



COMMISSION EUROPÉENNE

SECRETARIAT GÉNÉRAL

F-D-E

Bruxelles, le 25 octobre 2005

C(2005)4231

**NOTE POUR LES MEMBRES DE LA COMMISSION**

E/1867/2005

ACCELEREE

**Délai:**

**VENDREDI 28 OCTOBRE 2005 - 11 H**

**Observations éventuelles : service des procédures écrites SG-A-2**  
Fax : 64316 - Tél.: 52362 / 52363

**Objet :** Mécanisme de Réaction Rapide (Moldova et Ukraine)  
- European Community Border Assistance Mission

**Proposition de Mme FERRERO-WALDNER**

**Décision proposée :**

- approuver le projet de décision de la Commission visant à approuver le programme "Measures to support the establishment of a European Community Border Assistance Mission to Moldova and Ukraine" dans le cadre du Mécanisme de Réaction Rapide, à financer sur les ressources du budget de l'Union européenne, pour un montant de 4 000 000 d'euros;
- autoriser les engagements correspondants au titre de la ligne budgétaire 19 02 05;
- ne pas publier au JO.

**Commentaire :**

Les incidences financières sont précisées dans la fiche d'accompagnement.

Vu l'urgence, Monsieur le Président a marqué son accord sur l'engagement d'une procédure écrite accélérée.

  
Jordi AYET PUIGARNAU  
Directeur du Greffe

**Destinataires :** MM. LANDABURU, RICHELLE, ROMERO REQUENA, LÖNNROTH, FAULL,  
VERRUE, PETITE



**NOTE DU SECRETARIAT GENERAL****PREPARATION DU DOCUMENT**Direction générale responsable

RELEX Relations extérieures

Services Associéspour accord

|       |                                  |          |
|-------|----------------------------------|----------|
| AIDCO | EuropAid - Office de coopération | : Accord |
| BUDG  | Budget                           | : Accord |
| DGT   | Traduction                       | : Accord |
| JLS   | Justice, Liberté et Sécurité     | : Accord |
| SG    | Secrétariat général              | : Accord |
| TAXUD | Fiscalité et union douanière     | : Accord |

pour avis

|    |                   |                  |
|----|-------------------|------------------|
| SJ | Service juridique | : Avis favorable |
|----|-------------------|------------------|

Langue originale : EN

**En cas de demande de corrigendum/suspension de cette procédure, les cabinets et/ou le Service juridique sont invités à envoyer leurs observations à la boîte fonctionnelle "SG A-2 ACCORDS CABINETS".**

Dossier traité par Sandrine ROMBEAU - BERL 08/396 - 58417

Info-point PROCEDURE : SG/A/2 (52362- 52363)

Info-point NOTIFICATION : Christoforos MASTROGIANNIS (tél. 64741)

Info-point PUBLICATION : Valérie DELAUNOIS (tél : 98423)



## MEMORANDUM TO THE COMMISSION

Circulated under the authority of the Commissioner for External Relations  
Benita Ferrero-Waldner

### 1. Purpose of the decision and beneficiary countries

This programme will establish an EC Border Assistance Mission to Moldova and Ukraine. The mission will contribute to enhancing Moldovan and Ukrainian capacities for border and customs controls and border surveillance along their common border, including on the Transnistrian section. Improved controls along this border should reduce illicit cross-border flows, including of weapons, drugs or trafficked human beings, while legitimate flows will be facilitated. This is also expected to contribute to a peaceful resolution of the Transnistrian conflict.

### 2. Political context and justification of the urgency of the measure

Moldova and Ukraine are both part of the European Neighbourhood Policy (ENP), and have undertaken specific commitments in the area of border management, including customs, in the context of respective ENP Action Plans or Partnership and Co-operation Agreements (PCA) with the EU.

The region of Transnistria declared its independence from Moldova in 1992, and is today allegedly the source, destination or point of transit of sizeable illicit flows (including weapons, drugs or human beings), some of which reportedly benefit the Transnistrian regime. There has been little progress towards a political settlement since 1992, and calls have been made over the past years for increased EU and US involvement in the resolution of this 'frozen' conflict. A window of opportunity to move towards a resolution of this conflict appeared after the arrival in power in neighbouring Ukraine of the reformist-minded administration of President Yushchenko. In March 2005, the EU appointed a Special Representative for Moldova. The Commission had earlier in 2004 and 2005 helped foster bilateral co-operation on border-related issues in the context of trilateral dialogue, including on an information exchange system, customs arrangements, and on the operation of joint border crossing points.

On 2 June 2005, the Presidents of Moldova and Ukraine sent a joint letter to President Barroso and High Representative Solana, calling for additional EU support in overall capacity building for border management, including customs, along the whole Moldova – Ukraine border. EU assistance was also specifically requested for the creation of an 'international customs control arrangement and an effective border monitoring mechanism on the Transnistrian segment of the Moldova-Ukraine State border'. The Commission and the Member States agreed in principle to respond positively to this unique request, and a joint EU Council Secretariat / Commission Fact Finding Mission (FFM) was deployed to Moldova and Ukraine between 23 and 29 August 2005. This mission *inter alia* recommended the establishment of an EC-financed Border Assistance Mission to Moldova and Ukraine along the lines of the Commission's earlier proposal. Moldova and Ukraine formally agreed to the mandate and tasks of such a mission by signing the related Memorandum of Understanding on 7 October 2005.

To build on this momentum and seize the window of opportunity which may not last long, it is now essential to put in place the EC Border Assistance Mission as rapidly as possible. The mission will consist for the most part of customs / border police officials seconded or detached from EU Member States, and will *inter alia* deliver on-the-job training to counterparts at the operational level, build risk analysis capacities, and provide advice on approximation with EU standards and best practices. The mission is also intended to promote an increasingly integrated approach to border management, as well as greater bilateral co-operation.

3. Legal Basis and Budget

The legal basis for this decision is Council Regulation (EC) No 381/2001 establishing the Rapid Reaction Mechanism. It is proposed that a maximum of €4 million be committed to this measure from budget heading 19-02-05.

4. Complementary action and follow-up envisaged under other Community instruments

The RRM contribution will be part of the broader EC support to enhancing the border management capacities of Moldova and Ukraine under the Tacis programme. It is expected that the continuation of the Border Assistance Mission initiated by the RRM will be financed under Tacis in a seamless transition between the two instruments.

The work of the mission will be complemented by a reinforced presence on the ground of the team of the EUSR for Moldova, with whom very close co-ordination will be ensured.

Draft

## COMMISSION DECISION

of [...]

**regarding a programme of measures to support the establishment of a  
European Community Border Assistance Mission to Moldova and Ukraine  
under the Rapid Reaction Mechanism**

### THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 381/2001 of 26 February 2001 creating a rapid-reaction mechanism<sup>1</sup>, and in particular Article 4 thereof,

Whereas:

- (1) Council Regulation (EC) No 381/2001 calls for the Community to respond in a rapid, efficient and flexible manner to situations of urgency or crisis or to the emergence of crisis;
- (2) The measures provided for in this Decision have been assessed as suitable for Community financing, both in terms of their aims and content;
- (3) The measures should be financed from budget heading 19-02-05 in view of their nature and the relevant budgetary comments;
- (4) The Council has been informed of the measures provided for in this Decision, as required under Article 4(2) of Council Regulation (EC) No 381/2001;

HAS DECIDED AS FOLLOWS:

#### *Sole Article*

The programme of measures to support the establishment of an EC Border Assistance Mission to Moldova and Ukraine as outlined in the Annex is hereby adopted.

The maximum contribution of the Community budget to these measures is EUR 4,000,000 from budget line 19-02-05 of the 2005 budget.

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<sup>1</sup> OJ L 57, 27.2.2001, p. 5.

Done at Brussels, [...]

*For the Commission*  
[...]  
*Member of the Commission*



## ANNEX

### Rapid Reaction Mechanism – EC Border Assistance Mission to Moldova and Ukraine

#### 1. IDENTIFICATION

|                |   |
|----------------|---|
| Programme:     | EC Border Assistance Mission to Moldova and Ukraine   |
| Programme ref: | RRM 2005/07   |
| Cost:          | €4 000 000  |
| Budget Line:   | 19-02-05  |
| Legal Basis:   | Council Regulation (EC) No 381/2001 of 26 February 2001 establishing a Rapid Reaction Mechanism   |
| Duration:      | Contracts to implement this programme may be concluded no later than six months after the Decision has been adopted. The implementation period of any action may not exceed six months. |
| Lead service:  | DG RELEX/A4   |

#### 2. PROGRAMME SUMMARY

This programme will establish the initial phase of an EC Border Assistance Mission to Moldova and Ukraine. The aim of this mission will be to enhance the effectiveness of border and customs controls and of border surveillance by Moldovan and Ukrainian authorities along their common border, including on the Transnistrian section. Improved controls along this border should reduce illicit cross-border flows, including of weapons and drugs, and trafficking in human beings, while at the same time facilitating legitimate movements. It is expected that this should also contribute to a peaceful resolution of the Transnistrian conflict.

The mission should result in enhanced professional capacity of Ukrainian and Moldovan customs officials and border guards at the operational level, including improved use of risk assessment techniques; improved knowledge of EU standards and good/best practices and their practical application by beneficiary services; an increasingly integrated approach to border management and improved bilateral co-operation between Moldovan and Ukrainian services.

The Mission will have no executive powers, but will aim to strengthen the capacities of the beneficiary services to ensure adequate border and customs controls and border surveillance. The mission will, in particular: deliver on-the-job training and coaching in a live work environment to operational-level counterparts; build risk analysis capacity at all levels; advise on border-related standards and best practices by analogy with EU standards; advise on integrating the work of customs and border guards towards an integrated approach to border management, and on improving bilateral co-operation. The Mission will work in close complementarity with the team of the EUSR for Moldova, and in co-ordination with other relevant international actors, including notably the OSCE.

Ukraine and Moldova have formally requested this involvement of the EU and agreed to the establishment and mandate of this Mission by signing the related Memorandum of Understanding on 7 October 2005.

### **3. BACKGROUND AND RATIONALE**

#### **3.1. Background to the Transnistria conflict**

The region of Transnistria proclaimed its independence from Moldova in 1992, one year after the dissolution of the Soviet Union. A short conflict ensued, with some 1,000 casualties. A ceasefire brokered with Russian mediation left Tiraspol in control of the region East of the Dniestr river in a self-proclaimed Republic of Transnistria. Since then, the conflict has been frozen in place. A Russian ‘peacekeeping’ force was deployed in Transnistria, where there are also substantial former Soviet armaments depots. In 1999, Russia undertook to gradually remove her military and armaments from Transnistria (‘Istanbul Commitments’), but no armaments have been removed since June 2003. Efforts to negotiate a political settlement have been undertaken within the so-called ‘five-sided’ format, with the OSCE, Russia and Ukraine as mediators, but have yielded very limited progress. These three actors still remain crucial to any settlement of this conflict.

Over the past years, there have been calls for increased EU and US involvement in the resolution of the Transnistrian conflict. In March 2005, Ambassador Adriaan Jacobovits de Szeged was appointed EU Special Representative for Moldova, with a mandate *inter alia* to contribute to a peaceful settlement of the Transnistria conflict.

A window of opportunity to make headway in resolving the ‘frozen’ Transnistrian conflict appeared following the arrival in power in neighbouring Ukraine of the administration of President Yushchenko. Ukraine also launched its own settlement plan in early May 2005.

In September the parties in the ‘Five-sided’ talks invited the EU and the USA to participate in the negotiation process as observers.

#### **3.2. Border management in the context of EU relations with Moldova and Ukraine**

The EU's overall relations with Moldova and Ukraine are based on respective Partnership and Co-operation Agreements (PCA), which entered into force in 1998. Certain elements of the PCAs and of the sectoral dialogue between the countries and the EU which takes place via regular meetings of specialised sub-committees are directly relevant to the areas of customs or 'justice and home affairs', including border management.

Both countries are part of the European Neighbourhood Policy (ENP). The respective joint ENP Action Plans between the EU and Moldova and Ukraine, endorsed by both sides in early 2005, provide a further framework for the development of the EU's relations with each country. The action plans contain a series of further commitments to make progress towards a system of efficient and comprehensive border management, including specific commitments related to customs (e.g. the origin of goods) or other border management issues.

A specific double-checking system is in place for steel exports from Moldova to the EU. This precludes Transnistrian steel exports not registered with Moldovan authorities from entering the EU as 'Products from Moldova' and thereby benefiting from corresponding trade preferences.

The EU and Ukraine have a specific Action Plan on Justice and Home Affairs (JHA), with no fewer than 25 joint EU-Ukraine measures on-going to upgrade Ukraine's border management and visa issuing system. Progress is regularly assessed in the form of the so-called 'JHA scoreboard'.

The Commission fosters joint trilateral meetings with Moldova and Ukraine on border-related issues. Meetings took place in March 2003, and in January and October 2004. Following the last trilateral consultations, agreement was reached on reinforcing bilateral cooperation through the setting up of a system to exchange information on border traffic across their common border (including the Transnistrian section). The Commission has now launched a feasibility study for the setting up of the information exchange system.

EU assistance to both countries provided under the Tacis programme includes a sizeable proportion devoted to Border Management (see details below). For reasons of political sensitivity, Tacis projects have until now not focused specifically on the Transnistrian segment of the Ukrainian-Moldovan border.

### 3.3. Background to an EU border mission to Moldova and Ukraine

On 2 June 2005, the Presidents of Moldova and Ukraine addressed a joint letter to President Barroso and High Representative Solana, calling for additional EU support in overall capacity building for border management, including customs, along the full length of the Moldova – Ukraine border. The letter specifically requested EU assistance in the creation of an 'international customs control arrangement and an effective border monitoring mechanism on the Transnistrian segment of the Moldova-Ukraine State border'. The Commission and the Member States agreed in principle to respond positively to this unique request, and a joint EU Council Secretariat / Commission Fact-Finding Mission (FFM) was deployed to Moldova and Ukraine between 23 and 29 August 2005.

The report of that Fact-Finding Mission recommended a small enhancement of the EUSR's team for issues related to borders, but also gave especially strong backing to the earlier proposal of the Commission to put in place a Border Assistance Mission as an EC project. This approach was eventually endorsed also by the EU Member States (Political and Security Committee). Given the desirability of enhancing the complementarity between the different EU instruments, the Commission agreed that the Head of its Border Assistance Mission will also separately be appointed Senior Political Advisor to the EUSR, thereby providing the Political and Security Committee with a political overview of the overall EU involvement.

The FFM identified as an important precondition for the deployment of such a mission the formal agreement of Moldovan and Ukrainian authorities to the mission's mandate and tasks. That agreement was obtained by the signature of a 'Memorandum of Understanding' on 7 October 2005. The Memorandum was signed by the Moldovan and Ukrainian foreign ministers and by Commissioner Benita Ferrero-Waldner.

It is now essential to put such a mission in place as rapidly as possible.

#### 3.4. Issues to be addressed by this programme

- The self-proclaimed republic of Transnistria is reportedly the source, destination or point of transit of significant illicit flows. Those flows notably include smuggling, and organised crime, including trafficking in weapons, drugs, or human beings. The revenue of some of those activities allegedly benefits the Transnistrian regime. While these assertions are not corroborated by official figures or hard evidence (in particular as far as seizures are concerned), this view is nonetheless widely held by the international community and seems to be confirmed by intelligence sources.
- The capacities of Ukrainian and Moldovan customs services and border guards to adequately ensure border and customs controls and border surveillance along their common border appear insufficient, whether in terms of material or human capacity. Material capacity is especially inadequate on the Moldovan side. Staff numbers are generally adequate (or too high), but most operational staff appear in serious need of training. In particular, insufficient use is made of risk analysis techniques, whether at local or central level. Despite efforts from the central level, corruption at the operational level of services is still believed to be high.
- On both sides, the concept of integrated border management has been only partially implemented. Despite certain recent improvements (e.g. use of 'one-stop-shop' concept in Ukraine since May 2005), there is scope for considerably improved co-operation between customs services and border guards, as well as with other law enforcement agencies.

- Bilateral co-operation related to this border has made significant progress during 2005, as witnessed by the countries' agreement to the principle of an information exchange system, as well as agreement to operate certain joint BCPs (with the exception of the Transnistrian segment). However, there remain points of contention (e.g. differing customs legislation as regards treatment of goods coming from Transnistria, which have not been registered by Chisinau), as well as the perceived need for a 'third party' presence to help implement those and other commitments.

### 3.5. Related measures and follow-up

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

- Moldova Border Guards Department: training capacity (€0.9 million, RAP 2000); supply of modern border management equipment and specialised training for Border Guard Department (€1.85 million, NAP 2001).
- Moldova customs: project assisting modernisation in the areas of approximation of legislation, customs control and customs clearance, risk analysis and post-clearance audit, equipment (€1 million, NAP 2001); forthcoming project for customs improvement (CBC 2003).
- Ukraine State Border Guards service: provision of border management and computer equipment and border patrol vehicles (€8.75 million, NAP 2001); reforming the Ukrainian SBGS towards a law enforcement service (€3 million, NAP 2002, forthcoming); improving border management at the border with Moldova (forthcoming, NAP 2004).
- Ukraine customs: technical assistance with approximation of legislation, customs control and customs clearance, risk analysis and post-clearance audit and IT development (€1.4 million, NAP 2000 and €0.45 million NAP 2002); IT equipment to customs (€550,000, NAP 2002).
- Border co-operation Ukraine-Moldova: €6.6 million will become available in late 2005 (RAP 2005) to finance the establishment of joint border crossings, the demarcation of the southern part of the Ukrainian-Moldovan border as well as the introduction of an information exchange system between the relevant Moldovan and Ukrainian border services.

Due to the political sensitivity, Tacis projects have until now not focused specifically on the Transnistrian segment of the Ukrainian-Moldovan border. It is however foreseen that the continuation of the Border Assistance Mission initiated by this RRM programme will receive financing for a further 12 to 18

months under the Tacis programme of at least €4 million. The Tacis-financed project should follow on seamlessly from the RRM-financed project, ensuring continuity of the Border Assistance Mission.

In addition to ongoing or anticipated EC measures, other related EU measures include certain bilateral projects of EU Member States, as well as the activities of the EUSR team. The latter is being strengthened by three additional advisors in the context of enhanced EU involvement at the borders. Very close co-ordination will be ensured between the work of the mission and the EUSR team, as well as with EU Member States in Kiev and Chisinau.

Other international actors with border-related involvement include the Organisation for Security and Co-operation in Europe (OSCE) and the United States. Close co-ordination will be ensured with their respective activities.

#### **4. OBJECTIVES OF THE PROGRAMME**

##### Overall objectives

The overall objectives to which this intervention will contribute are:

- Enhancement of the overall border management capacities of Ukraine and Moldova and approximation to EU standards and best practices, assisting the countries with fulfilling their commitments under the ENP Action Plans;
- Peaceful resolution of the Transnistrian conflict.

##### Specific objective

The specific objective of the EU Border Assistance Mission which this programme will initiate is to enhance the effectiveness of border and customs controls and of border surveillance by Moldovan and Ukrainian authorities along their common border, with a particular focus on the Transnistrian section. Improved effectiveness of controls along this border should result in:

- Increased customs revenue and decreased cross-border customs fraud and criminal flows (including weapons or drugs);
- Reduction of human smuggling and illegal migration across this border;
- Facilitation of legitimate flows of goods and persons across this border.

#### **5. PROGRAMME DESCRIPTION**

The RRM programme will finance the first phase of an EU Border Assistance Mission to Moldova and Ukraine which will be continued under Tacis.

##### 5.1. Target groups

The programme will directly benefit the customs and border guards administrations of Moldova and Ukraine by helping to build up their capacities. Indirectly, the decrease in the level of cross-border criminal flows and the facilitation of legitimate flows will benefit the population of Ukraine and Moldova (including Transnistria), as well as the EU.

### 5.2. Expected results

The Border Assistance Mission which this programme will initiate is expected to produce the following results :

- Enhanced professional capacity of Ukrainian and Moldovan customs officials and border guards at the operational level (at border crossing points, inland customs houses, and main transit points), and decreased corruption.
- Improved risk analysis capacity and use of risk assessment techniques by beneficiary services at operational and central level, in terms of gathering, analysing, and disseminating information and intelligence.
- Improved knowledge of EU standards and good / best practices and their practical application by beneficiary services.
- Increased co-operation and complementarity between customs and border guards, and with other law enforcement agencies, towards an integrated approach to border management.
- Improved co-operation between Moldovan and Ukrainian services, including at joint BCPs.
- A detailed needs assessment and recommendations on further legislative or structural reform of services, and further needs for capacity building / training / special equipment at local and central level.

### 5.3. Activities

The main activities which the Border Assistance Mission is expected to implement include:

- Delivering on-the-job training and coaching in a live work environment to operational-level customs and border guard officials at the most relevant locations along the Moldova-Ukraine state border, as well as key transit points and inland customs houses.
- Carrying out visits and inspections at border crossing points and along the green border.
- Building risk analysis capacity at central level and helping to improve exchanges of risk assessments between local and central levels.

- Advising on border-related standards and best practices by analogy with EU standards; on integrating work of customs and border guards towards an integrated approach to border management; and on improving cross-border co-operation between MD and UA services.
- Analysis of strengths and weaknesses of the counterpart services with a view to making an assessment of needs.

In order to perform these activities, the mission will deploy up to 50 field staff for on-the-job training, as well as an appropriate number of staff in mission headquarters and advisors at the central level, during the RRM-financed period.

#### 5.4. Risks and assumptions

This intervention assumes that:

- Ukrainian and Moldovan authorities will remain committed to reform of their border services, fight against corruption, and bilateral co-operation, and will accept (at central and local level) the presence and tasks of the mission staff throughout the duration of the mission.
- EU Member States customs and border police administrations will agree to second/detach sufficient numbers of suitably qualified staff to this mission and will continue contributing towards the successful operation of this mission, in particular through exchange of information.
- The presence of EU staff alongside counterpart operational services will contribute to improving the effectiveness of controls in the direction of EU standards and best practices, lowering risks of corruption, and curbing the main illegal cross-border flows.
- The decrease of illegal flows and smuggling will also reduce illicit sources of revenue of the Transnistrian regime and is expected thereby to positively contribute to its willingness to negotiate a political settlement.

The non-fulfilment of some of these key assumptions would put at risk the successful and timely deployment and operation of the mission. The countries' commitment was, however, recently confirmed by their signature of the Memorandum of Understanding with the Commission. Preliminary indications from EU Member States demonstrate considerable interest in contributing to this joint EU endeavour.

## **6. BUDGET**

The total budget will not exceed €4 million. The mission's budget will be 100% financed by the EC contribution.<sup>2</sup> The budget will cover all costs, including notably travel cost, salaries of the core staff, *per diems* of all international staff,

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<sup>2</sup> With reference to Art 253(1)(b) of the Implementing Rules it is possible to cover the funding of an action in full in the case of support in crisis situations.



rent of mission premises, purchase of vehicles, computers and other equipment, as well as the cost of consumables, communications, etc.

The Mission will receive co-financing in kind from EU Member States, as most of the mission's field staff (up to 50 customs officials / border guards) will be seconded from EU Member States.

## 7. IMPLEMENTATION

The responsible Commission service will be DG External Relations, working in close co-operation with EuropeAid Co-operation Office, the Commission's Delegation in Kiev and the newly opened Delegation in Chisinau. The programme may, in the course of implementation, be devolved to the EC Delegation in Kiev, with a view to ensuring as smooth a transition as possible with the Tacis follow-on programme.

Due to the nature of the programme (contributing to resolving a crisis situation), and the need to put the EU mission in place urgently, grants may be awarded without a call for proposals according to Article 168 of the IR. The rules of procurement for the programme could be those of the implementing organisation in the case of an action implemented by an international organisation.

The Council has been closely involved in the discussions on the establishment of this mission, and will be informed before action is taken under this programme. The Commission will keep the Council informed of the implementation of this action. Through the secondment/detachment of their staff, national public administrations of EU Member States (customs administrations and border police) will participate fully in this project.

The period of implementation of any action will not exceed six months, excluding periods of suspension. In exceptional circumstances, however, supplementary action may be decided upon in accordance with the terms of the RRM Regulation.

### **Indicative project partner**

This programme can only be implemented via an organisation with experience of managing large and logistically demanding operations, and which already has an adequate presence in both countries. Additionally, the legitimacy and confidentiality of the intervention, as well as the need for a seamless transition between the RRM and the Tacis-funded parts of the mission, militate in favour of an implementing organisation with public-law status.

The United Nations Development Programme (UNDP) has been identified in advance as a possible implementing partner in this context. UNDP has, among others, implemented comparable EC Tacis projects with a regional scope (Border Management in Central Asia – BOMCA and Belarus-Ukraine-Moldova Action on Drugs – BUMAD). UNDP also has considerable

experience in the management of large-scale EC Electoral Observation Missions.

**8. MONITORING AND EVALUATION**

The programme will be monitored by the Commission's Delegations in Kiev and Chisinau. Monitoring will be based on objective, verifiable indicators to be established for each measure financed under this programme.

The European Commission and the European Court of Auditors may conduct on-the-spot checks and inspections of the measures provided for in this financing decision, in order to safeguard the European Communities' financial interests.

## FICHE D'IMPACT BUDGETAIRE

**DOMAINE POLITIQUE: EXTERNAL RELATIONS**

**ACTIVITE: 19-02 MULTILATERAL AND GENERAL EXTERNAL RELATIONS MATTERS**

**DÉNOMINATION DE L'ACTION: RAPID REACTION MECHANISM – ESTABLISHMENT OF AN EC BORDER ASSISTANCE MISSION TO MOLDOVA AND UKRAINE**

### 1. LIGNE(S) BUDGÉTAIRE(S) CONCERNEE(S) + INTITULÉ(S)

**19-02-05 Rapid Reaction Mechanism**

### 2. BASE LEGALE

**Council Regulation (EC) N°381/2001 of 26 February 2001 establishing a Rapid Reaction Mechanism**

### 3. DONNÉES CHIFFRÉES GLOBALES DE L'EXERCICE ( EN EUROS )

#### ▣ 3.a. - Exercice en cours

| 2005                                |            | Crédits<br>d'Engagement (CE) | Crédits de Paiement<br>(CP) |
|-------------------------------------|------------|------------------------------|-----------------------------|
| Crédit initial de l'exercice        |            | 29.000.000                   | 29.000.000                  |
| Budgets supplémentaires             |            | Néant                        | néant                       |
| Virements                           |            | Néant                        | néant                       |
| <b>Total du crédit</b>              |            | <b>29.000.000</b>            | <b>29.000.000</b>           |
| Consommation au                     | 10/10/2005 | 20.993.300                   | 20.660.519                  |
| Solde disponible                    |            | 8.006.700                    | 8.339.481                   |
| <b>Montant de l'action proposée</b> |            | <b>4.000.000</b>             | <b>3.200.000</b>            |

#### ▣ 3.b. - Reports à l'exercice

N.A.

#### 4. DESCRIPTION DE L'ACTION

The overall objective of this Programme is to contribute to bringing the border management capacities of Ukraine and Moldova more closely into line with European standards. The Programme will specifically establish an EC Border Assistance Mission to Moldova and Ukraine, aiming to enhance the effectiveness of border and customs controls and of border surveillance by Moldovan and Ukrainian authorities along their common border, with a particular focus on the Transnistrian section. Improved controls along this border should help reduce illicit cross-border flows of weapons, drugs or trafficked human beings, while facilitating legitimate flows. It is expected that this should also contribute to a peaceful resolution of the Transnistrian conflict.

The mission shall mostly consist of customs / border police officials seconded or detached from EU Member States. It shall, *inter alia*:

- deliver on-the-job training and coaching in a live work environment to operational-level counterparts, and build risk analysis capacity at all levels;
- advise on border-related standards and best practices by analogy with EU standards;
- advise on integrating the work of customs and border guards towards an integrated approach to border management, and on improving bilateral co-operation;
- make recommendations for further capacity-building activities to be delivered under the Tacis-financed continuation of the Mission.

#### 5. MODE DE CALCUL ADOPTE

Assumption: Legal commitments representing 100% of the programme will be entered in 2005. The advance payments will be undertaken in 2005, while the final payments will fall due in 2006.

#### 6. ECHEANCIER DE PAIEMENTS (EN EUROS)

| Ligne    | Montant    | Année n    | Année n+1 | Année n+2 | Année n+3 | Exercices ultérieurs |
|----------|------------|------------|-----------|-----------|-----------|----------------------|
| 19-02-05 | €4.000.000 | €3.200.000 | €800.000  |           |           |                      |
| Total :  | €4.000.000 | €3.200.000 | €800.000  |           |           |                      |