

# SECOND ADDITIONAL SUPPORT PROGRAMME FOR THE REFORM OF THE POLICE IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA IN 2001

## 1. IDENTIFICATION

<b>Beneficiary state:</b>	<b>Former Yugoslav Republic of Macedonia</b>
<b>Programme:</b>	<b>Council Regulation (EC) No.2666/2000</b>
<b>Year:</b>	<b>2001</b>
<b>Cost:</b>	<b>€1.7 million</b>
<b>Expiry date:</b>	<b>31.12.2003 contracting 31.12.2004 disbursements</b>
<b>Sector:</b>	<b>AA</b>
<b>Group:</b>	<b>M</b>
<b>Budget line:</b>	<b>B7-541</b>
<b>Implementing Body:</b>	<b>European Commission services in close co-operation with the European Agency for Reconstruction<sup>1</sup></b>

## 2. SUMMARY

This proposal presents a second additional package of assistance to the Former Yugoslav Republic of Macedonia from the CARDS 2001 allocation, worth € 1.7 million. The EU has committed itself to supporting the Framework Agreement, through a range of measures including budgetary assistance, humanitarian aid (ECHO) and through targeted projects under the CARDS regulation.

The purpose of the assistance is to support the Framework Agreement signed on 13 August 2001, by helping the return of refugees and internally displaced people and by improving facilities in local communities throughout the country. The aim is to reduce inter-ethnic tensions and promote communication between and within communities.

This exceptional assistance is an expression of the will of the EU to help FYROM on its path to stability and as such this programme sends a strong political signal of support to both the government and the people.

The following sector and priority is proposed for funding:

- Support to the reform of the police in FYROM to contribute to the full implementation of the Framework Agreement.

**Maximum available: € 1.7 Million**

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<sup>1</sup> Pending extension of mandate of the Agency to FYROM

### **3. GENERAL BACKGROUND**

#### **3.1 Socio-political issues**

The violence emanating from ethnic Albanian armed groups (EAAG) and the military response of the Government have brought the country to the brink of civil war. This poses threats to the State of FYROM and could also destabilise the region.

This crisis has demonstrated the need for all sides to try to resolve inter-ethnic tensions. This will require measures to safeguard the legitimate rights of the ethnic Albanian minority while ensuring the territorial integrity of the State of FYROM. The Framework Agreement represents an important step in this direction.

On July 5<sup>th</sup> a unilateral cease fire was announced by the Government of FYROM. A similar arrangement was simultaneously announced by the EAAG, with the close involvement of NATO and the EU in both instances. Despite significant violations of this ceasefire agreement by both sides, on August 13<sup>th</sup> a Framework Agreement was signed between the four main political parties, which made provision for stabilisation of the situation in the country through amendments to the Constitution and the disarming of the EAAG.

#### **3.2 Background and justification**

Annex C of the Framework Agreement sets out the commitment of the parties to bring about a reform of the police services by 2004 that ensures the equitable representation of the composition and the distribution of the population of the country. The OSCE will lead the efforts of the international community in providing support to the implementation of the planned reforms.

The European Commission is fully committed to supporting an effective and swift reform of the police services and for this purpose it has devised a programme designed to consolidate and accelerate the implementation its activities in the field of Justice and Home Affairs in the country and in particular to assist the country in carrying out the reform of the police services. The programme will be developed partly within the framework of the OSCE overall strategy but with the full Commission's "ownership" of the activities it plans to accomplish.

#### **3.3 Past EC Funding**

The Rapid Reaction Mechanism provided € 2 million for support to the reform of the police. The programme aims to assist in meeting the objectives of the Framework Agreement concerning the participation of minorities in the national police forces; and to enhance the level of security for returning refugees by creating within the shortest time possible a representative police force.

The main actions foreseen are police training and support to Ministry of Interior for drafting a plan for police reform, in co-operation with OSCE and finance a component for immediate training needs;

Assistance to the reform of the Judiciary has been provided by PHARE in 2000 and especially by CARDS in 2001. Under the PHARE 2000 programme, assistance was provided to enhance the effective fulfillment of tasks associated with reform of the court system and judicial administration.

The objectives of the CARDS 2001 project are to reinforce the rule of law, to consolidate the independence of the Judiciary and to improve the effectiveness of the Judiciary and Legal professions. The activities foreseen under this programme are vocational training for Judges and Prosecutors; and technical assistance to carry out an assessment of the enforcement system in the enforcement divisions of the courts.

#### Allocations in € million

Programme title	2000	2001	TOTAL
Reform of the Judiciary (PHARE)	2		2
Judicial reform (CARDS)		2.5	2.5
Police reform (RRM)		2	2
<b>Grand Total</b>			<b>6.5</b>

## 4. PROGRAMMING CONTEXT

### 4.1 The programming criteria

The following main criteria were adopted :

- To support measures which will allow the implementation of the Framework Agreement
- To ensure that the programme is in line with the Government's own priorities and plans
- To intervene in sectors where the EU has a comparative advantage as a donor
- To ensure there is no overlapping, but complementarity and potential synergy with activities undertaken by other donors

### 4.2 The choice of sectors

The sector is one of the most urgent priorities following the signing of the framework Agreement on 13 August.

## 5. OBJECTIVES

#### Wider Objectives:

- To contribute to the full implementation of the Framework Agreement by promoting an effective and democratic strengthening of police services in accordance with the provisions of point 5.2 of Annex C of the Framework Agreement.
- To preserve the long term perspective of JHA institutional development along EU standards.

### Immediate Objectives:

- To fulfil the objectives of the Framework Agreement concerning the participation of minorities in the national police forces and the overall reform of the police;
- To enhance the level of security for returning refugees by creating within the shortest possible time a representative police force;
- To provide adequate assistance and training on policing methods and practices to police officers and on police management to executives;

## **6. ACTIVITIES**

The following activities are foreseen:

- Training of police executives and of high ranking magistrates;
- Support to the Ministry of Interior for drafting a plan for police reform in co-operation with the OSCE;
- Support to the local development of new policing practices in co-operation with the OSCE;
- Support to the Ministry of Justice and to the Office of the General Prosecutor in preparing the reform of the judiciary and of the prosecution.

## **7. RESULTS**

The following results can be expected:

- A number of new police officers are recruited and trained in accordance with the requirements of the Framework Agreement;
- A new public policing system is implemented along EU standards;
- Action plans are issued to implement the reform of the police and the judiciary.

## **8. IMPLEMENTATION**

The programme will be implemented by the Commission Services in close collaboration with the European Agency for Reconstruction and the relevant national and/or local authorities, until the European Agency for Reconstruction's mandate has been extended to include FYROM.

A Financing Agreement corresponding to this Financing Proposal will be concluded with the counterpart authorities.

The assistance will be implemented through the deployment of experts on secondment to the Ministry of Interior and the Ministry of Justice as well as through the deployment of community policing experts who will form part of an OSCE integrated joint team.

The contracts for services, works and supplies shall be concluded in accordance with the tendering and contract award procedures laid down in the Financial Regulation, Council Regulation 2666/2000 and the "Manual of instructions for contracts concluded for the purpose of Community co-operation with third countries" (adopted by the Commission on 10 November 1999).

## **9. BUDGET**

<b>Programme component</b>	<b>Budget (in €million)</b>
Support to police reform	1.7
<b>GRAND TOTAL</b>	<b>1.7</b>

## **10. CONDITIONALITY**

The successful implementation of this programme is conditional on the co-operation of the FYROM authorities and the full implementation of the terms of the Framework Agreement within the country. In the absence of such co-operation the Commission may suspend or cancel all or a part of the program.

## **11. MONITORING, EVALUATION AND AUDIT**

This programme will be monitored and supervised by the European Commission Services in close collaboration with the European Agency for Reconstruction<sup>2</sup>, who shall:

- a) monitor the implementation of the programme on the basis of regular reports, contacts with stakeholders and site visits
- b) carry out regular monitoring and evaluations to follow the progress of the programme and its components as well as ex-post evaluations after its completion

The accounts and operations of the programme components will be checked at intervals by an outside auditor contracted by the Commission without prejudice to the responsibilities of the European Commission, including the European Antifraud Office (OLAF), and the European Union's Court of Auditors.

<sup>2</sup> Pending extension of mandate of the Agency to FYROM