

**MODIFICATION TO THE ACTION PROGRAMME 2004
FOR THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA**

1. IDENTIFICATION

<i>Form of programme</i>	CARDS Action Programme Former Yugoslav Republic of Macedonia 2004
<i>Beneficiary (country)</i>	Former Yugoslav Republic of Macedonia
<i>Budget year</i>	2004
<i>Budget Line</i>	19 07 01 (CARDS)
<i>Financial allocation</i>	€ 55.5 million (<i>originally 47.5 million</i>)
<i>Legal basis</i>	Council Regulation 2666/2000 as amended by Council Regulation (EC) No. 2415/2001 (<i>CARDS</i>)
<i>Contracting</i>	All contracts must be concluded after the signature of the Financing Agreement and within 36 months following the date of the budgetary commitment.
<i>Implementation</i>	The implementation of projects under this proposal must be concluded by 31.12.2009. Therefore, all technical activities provided for under this programme and all contracts must end by 31.12.2009.
<i>Annual programming/ Implementation</i>	European Agency for Reconstruction €51 million (<i>originally €43 million</i>) Commission/AIDCO headquarters (<i>Tempus and Customs</i>) EUR 4.5m
<i>Related CSP & MIP</i>	Country Strategy Paper for the former Yugoslav Republic of Macedonia (2002-2006) and the associated three-year Multi-annual Indicative Programme (2002-2004)
<i>Remarks</i>	No administrative expenditure will be financed under this programme

SUMMARY OF THE MODIFICATION

In 2003-2004 EC assisted the Government in the development of two key strategies in the area of Justice and Home Affairs, namely the National Police Reform Strategy and the National Strategy for Integrated Border Management. Further technical assistance is underway/planned to help with the implementation of these strategies. However, in support of these strategies, assistance is also required to enhance police performance at an operational level.

The Government's Police Reform Strategy sets the agenda for series of organisational and operational changes that need to be taken forward within the police service in the former Yugoslav Republic of Macedonia. At an operational level, the provision of adequate equipment and training for the police is a key consideration. In this vein, the establishment of a fully modernised and equipped police *forensic service* is fundamental to enhancing the efficiency and effectiveness of the police in combating all forms of crime, in particular in the fight against organised crime. An allocation of €4 million is proposed to support the forensic service.

Similarly, the new Border Police Service requires an adequate *communication network* between the border posts and, crucially, between the borders and the rest of the police service inland. These linkages are critical as the new Border Police Service is a part of the main police service and therefore needs to be fully integrated with it at the operational level. It is proposed that additional funding of €3 million be allocated for completing the whole police communications network in the country, as has been done in similar sized countries such as Slovenia.

Another sector where there has been considerable EC assistance in the past has been in assisting the Government in fulfilling its obligations under Article 68 of the Stabilisation and Association Agreement. However, one area that to date has not been addressed is the issue of *Data Protection*. The Government has drafted a new Law on Personal Data Protection, which should be adopted soon. Integral to this process will be the setting up of a new Directorate for Data Protection. The Government has requested assistance and accordingly some €1 million of the additional funding has been allocated to help in the establishment of the new Directorate.

These modifications allow for an additional €8 million of EC funds to the Action Programme 2004 for the former Yugoslav Republic of Macedonia, increasing the total budget from €47.5 million to €55.5 million. The additional funds will be managed by the European Agency for Reconstruction.

5. PROGRAMME COMPONENTS

Further details (including log frames) on individual projects are available in a separate set of Project Annexes, which have a 'working document' status.

5.2 Economic and Social Development

5.2.1 Private and Financial Sector Development (approx. €5.5 million) *– originally €4.5 million*

Identified projects

The following project is added to the Action Programme

5.2.1.4 Technical assistance to the creation of a Directorate for Personal Data Protection (€1 million)

The project aims to support the development of a legal framework and institutional capacity that will provide adequate safeguarding and ensure protection of the right of privacy in the context of personal data handling. This will be achieved through technical and material support to the newly set up Directorate for Personal Data Protection and through assistance with development of secondary legislation related to personal data protection. The project will entail four components:

- (i) Technical assistance will be provided to the Directorate for Personal Data Protection and to the major controllers of the proper law enforcement (including relevant ministries, institutions, banks etc.). This component will include development of Directorate's organisational structure and provision of training for its staff. Training will be also provided for the staff of the major controllers. Moreover, the project will help to establish a proper co-ordination and interaction between the Directorate and the controllers.
- (ii) Establishment of a registration system for personal data collection (Public Registrar), including the development of a database and the provision of related training.
- (iii) A new Law for Personal Data Protection has already been drafted and is expected to be adopted by the Parliament by January 2005. The adoption of this new Law will require a number of

changes in the secondary legislation, which the project will address. It will also build the administrative capacity of the Directorate to implement the new legislation.

- (iv) Finally, the project will work to increase the awareness of the public and of the data controllers on data protection rights and obligations.

This project will complement EC activities aiming to assist the Government of the former Yugoslav Republic of Macedonia with requirements of the Article 68 of the Stabilisation and Association Agreement. Extensive support with the implementation of Article 68 has already been delivered or planned; however, these programmes have not covered the area of data protection. Moreover, the project is of particular importance as there are no other donors that are assisting the national authorities in this area.

5.3 Justice and Home Affairs

5.3.2 Integrated Border Management (IBM) (approx. €14.5 million) – originally €11.5 million

Identified projects

5.3.2.1 Technical assistance, equipment supply and infrastructure support to the Border Police Service (additional €3 million)

The modification adds an extra €3 million to this project, thereby raising the project total from €10 to €13 million (approx.). The scope of the project – as defined in the Annual programme text and project fiche – is unchanged. The extra funds are expected to be used for reinforcing the following already identified project component:

- Assessment of requirements and priorities in terms of equipment and training and subsequent delivery of services and supplies.

The additional funds will enable the set up of a comprehensive communication network that will link the border police with the rest of the inland police service. Establishment of such communication network will help with the operational implementation of the new National Integrated Border Management Strategy, developed by the authorities with EC assistance (adopted in December 2003).

5.3.3 Fight against Crime (approx. €8 million) – originally €4 million

Identified projects

The following project is added to the Action Programme

5.3.3.3 Support to the development of police evidence management and forensic analysis capacity (€4 million)

The project will aim to provide further support to the establishment of an effective and publicly accountable police service in the country which operates according to EU standards and best practices. More specifically, the project will work to enhance the capacity of the law enforcement agencies in the field of forensics through provision of equipment and delivery of training.

New equipment will be provided to the technical crime units within the police. This equipment will enhance and modernise the methodologies for evidence collection, storage, management and analysis. Computer network between different units will also be established in order to facilitate the exchange of information. Training on the new technical procedures and the use of new equipment will be provided to the staff.

The project will complement the support that EC has been providing with the police reform in the former Yugoslav Republic of Macedonia. EC projects helped with the development of a new National Police Reform Strategy, which was adopted by the Government in February 2004. At a policy/institutional level, the CARDS 2001-2004 programmes have been providing extensive technical assistance to the Ministry of Interior with the implementation of this strategy. This technical assistance should be complemented with support at an operational level, which this project will aim to provide.

9. COST AND FINANCING

Priority Sectors	€ million (+/- 20%) ¹
1. Democracy and Rule of Law	
1.1 Inter-Ethnic relations and Civil Society	3.0
2. Economic and Social Development	
2.1 Private and Financial Sector Development	5.5 (from 4.5)
2.2 Trade	4.0
2.3 Development of Local Infrastructure	8.5
2.4 Social Cohesion	2.5
2.5 Tempus (<i>Commission managed</i>)	3.0
3. Justice and Home Affairs	
3.1 Reform of the Judiciary	1.5
3.2 Integrated Border Management (<i>including Commission managed Customs project, approx € 1.5 million</i>)	14.5 (from 11.5)
3.3 Fight against Crime	8.0 (from 4.0)
4. Environment and Natural Resources	
4.1 Environment	2.0
5. Others	
5.1 Programme Reserve and GTAF	3.0
TOTAL	€ 55.5 million

¹ Individual financial allocations shown in this table are subject to fluctuations of up to ± 20% over the lifetime of the Action Programme.