

IPA National Programme 2011 – Bosnia and Herzegovina

1. Identification

Project Title	Support to the Law enforcement infrastructure
CRIS Decision number	
Project no.	4
MIPD Sector Code	2. Justice and Home Affairs
ELARG Statistical code	03.24 European Standards / Justice, freedom and Security
DAC Sector code	15130 Legal and judicial development
Total cost (VAT excluded)¹	EUR 12 025 000
EU contribution	EUR 9 500 000
Management mode	Centralised
EU Delegation in charge	Delegation of the European Union to Bosnia and Herzegovina
Implementation management	Delegation of the European Union to Bosnia and Herzegovina
Implementing modality	Stand alone project
Project implementation type	C01
Zone benefiting from the action(s)	Bosnia and Herzegovina

2. Overall Objective and Project Purpose

2.1 Overall Objective

To strengthen Brcko District Police's capacity and to establish an effective border management system in BiH, according to the EU standards.

2.2 Project purpose

1. To Construct a new building for the Police of Brcko District as its HQ to be co-used by the Border Police Field Office Brčko and Foreigner Service Field Office Brčko in order to enhance

¹ The total project cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

operational effectiveness through improved access to modern facilities and equipment according to EU standards.

2. Construction of Border inspection post (BIP) in Bijača on the BiH borderline with R. Croatia in order to comply with the Schengen standards for external EU borders.

2.3 Link with AP/NPAA / EP/ SAA

The European Partnership mentions as priorities:

- Prosecute corruption vigorously and adopt a zero-tolerance policy towards corruption,
- Enhance cooperation with neighbouring countries, notably on cross-border cooperation, the fight against organised crime, trafficking and smuggling, judicial cooperation and border management,
- Prepare and implement all the action plans provided for by the national strategy to combat organised crime,
- Update and implement the national action plan for combating trafficking of human beings,
- Reinforce the fight against organised crime and international cooperation with law enforcement agencies.

Visa, border control, asylum and migration

- Provide adequate staffing for the migration section within the Ministry of Security and adequate facilities, equipment, staffing and training for the Department for Foreigners Affairs.
- Adopt a State level migration strategy and the new Law on movements and stays of aliens.
- Implement the EC/Bosnia and Herzegovina readmission agreement and negotiate readmission agreements with the countries of origin of transiting migrants.
- Ensure that reception centres meet international standards and assume full ownership of their financing and management.
- Adopt and implement the revised national strategy on integrated border management (IBM), based on the IBM guidelines for the Western Balkans, plus the corresponding national action plan.
- Further improve border crossing points

Progress Report 2010

According to the EC Country progress Report 2010, section 4.3.4. Police:

“Overall, Bosnia and Herzegovina’s preparation in the police field remain at an early stage. As part of the police reform, particular efforts are necessary to strengthen cooperation and exchange of information between police agencies. The successful completion of police reform requires the constructive involvement of all levels of government in Bosnia and Herzegovina”.

The same document, in section 4.3.5 Fighting Organized Crime and Terrorism, identifies: “Overall, Bosnia and Herzegovina has started to address its priorities related to organized crime. The issue remains a serious concern and affects the rule of law and the business environment. Recurring challenges such as lack of intra- and inter-agency cooperation, of an adequate legal framework and of modern investigative practices persist”.

Part of the “Progress Report of BiH” for 2010, chapter 4.3.1. visa, border management, asylum and migration refers to border management in BiH:

"Overall, Bosnia and Herzegovina's preparations in the area of border management have advanced but need to be intensified. Efforts need to focus on strengthening the infrastructure at border crossing points, settling unresolved border demarcation issues and reinforcing staff."

The construction of the Police Building of Brcko District BiH will support the implementation of the Stability and Association Agreement, Title VII- Justice, Freedom and Security with special focus on the Article 78.

2.4 Link with MIPD

MIPD 2011-2013, section 3.1.3 "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.

Indicator:

- Strengthened capacities of the law enforcement bodies to better fight organised crime and corruption
- Progress in the implementation of the integrated border management strategy.

2.5 Link with National Development Plan

Bosnia and Herzegovina has prepared a country development strategy (CDS) and a social inclusion strategy which will serve as basis for the national development plan. Both strategies and the related action plans are yet to be adopted by the Council of Ministers. The proposed goals and priorities for the CDS are strengthened macroeconomic stability, sustainable development, competitiveness, employment, EU integration and social inclusion.

2.6 Link with national/ sector investment plans

The Public Investment Program (PIP) includes the Project "Construction of a new functional Police Building BDBIH". Ministry of Finance and Treasury of Bosnia and Herzegovina marked this project in the database of public investments under number: BD-524.

The Project is linked with the Strategic Plan of Brcko District Police of Bosnia and Herzegovina 2008-2013, especially with objective number 3: "Strengthening the capacities for quick and efficient response to incident and accident situations", with special focus on specific objective number 3.2 "Construction of a functional police building and electronic surveillance system"

In the Integrated Border Management Strategy, adopted by the BiH Council of Ministers in July 2008, chapter 5 Cooperation and Coordination, 5.1 Cooperation within the Services, the following is stipulated:

- heading 5.1.3. State Veterinary Office of BiH, pg. 43, heading 5.1.3.6 Infrastructure and equipment,

"Significant investments into the following infrastructure are required:

- border veterinary crossings should be constructed, equipped and made efficient in accordance with the most modern EU standards, in order to create the adequate conditions for professional and high-quality work of the Border Veterinary Inspectorate; ..."

- heading 5.1.4. Phytosanitary Inspectorate, pg. 46, heading 5.1.3.6. Infrastructure and equipment:

"... Upon selection of BCPs (border crossing points) at which control of goods of herbal nature shall be performed, the arrangements of those BCPs at which that control would be performed on both sides should be initiated and the necessary resources related to accommodation, technical support and infrastructure should be ensured."

3. Description of project

3.1 Background and justification

The Police of Brcko District of Bosnia and Herzegovina was the first established multi ethnic police in Bosnia and Herzegovina. Since its establishment until today the Police of Brcko District gave a significant contribution in preventing all forms of crime and achieved significant results in its work. According to the opinion of the EUPM mission, Brcko District Police was used as a model for many programs and projects which were implemented by international organizations. The Law on Criminal Proceedings was first applied by Brcko District Police since 2000.

The Police of Brcko District is currently accommodated in a non-functional building which is located in the very city centre in the pedestrian zone without access to a parking lot. This is a huge obstacle for the efficiency of the Police in responding to reports made by citizens and it poses a threat to citizens since the arrested persons have to be escorted to the police building through the pedestrian zone, where public life of Brcko District citizens is most frequent.

Due to these circumstances activities regarding the construction of a new police building were initiated in 2007. This aroused as a need from the operational work of the Police as a response to rapidly growing and easily adjusting interstate and interregional type of crimes due to specific geo-strategic position of Brcko District of Bosnia and Herzegovina and due to political and legal setup of Police jurisdictions. As an attempt to offer a more coordinated and unified approach to the home affairs sector acting in the area of Brcko District of BiH that includes number of police agencies such as RS Police, FBiH Police, Cantonal Police, Border Police, SIPA, OSA, Foreigner Affairs Fields Office (MoS) but as well Police Forces from neighbouring Croatia and Serbia, Police of Brcko District of Bosnia and Herzegovina asked for logistical support in terms of construction of a modern and adequate facility. This was accepted by the Government and the Assembly of Brcko District of BiH. Construction of the new building is planned to be implemented in four phases, as presented in section 3.5.

The new building, to be used as a headquarters of the of Brcko District Police would also accommodate BiH Border Police Field Office Brcko and BiH Service for Foreigners Affairs - Field Office Brcko. The new building will have a more suitable location, outside the city centre, and in the vicinity of the borderline with Republic of Croatia (200 meters away). This will significantly improve efficiency of the police services. The usable area of the new building will amount to 8,932.33 square meters. Considering the fact that the Police of Brcko District has approximately 300 employees, the new building will contribute to enhance efficiency of the police services, as well as to enhance joint activities and interagency cooperation.

In the view of international cooperation and relations with neighbouring countries, as well as the prospective accession of the Republic of Croatia to EU, negotiations on international bilateral contracts between Bosnia and Herzegovina and the Republic of Croatia are ongoing. This includes negotiations on determination of border crossing points between the two

countries. Two border inspection points (BIPs) for international road traffic, with all inspection services between BiH and R. Croatia, were agreed between Republic of Croatia and Bosnia and Herzegovina. These are Bijača (BiH) -Metković II (CRO) and Gradiška (BiH) - Stara Gradiška (CRO).

Republic of Croatia has already started with activities on the construction of BIP Metkovic II, and the excavation works are ongoing. Finalisation of the works, to enable operation of the BIP Metkovic II on the Croatian side is planned by end December 2011.

In line with provisions of the draft Agreement between BiH and R. Croatia on construction of southern sections of Vc corridor (currently in procedure for signing), the BiH side obliged to enable border control until the end of December 2011. This would be done by setting the temporary facilities for border control, until the permanent BIP is constructed, and linked with activities on access road construction, further elaborated under sections 3.5. and 3.6.

The Construction of the BIP Bijača is foreseen to be implemented in two phases (lots) as presented in section 3.5.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact

A new functional building of the Police of Brcko District of Bosnia and Herzegovina as its HQ that will be co-used by the Border Police of BiH Field Office Brcko and Foreigner Service Field Office Brcko District of BiH is a prerequisite for meeting European standards and the development of a modern concept of organizing police that will provide more efficient results. It should improve operational effectiveness of Brcko District Police through improved access to modern facilities and equipment. It is necessary for the continuation of conducting successful operations with emphasis on organized crime, corruption and terrorism in the area of the District, the region and beyond.

In sense of safety, this project will impact directly on life quality of citizens of Brcko District due to increased capacity for more efficient response of the Police to all safety threats. The area of the District is specific due to its geo-political, economical, legal, and traffic position which determines the standpoint of the Police of Brcko District BiH towards challenges of organized crime, trans-border crime, corruption and terrorism (Action Light). An emphasis needs to be put as well on the very specific geographic and geopolitical position of Brcko District in relation to the entities as well as in relation to the border of Bosnia and Herzegovina and Republic of Croatia, who will join the EU in the near future. In this respect it is important to mention that the new Police building is located at 200 meters distance from the border with Croatia.

This project would contribute to higher level of general safety of citizens and their property which will have as a consequence the creation of favourable environment for all potential investments in Brcko District of Bosnia and Herzegovina.

Sustainability is fully guaranteed through inclusion of operational costs in the budget of Brcko District and with a functioning police system with highest European standards. This project, besides the fact that it will upgrade the cooperation between the Police of Brcko District with the Border Police and Service for foreigners will have a significant impact on improving the cross-border cooperation with the Police of Republic of Croatia and Republic of Serbia. Brcko District of BiH with its specific location as inter-corridor area (Banja Luka – Belgrade and Tuzla – Europe) and with largest open air market in the SEE faces a great deal of crime that are believed to be committed by “pending” and/or “tourist” criminals. Since it is presumed that

most of those are living in the surrounding area of Brcko District of BiH namely in neighbouring towns and villages of Serbia and Croatia the need for exchange of data and stronger and more coordinated cooperation among Police of Brcko District of BiH and Serbian and Croatian police agencies is recognized. The Police of Brcko District Bosnia and Herzegovina underlines the development of the project of establishing the centre for cooperation of police and custom service with the surrounding countries (Serbia and Croatia) as a multinational and multi-agency approach in the fight against trans-border threats and all forms of trans-border crime.

The project „Construction of the Border Inspection Post Bijača“ should help BiH institutions to prepare and adopt more efficient practices in order to establish the border management system in line with the EU standards and „IBM Guidelines for the Western Balkans“.

The project for construction of a long-term Border Inspection Post (BIP) in Bijača (BiH) will contribute to further improvement of border control, as well as improvement of veterinary and phytosanitary controls in terms of import and transit of products of animal origin, live animals, plants and plant products. It will also help the Border Police, Indirect Taxation Authority, State Veterinary Office of BiH, State Administration for Plan Health Protection, and Ministry of Security all being responsible for border management, in improving the accommodation and working conditions, as well as level of equipment, in line with the EU standards.

The implementation of the project will yield the following results: enhancement of border security and facilitation of the flow rate toward Croatia by providing the adequate facilities planned for the function of all corresponding services; improvement of the provisions transparency; decrease in waiting time, elimination of obstacles and ensuring better working conditions for the employees responsible for control/verification of cross-border traffic. In terms of sustainability of the project, Council of Ministers of BiH designated the Indirect Taxation Authority as the institution competent for management and maintenance of the border crossing points in BiH.

Sustainability of the project will be further enhanced by the Agreements on cooperation between agencies involved in integrated border management process. These Agreements regulates cooperation between these services, in relation to border and border crossing points and in order to enable smooth legal flow of people, goods and vehicles as well as to prevent, record and reveal criminal activities and offences in relation to the state border of BiH.

3.3 Results and measurable indicators

Result 1 Brcko District Police HQ constructed and equipment installed;

Measurable Indicator 1 Final building inspection and acceptance of the building is completed.

Result 2.1 Border Inspection Post in Bijača constructed in line with EU standards;

Result 2.2 Supervision over construction of BIP in Bijača carried out and facility handed over to the Project Beneficiary

Measurable Indicator 2 Border Inspection Post in Bijača, on the BiH borderline with R. Croatia, constructed in line with EU standards, handed over to the Project Beneficiary for usage and usage permit obtained.

3.4 Activities

1.1 Construction of Brcko District Police HQ building

1.2 To supply and install equipment

1.3 Supervision of construction works

2.1 Construction of Border Inspection Post in Bijaca

2.2 Supervision over construction of the Border Inspection Post in Bijača

3.5 Conditionality and sequencing

The land, the technical design documentation and construction permits are available. The Government of Brcko District of Bosnia and Herzegovina provided the land and technical documentation for construction of the building. All permits are issued for the technical documentation for the entire project. Tailor cutting of the project to match the phases described below is ongoing and the technical documentation design for the works subject to the EU funded phase would be provided by the Project Beneficiary in a format required by the EU. This would be available by the end of the phase 2 of construction works.

Construction of the new building is planned to be finished in four phases. The first phase started in 2008 and was successfully completed in December 2010. It included works on basement, access, thermo and hydro isolation of the basement walls with cost app 1,070,000 EUR (17% of VAT included).

The second phase is currently ongoing and includes reinforced concrete works. It is expected that this phase would be completed by end 2011.

The third phase will commence upon completion of the works of the second phase. It would include masonry works, tin metal works, locksmith works etc. Funds to finance this phase will be provided by the Brcko District. The expected deadline for completion of this phase is 2nd quarter 2013.

The fourth phase, to be financed from IPA 2011 would provide for continuation of the construction works subject to finalisation of the previous phases funded by the Project Beneficiary, as well as supply of equipment to enable full operation of the facility. Works in this phase, would be able to commence only upon successful completion of the previous construction phases.

Brcko District of BiH will provide the EU Delegation with all required documentation, i.e. permits, reports and Certificates of previous supervising bodies as well as the detailed technical design documentation for works and technical specifications for supplies subject to EU funding, to enable tendering by the EU Delegation.

Technical design documentation for construction of BIP Bijača is available. Funds for expropriation of the land, foreseen for construction of the BIP Bijača, have been made available to the Indirect Taxation Authority. This was done by the decision of the Council of Ministers of BiH ("Decision on allocating funds deposited for the purpose of issuing licence for GSM Operators", Official Gazette of BiH No. 50/10), allocating the funds for preparatory

activities for construction of the border crossing point Bijaca (i.e. purchase of the land, providing necessary permits and conformities).

Construction of BIP Bijača is foreseen to be performed in two phases (lots).

Lot I would provide for construction of the highway section which is an integral part of the border inspection point complex and associated works (to be further defined in the tender documentation for the particular Lot). This includes excavation and all the preparatory works preceding the asphalt surfacing of the highway section. Also, temporary facilities shall be installed to enable border control until the permanent BIP is constructed (in line with provisions of the Agreement between BiH and R. Croatia, on construction of southern sections of Vc corridor), including the minimum required level of infrastructure (installations). Funds for implementation of LOT I have been provided from the budget of the Indirect Taxation Authority and (in line with the Decision on allocating funds deposited for the purpose of issuing licence for GSM Operators”, Official Gazette of BiH No. 50/10). ITA shall modify the existing project documents to enable division into LOT I and LOT II.

Lot II shall be a separate unit compatible with Lot I. Lot II foresees construction of BIP Bijača, including construction of the plateau with all the necessary installations and facilities to enable border, customs, veterinary and phytosanitary control. The activities under Lot II would be subject to financing under EU IPA 2011 funding. Upon completion of the works under Lot II, BIP Bijača would be fully operational. The Indirect Taxation Authority of Bosnia and Herzegovina shall provide technical design documentation and all necessary permits to ensure smooth implementation of activities described under Lot II.

3.6 Linked activities

IPA 2008 project "Support to the Police Reform Process" and IPA 2010 project "EU Support to the area of law enforcement".

There are no other donors for this project save for ICITAP expressing their readiness to provide a certain amount of professional equipment.

In relation to activities under Lot I, as presented in section 3.5., Motorways of the Federation of BiH have completed land expropriation for construction the access road to the BIP (on the section of Zvirici-Bijača highway, corridor Vc). The tendering is ongoing. Works on construction of the access road, on the mentioned section, are expected to start in summer 2011. Works will be implemented in close coordination with activities described under Lot I. The two components (construction of access road and activities under Lot I) are compatible and inseparable in function. Also, they are closely related to activities on the construction of the BIP Metkovic II and access road on the side of R. Croatia.

3.7 Lessons learned

The Police of Brcko District BiH is one of the users of the SDH net, which is linking Brcko Police with other law enforcement agencies in BiH. This net enabled quick exchange of information and communication which positively influenced the efficiency of the police in the fight against all forms of crime. The using of this equipment enabled efficient fight against organized crime in the area of Brcko District BiH. Since the Department for Public Works of Government of Brcko District of BiH is in charge regarding the building of three phases that are financed by the project, their relevant experience regarding this project is observed as a

major asset. Namely, they have competent staff that supervised detailed implementation of project and observed that all permits, legal preconditions, dead lines and quality standards are met.

During the past period the European Union allocated significant funds in support to construction of priority border crossing points in BiH, in line with the EU standards. However implementation of the related activities faced difficulties, resulting in several cases with cancellation of the project activities. This was due to the fact that Bosnia and Herzegovina had not fulfilled the required preconditions to enable implementation of these projects. Furthermore, BiH is facing difficulties in maintenance of the existing border infrastructure, including the border crossing points funded under the EU assistance, as it was not clearly defined which BiH authority is responsible for these issues. However this issue have been resolved by the Decision of the Council of Ministers assigning these responsibilities to the Indirect Taxation Authority (ITA) of Bosnia and Herzegovina.

4. Indicative Budget (amounts in EUR)

				SOURCES OF FUNDING								
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	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 1.1		X	5 350 000	2 825 000	52.8	2 525 000	47.2		2 525 000			
Contract 1.1. Works		X	5 350 000	2 825 000	52.8	2 525 000	47.2		2 525 000			–
Activity 1.2		X	425 000	425 000	100	0	0					
Contract 1.2 Supply		X	425 000	425 000	100	0	0					–
Activity 1.3		X	250 000	250 000	100	-	-					
Contract 1.3. Service (supervision)		X	250 000	250 000	100	-	-					–
Activity 2.1		X	5 700 000	5 700 000	100							
Contract 2.1 Works		X	5 700 000	5 700 000	100							
Activity 2.2		X	300 000	300 000	100							
Contract 2.2 Service (supervision)		X	300 000	300 000	100							
TOTAL IB												
TOTAL INV			12 025 000	9 500 000	79	2 525 000	21					
GRAND TOTAL			12 025 000									

Amounts net of VAT

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 Works Contract (construction works on the building)	Q4/2012	Q2/2013	Q2/2015
Contract 1.2. Supply Contract	Q4/2012	Q2/2013	Q4/2014
Contract 1.3. Service Contract (works supervision)	Q4/2012	Q2/2013	Q2/2015
Contract 2.1. Works	Q4/2012	Q2/2013	Q2/2015
Contract 2.2 Service Contract (works supervision)	Q4/2012	Q2/2013	Q2/2015

6. Cross cutting issues

6.1 Equal Opportunity

Equal opportunity for participation of men and women and the minorities will be assured in all aspects of project implementation. Contractors involved in the project will be required to provide monitoring data recording the participation of men and women and minorities representation of all project progress reports. Special attention will be paid to the facilitation of adequate access for disabled persons into the building.

6.2 Environment

The project is not anticipated to have negative effects on the environment within the prevailing laws.

The project will not have any negative environmental effects. The Revised IBM Strategy and its Action Plan have been prepared and drafted in line with the updated EU Guidelines on Integrated Border Management of the Western Balkans. The Guidelines have taken into the account the environmental issue. The enhanced coordination and cooperation between the IBM agencies (such as Border Police, Indirect Taxation Authority, State Veterinary Office and phytosanitary services) will prevent the overlapping of tasks and decrease the waiting time for motor vehicles at border crossings and, accordingly reduce the pollution.

6.3 Minorities

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

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. The issue of minorities and vulnerable groups will be indicated in all activities planned within the project, particularly in case of public services, legislation and socio-economic development.

ANNEXES

- I Log frame in Standard Format
- II Amounts contracted and Disbursed per Quarter over the full duration of Programme
- III Description of Institutional Framework
- IV Reference to laws, regulations and strategic documents
- V Details per EU funded contract

ANNEX I: Logical framework matrix

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name:		
Support to the Law enforcement infrastructure		Contracting period expires: Three years following the date of the conclusion of the Financing Agreement		Disbursement period expires: One year following the end date for the execution of contracts
CRIS Number:		Total budget : EUR 12.025.000	IPA budget: EUR 9.500.000	
Overall objective	Objectively verifiable indicators	Sources of Verification		
To strengthen Brcko District Police's capacity and to establish an effective border management system in BiH, according to the EU standards.	Brcko District Police Department recognised as meeting EU law enforcement standards and border control in line with the EU procedures and best practices.	EC Progress Reports Brcko District Police's Reports EUPM Reports		
Project purpose	Objectively verifiable indicators	Sources of Verification		Assumptions
1. To Construct a new building for the Police of Brcko District in order to enhance operational effectiveness through improved access to modern facilities and equipment according to EU standards. 2. Construction of Border inspection post (BIP) in Bijača on the BiH borderline with Republic of Croatia in order to comply with the Schengen standards for external EU borders.	1. New Brcko District Police HQ fully operational by end of project. 2.1 Enhanced efficiency of border control and veterinary and phytosanitary control in line with IBM Strategy; 2.2 Enhanced flow of goods and people across the border	1.1 Project Report 1.2 Brcko District Police 2.1 Report of the ITA 2.2 Report of the State Veterinary Office of BiH 2.3 Report of the Phytosanitary Inspection 2.4 BIP Bijača constructed and operational		1.1 Brcko District Police HQ completed on time and ready for acceptance of the building by Brcko District Police. 2.1 Bilateral agreement concluded between Bosnia and Herzegovina and Republic of Croatia on establishment of BIP Bijača. 2.2 Proactive involvement of all agencies involved to enable efficient operation of the BIP.

Results	Objectively verifiable indicators	Sources of Verification	Assumptions
1.Brcko District Police HQ constructed and equipment installed; 2.1 Border Inspection Post in Bijaca constructed in line with EU standards; 2.2 Supervision over construction of BIP in Bijača carried out and facility handed over to the Project Beneficiary	1.Final building inspection and acceptance of the building is completed. 2.Border Inspection Post in Bijaca, on the BiH borderline with R. Croatia, constructed in line with EU standards, handed over to the Project Beneficiary for usage and usage permit obtained	1.Final acceptance certificate 2.1 Project reports 2.2 Provisional Acceptance 2.3 Final Acceptance 2.4 Final Project report	1.Construction and installing of equipment into the building completed in line with foreseen timing, within budget and specifications, in accordance with procurement procedures 2.1 Land expropriation for construction of BIP Bijaca completed 2.2 technical design documentation produced in accordance with legal requirements in place and available) 2.3 Building permit issued in line with requirements of local legislation in place) 2.4 Access road infrastructure provided and operational
Activities	Means	Costs	Assumptions
1.1 To construct works on the building 1.2 To supply and install equipment 1.3 Supervision of works 2.1 Construction of Border Inspection Post in Bijaca 2.2 Supervision over construction of the Border Inspection Post in Bijača	1.1 Works contract for construction 1.2 Works contract for building equipment installation into the building 1.3 Service contract for supervision 2.1 Works tender and contract 2.2 Service tender and contract	1.1-1.3 Overall costs: 6.025.000 EUR (EU contribution: 3.500.000 EUR & Brcko District contribution: 2.525.000 EUR) Construction works 5.350.000 EUR (EU contribution: 2.825.000 EUR & Brcko District contribution: 2.525.000 EUR) Equipment: 425.000 EUR (EU contribution: 425.000) Supervision of works 250.000 EUR (EU contribution: 250.000 EUR) 2.1-2.2 Overall costs: 6.000.000 EUR (EU contribution 6.000.000) Construction works 5.700.000 EUR Supervision of works 300.000 EUR	1. Tendering and contracting processes carried out under EU PRAG procurement procedures. 2.1 Access road infrastructure provided and operational 2.2 Procurement process successfully completed 2.3 Proactive involvement of the Project Beneficiary

	Preconditions 1. Land foreseen for construction in ownership of the Project Beneficiary. Relevant permits to enable construction works implementation available. Design documents and bill of quantities are prepared by Breko District. Technical design documentation for construction works subject to EU funding provided by the Project Beneficiary in a format required to enable works tender launch by the EU Del. Completion of the predeceasing works phases, subject to Beneficiary financing completed before tendering the works subject to EU funding. (Technical specifications for supply of equipment subject to EU funding are provided by the Project Beneficiary, to enable preparation and launch of the supply tender by the EU. 2.- Land expropriation for construction of BIP Bijača completed - Technical design documentation produced in accordance with legal requirements of local legislation in place and available - Building permit issued in line with requirements of local legislation in place before tender launch for supervision and construction works
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ANNEX II: Amounts (in EUR) Contracted and disbursed by quarter for the project

Contracted	Q1/2013	Q2/2013	Q3/2013	Q4/2013	Q1/2014	Q2/2014	Q3/2014	Q4/2014	Q1/2015	Q2/2015
Contract 1.1 Works Contract (construction works on the building)		2 825 000								
Contract 1.2. Supply Contract (supply and instalment of equipment)		425 000								
Contract 1.3. Service Contract (Supervision)		250 000								
Contract 2.1.		5 700 000								
Contract 2.2		300 000								
Cumulated		9 500 000								
Disbursed										
Contract 1.1 Works Contract (construction works on the building)		282 500	635 625	635 625	635 625	635 625				
Contract 1.2. Supply Contract (supply and instalment of equipment)		255 000		170 000						
Contract 1.3. Service Contract (supervision)		50 000		87 500		87 500				25 000
Cumulated (Contracts 1.1.,1.2., 1.3.)		587 500	1223125	2116250	2751875	3475000				3500000
Contract 2.1.		570 000	1 282 500	1 282 500	1 282 500	1 282 500				
Contract 2.2		60 000		105 000		105 000				30 000
Cumulated (Contracts 2.1.,2.2.)		630 000	1912500	3300000	4582500	5970000				6000000
Cumulated TOTAL		1 217 500	3135625	5416250	7334375	9445000				9500000

ANNEX III: Description of Institutional framework

According to the Law on Police of Brcko District of Bosnia and Herzegovina (Official Gazette of Brcko District of Bosnia and Herzegovina no. 31/9, 60/10) the competencies of the Police of Brcko District are:

- protection of life and property,
- protection of human rights and freedom of citizens guaranteed by the Constitution of BiH and Statute of Brcko District BiH,
- preventing, revealing and investigating of criminal acts and misdemeanour which are not in the exclusive competence of other police bodies of Bosnia and Herzegovina,
- tasks and duties related to maintaining of public peace and order,
- security of certain persons and property in the District,
- tasks and duties related to holding of public gatherings,
- tasks and duties related to traffic safety on the roads of Brcko District and other duties related to traffic, defined by law,
- control of purchasing, holding and carrying weapon and ammunition and keeping appropriate records,
- other tasks assigned to the Police by the Prosecutor of the District and other Prosecutors offices in BiH,
- tasks related to production, distribution and deposit of explosive material, which are in the competence of the District,
- tasks related to the work of agencies for protection of persons and property,
- implementing regulations related to weapon and ammunition,
- supervision in the field of entrusted competencies,
- administrative and other expertise defined by law or other regulations,

Other tasks and duties assigned to the Police in accordance with the law.

The EC has also prepared a document titled „IBM Guidelines for the Western Balkans“. Based on this document, the IBM Project was launched in the Western Balkans' countries. Bosnia and Herzegovina prepared the National IBM Strategy adopted by the Council of Ministers in July 2005. The Ministry of Security of BiH was appointed as the national coordinator for implementation of the IBM Strategy. Other agencies involved in the IBM project are: Border Police of BiH, Indirect Taxation Authority, State Veterinary Office of BiH, and State Administration for Plan Health Protection and three border inspectorates established in the entities and District Brčko.

Due to revision of the „IBM Guidelines for the Western Balkans“, the BiH institutions coordinated by the Ministry of Security of BiH, with the technical assistance of the EU Commission, prepared a new revised version of the National IBM Strategy and its Action Plan adopted by the Council of Ministers of BiH in July 2008.

The IBM Strategy contains three vertical pillars of internal service and inter-agency and international cooperation encompassing numerous and different activities.

The final result of the IBM concept implementation should be the smooth flow of people, goods and services across borders, and at the same time prevention of all types of trans-border crime. Therefore, project purpose should contribute to achieving this goal by strengthening the inter-agency cooperation and coordination between the main institutions responsible for the borders.

Integrated Border Management Strategy of BiH;

Conclusion adopted by the Council of Ministers of BiH designating the Indirect Taxation Authority as the authority competent for management and maintenance of border crossing points;

Law on border control

Law on border police

Law on movement and stay of aliens and asylum

Agreements on border crossing points between neighbouring countries;

Law on custom policy of BiH;

Law on custom tariff in BiH;

Law on indirect taxation;

Agreements on cooperation between institutions involved in the integrated border management process;

Law on veterinary;

Rules on requirements for border veterinary inspection of BiH;

Law on phytopharmaceutical products

Law on plant health protection

ANNEX IV: Reference to laws, regulations and strategic documents:

1. Law on Police of Brcko District of Bosnia and Herzegovina (Official gazette of Brcko District BiH number 31/9, 60/10)
2. Law on Police Officials of Brcko District Bosnia and Herzegovina (Official gazette of Brcko District number 41/07, 60/10, 4/08 and 36/09).
3. All corresponding bylaws.
4. Strategic Plan of the Police of Brcko District Bosnia and Herzegovina (2008-2013)

The Project is linked with the Strategic Plan of Brcko District Police of Bosnia and Herzegovina 2008-2013, especially with objective number 3: “Strengthening the capacities for quick and efficient response to incident and accident situations”, with special focus on specific objective number 3.2 “Construction of a functional police building and electronic surveillance system”.

EC has also prepared a document titled „IBM Guidelines for the Western Balkans“. Based on this document, the IBM Project was launched in the Western Balkans' countries. Bosnia and Herzegovina prepared the National IBM Strategy adopted by the Council of Ministers in July 2005. The Ministry of Security of BiH was appointed as the national coordinator for implementation of the IBM Strategy. Other agencies involved in the IBM project are: Border Police of BiH, Indirect Taxation Authority, State Veterinary Office of BiH, State Administration for Plan Health Protection and three border inspectorates established in the entities and District Brčko.

In line with the document Integrated Border Management Strategy of BiH, section related to the cooperation between agencies sets up that it is necessary to construct, modernize and equip border crossing points in accordance with the adopted infrastructure and equipment development plan.

According to the conclusion adopted by the Council of Ministers, competencies in issues related to the management and maintenance of the border crossings have been given to the Indirect Taxation Authority of BiH.

5. Stability and Association Agreement

The Stabilisation and Association Agreement focuses among others on the following main elements:

Provisions on co-operation with Bosnia and Herzegovina in a wide range of fields, including justice, freedom and security.

TITLE VII JUSTICE FREEDOM AND SECURITY

Article 80

Visa, border management, asylum and migration

The Parties shall cooperate in the areas of visa, border control, asylum and migration and shall set-up a framework for the cooperation, including at a regional level, in these fields, taking into account and making full use of other existing initiatives in this area as appropriate.

Cooperation in the matters above shall be based on mutual consultations and close coordination between the Parties and should include technical and administrative assistance for:

- a) the exchange of information on legislation and practices;
- b) the drafting of legislation;
- c) enhancing the efficiency of the institutions;
- d) the training of staff;
- e) the security of the travel documents and detection of false documents;
- f) border management;

Cooperation shall focus in particular:

- a) in the area of asylum on the implementation of national legislation to meet the standards of the Convention relating to the Status of Refugees done at Geneva on 28 July 1951, and the Protocol relating to the Status of Refugees done at New York on 31 January 1967 thereby to ensure that the principle of ‘non-refoulement’ is respected as well as other rights of asylum seekers and refugees.
- b) in the field of legal migration, on admission rules and rights and status of the person admitted. In relation to migration, the Parties agree to the fair treatment of nationals of other countries who reside legally on their territories and to promote an integration policy aiming at making their rights and obligations comparable to those of their citizens.

TITLE VII

JUSTICE FREEDOM AND SECURITY

Article 78

Reinforcement of institutions and rule of law

In their cooperation on justice and home affairs the Parties shall attach particular importance to the consolidation of the rule of law, and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular.

Cooperation shall notably aim at strengthening the independence of the judiciary and improving its efficiency and institutional capacity, enhancing access to justice, developing adequate structures for the police, customs and other law enforcement bodies, providing adequate training and fighting corruption and organised crime.

6. B&H Progress Report 2010

According to the EC Country progress Report 2010, section 4.3.4. Police

“Overall, Bosnia and Herzegovina’s preparation in the police field remain at an early stage. As part of the police reform, particular efforts are necessary to strengthen cooperation and exchange of information between police agencies. The successful completion of police reform requires the constructive involvement of all levels of government in Bosnia and Herzegovina”. The same document, in section 4.3.5 Fighting Organized Crime and Terrorism, identifies: “Overall, Bosnia and Herzegovina has started to address its priorities related to organized crime. The issue remains a serious concern and affects the rule of law and the business environment. Recurring challenges such as lack of intra- and inter-agency cooperation, of an adequate legal framework and of modern investigative practices persist”.

Overall, Bosnia and Herzegovina’s preparations in the area of border management have advanced but need to be intensified. Efforts need to focus on strengthening the infrastructure at border crossing points, settling unresolved border demarcation issues and reinforcing staff."

7. MIPD 2011-2013

To achieve the priorities selected for support in the programming period 2011 – 2013, the Commission will focus its assistance primarily on the following sectors:

Justice and Home Affairs: The development of an independent and effective judiciary in line with European standards, the reform of the penitentiary, as well as improving the law enforcement capacities to continue the fight against corruption and organised crime are important conclusions of the Enlargement Strategy. Support for these sectors is in line with Bosnia and Herzegovina's justice sector reform strategy, the anti-corruption strategy, the national war crimes strategy, the integrated border management strategy, and a number of police reform related laws. The cooperation with civil society is an important element of the justice sector reform.

ANNEX V: Details per EU funded contract:

Contract 1.1. Works Contract (Construction of Brčko District Police HQ building)

Based on the technical design documentation, to be provided by the Project Beneficiary (Brčko District), the EU Delegation would prepare and launch a tender for construction works subject to EU funding. Works subject to EU funding would provide for continuation of the construction works subject to finalisation of the previous phases funded by the Project Beneficiary, as presented in section 3.5. Works subject to the EU funded assistance would be able to commence only upon successful completion of the previous construction phases, carried out by the Project Beneficiary.

Contract 1.2. Supply Contract (Supply and installation of equipment for Brčko District Police HQ)

Based on the technical specifications to be provided by the Project Beneficiary (Brčko District), the EU Delegation would prepare and launch a tender for supply of necessary equipment, to enable full operation of the facility.

Contract 1.3. Service Contract (Supervision over construction of Brčko Police HQ building)

A service tender would be prepared and launched by the EU Delegation to provide for supervision over construction works, subject to EU funding (contract 1.1. above). The tender would foresee a number of engineering experts to provide supervision over the respective works for construction of Brčko District Police HQ (i.e. architect, civil engineering, electrical and mechanical installations experts).

Contract 2.1. Works Contract (Construction of BIP Bijača, Bosnia and Herzegovina)

Based on the technical design documentation, to be provided by the Project Beneficiary (the BiH Indirect Taxation Authority), the EU Delegation would prepare and launch a tender for construction works subject to EU funding (Lot II, as presented in section 3.5.).

Contract 2.2. Service Contract (Supervision over construction of BIP Bijača)

A service tender would be prepared and launched by the EU Delegation to provide for supervision over construction works, subject to EU funding (contract 2.1. above). The tender would foresee a number of engineering experts to provide supervision over the respective works for construction of BIP Bijača (i.e. architect, civil engineering, electrical and mechanical installations experts).