of the Commission Implementing Decision on ENPI East Regional Action Programme 2013
Part II

Action Fiche for Eastern Partnership Integrated Border Management Capacity Building Project

1.   IDENTIFICATION

Title/Number	Eastern Partnership – Integrated Border Management – Capacity Building Project		
	CRIS number: 2013/024-839		
Total cost	Total estimated cost: EUR 4.500.000		
	Total amount of EU budget contribution: EUR 4.500.000		
Aid method / Method of implementation	Project Approach		
	Direct centralised management (grant – direct award)		
DAC-code	15210	Sector	Security system management and reform
	33120		Trade facilitation

2.   RATIONALE AND CONTEXT

2.1.   Summary of the action and its objectives

This capacity building project falls under the umbrella of the Eastern Partnership (EaP) - Integrated Border Management (IBM) – Flagship Initiative. It supports the implementation of the concept of integrated border management on the borders between the six EaP countries, according to European standards, with the dual objective to secure the borders and to facilitate the legal passing of persons and goods. The focus of the activities is on strengthening the training capacities of the beneficiary countries, with inter-agency and international cooperation as one of the leading principles. The fight against corruption and the respect for human rights receive the necessary attention throughout the activities.

2.2.   Sector context: challenges and policies

2.2.1. Challenges

Border management in the Neighbourhood East region is confronted with the following challenges.

Combatting **corruption** remains a major challenge. The annual corruption perception-index of Transparency International (2012) ranks the EaP-countries as

follows, out of 176 countries: Georgia: 51, Moldova: 94, Armenia: 105, Belarus: 123, Azerbaijan: 139 and Ukraine: 144.

Demands for illegal payments at the borders occur, complementing the salaries of for instance the border guards. The problem can be systemic, involving semi-formalized buying and selling of customs control at border crossing points.

Corruption hampers efficient trade since it results in artificial distortions and diversion of cargo-flows from their natural trade routes and in numerous and unpredictable additional costs, delays and dignity issues.

Whilst patterns of corruption, and the level between the countries, differ, each border management program must clearly address the issue.

Price differentials and economic disparities in the border zones are the main drivers of **smuggling activities** (Frontex, Annual overview 2012). The expanding flow of illicit goods remains a large threat to border security. It includes i.a. (stolen) vehicles, household goods, fuel and cigarettes. The increase in **tobacco smuggling** has become a major issue in EU-EaP relations in the field of border management, and needs to be tackled.

Although not on the major supply routes for narcotic **drugs** to Western and Central Europe (UN Office on Drugs and Crime, World Drug Report, 2010), considering its impact it does constitute a security threat.

The threat of **irregular migration** is considered somewhat smaller than the one of smuggling of illicit goods, but the threat remains (Frontex, Annual overview 2012). It relates to two main migratory systems. The first one is linked to nationals beyond the Commonwealth of Independent States (CIS), mostly Afghans and Somalis, using EaP countries as transit to the EU. The second migration system is linking nationals from CIS countries with the Russian Federation as their main destination and to lesser extent also with the EU. In addition, Ukraine is also the major route for migrants from the Caucasus region and Central Asia travelling to (or from) the Russian Federation.

Although a 2012 report of the UN Office on Drugs and Crime refers to indications that the **human trafficking** flows from Eastern Europe (and Central Asia) are declining, Frontex (in its Annual overview of 2012) still categorizes it as a large threat to border security.

The EU-funded "TRACECA-Logistical Processes and Motorways of the Sea"-project reports about several problems with respect to **cargo flows**. The **customs procedures** in the EaP countries, except in Georgia, are still cumbersome, are changing often and are subject to interpretation (lack of administrative orders defining and imposing a unique reading and application of the legislation). This generates again illegal payments and other rule of law problems. In some countries (especially those having a coast-line and therefore sea ports) the same applies to other governmental agencies which de facto levy taxes at border crossing points.

In several countries new fundamental **legal documents** for cross border transportations are either adopted or under discussion (e.g. new Customs codes in Ukraine and Azerbaijan). The same applies for international standards or concepts (e.g. Authorised Economic Operator concept together with risk management tools). If adopted, their implementation in the respective countries is at different degrees of implementation.

The **preliminary exchange of information** between the respective governmental agencies within the different countries and, then, between Customs Houses of different countries remains to be implemented nearly everywhere (Single Window concepts, PAIES[1] existing between Ukraine and Moldova, with the support of the EU – funded EUBAM[2] mission, in discussion between Georgia and Ukraine).

In general, there is an uneven level of endorsement of international conventions and agreements amongst the countries. And there is, for external and/or internal political reasons, a **lack of cooperation and dialogue** towards legal harmonization between the countries in the region.

International organisations or experts involved in capacity building programs assess in general, whilst acknowledging the considerable differences in levels of professionalism between the countries, that, although basic levels of training competence are in place, there is the clear potential to **strengthen institutional capacities** in the area. The presence of a **professional training and development component** within border agencies is globally recognized as a basic requirement for effective operations.

2.2.2 Policies

The **2010-2013 ENPI Regional East Strategy & Indicative Programme** indicates the provision of assistance for introducing integrated border management in the EaP countries. In addition to contributing to stability by addressing issues related to protracted conflicts, assistance is expected to help implement the trade facilitation and mobility aspects of the Eastern Partnership. More effective border management will assist in the fight against drug and tobacco smuggling, address customs fraud, trafficking and illegal migration, and thus help to make progress in key policy areas, such as trade, migration and customs. Setting up integrated border management structures aligned to EU standards is also an important prerequisite to progress on the facilitation of people's mobility.

The 2007-2013 Programme highlights the following objectives for IBM-assistance:

• To strengthen operational and institutional capacity of border guards/customs to ensure effective border checks and surveillance enhanced detection of persons in need of protection and combating border-related corruption;

• To improve international cooperation, networking and exchange of information (incl. best practices) among partners and EU-Member States on IBM contributing to harmonisation of strategies and further alignment with EU standards;

• To facilitate international transit for passenger and goods, in particular along the trans-European transport network (TEN-T) and TRACECA corridors;

• To enhance partner countries' cooperation in the fight against drugs.

The launch in 2010 of the **EaP IBM Flagship Initiative** contributed to the implementation of the Indicative Program. The initiative supports the exchange of good practices among EU and eastern partners and capacity building activities.

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[1] PAIES: pre-arrival information exchange system
[2] EUBAM: European Union Border Assistance Mission

Furthermore, it provides for an institutional and political context to fund pilot projects at border crossing points between EaP countries.

In the **Joint Communication 'A new response to a changing Neighbourhood'**[3], the Commission explains its intention to adapt the EaP Flagship Initiatives in order to support better bilateral partnership objectives. Work under the IBM flagship initiative would be increasingly geared towards supporting partners in fulfilling the conditions for visa facilitation and liberalisation.

The **EU Mobility Partnerships** are important contextual processes. Such partnerships provide a political framework for cooperation between the EU, its Member States and a third country on all areas of the EU's Global Approach to Migration and Mobility (legal migration, irregular migration, migration & development and asylum). After Mobility Partnerships with Moldova, Georgia and Armenia were set up, discussions towards a possible EU-Azerbaijan Mobility Partnership were launched. In the political declarations (which form the basis of the partnerships), a strong focus is placed on enhancing cooperation on border management with EU Member States and conducting capacity building to promote the implementation of Integrated Border Management. A first, major evaluation of the EU-Moldova Mobility Partnership showed how useful it is as a comprehensive bilateral framework for cooperation, but it also showed that the amount of concrete activities (notably in the area of legal migration) could still be expanded.

Significant progress has been made towards the goal of visa-free travel in the Eastern Neighbourhood. Moldova and Ukraine made substantial progress on their **Visa Liberalisation Action Plans**. A dialogue on visa liberalisation with Georgia was started in June 2012, with the aim to examine the conditions for visa-free travel to the EU for Georgian citizens, while Armenia granted visa-free entry to EU citizens from January 2013. The EU's offer of negotiations on visa facilitation and readmission agreements to Belarus remained unanswered.

The project presented in this action fiche is a follow-up of the first **EaP-IBM-Flagship Initiative Training Project** (ending June 2013, see 2.4) and constitutes the regional capacity-building component of the Flagship Initiative, complementing the Flagship Initiatives pilot projects which are mainly of a bilateral nature.

Although this project has been implemented in a satisfactory way, as evidenced by the appreciation expressed in the EaP-IBM Panel, and many training requests have been fulfilled, the need for capacity building support clearly remains. This need was expressed by the beneficiary institutions at the occasion of the last IBM Panel meeting (November 2012) and supported by the observations of the EU Delegations and the relevant international organisations active in the region (ICMPD[4], IOM[5], UNDP[6]). However, there was a clear consensus for the necessity to increase the sustainability of the efforts. Too much is lost by e.g. the high rotation of staff in the respective border management agencies. Hence the choice of the main stakeholders represented in the Panel to focus more specifically on capacity building for partners'

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[3] COM(2011)303, http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf
[4] International Centre for Migration Policy Development
[5] International Organisation for Migration
[6] United Nations Development Programme

training institutions, whilst at the same time leaving room for specific requests for additional specialized training. Furthermore, efforts need to be undertaken by the beneficiary countries to ensure that the capacity building actions under this initiative including curricula development are translated into national legislation in view of sustainability and institutionalization.

The second phase of the capacity building project will try to accommodate above needs.

2.3.   Lessons learnt

Many lessons can be taken form the recent thematic evaluation of EU support to Integrated Border Management and fight against organised crime (OC) (December 2012). Although the evaluation had a global reach, many references were made to the actions in the ENPI East region.

Some conclusions of relevance for this action:

1. The significant synergies that EU support would potentially have when adequately combined with support in related areas such as transport and trade was too often under-exploited. Significant funding went on infrastructure, with limited reference to transport and trade issues. Similarly, much training and HR assistance was delivered in migration areas with often limited human rights reference.

2. The evaluation findings show that the channelling of assistance via EU Member States, UN agencies or other international organisations represented a positive factor in terms of efficiency and effectiveness through the employment of their geographical, political or thematic expertise and experience.

    While the EU has certainly benefited from their experience, in some instances, this has led to focus the support on what the implementing organisations could do best instead of developing a more comprehensive approach to support the most strategic border management issues in partner countries (e.g. IOM and ICMPD are in-the-main migration organisations and do not have large-scale cargo/customs expertise; UNDP support in this area has predominantly focused on supply and not so much on capacity building). At the same time, many of these organisations have been 'in tune' with the beneficiary requirements, demonstrating high levels of commitment to them.

3. Besides national IBM concepts, the relevant secondary legislation is now in place in practically all ENP East countries.

4. The application of the various forms of co-operation in IBM remains limited and inconsistent, whether operationally or in terms of information exchange. In general, all forms of co-operation are still seen as an "event" rather than something that is embedded or routine.

5. In many cases, the effects of the training provided were limited due to high rotation of staff, limited in house training capacity, internal politics and pressures of routine work.

In the vast majority of cases, the training assistance delivered was diluted and even compromised by the lack of embedding of external training within the national system and the very limited progress made in genuine and fundamental reform within national training structures.

Additionally, although training was delivered 'jointly', implementing partners and beneficiaries often failed to fully exploit the unifying messages that such events brought. Overall, evidence clearly indicates that much more needs to be undertaken in terms of joint training but that it must be done through comprehensive strategies, with full commitment from top level management and must be as part of a fundamental reform and modernisation of training practices.

6. There has often been limited harmonisation of the international co-operation elements of IBM action plans, especially in national interventions.

7. 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.

Key recommendations which are relevant for this action:

1. While continuing to adopt a tailored approach to external co-operation in the area of IBM and OC, the EU should ensure a better balance between security and facilitation of traffic and trade in its support. More concretely, project design and implementation must interact better with trade bodies and the private sector in beneficiary countries and with groups with trade expertise internationally.

2. Include more top management-related activity within border management interventions aimed at fundamental reform in beneficiary agencies.

3. Increased capacity building assistance targeted at fundamental human resource and training reforms to act as a foundation for the more comprehensive and deep rooted embedding of all elements of border management assistance.

4. Pay greater attention to sustainability during all phases of the project cycle. This includes the integration of respective training curricula into the national systems.

5. Expand and strengthen support provided through regional interventions. This can be a means to harmonise and coordinate assistance to the international 'pillar' of IBM in such areas as training, IT, data exchange and joint activities.

Recommendations 1, 3, 4 and 5 will be taken into account for the design of this action, as they are appropriate in a regional context. Recommendation 2, relating to intra-agency issues, can be better accommodated in national projects.

2.4. Complementary actions

Many actions, multi-lateral or national, have been deployed in the region in the field of Integrated Border Management. The EU and the US are the major donors. A summarized overview follows.

Important institutional actors are:

- the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (**Frontex**), has signed working arrangements with the competent authorities of all six EaP countries and is taking forward practical cooperation in areas of its remit. Furthermore, pursuant to Art 14.5. of the new Frontex Regulation (Regulation (EU) No 1168/2011), Frontex may launch and finance technical assistance projects in third countries regarding matters covered by this Regulation. The Agency may benefit from Union funding in accordance with the provisions of the relevant instruments supporting the external relations policy of the Union;

- the **EaP Panel on IBM**, established in 2009, to exchange information and experiences on IBM;

- the **EaP Panel on Migration and Asylum**, chaired by the Commission, focuses on the development of the mechanisms to effectively respond to asylum, migration and associated border management challenges;

- the World Customs Organisation (**WCO**), of which all EaP countries are members, holds regional capacity building centres in the region; of specific importance is the active participation of all EaP countries in the Regional Intelligence Liaison Offices (**RILO**) Network (Moscow Office for Armenia, Azerbaijan and Belarus and Warsaw Office for Ukraine, Moldova and Georgia), a regional centre, operating under the umbrella of the WCO, for collecting and analysing data as well as for disseminating information on trends, modus operandi, routes and significant cases of fraud; and

- **GUAM**, the Organization for Democracy and Economic Development, established in 2001, is a regional organization of four post-Soviet states: Georgia, Ukraine, Azerbaijan, and Moldova. It promotes cooperation in economic, socio-cultural and security matters. It does work on trade and transport facilitation as well as efforts to combat terrorism and organised crime.

Important (sub) regional programs or projects are:

- **EUBAM** who supports since 2005 improvements to the standards of border management in Moldova and Ukraine;

- similarly, **SCIBM (South Caucasus Integrated Border Management)**, has worked until recently to enhance IBM in the South Caucasus;

- 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 ICMPD until June 2013; and

- the **EaP- IBM – Flagship Initiative Pilot projects**, in general providing equipment and/or infrastructure, complemented with a capacity building component, and focused on a specific border (segment).

Complementary programs or projects in related sectors are:

- **TRACECA** (Transport Corridor Europe-Caucasus-Asia), a regional EU funded program for improvement of transport links between the EU, the Eastern Neighbourhood and Central Asian countries, with trade facilitation as major objective;

- a regional **Instrument for Stability** project dealing with the detection of nuclear and radioactive materials at borders; and

- EU support for border management in relation to the mobility of people under its thematic programme for **Migration and Asylum**.

Apart from the above initiatives many projects on a bi-lateral national level are on going or have been implemented. These can take different forms, such as bilateral capacity building projects, infrastructure or equipment provision, budget support programmes (e.g. Ukraine) and EU-twinnings (e.g. Georgia and Armenia).

2.5. Donor coordination

Considering the many on-going initiatives on IBM, funded by different donors, coordination to avoid overlap or duplication of activities, constitutes a challenge.

The responsibility for this coordination lies firstly with the respective national authorities. Frontex, as implementing partner, will work closely with its country partners to ascertain that the beneficiaries take ownership of their actions. It will make use of its institutional contacts in the relevant national institutions (backed up by the bilateral formal Working Arrangements), and their counterparts in the EU Member States, and will be assisted in this task by the EU Delegations in partner countries. This initiative will allow Frontex to consolidate and strengthen its existing cooperation with the competent authorities in the beneficiary countries even beyond the project phase.

The EaP-IBM Panel also acts as a coordination mechanism. All relevant national and international stakeholders have the opportunity to discuss planned actions during the IBM Panel meetings, as well as provide updates and feedback on on-going activities.

3. DETAILED DESCRIPTION

3.1. Objectives

The overall objective is to facilitate the movement of persons and goods across borders in the six EaP countries, while at the same time maintaining secure borders through the enhancement of inter-agency cooperation, bilateral and multi-lateral cooperation among the target countries, EU Member States and other international stakeholders.

Specific objectives:
- To contribute to the establishment of a modern training system in the 6 beneficiary countries according to EU best practices;

- To enhance operational capacities by providing operational and country specific capacity building activities on specified topics based on needs identified by the beneficiary institutions;

- Awareness raising and support to the improvement of border crossing by traders, freight forwarders and passengers;

- Awareness raising and support to the fight against corruption in the 6 EaP countries;

- Awareness raising and support to the improvement of the respect for human rights for persons crossing borders;

- Where applicable to contribute to a smooth operationalization of visa liberalisation.

3.2. Expected results and main activities

It is expected that at the end of the project the following results will be achieved:

- Security at borders in the EaP region will be strengthened through enhanced professional capacity of border, customs and law enforcement officials.

- Improved inter-agency and international cooperation by relevant services in the beneficiary countries.

- Improved, facilitated conditions and procedures at border crossings for bona fide travellers and regular migrants as well as economic/commercial operators, also leading to decreased waiting time at border crossings for goods and passengers.

- Enhanced border security through well controlled border crossings and green/blue borders, leading to decreased irregular flows of persons and goods.

- Mechanisms ensured for the proper treatment of persons in need of protection (asylum seekers, victims of human trafficking).

- Improved control mechanisms and anti-corruption measures in place leading to decreased corruption at border crossings in the EaP region.

The implementation of the project will be carried out through three components:

- **Component 1** entails capacity building on identified thematic or institutional areas and aims to improve the working methods and functioning of the beneficiary institutions on a sustainable basis.

    Comprehensive gap analyses should be carried out for the beneficiary training structures, using EU guidelines such as the EU Customs Blueprints and FRONTEX Common Core Curricula to provide bench marks. A needs analysis would follow from this process.

    Based on these needs analyses, the project will support the competent authorities of beneficiary countries in defining their own national IBM training strategy, developing the relevant curricula and tools as well as establishing dedicated

training centres or improving the existing ones. Cooperation with academia and research centres might be envisaged, e.g. for curriculum development.

This encompasses i.a.:

- training of trainers for the beneficiary institutions of the EaP countries by EU experts;

- the development of specialist, cascade and training programmes/packages for defined thematic areas, supported by the production of comprehensive libraries of training materials, including the development of a sustainability handbook to cover IBM activities/projects and the drafting of IBM blueprints describing EU best practises; and

- the development and introduction of comprehensive training monitoring and evaluation methods.

Whenever possible, the establishment of joint training centres for border guards and customs should be supported.

To increase the effectiveness and sustainability of the above efforts, the awareness of training needs should be raised among the human resource departments of the border agencies.

- **Component 2** provides for specific training needed on a more ad hoc basis to ensure effective, efficient and sustainable implementation of the approved IBM-Flagship Initiative's pilot projects. In this sense they complement the pilot projects with a training component.

On an exceptional basis and based on demonstrated needs, other additional ad hoc training can be provided. Throughout project implementation the choice of topics to be covered, has to remain flexible. The IBM Flagship Panel is the proper forum to make suggestions and/or to define the needs.

Training activities under this component will take into account both country specific aspects as well as similarities among the beneficiary countries, with a gender balanced and regional dimension approach.

Full complementarity with other training initiatives, including the ones under component 1 will be ensured by the implementing body, assisted by the EaP-IBM-Panel acting as a coordinating mechanism.

- **Component 3** relates to horizontal activities. Funds reserved under this component can be used for:

- specific monitoring actions, including a border user satisfaction survey, based on the experience gained under the previous project in 2011, involving NGOs and business associations; and

- activities to fight corruption and to promote and respect human rights, e.g. awareness campaigns.

For all components it is important that a correct balance is struck between the two major objectives, i.e. security and facilitation of transit/trade. In this perspective and

with regard to movement of goods, cooperation with the World Customs Organisation (WCO) will be duly considered when designing and implementing the project. For the activities implemented by or in partnership with the WCO, evidently EU-legislation is also the benchmark.

Awareness rising on anti-corruption and human rights issues will be addressed throughout all thematic areas and components.

3.3. Risks and assumptions

A successful implementation of this project relies on the **active participation of all countries** involved. Given the situation of protracted conflicts in the region, some countries may wish to opt out. This risk is assessed as medium to high and, in order to counter it, all countries will be actively encouraged to participate through diplomatic contacts and the implementing body will strive to address their concerns through flexible and appropriate project design.

In general, risks linked to the wider political and institutional aspects, such as **institutional weaknesses or lack of political will**, should be primarily addressed by the EaP-IBM Panel. Furthermore, if needed, a political intervention with support of the EU Delegations in the respective countries could be taken into consideration.

The process of political commitment stimulated by the EaP-IBM Panel aims at reinforcing the **sustainability** of the actions. It is expected that the policy discussions in the Panel and the exchanges, both political and technical, between countries will reinforce national ownership of the actions.

The choice made for this project to shift the focus from training sessions, as offered under the first EaP-IBM-Training Project, to a 'train-the-trainers' concept has as principal objective to reinforce the **sustainability** of the actions.

3.4. Cross-cutting issues

The promotion and protection of human rights and the fight against corruption are two major issues in IBM. These should be well taken into account when developing and implementing the project activities, in a horizontal manner. This will be checked by the European Commission before approval of the project proposal.

3.5. Stakeholders

The beneficiary countries will be the countries belonging to the ENPI East Region (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine). The project's main stakeholders will be the national ministries or border agencies, either active at the border or in inland control stations. Typically these are: border guards/police, customs, plant (products) inspection services, live animal and foodstuff inspection services and human health inspection services.
In the context of trade facilitation and inspired by the need for the national administrations and the business sector to work together, the involvement of economic actors (i.e. national business or traders' associations) in the implementation of the project is justified and necessary. The same approach can be applied to public

organs defending citizens' rights, e.g. ombudsman's offices, data protection authorities or equivalent.

The final beneficiary groups of this action will in general be bona fide travellers and regular migrants as well as economic/commercial operators. Persons in need of special protection, such as asylum seekers, potential victims of human trafficking, unaccompanied minors and other vulnerable categories, will also benefit as a result of improved border management.

The EaP - Civil Society Forum will be informed about the design of the project and periodically updated about the progress of its activities. The 'user satisfaction survey, outlined above under section 3.2 (component 3) will incorporate the opinion of relevant NGO's and business associations.

4. IMPLEMENTATION ISSUES

4.1. 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 the Financial Regulation.

4.2. Indicative operational implementation period

The indicative operational implementation period of this action, during which the activities described in sections 3.2. and 4.3. will be carried out, is 36 months, subject to modifications to be agreed by the responsible authorising officer in the relevant agreements.

4.3. Implementation modality

This action will be implemented under direct centralised management, by means of a grant, awarded directly without a call for proposals, to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex).

For implementing the action, Frontex will cooperate with other partners, e.g. with the WCO for training related matters in the field of customs, and/or with international organisations for facilitated support, monitoring and/or evaluation of the activities. This will be further defined during the design phase of the action, and evidently pending on agreement of the possible partners.

Whatever the partner, full assurances must be provided before entering in any formal agreement, that all activities foreseen will be accessible to beneficiaries of all EaP-countries (e.g. are not subject to any possible travel restriction).

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The direct grant will finance the full project, as described under heading 3.

(b) Justification of a direct grant

Under the responsibility of the authorising officer by delegation, the grant may be awarded without a call for proposals to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex).

Under the responsibility of the authorising officer by delegation, the recourse to an award of a grant without a call for proposals to Frontex is justified for the following reasons:

- the Agency, specialized in European border management in line with the EU fundamental rights charter, is entrusted with applying and promoting the concept of Integrated Border Management and has the necessary technical competence for implementing EU common standards and practices in the field of border management;

- the Agency has also acquired adequate administrative power for successfully implementing the Action, through its amended Frontex Regulation[7], to implement technical assistance in third countries by making use of EU funds;

- and furthermore, the Agency has signed bilateral Working Arrangements establishing operational cooperation with the relevant authorities of all EaP countries which ensures commitment within and beyond the project phase as well as sustainability, intraregional and continued (bilateral) cooperation with EU partners.

(c) Essential selection and award criteria

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed activities to the objectives of the action; design, effectiveness, feasibility, sustainability and cost-effectiveness of the project.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 100 % in accordance with Articles 192 of the Financial Regulation if full funding is essential for the action to be carried out. The essentiality of full funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

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[7] Regulation (EU) No 1168/2011.

(e) Indicative trimester to contact the potential direct grant beneficiary

Last quarter of 2013.

4.4. **Scope of geographical eligibility for procurement in direct centralised and decentralised management**

Subject to the following, the geographical eligibility in terms of place of establishment for participating in procurement procedures and in terms of origin of supplies and materials purchased as established in the basic act shall apply.

The responsible authorising officer may extend the geographical eligibility in accordance with Article 21(7) of the basic act on the basis of the unavailability of products and services in the markets of the countries concerned, for reasons of extreme urgency, or if the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

4.5. **Indicative budget**

The indicative budget is EUR 4.500.000 (no third party contribution foreseen).

4.6. **Performance monitoring**

Throughout the implementation period, the project's progress will be monitored by the implementing partner in accordance with its standard procedures and against the benchmarks defined in the grant agreement.

Performance shall also be subject to external monitoring (Result Oriented Monitoring). Appropriate indicators will be defined at the design phase of the project, jointly with the implementing partner.

In addition, the EaP-IBM Panel will act as a Steering Committee and will monitor the project on an on-going basis. The implementing partner will report about project progress and results at the occasion of each Panel session.

4.7. **Evaluation and audit**

The implementing body has to foresee a mid-term evaluation of the implementation of the project, and should reserve the necessary funds for this purpose in the budget. This evaluation should be externalized to a partner holding proper knowledge of the theme and region, to ensure neutrality.

A final evaluation and/or audit can be carried out if necessary, using funds from other sources than the project budget.

4.8. **Communication and visibility**

A comprehensive visibility plan in compliance with the Communication and Visibility Manual for EU External Actions will have to be defined and implemented, in close collaboration with the European Commission and the EU Delegations in the region, by the implementing body as part of its activities. This visibility plan may

include (indicative list): press conferences, briefings for media, publication in appropriate media (TV, website, press releases, etc.).