

Project Fiche – IPA National programmes / Component I

1 IDENTIFICATION

Project Title	Support to the Area of Law Enforcement
CRIS Decision number	2012/23589
Project no.	5
MIPD Sector Code	2. Justice and Home Affairs
ELARG Statistical code	24 - Justice, freedom and security
DAC Sector code	15210 Security System Management and Reform
Total cost (VAT excluded)	EUR 7 458 750
EU contribution	EUR 7 095 000
Management mode	Centralised
EU Delegation in charge	The European Union Delegation to Bosnia and Herzegovina
Implementation management	The European Union Delegation to Bosnia and Herzegovina
Implementing modality	Stand-alone project
Project implementation type	C01 – Project-type interventions
Zone benefiting from the action(s)	Bosnia and Herzegovina

2 RATIONALE

2.1 PROJECT CONTEXT: ISSUES TO BE TACKLED AND NEEDS ADDRESSED

This project will bring Bosnia and Herzegovina (BiH) law enforcement institutions up to the level required for EU accession and assist in improving legislation, capacities and capabilities of police bodies, institutions and agencies to strengthen cooperation and coordination in the area of Law Enforcement.

2.2 LINK WITH MIPD AND NATIONAL SECTOR STRATEGIES

Inter alia the following objectives and choices are outlined in the area of Justice and Home Affairs under 3.1.3. Sector Objectives for EU support over next three years MIPD 2011-2013:

“Support the harmonisation of law enforcement legislation between the different levels of governance and with EU standards and enhanced cooperation and coordination among the law enforcement institutions, including with the judiciary and international counterparts.

Indicators:

- Assessment of the existing legal framework accomplished and legal drafting process completed;
- Data management and exchange improved, better trained staff;
- Strengthened capacities of the law enforcement bodies to better fight organised crime and corruption.”

The project directly contributes to the Key priorities 2012-2013: “Following the completion of the EUPM mission, to support the Law Enforcement Agencies across BiH through EU expertise.”

The strategic plan of the Ministry of Security of Bosnia and Herzegovina focus on creating conditions which allow better coordination of key institutions and a leading role of the Ministry of Security, to improve efficiency, effectiveness and professionalism and to fulfil obligations that derive from the process of EU integration.

There are close links to the adopted National Anti-Corruption Strategy (2009 – 2014) and its Action Plan, the National Strategy and Action plan for the Prevention of Money Laundering and Financing of Terrorist Activities in Bosnia and Herzegovina and the Strategy and Action Plan to fight Organised Crime. The therein mentioned objectives shall also be given a specific emphasis within the scope of this project.

There are also close links to the relevant strategies within security sector in BiH at the levels of entities, cantons and district, especially: development strategies of Law enforcement Agencies with specific goals in strengthening its capacities in fighting organized crime (special attention on financial investigation and cyber-crime) as well as terrorism, drug related crime etc.; Anti-corruption strategies; strategies for fighting drugs and similar strategies and action plans.

2.3 LINK WITH ACCESSION PARTNERSHIP (AP) / EUROPEAN PARTNERSHIP (EP) / STABILISATION AND ASSOCIATION AGREEMENT (SAA) / ANNUAL PROGRESS REPORT

Stabilisation and Association Agreement (SAA)

One of the aims of the Stabilisation and Association Agreement (SAA) with BiH is to support the efforts of Bosnia and Herzegovina to strengthen democracy and the rule of law. In Article 6 "Bosnia and Herzegovina commits itself to continue and foster cooperation and good neighbourly relations with the other countries of the region including an appropriate level of mutual concessions concerning the movement of persons, goods, capital and services as well as the development of projects of common interest, notably those related to combating organised crime, corruption, money laundering, illegal migration and trafficking, including in particular in human beings, small arms and light weapons as well as illicit drugs. This

commitment constitutes a key factor in the development of the relations and cooperation between the Community and Bosnia and Herzegovina and thus contributes to regional stability."

Progress Report 2011

Chapter 4.3.3. Drugs: "Little progress was made in the fight against drugs. Bosnia and Herzegovina remains a transit country for international trafficking of narcotics. Organised crime groups linked with drug trafficking continued to operate through its territory. Bosnia and Herzegovina remains at an early stage in the fight against drug trafficking. The performance of law enforcement agencies in the fight against drug trafficking is still uneven across the country.

Chapter 4.3.4. Police: Bosnia and Herzegovina made some progress in the field of police, albeit uneven. Institutions created by the police reform laws were established at a slow pace. The lack of institutionalised cooperation between all law enforcement agencies and the limited strategic guidance remain challenges to achieve more efficient policing.

Chapter 4.3.5 Fighting organised crime and terrorism: "Bosnia and Herzegovina is at an early stage of addressing the fight against organised crime. Effective, sustainable and institutionalized mechanisms for cooperation between different law enforcement agencies are missing. Strategic coordination and priority-setting in tackling organised crime continue to be sporadic."

„Some progress can be reported on combating trafficking in human beings (THB). Implementation of the relevant action plan continued. The State-level Criminal Code regulating THB is fully in line with international standards.“

„Bosnia and Herzegovina remains at an early stage in the fight against terrorism. Practical efforts are needed in the fight against financing of terrorism.“

2.4 PROBLEM ANALYSIS

Bosnia and Herzegovina (BiH) is actively engaged in a process of stabilisation and association. The country has been encouraged and supported to make sustainable and EU compatible reforms, to consolidate stability and to get closer to the European Union (EU).

The law enforcement agencies are facing challenges in view of further EU integration, while the economic and political realities in the country are impacting negatively on the available budgets, human resources and a political enabling environment.

These challenges include the following areas:

Strengthening management and administration of police services with limited budgets and finding the best balance between salaries, equipment and work in action. In order to reduce possibilities of politicising vacancies in law enforcement agencies and the space for patronage and corruption or undue political interference of operational policing, there is a need to develop effective human resource management for police services that can rely on a law enforcement education system based on certified and accredited professional standards and criteria for recruitments, professional qualification and career development. Therefore

curricula, training practises and training equipment at police academies and police education structures have to be up adapted to the requirements of modern policing. Through different programmes of psychological assistance and support for police officers behavioural problems stemming from exposure to difficult situations shall complement the professional training and effective human resource management efforts. Application of professional and modern standards in HRM has positive impact also on the police-citizen's interaction in relation to respect of human rights.

Internal accountability has to be further strengthened through the development of standards of modern democratic and citizen oriented policing through internal control and inspection functions to better enable conducting of internal and criminal investigations, especially in the areas related to serious criminal offences (such as corruption, organised criminal, narcotics, car theft) and efficient criminal and disciplinary processing concerning these criminal offences. In this regard the problem lies in conducting investigations against police officers who are also conducting investigations, since they are familiar with all the procedures and tactics of conducting informative interviews and conducting other operational and tactical measures and activities.

Chapters 23 and 24 of the *Acquis* addressing home affairs and the fight against crime and corruption will constitute a central part of EU accession negotiations and a credible track record of final court judgements in high level cases has to be achieved. This requires independent judiciaries and law enforcement agencies capable of investigating and prosecuting corruption. Political influence over the judiciary has to be prevented and law enforcement agencies and prosecutors have to have the capacities and resources to understand and deal with often complex financial crime cases. Therefore investigation and prosecution of serious crime and corruption have to be further synchronised among law enforcement agencies in the fight throughout the country.

The harmonisation of legislation with the Home Affairs *Acquis*, which constantly develops, requires improved legislative drafting capacities, procedures and mechanisms. Further support to the BiH legislation platform that is set up by the current EU Support to Law Enforcement will be needed in order to establish a sustainable mechanism for the sector to be able to deal with harmonisation of legislation at an adequate speed, while achieving higher legislative drafting quality.

Moreover, the country should be ready **to become a partner to EUROPOL and FRONTEX and many other international agencies**. BiH is able to receive timely information from abroad but is not yet to distribute information in a timely manner, nor to collect and compile information and communicate it to international police bodies. The exchange of information between police bodies within the country and through the international channels with Interpol, Europol, SECI/SELEC and in the future possibly with Schengen IT System need to be strengthened.

While operational cooperation among law enforcement agencies is showing certain progress over the past years, **cooperation regarding the development of policies, strategies and their implementation is still to be strengthened**. Capacities of individual agencies to proactively participate in strategic planning processes are uneven. In view of a future sector support in the law enforcement area, strategic planning and policy making capacities need to be improved.

The rapid advancement of telecommunication technology in the Internet Protocol (IP) domain together with the total convergence trend makes it necessary for the law enforcement agencies to be able to effectively deal with monitoring of IP traffic generated by their targets. Both in terms of coping with the mass amount of traffic and in terms of decoding and analysis for efficient extraction of intelligence and evidence. The 3rd generation mobile technology (UMTS) together with the availability of smartphone handsets supporting high bandwidth IP traffic encourages targets in BH to use various mobile IP applications to communicate. Sometimes preferring the IP domain over the regular circuit switch domain due to lower costs and a richer user experience.

To cope with this challenge the System for lawful interception and monitoring of telecommunications needs to ensure its monitoring center is equipped with the adequate technological capabilities to cope with the new domain of IP traffic generated by their targets. To be able to fulfil this task, the System for lawful interception and monitoring of telecommunications in BiH needs to be improved, so it can follow up the development of information-communication technologies in Bosnia and Herzegovina.

Cooperation between police bodies and international cooperation in police matters require an effective and real time exchange of information. A first step in this direction was taken through the establishment of an electronic data exchange system for police and prosecutor registries on the basis of an agreement signed by all relevant law enforcement agencies and Ministries. With the support of EU funds an exchange node which verifies authorisations and transfers requests to the databases of police agencies and the prosecutor office was established. According to the Agreement the data holders remain owners of the data and responsible for data management and security. There is a need however to raise the level of information systems security bearing in mind that all relevant data should be found in electronic databases. In order to meet the needs of contemporary business, information systems must be reliable and safe, and IT staff and users of information systems should be continuously educated.

Existing software solutions shall be improved and if possible new software solutions shall be developed. This implies training of IT staff to be able to use modern software tools to develop databases and applications for electronic records keeping, as well as the application of modern hardware and software solutions that provide a high level of access protection to databases and applications.

Capacities and capabilities of information systems development and electronic database keeping among law enforcement agencies is uneven. There is a need to raise the level of all agencies, while taking into account different and specific needs.

Through the improvement of the quality and security of electronic records, data exchange and cooperation between law enforcement institutions by establishing "Data Centers" better results are achieved in the fight against organised crime, terrorism and corruption. The construction of "Data Centers" is needed in order to process and store all relevant data in an appropriate manner in accordance with the possibilities offered by modern information technology. This could provide advanced growth capability of information systems, higher system availability and protection against data loss.

Safety of information systems and secure electronic exchange of data is an important element for building trust among the law enforcement agencies. A public key infrastructure could

provide secure communication channels and the possibility of positive identification of users and information privacy. This would contribute to fulfil the essential requirements of Article 11 of the Law on Protection of Personal Data, which is related to organisational and technical measures to protect personal data, as well as the Recommendations of the Council of Europe regulating the use of personal data in the police sector.

Many EU funded projects, which contribute to the fight against organised crime and terrorism or provide cheaper communication within police institution, such as the lawful interception of communications system, "Voice of Internet Protocol" (VoIP) or Automatic Fingerprint Identification System (AFIS), are implemented at different levels within police agencies in Public Security Centres and Public Security Stations in the Republika Srpska, at the Federation, Canton or District level in the Federation of Bosnia and Herzegovina. For their successful implementation a quality network of workstations and servers within these facilities is needed. Creating local computer-telephony networks in accordance with structured cabling standards, would enable high quality, reliable, safe and secure data transfer from end-to-end link. Access control and video surveillance systems should increase the level of protection of facilities hosting information systems.

The proposed project will assist to implement EU professional standards and modern Human Resource Management in the police services. An important result of the project will be updated and upgrading training capacities and facilities for police training. The project will assist law enforcement agencies and prosecutors to have the capacities and capabilities to deal with often complex financial crime cases. As mentioned above BiH needs to improve international police cooperation and build up a mechanism for systematic *Acquis* harmonisation and application of international obligations – these are important results to be achieved by the project. The project will assist also the strategic planning and policy making capacities and cooperation regarding the development of policies, strategies and their implementation.

2.5 LINKED ACTIVITIES AND DONOR COORDINATION

EU support in the field of law enforcement was provided until July 2012 mainly through the ESDP/SCDP civilian crisis management mission EUPM and the provision of technical equipment, information and telecommunication systems and technical support to the police reform process. With the end of the EUPM, the Delegation of the European Union supported the establishment of a Law Enforcement Section for strategic and policy advice and reinforced technical assistance to the security sector through several projects funded under the Instrument for Pre-accession.

The EU Support to law enforcement project under IPA 2010 started in May 2012 with the aim to assist in improving legislation, capacities and capabilities of police bodies, institutions and agencies to strengthen cooperation and coordination in the area of law enforcement, to further implement police reform, to contribute in reducing corruption and organised crime and thereby diminishing a threat for society and economy and to strengthen cooperation and coordination between police and justice, especially police and prosecutor to make the fight against crime more effective. This project aims at promoting coordination and cooperation among the multifaceted law enforcement sector in Bosnia and Herzegovina and pursues strictly the local ownership principle. It is organised along institutional and thematic

components. This Twinning project shall follow on the IPA 2010 project in the thematic areas in which it continues providing support (legislation, fight against organised crime and corruption, police cooperation), take stock of the achievements of the above project and ensure *coherence*. Institutional components will be followed on with a specific focus on human resource management, police education and strategic planning.

Under IPA 2008 the EU funds the Twinning Assistance to the Directorate for Coordination of Police Bodies, which started in February 2012 for two years. The project provides technical support to three main functions of the DPC – Communication, Cooperation and Coordination, International cooperation and VIP and building protection.

The project will closely coordinate its activities also with other donors in particular with US financed ICITAP (International Criminal Investigative Training Assistance) and follow a complementary approach.

2.6 LESSONS LEARNED

Experience with previous EU assistance in Bosnia and Herzegovina and its evaluation lead to the following considerations: A number of assistance projects in Bosnia and Herzegovina did not achieve the expected results because of an insufficient sense of ownership on the part of the beneficiaries. The lessons learned is that the EU assistance must not only reflect the European partnership priorities but, in the broader sense of the Paris Declaration, must also be interlocked with Bosnia and Herzegovina's own reform strategies; furthermore emphasise is put on enhanced participation of future beneficiaries in the programming process.

First experiences with the ownership approach taken by the EU Support to Law Enforcement project financed under IPA 2010 and other on-going support in the area of law enforcement show that an inclusive cooperation structure for the implementation of the project which involves all stakeholders is key to successful implementation. This project will involve a number of agencies and departments. It is therefore important that all parties cooperate throughout all phases of the project.

It is important that participating institutions in Bosnia and Herzegovina will take on strategic operational and structural responsibility and accountability for implementing project related activities from the very beginning. All future stakeholders of the project were already involved in the programming phase by defining objectives, activities and expected results. Such intense involvement of all partners shall continue throughout the whole duration of the project implementation.

3 DESCRIPTION

3.1 OVERALL OBJECTIVE OF THE PROJECT

Public safety situation in Bosnia and Herzegovina is improved and law enforcement agencies are capable to fight crime effectively

3.2 SPECIFIC OBJECTIVE(S) OF THE PROJECT

1. The cooperation and coordination and efficiency of the law enforcement agencies in the area of fighting organised crime, terrorism and corruption is strengthened and police services are working in line with EU professional best practises;
2. Quality and safety of information, exchanged among the law enforcement agencies is improved and in compliance with personal data protection requirements.¹

3.3 RESULTS

Results linked to Objective 1

- 1.1 Professional Standards in the police services are improved and comply with EU standards;
- 1.2 Modern Human Resource Management (HRM) within the police services is established and practised;
- 1.3 Police training for cadets and students and continuous professional training is improved;
- 1.4 Investigation and prosecution capacities are strengthened and relevant cooperation mechanisms are further developed;
- 1.5 International police cooperation improved and in compliance with EU regulations and best practices;
- 1.6 Mechanism for systematic *Acquis* harmonisation process and for applying international obligations established at all levels;
- 1.7 Strategic planning capacities within law enforcement agencies are strengthened;
- 1.8. Special investigation techniques implemented in a more quality and efficient manner.

¹ Service contract 2.1 will provide preparatory assistance for attaining this objective through the support foreseen under IPA 2013.

MAIN ACTIVITIES

Activities linked to Objective 1 Result 1.1

- 1.1.1 Revising procedures of conducting criminal investigations and internal procedures in accordance with the best EU practises;
- 1.1.2 Introducing integrated investigations in conducting internal investigations in the subjects that have the features of a criminal offence;
- 1.1.3 Identifying and performing training of the members of the internal control units;
- 1.1.4 Providing equipment to the internal control units.

Activities linked to Objective 1 Result 1.2

- 1.2.1 Analysing necessary functions, job profiles and assessing actual human resource capacities;
- 1.2.2 Analysing and adjusting needed relevant legal framework;
- 1.2.3 Introducing high and middle management of police services to the modern concept of HRM;
- 1.2.4 Developing strategic and procedural documents for HRM;
- 1.2.5 Building capacities and assist implementing necessary HRM measures within all police services;
- 1.2.6 Providing trainings;
- 1.2.7 Developing and providing needed psychological support services for police officers including relevant training, introducing “Peer to Peer” program for police officers.

Activities linked to Objective 1 Result 1.3

- 1.3.1 Establishing a quality and professional enrolment policy for police academies and training institutions;
- 1.3.2 Updating and harmonising curricula for police education and training;
- 1.3.3 Improving training methodologies and materials;
- 1.3.4 Training of relevant teachers/trainers in using relevant training methodologies and materials;
- 1.3.5 Introducing equipment and training systems needed for modernised police training for all relevant police academies and training institutions.

Activities linked to Objective 1 Result 1.4

- 1.4.1 Further enhancing systematic gathering, analysing and distributing of intelligence in law enforcement agencies;
- 1.4.2 Training of analysts;
- 1.4.3 Purchasing software for criminal intelligence analysis with appropriate dangles and keys;
- 1.4.4 Improving the cooperation mechanism among the law enforcement agencies and between the police services and prosecutors offices at all levels;
- 1.4.5 Motivating increased intelligence exchange;
- 1.4.6 Improving standardised operating procedures for multiagency investigation teams;
- 1.4.7 Providing multidisciplinary, specialised and joint trainings for prosecutors, experts, investigators and mid-level management and other law enforcement agency staff members, including in areas of financial investigation and other forms of crimes like cyber crime;
- 1.4.8 Enlarging scope of special investigative measures and providing training accordingly;
- 1.4.9 Assessing the readiness of Institutions in BiH to fight against new forms of crime (incl. high tech and cyber crime);
- 1.4.10 Analysing the gaps of the relevant capacities;

1.4.11 Developing capacity plan for further strengthening of the law enforcement agencies in fight against new forms of crime;

1.4.12 Providing basic and specialised trainings and on the job coaching for relevant authorities.

Activities linked to Objective 1 Result 1.5

1.5.1 Further developing data exchange between BiH and international institutions;

1.5.2 Further developing capacities of authorities in BiH for further cooperation;

1.5.3 Building capacities and capabilities of institutions in BiH to confirm with relevant international bilateral and multilateral agreements/conventions (European convention on extradition; European convention on Mutual assistance in criminal matters; UN Convention against Trans – national organised crime and its Protocols; UN conventions connected with Human rights issues; Schengen convention and others).

Activities linked to Objective 1 Result 1.6

1.6.1 Developing mechanism for systematic review and harmonisation with the relevant international legal acts;

1.6.2 Introducing consultation practise in the legal drafting process;

1.6.3 Developing guidelines and procedures for legislative drafting process incorporating EU best practises;

1.6.4 Introducing and developing capacities for regulatory impact analysis in the law drafting process;

1.6.5 Providing relevant trainings.

Activities linked to Objective 1 Result 1.7

1.7.1 Further developing policy development and strategic planning capacities (sectoral / institutional);

1.7.2 Establishing consultation mechanism for policy development;

1.7.3 Developing standardised procedures and guidelines for strategic planning in the law enforcement sector;

1.7.4 Establishing monitoring capacities for policy, strategy implementation;

1.7.5 Providing trainings and on the job guidance in relevant topics.

Activities linked to Objective 1 Result 1.8

1.8.1 Improving of the system/module for recording the evidence in the System;

1.8.2. Reactivating and renewing of the software licenses for the System;

1.8.3 Reinstalling and upgrading of all existing modules of the System (hardware and software);

1.8.4 Purchasing and installing of new hardware and software in order to enable the System to follow the development of the Information-communication technologies in BiH.

These activities will be implemented via number of contracts:

1. Twinning Contract covering activities: 1.1.1-1.1.3; 1.2.1-1.2.7; 1.3.1-1.3.4; 1.4.1-1.4.11; 1.5.1-1.5.3; 1.6.1-1.6.5; 1.7.1-1.7.5;
2. Supply contract: 1.8.1-1.8.4;
3. Supply contract: 1.1.4; 1.3.5; 1.4.3;
4. Service contract: The service contract will provide assistance in finalising all technical specifications needed for the supply contract foreseen to be financed under IPA 2013, including analysing the needs and specifications available already. Contractor will provide

assistance in coordinating the procurement of supply and in implementing incidental budget to cover specific training needs (the list of responsibilities is not all inclusive).

3.4 ASSESSMENT OF PROJECT IMPACT, CATALYTIC EFFECT AND CROSS BORDER IMPACT

Increased investigated and successfully solved crime cases, especially in the domains of organised crime and corruption could contribute to generally improve the area of rule of law in Bosnia and Herzegovina. Assuming that all predefined expected results will be achieved, law enforcement institutions, bodies and agencies could attain more trust and reputation in the society. Moreover such improved conditions could also attract international investments and foster the economic situation of the country.

Higher professional standards in education, human resource management and increased internal accountability should help to reduce vulnerability of law enforcement agencies to political influence and corruption. And contribute to ensure police-citizen interaction in relation to respect of human rights.

A modern IT infrastructure, safe communication networks and information systems shall support the above mentioned modernisation of police services. The project enables and strengthens the cross-border cooperation by supporting exchange of information and legal and operational cooperation.

3.5 SUSTAINABILITY

As indicated above the increased investigated and successfully solved crime cases, especially in the domains of organised crime and corruption contribute to generally improve the area of rule of law in Bosnia and Herzegovina. Assuming that all predefined expected results will be achieved, law enforcement institutions, bodies and agencies could attain more trust and reputation in the society. Moreover such improved conditions could also attract international investments and foster the economic situation of the country.

Emphasis shall also be put on equipment maintenance and thereby support sustainability effects and promoting the ownership principle.

3.6 ASSUMPTIONS AND PRE-CONDITIONS

As referred under section 2.6 Lessons Learned of the Project Fiche this project will involve a number of agencies and departments and it is therefore important that all parties cooperate throughout all phases of the project. The relevant agencies and departments have been involved already in the preparation of the Project Fiche.

4 IMPLEMENTATION ISSUES

The assistance will be implemented in the centralised management mode, in accordance with PRAG rules.

4.1 INDICATIVE BUDGET

Indicative Project budget (amounts in EUR)²

PROJECT TITLE			SOURCES OF FUNDING									
			TOTAL EXPENDITURE	IPA CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1	X		4 500 000	4 500 000	100							
Contract 1.1: Twinning Contract	X	-	4 500 000	4 500 000	100							
Activity 1		X	1 288 750	1 095 000	85	193 750	15					
Contract 1.2: Supply contract	-	X	578 000	578 000	100							
Contract 1.2b	-	X	102 000			102 000	100	102 000				
Contract 1.3: Supply contract	-	X	517 000	517 000	100							
Contract 1.3b	-	X	91 750			91 750	100	91 750				
Activity 2	X		1 670 000	1 500 000	90	170 000	10					

² Under centralised mode of implementation of IPA assistance the co-financing is implemented as parallel co-financing.

contract 2.1: Service contract	X	-	1 500 000	1 500 000	100							
Contract 2.1b	X	-	170 000			170 000	100	170 000				
TOTAL IB			6 170 000	6 000 000	97	170 000	3					
TOTAL INV			1 288 750	1 095 000	85	193 750	15					
TOTAL PROJECT			7 458 750	7 095 000	95	363 750	5					

4.2 INDICATIVE IMPLEMENTATION SCHEDULE (PERIODS BROKEN DOWN BY QUARTER)

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
Contract 1.1: Twinning contract	Q4/2013	Q4/2014	Q4/2016
Contract 1.2: Supply contract	Q4/2013	Q3/2014	Q3/2016
Contract 1.3: Supply contract	Q4/2013	Q3/2014	Q3/2016
Contract 2.1: Service contract	Q4/2013	Q4/2014	Q4/2017

The technical specifications will be elaborated in close collaboration between the EU Delegation in BiH and the various beneficiaries of the equipment. The service contract will support the EU Delegation to BiH and beneficiaries to finalise the technical specifications related to supply contract planned to be financed under IPA 2013.

4.3 CROSS CUTTING ISSUES

4.3.1 *Equal Opportunities and non discrimination*

The project is a technical intervention aiming at strengthening administrative capacities with a view to EU accession. Equal opportunity principles and practices in ensuring equitable gender participation and non-discrimination within the project will be guaranteed.

4.3.2 *Environment and climate change*

The project is a technical intervention aimed at strengthening administrative capacities with a view to EU accession; it will not lead to any negative environmental effects.

4.3.3 *Minorities and vulnerable groups*

Participation in the project activities will be guaranteed on the basis of equal access regardless of racial or ethnic origin, religion or belief, disability, sex or sexual orientation.

4.3.4 *Civil Society/Stakeholders involvement*

IPA programming process included consultations with Civil Society and Donor Community in BiH, through two consultation meetings and exchange of relevant information on the process and individual proposals. All relevant institutions from various levels of government in BiH participated in the preparation of the project proposal.

ANNEXES

Documents to be annexed to the Project fiche

- 1. Log frame**
- 2. Description of Institutional Framework**
- 3. Reference list of relevant laws and regulations only where relevant**
- 4. Details per EU funded contract**
- 5. Project visibility activities**

ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Project title and number:		5 Support to the Area of Law Enforcement
		Contracting period expires: Three years following the date of the conclusion of the Financing Agreement		Execution period expires: Two years following the contracting expiry date.
		Total budget	EUR 7 458 750	
		IPA budget:	EUR 7 095 000	
Overall objective	Objectively verifiable indicators (OVI)	Sources of Verification		
Public safety situation in Bosnia and Herzegovina is improved and law enforcement agencies are capable to fight crime effectively	Performance of BiH law enforcement agencies on state, entity and cantonal level has been recognised by public and it is improved	EC Progress Reports Main daily newspapers in BiH		
Specific objective	Objectively verifiable indicators (OVI)	Sources of Verification		Assumptions
1. The cooperation and coordination and efficiency of the law enforcement agencies in the area of fighting organised crime, terrorism and corruption is strengthened and police services are working in line with EU professional best practises; 2. Quality and safety of information, exchanged among the law enforcement agencies is improved and in compliance with personal data protection requirements.	Nr of joint investigations conducted within BiH and with international law enforcement agencies Police positions are filled and promotions done on competence and merit based Amount and quality of information exchanged among law enforcement agencies increased	Annual Report on Security Situation in BiH by Ministry of Security BiH Relevant HRM records Relevant records of LEAs		There is continued political will to fight against money laundering and financing of terrorist activities
Results	Objectively verifiable indicators (OVI)	Sources of Verification		Assumptions
Results linked to Objective 1 1.1 Professional Standards in the police services are improved and comply with EU standards; 1.2 Modern Human Resource Management (HRM) within the police services is established and practised; 1.3 Police training for cadets and students and continuous professional training is	1.1. Police complicity in crime decreased (related to the concrete available figure of the last annual statistical data); 1.2. 80% of managerial staff within police services understand the concept of modern HRM; 1.3.1 Police services have been consulted and they	Records of internal control units Statistics from Public Complaint Board HRM policy/plan of police services		Relevant stakeholders cooperate proactively throughout the project

<p>improved;</p> <p>1.4 Investigation and prosecution capacities are strengthened and relevant cooperation mechanisms are further developed;</p> <p>1.5 International police cooperation improved and in compliance with EU regulations and best practices;</p> <p>1.6 Mechanism for systematic <i>Acquis</i> harmonisation process and for applying international obligations established at all levels;</p> <p>1.7 Strategic planning capacities within law enforcement agencies are strengthened;</p> <p>1.8. Special investigation techniques implemented in a more quality and efficient manner.</p>	<p>recognise the training quality provided by the training institutions;</p> <p>1.3.2 Curricula for continues training for police has been consulted and recognised by the police services;</p> <p>1.4.1 The amount and quality of collected & shared intelligence data increased (related to the concrete available figure of the last annual statistical data);</p> <p>1.4.2 Increased nr. of proactive investigations initiated based on intelligence (related to the concrete available figure of the last annual statistical data);</p> <p>1.5 Nr of information exchanged and nr. of investigations carried out jointly with international partners increased (related to the concrete available figure of the last annual statistical data)</p> <p>1.6 Increased number of quality legislative acts submitted for approval;</p> <p>1.6 Relevant stakeholders are aware of their roles and responsibilities in law harmonisation process;</p> <p>1.7 Increased number of actions from the action plans from respective strategies are implemented;</p> <p>1.8 System for lawful interception and monitoring of telecommunications functional;</p>	<p>Survey among police training institutions and police services</p> <p>Minutes of the consultation meetings</p> <p>Records of LEAs</p> <p>Ministry of Security records</p> <p>Respective regulations</p> <p>Annual Plan for Ministry of Security</p> <p>SIPA records</p>	
<p>Activities to achieve results</p>	<p>Means / contracts</p>	<p>Costs</p>	<p>Assumptions</p>
<p>Activities linked to Objective 1 Result 1.1</p> <p>1.1.1 Revising procedures of conducting criminal investigations and internal procedures in accordance with the best EU practises;</p> <p>1.1.2 Introducing integrated investigations in conducting internal investigations in the subjects that have the features of a criminal offence;</p> <p>1.1.3 Identifying and performing training of the members of the internal control units;</p> <p>1.1.4 Providing equipment to the internal control units.</p> <p>Activities linked to Objective 1 Result 1.2</p> <p>1.2.1 Analysing necessary functions, job profiles and assessing actual human resource capacities;</p> <p>1.2.2 Analysing and adjusting needed relevant legal framework;</p> <p>1.2.3 Introducing high and middle management of police services to the modern concept of HRM;</p> <p>1.2.4 Developing strategic and procedural documents for HRM;</p>	<p>Objective 1:</p> <p>Twinning Contract (Contract 1.1)</p> <p>Supply contract (Contract 1.2)</p> <p>Co-financing (Contract 1.2b)</p> <p>Supply Contract (Contract 1.3)</p> <p>Co-financing (Contract 1.3b)</p> <p>Objective 2:</p>	<p>EUR 4 500 000</p> <p>EUR 578 000</p> <p>EUR 102 000</p> <p>EUR 517 000</p> <p>EUR 91 750</p>	

<p>1.2.5 Building capacities and assist implementing necessary HRM measures within all police services;</p> <p>1.2.6 Providing trainings;</p> <p>1.2.7 Developing and providing needed psychological support services for police officers including relevant training; introducing of “Peer to Peer” program for police officers;</p> <p>Activities linked to Objective 1 Result 1.3</p> <p>1.3.1. Establishing a quality and professional enrolment policy for police academies and training institutions;</p> <p>1.3.2 Updating and harmonising curricula for police education and training;</p> <p>1.3.3 Improving training methodologies and materials;</p> <p>1.3.4 Training of relevant teachers/trainers in using relevant training methodologies and materials;</p> <p>1.3.5 Introducing equipment and training systems needed for modernised police training for all relevant police academies and training institutions;</p> <p>Activities linked to Objective 1 Result 1.4</p> <p>1.4.1 Further enhancing systematic gathering, analysing and distributing of intelligence in law enforcement agencies;</p> <p>1.4.2 Training of analysts;</p> <p>1.4.3 Purchasing software for criminal intelligence analysis with appropriate dangles and keys;</p> <p>1.4.4 Improving the cooperation mechanism among the law enforcement agencies and between the police services and prosecutors offices at all levels;</p> <p>1.4.5 Motivating increased intelligence exchange;</p> <p>1.4.6 Improving standardised operating procedures for multiagency investigation teams;</p> <p>1.4.7 Providing multidisciplinary, specialised and joint trainings for prosecutors, experts, investigators and mid-level management and other law enforcement agency staff members, including in areas of financial investigation and other forms of crimes like cyber-crime;</p> <p>1.4.8 Enlarging scope of special investigative measures and providing training accordingly;</p> <p>1.4.9 Assessing the readiness of Institutions in BiH to fight against new forms of crime (incl. high tech and cyber-crime);</p> <p>1.4.10 Analysing the gaps of the relevant capacities;</p> <p>1.4.11 Developing capacity plan for further strengthening of the law enforcement agencies for the following 3-5 years in fight against new forms of crime;</p> <p>1.4.12 Providing basic and specialised trainings and on the job coaching for relevant authorities.</p> <p>Activities linked to Objective 1 Result 1.5</p> <p>1.5.1 Further developing data exchange between BiH and international institutions;</p> <p>1.5.2 Further developing capacities of authorities in BiH for further cooperation;</p> <p>1.5.3 Building capacities and capabilities of institutions in BiH to confirm with relevant</p>	<p>Service contract (Contract 2.1)</p> <p>Co-financing (Contract 2.1b)</p>	<p>EUR 1 500 000</p> <p>EUR 170 000</p>
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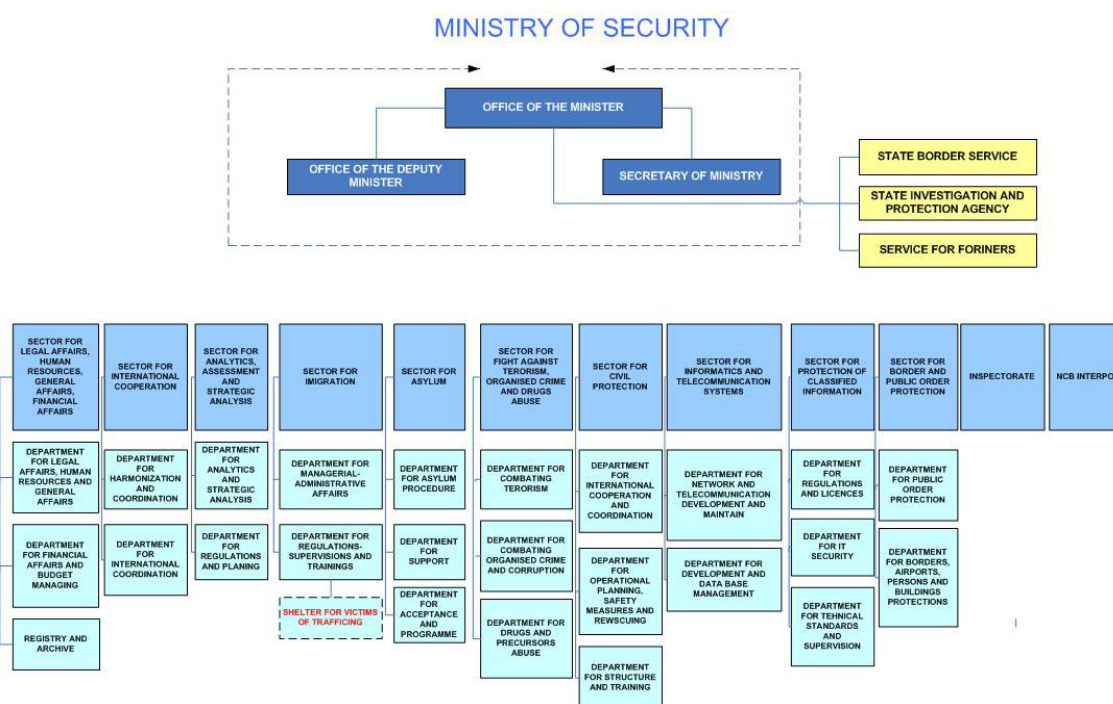
<p>international bilateral and multilateral agreements/conventions (European convention on extradition; European convention on Mutual assistance in criminal matters; UN Convention against Trans –national organised crime and its Protocols; UN conventions connected with Human rights issues; Schengen convention and others).</p> <p>Activities linked to Objective 1 Result 1.6</p> <p>1.6.1 Developing mechanism for systematic review and harmonisation with the relevant international legal acts;</p> <p>1.6.2 Introducing consultation practise in the legal drafting process;</p> <p>1.6.3 Developing guidelines and procedures for legislative drafting process incorporating EU best practises;</p> <p>1.6.4 Introducing and developing capacities for regulatory impact analysis in the law drafting process;</p> <p>1.6.5 Providing relevant trainings.</p> <p>Activities linked to Objective 1 Result 1.7</p> <p>1.7.1 Further developing policy development and strategic planning capacities (sectoral / institutional);</p> <p>1.7.2 Establishing consultation mechanism for policy development;</p> <p>1.7.3 Developing standardised procedures and guidelines for strategic planning in the law enforcement sector;</p> <p>1.7.4 Establishing monitoring capacities for policy, strategy implementation;</p> <p>1.7.5 Providing trainings and on the job guidance in relevant topics.</p> <p>Activities linked to Objective 1 Result 1.8</p> <p>1.8.1 Improvement of the system/module for recording the evidence in the System;</p> <p>1.8.2 Reactivation and renewal of the software licenses for the System;</p> <p>1.8.3 Reinstallation and upgrade of all existing modules of the System (hardware and software);</p> <p>1.8.4 Purchasing and Installation of new hardware and software in order to enable the System to follow the development of the Information-communication technologies in BiH</p>			
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ANNEX 2: Description of Institutional Framework

Institutions involved in the project and their respective role in Bosnia and Herzegovina are shortly described as follows:

The **Ministry of Security of Bosnia and Herzegovina** was established at the state level in February 2003 and is composed of the following administrative organisations: Border Police, State Investigation and Protection Agency, Service for foreigner's affairs and Bureau for cooperation with Interpol.

The Ministry of Security is responsible for protection of international borders, domestic border crossings and traffic regulation at border crossings, prevention and tracing of perpetrators of criminal offences of terrorism, drug trafficking, counterfeiting of domestic and foreign currencies and trafficking in persons and of other criminal offences with an international or inter-Entity element, international co-operation in all areas within the remit of the Ministry, protection of persons and facilities, collection and use of data relevant for security of, organisation and harmonization of the activities of the Entity Ministries of Internal Affairs and of the District of Brcko in accomplishing the tasks of security, meeting of international obligations and co-operation in carrying out of civil defence, co-ordination of activities of the Entity civil defence services and harmonization of their plans in the event of natural or other disasters and adoption of protection and rescue plans and programs, implementing immigration and asylum policy and regulating procedures concerning movement and stay of aliens.



The State Investigation and Protection Agency was established in 2002 upon the adoption of the Law on the Agency for Information and Protection, which defines the Agency as an independent institution of Bosnia and Herzegovina in charge of collection and processing of information of interest for implementation of international laws and Criminal Codes, as well as for protection of VIPs, diplomatic and consular missions and government institutions of Bosnia and Herzegovina. In June 2004, after the adoption of the Law on the State Investigation and Protection Agency, the Information and Protection Agency was transformed into the State Investigation and Protection Agency. The Financial Intelligence Department which is one of the key stakeholders in this project is set up within SIPA.

The Ministry of Interior of the Republic of Srpska carries out police duties and is in charge of the security in the Republic of Srpska. As for policing functions, the duties of the Ministry of Interior are to: protect life, human rights, freedom and private property; maintain public order and protect society against violent threats; prevent crime, trace, arrest and hand over the perpetrators of criminal acts to the competent bodies; conduct criminal investigation in cases of criminal offences of terrorism, war crimes, organised crime, illegal production and drug trafficking, trafficking in human beings, economic crime, cyber crime, money laundering, corruption, financial crime; protect certain persons and facilities; provide security at public gatherings, public events, cultural and sports ceremonies and other approved types of gatherings; provide safety and traffic control on roads; civil protection and fire protection; police training and professional education.

The Ministry of Interior of Federation Bosnia and Herzegovina is responsible for administrative, expert and other tasks, such as: administrative issues related to citizenship, monitoring the implementation of laws, procurement of weapon, equipment and material-technical means, elaboration and implementation of educational programs, professional development and specialized trainings for the Ministry's personnel, scientific researches necessary for improvement of police work and technical-criminal, researches and expertise, in cooperation with relevant authorities or economic societies, organisation, development, modernization and maintenance of functional liaison systems and transmission of protected information of the Ministry, organisation of unified information system which is required for effective operations, collection and maintenance of statistics and operational data which are required for effective operations.

Ten Cantonal Ministries of Interior exist within the Federation of Bosnia and Herzegovina. Inter alia, tasks and duties of Cantonal Ministries of Interior are as follows: to secure public gatherings, to protect life and personal safety of citizens, properties, facilities and other material goods in case of general danger or major violation of public order and peace, as well as in case of terrorists' attacks and other violent activities such as armed rebellion, issuance of ID cards, social number, motor vehicles registration, driving exams and issuance of driving licenses, procurement, keeping and carrying of weapons and ammunition. In all Cantonal Ministries of Interior, tasks and duties within the scope of public security are performed by police. Pursuant to the Law on Internal Affairs of Cantons, police performs administrative, professional and other work and tasks related in particular to: protection of life and personal security of the people, protection of property, prevention and detection of

criminal acts, locating and capturing the perpetrators and their apprehension to authorized bodies in those cases which are not under jurisdiction of the Court Police, maintaining public peace and order, crime investigation tasks, security, checking and regulating traffic on roads and protection of designated persons.

The Brcko District Police was established in January 2000 on the basis of the former Public Security Station Brcko. It is a multi-ethnic police service. Duties of the Brcko District Police are to: maintain public safety and order in the entire District, ensure full freedom of movement within the District with a special emphasis on the freedom of movement between the eastern and western part of Republic of Srpska and between the Federation of Bosnia-Herzegovina and the Republic of Croatia, co-operate with the various police forces of the country.

Border Police of Bosnia and Herzegovina has been established on the basis of the Law on State Border Service. It is defined as an administrative organisation within the Ministry of Security with operational independency was established for the purpose of performing police tasks linked to the border surveillance and border crossing control. The tasks of the Border Police are e.g. as follows: implementation of the provisions of the Law on surveillance and state border crossing control, implementation of the provisions of the Law on Movement and Stay of Aliens and Asylum, prevention, detection and investigation of the criminal acts, prevention, detection and investigation of other criminal acts upon the request of the competent body, providing of the police support to the organisational units within Ministry of Security, undertakes security measures aiming to protect air civilian traffic and facilities at International Airports.

Directorate for Coordination of Police Bodies of Bosnia and Herzegovina was established by the Police Reform laws of 2008 and has the status of an administrative organisation within the Ministry of Security with operational autonomy. Their competency is:

- communication, cooperation and coordination amongst police bodies of BiH, Communication, cooperation and coordination amongst police bodies of BiH with relevant bodies in Bosnia and Herzegovina in relation to police matters of international character or of international significance or in relation to matters within jurisdiction of the Court of BiH,
- communication and cooperation with relevant foreign and international bodies in police matters of international significance or common interest,
- communication, cooperation and coordination between police bodies of BiH and relevant bodies in Bosnia and Herzegovina with relevant foreign and international bodies;
- the standardisation of work pertaining to police matters in BiH;
- the integration of security-related information of relevance for BiH and of relevance for the execution of the tasks and duties that fall within the competence of police bodies of BiH on a daily basis, continued cooperation with relevant police and other bodies, undertaking necessary measures with the aim of coordination of operational tasks of police bodies of BiH and monitoring of security status on daily basis and informing competent police and other bodies of BiH;

- gathering, monitoring, analysis and use of data of relevance for security of Bosnia and Herzegovina, Application of the best European and other international practices pertaining to police matters in Bosnia and Herzegovina, Implementation of international agreements on police cooperation that fall within the competence of the Directorate.

The **High Judicial and Prosecutorial Council and Prosecutor's Office (state and entities level and Brcko District)** are pertaining to the project beneficiaries and have decisive roles to implement improved police-prosecutor cooperation.

All above mentioned stakeholders shall be represented in a **Steering Committee** to be established which shall regularly meet and if necessary, even on ad hoc basis discuss project implementation and developments. For the day to day project work it is necessary, that all stakeholders assign **competent counterparts** for the project team in order to deal with all project related measures and possible problems.

ANNEX 3 Reference list of relevant laws and regulations

- Law on Directorate for Coordination of Police Bodies and on Agencies;
- Law on Independent and Supervisory Bodies;
- Law on Border police of Bosnia and Herzegovina;
- Law on State Investigation and Protection Agency of Bosnia and Herzegovina;
- Laws on Internal Affairs of the Federation of Bosnia and Herzegovina, Republika Srpska and ten Cantons;
- Laws on police officials of Bosnia and Herzegovina, of the Federation of Bosnia and Herzegovina, Republika Srpska and ten Cantons;
- Law on Police of the Brcko District of Bosnia and Herzegovina;
- Criminal Codes of Bosnia and Herzegovina, of the Federation of Bosnia and Herzegovina, Republika Srpska and of the Brcko District of Bosnia and Herzegovina;
- Criminal Procedure Codes of Bosnia and Herzegovina, of the Federation of Bosnia and Herzegovina, Republika Srpska and of the Brcko District of Bosnia and Herzegovina.

ANNEX 4 Details per EU funded contract

Twinning Contract (Contract 1.1)

Twinning contract will assist to implement EU professional standards and modern Human Resource Management in the police services. Important result of the project will be updated and upgrading training capacities and facilities for police training. The project will assist law enforcement agencies and prosecutors to have the capacities and resources to understand and deal with often complex financial crime cases. As mentioned above BiH needs to improve their international police cooperation and build up mechanism for systematic *Acquis* harmonisation and application of international obligations – there are important results in these areas to be achieved by this project. The project will assist also the strategic planning and policy making capacities and cooperation regarding the development of policies, strategies and their implementation. The results and activities are further specified under section 3 and 4 of the project fiche.

In addition to the RTA sufficient number of long term experts with profiles as required for achieving of the results of the project should be foreseen in project team composition. The profile of the MS Project Leader should be as follows:

S/he should be a high-ranking official. S/he must have a broad knowledge of all processes in the area concerned, as well as good leadership skills. S/he must have a relevant university degree, minimum 10 years of work experience and a strong command of English. S/he must have also project management experience.

The Project Leader will be tasked with the overall conception and direction of the Member State's inputs. S/he shall ensure the short term expertise in support of the efficient implementation of the project and the full support at senior levels within the Member State administration.

The profile of the Resident Twinning Advisor (RTA) should combine both technical competence and practical experience in the management of assistance programmes and projects in the field of law enforcement. The required qualifications are as follows:

- university degree in law, political science, security studies or equivalent or any other appropriate discipline or equivalent working experience with five years of relevant professional experience in an area associated to this contract above the seven years required below;
- not less than seven years general professional experience and at least three years of experience within a police body at senior management level;
- knowledge of relevant EU best practices and international instruments and mechanisms in home affairs related fields;
- excellent command of written and verbal English, including familiarity with vocabulary and nomenclature relating to the area of law enforcement.

Additional qualifications:

- experience of working with law enforcement agencies in potential and/or candidate countries;
- excellent analytical, organisational and communication skills and previous experience in working with multi-disciplinary and multi-national teams;
- experience of working with EU funded projects.

The twinning team should be composed from number of long term expert that have relevant experience and background related to various results of the project.

The profile of the short/medium-term experts should include:

- Demonstrated experience in the fields of expertise required to achieve the results of the project;
- Prior experience in an international and pre-accession context;
- Excellent command of English.

Additional inputs from the private sector in particular in the IT sector but not limited to it, could be used.

The working language of the project will be English. Please note that, in order to facilitate communication, it is advisable to engage interpreting services.

Project Leader for the beneficiary country (BC):
Ministry of Security of Bosnia and Herzegovina
Samir Rizvo (Senior Programming Officer) – Assistant Minister
International Department/Project Implementation Unit
Trg B&H 1, 71000 Sarajevo
Tel. +387 33 244 449
E-mail: Samir.Rizvo@msb.gov.ba

Supply contract 1.2 (Result 1.8 Special investigation techniques implemented in a more quality and efficient manner - improving and developing System for lawful interception and monitoring of telecommunications)

Based on the technical specifications to be provided by the State Investigation and Protection Agency (beneficiary of the supply), the EU Delegation will launch respective supply tender.

Supply contract 1.3 (Activities 1.1.4; 1.3.5 and 1.4.3)

Based on the technical specifications to be provided by the beneficiaries of the supply (see further Annex 4), the EUD will launch respective supply tender.

Service contract 2.1

The service contract will provide assistance in finalising all technical specifications needed for the supply contract planned to be financed under 2013, including analysing the needs and specifications available already. Contractor will provide assistance in coordinating the procurement of supply and the usage of incidental budget to cover specific training needs ((the list of responsibilities is not all inclusive).

ANNEX 5 Project visibility activities

The Project visibility activities will be undertaken according to the specific project activities implemented, in line with the EU visibility and communication rules and requirements.