote and advocate professionalization of the border management in line with best EU practices, thus building of increasingly service-oriented administration based on professional and ethical standards and norms and respect of human rights. A proper border management and customs controls allow a better compliance with human rights standards, notably protection of victims of trafficking and other crime, as well as other vulnerable groups.

3.3.3. Environment and climate change:

The European Community has a longstanding commitment to address environmental concerns in its assistance programmes. The project is expected to reduce waiting time of trucks, busses and private cars, which will have a positive impact on the environment adjacent to BCPs (reduced levels of car exhaust fumes and litter). Improvement of border control and

management would also have positive impacts on the fight against environment related illegal trafficking (for example wildlife trafficking and illegal movements of waste and chemicals, including pesticides).

The implementing entity will consult public institutions and stakeholders on whether these crosscutting issues are sufficiently addressed in relevant project documents, implementation and monitoring.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results

The **overall objective** of the action is to facilitate trade and movement of people across the common border, while preventing and combating smuggling and other border-related offences, crime and corruption, and thus ultimately contribute to the security, stability and sustainable development of the region.

The **specific objectives** of the action are to (1) improve the conditions for free and safe movement of persons, goods and vehicles across common border, (2) enhance the crime prevention and preparedness to respond to border incidents, based on enhanced inter/agency/international cooperation and exchange of information, (3) improve knowledge and skills on operational use of equipment, in conjunction with use of risk analysis/intelligence products, in a bilaterally coordinated and coherent manner.

This programme is relevant for the Agenda 2030. It contributes primarily to the progressive achievement of SDG target(s) 16.2, 16.4, 16.5, 16.6, 16.a, but also promotes progress towards Goal 9. This does not imply a commitment by the countries benefiting from this programme.

Upon completion of this action, the following **expected results** are envisaged:

- 24/7 joint video monitoring and ANPR-based pre-arrival information exchange carried out at selected road BCPs.
- Joint patrolling capacities improved and response time to border incidents (including urgent search and rescue needs) on common blue border reduced.
- Knowledge and skills (on specialised equipment) of relevant staff increased.

4.2 Main activities

- Procuring, transferring, installing and testing the equipment required, with due regard to interoperability aspects.
- Delivering training on use and maintenance of the respective equipment
- Developing standard operating procedures (SOPs)/Guidelines for the relevant staff.
- Delivering training on SOPs/Guidelines.

4.3 Intervention logic

Recent developments in Moldova and Ukraine, especially related to advancements in areas of AA/DCFTA and Visa Liberalization, require mature IBM-related norms, standards and practices, in pursuit of EU level of excellence. Close cooperation and coordination would contribute to the more effective and efficient fight against all types of border-related offences

and crime. Also, facilitating mobility and trade through BCPs will alleviate burden from trading business and provide to travellers client-friendly service, based on ethical and professional norms. All this will ultimately positively contribute to the security and economy of the region, its development, and well-being of the population.

Promoting and proliferating intra-, inter-agency and cross-border cooperation alongside technological advanced tools would logically result in financial sustainability (reduced need of human and financial resources). Coordination between agencies would guarantee a comprehensive multi-dimensional approach to border management with positive effects on various aspects of security, trade, public health and well-being.

Specifically, the action is aimed at further strengthening the joint border control by implementing joint video-control systems at selected road BCPs, and thus contributing to facilitating trade and movement of people across borders, to preventing and combating border crime and corruption, as well as to economic security and sustainable development of the region. The action envisages implementation of 24/7 video monitoring of selected road BCPs in a coordinated and coherent manner, as well as transnational inter-agency real-time information exchange and cooperation, including ANPR-based pre-arrival information exchange. It is therefore expected that, by properly equipping the respective BCPs and by enhancing the skills and knowledge of the relevant staff (use of equipment, joint video-monitoring, risk analysis), the risk management capacities of the border agencies of both countries will increase, while reducing border crossing time.

The action will also aim to further develop the joint border surveillance capacity of the two countries by enhancing the joint patrolling along the common blue border, and thus contribute to increasing the security and stability in the region. In particular, the action seeks to increase mobility and accessibility in difficult water areas and/or during unfavourable weather conditions, as well as to enhance the preparedness to respond to illegal border-crossings and rescue needs in a bilaterally coordinated and coherent manner. As of now, surveillance of about one third of the common blue border is exclusively conducted by land because of insufficient capabilities in terms of special equipment, transportation means on Nistru River and trained staff. It is therefore expected that, by properly equipping the respective border agencies and by enhancing the skills and knowledge of the relevant staff (among others on the use of equipment), the mobility and accessibility for the purpose of joint patrolling will be raised, while reducing response time to urgent border incidents.

The key beneficiaries of the project are formally committed through their national IBM policy documents to inter-agency and trans-national cooperation and coordination. It is therefore a general assumption that the stakeholders will also stay committed to the project objectives, including sharing information, harmonizing their procedures, and working together. It is also assumed that the two beneficiary countries will make sufficient staff available to project activities, and those will keep working in their institutions for enough time to transfer newly acquired skills and knowledge to their colleagues.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner countries, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 48 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation modality

The Commission will ensure that EU appropriate rules and procedures for providing financing to third parties are respected by the parties under the agreements concluded under indirect management, including review procedures, where appropriate, and compliance of the action with EU restrictive measures affecting the respective countries of operation.

5.3.1 Indirect management with an international organisation

This action may be implemented in indirect management with the International Organization for Migration (IOM) in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012. This implementation is justified because:

- IOM has extensive experience with implementing EU financed contracts, with a strong record of successful project implementation in the region (EUBAM, MIGRECO, SIREADA, PRINEX, SURCAP), establishing a good reputation in both countries.
- IOM's expertise goes beyond their traditional role of migration agency, which extends to border management with substantial delivery and coordination capacity in various locations of both countries;
- IOM is neutral in relation to political sensitivity deriving from the frozen conflict in Transnistria;

The entrusted entity would carry out the following budget-implementation tasks: running the public procurement, concluding and managing the resulting contracts, including making of the related payments.

If negotiations with the above-mentioned entrusted entity fail, this action may be implemented in indirect management with United Nations Development Programme (UNDP). The implementation by this alternative entrusted entity would be justified because of:

- UNDP experience in the implementation of the previous phases of EUBAM;
- UNDP is the current implementer of the construction/supplies project Palanca shared BCP (which will integrate the contact point project under this decision), its approach being a model for the upgrade of the Reni Shared BCP and joint control at Kuchurhan BCP;

- UNDP's strong regional experience, including on bi-national projects involving Ukraine and Moldova, which have secured an access to appropriate level of authorities in both countries and a neutral status recognised by all stakeholders.

5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

	EU contribution (amount in EUR)	Indicative third party contribution (amount in EUR)
Indirect management with the International Organization for Migration (IOM)	3 552 000	
Parallel co-funding by Ukraine and Moldova		888 000
Totals	3 552 000	888 000

5.6 Organisational set-up and responsibilities

The action will be implemented by IOM (or UNDP as alternate) and shall entail periodic assessment of progress and delivery of specified project results towards achievement of action's objectives.

Regular meetings to review progress and steer the implementation of this initiative will take place in occasion of the EUBAM Advisory Board meetings which take place every semester in Odessa or Chisinau. Further update discussions might take place in the framework of the bi-annual Eastern Partnership IBM panel meetings where the Frontex-implemented Capacity Building Project is also present.

Given its presence in the field, EUBAM will also seek to get involved with the project activities in a more operational manner, including (but not limited to) through participating in joint patrolling operations or through defining the technical specifications for the various equipment required.

5.7 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the

implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than twice a year) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.8 Evaluation

Having regard to the importance of the action, a mid-term and an ex-post evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that such cooperation and coordination in between two countries and four agencies are complex and that a significant amount of equipment has been delivered to the beneficiary countries in the past.

The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner countries and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner countries, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Where relevant, the provisions of the Financial and Administrative Framework Agreement (FAFA) between the European Union and United Nations of 29 April 2003 and its addendum No 1 of 26 February 2014 shall apply.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Where relevant, the provisions of the Financial and Administrative Framework Agreement (FAFA) between the European Union and United Nations of 29 April 2003 and its addendum No 1 of 26 February 2014 shall apply.

The financing of the audit shall be covered by another measure constituting a financing decision.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations shall be included in the financing agreements or delegation agreements.

With regards to the Neighbourhood East, all EU-supported actions shall be aimed at increasing the awareness level of the target audiences on the connections, the outcome, and the final practical benefits for citizens of EU assistance provided in the framework of this action. Visibility actions should also promote transparency and accountability on the use of funds.

Outreaching/awareness raising activities will play a crucial part in the implementation of the action, in the case of budget support the national government shall ensure that the visibility of the EU contribution is given appropriate media coverage. The implementation of the communication activities shall be the responsibility of the implementing organisations, and shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions. Additional Visibility Guidelines developed by the Commission (European Neighbourhood Policy and Enlargement Negotiations) will be strictly adhered to.

Where relevant, the provisions of the Financial and Administrative Framework Agreement concluded between the European Union and the selected international organisations shall apply.

It is the responsibility of the implementing organisation to keep the EU Delegations and, where relevant, DG NEAR, fully informed of the planning and implementation of the appropriate milestones specific visibility and communication activities.

The implementing organisation shall report on its visibility and communication actions, as well as the results of the overall action to the relevant monitoring committees.

This action will be communicated externally as part of a wider context of EU support to the country, and where relevant to the Eastern Partnership region in order to enhance the effectiveness of communication activities and to reduce fragmentation in the area of EU communication.

The implementing organisation shall coordinate all communication activities with EU Delegations as well as regional communication initiatives funded by the European Commission to the extent possible. All communication strategies developed as part of this action shall ensure they are in line with the priorities and objectives of regional communication initiatives supported by the European Commission and in line with the relevant EU Delegation's communication strategy under the "EU4Country" umbrella initiative

[APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY) ⁵]

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

Note that at this current stage of action formulation it was not possible to fully specify and quantify the included indicators. This will be done during the inception phase of the program/activities.

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	To facilitate trade and movement of people across common border, while preventing and combating border-related offences and crime, as well as corruption.	Border crossing time at selected road BCPs. Rate of border crime and corruption at Moldova-Ukraine common border.	For all indicators: reference year 2017 (exact state of play for Moldova to be established by baseline as defined in the forthcoming IBM Strategy).	Reduced border crossing time by 10% at the selected BCPs. Cases of seized goods and corruption decreased by 20%.	External Reports (WTO, WCO, EUBAM, OECD, FRONTEX, etc.) Annual reports of the border agencies. Risk analysis products. Official statistics. Media reports.	
Specific objective(s): Outcome(s)	To improve the conditions for free and safe movement of persons, goods and vehicles across the common border. To enhance the crime prevention and preparedness to respond to border	24/7 joint video monitoring and ANPR-based pre-arrival information exchange at selected road BCPs.	No video monitoring or ANPR-based pre-arrival information exchange being	24/7 joint video monitoring and ANPR-based pre-arrival	Project Reports, National Anti-corruption Reports Border-crossing statistics of both	With the support of complementary actions (EUBAM, etc.), EU Delegations

⁵ Mark indicators aligned with the relevant programming document mark with '*' and indicators aligned to the EU Results Framework with '**'.

	<p>incidents based on cross-border cooperation and exchange of information.</p> <p>To improve knowledge and skills on operational use of equipment, in conjunction with use of risk analysis/intelligence products, in a bilaterally coordinated and coherent manner.</p>	<p>Response time to border incidents (including urgent search and rescue needs) on common blue border.</p> <p>Knowledge and skills (on specialised equipment) of all relevant border staff.</p>	<p>carried out at selected road BCPs</p>	<p>information exchange carried out at selected road BCPs.</p> <p>Joint patrolling capacities improved and response time to border incidents (including urgent search and rescue needs) on common blue border reduced</p> <p>Knowledge and skills (on specialised equipment) of all relevant border staff increased.</p>	<p>countries</p> <p>Operative and periodic reports.</p> <p>Number/frequency of inter-agency exchange information (pre-arrival information, risk analysis/intelligence, etc.).</p> <p>Risk analysis products.</p> <p>SOPs/Guidelines/Training curricula.</p>	<p>in both countries will carry out continuous policy dialogue with key stakeholders to ensure the reform commitment stay strong and the same on both sides.</p>
Outputs	<p>Equipment procured, transferred, installed and tested.</p> <p>Training on use and maintenance of the respective equipment delivered.</p> <p>SOPs/Guidelines for relevant staff developed.</p>	<p>Video equipment at all selected BCPs.</p> <p>Knowledge of staff on using and maintaining the equipment.</p> <p>SOPs/Guidelines (on joint patrolling, on cross-border</p>	<p>No video equipment present</p> <p>No trained staff</p> <p>No SOPs/Guidelines</p>	<p>Equipment identified, procured, installed and tested.</p> <p>Relevant staff trained in using and</p>	<p>Tender and procurement documentation.</p> <p>List of training activities / list of participants.</p> <p>SOPs/Guidelines/Tra</p>	<p>The implementing agency will seek to involve significant numbers of staff in project activities.</p>

	Training on SOPs/Guidelines delivered.	<p>exchange of information, on use of risk analysis, etc.).</p> <p>Number/frequency of joint patrol operations on common blue border carried out.</p> <p>Number/frequency of detailed controls following ANPR-alerts carried out.</p>	(on joint patrolling, on cross-border exchange of information, on use of risk analysis, etc.)	<p>maintaining the equipment.</p> <p>SOPs/Guidelines (on joint patrolling, on cross-border exchange of information, on use of risk analysis, etc.) developed and approved, and relevant staff trained.</p>	<p>ining curricula.</p> <p>List of joint patrol operations /list of participants.</p> <p>Operative and periodic reports/statistics of border authorities.</p>	
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