

Standard Summary Project Fiche for the Transition Facility

1. Basic Information

1.1. CRIS Number: 2007/19343.01.04

Twinning Light Contract RO/2007-IB/JH/03/TL

1.2. Title:

Strengthening the Romanian law enforcement agencies operational capacity to fight economic and financial crime

1.3. Sector:

Justice and home affairs

1.4. Location: Romania

2. Objectives

2.1. Overall Objective:

Efficient fight against economic and financial crime

2.2. Project purpose:

Unitary approach in evidence administering (gathering, analyzing, processing and use of investigating data) applied by all Romanian law enforcement agencies in cases related to economic and financial crime

2.3. Justification

The 2004 Regular Report on Romania's progress towards accession underlines that "Inter-agency co-operation needs to be further improved, especially between the Border Police, the Financial Guard, the National Customs Authority and the economic branch of the police specialised in tax crimes".

The May 2006 Monitoring Report of the European Commission refers to the Justice System and Political criteria highlighting the fact that the "training needs remain high particularly for judges, prosecutors and clerks already employed". As a consequence a consistent interpretation of the law at all level is not fully ensured yet throughout the country. In Chapter 24 - Cooperation in the field of justice and home affairs, the Commission points out that "additional continuous training is also needed for serving police officers and agents".

The Monitoring Report on the state of preparedness for EU membership of Bulgaria and Romania from September 2006 still finds for the Romanian Public Ministry "serious managerial shortcomings such as [...] lack of relevant ongoing training [...]" and concludes that „further efforts are needed to ensure a more consistent interpretation and application of the law in order to create legal certainty". In the same time, "it is still not ensured that all

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judges have sufficient specialist knowledge to hear and judge complex cases of financial and economic crime”.

3. Description

3.1. Background and justification:

The fight against economic and financial crime has been a top priority of the European Union for a number of years. The need to protect the financial systems from misuse determined the European Commission and the member states to accelerate the measures to counteract this phenomenon. As a new member of the European Union since January 2007, Romania is under high pressure to increase its efforts in aligning to the EU standards and best practices to counter economic and financial crimes.

Even though the occurrence of tax evasion and other economic and financial offences is high, the number of convictions is not yet satisfactory. Due to misinterpretation at the level of evidence administering and lack of technical skills, there are discrepancies between the different views of the bodies in charge with the criminal investigation and the courts.

Regarding the involvement of practitioners in solving economic and financial crimes, four categories are identified: financial experts within the Financial Guard (FG) and the National Agency for Fiscal Administration (NAFA) with the main role in detecting such crimes; police officers and prosecutors with tasks in conducting the criminal investigation; and lastly judges, who are passing the final decision.

Following the recent amendments to Law no. 508/2004 on organizing and functioning of DIOCT, brought by GEO no. 131/2006, the prosecutor's offices attached to tribunals and courts of first instance received competence in fighting economic and financial crime. Due to the constraints of the former legal provisions, training was not offered at the level of this category of prosecutors and of judges from the corresponding courts.

An adequate joint training will enable the practitioners at the level of the law enforcement agencies to efficiently deal with these cases, to cope with aspects related to interpretation of evidence at all levels and finally to increase the credibility of the Romanian act of justice in the member states.

In the same time, a detailed manual on working procedures addressing all the issues of conducting investigations in this matter is mandatory to further consolidate the results of the training, to ensure the dissemination of the knowledge and experience among the law enforcement personnel and a unitary application of the law.

The given project does not fall under the scope of the Structural and Cohesion Funding, neither of DG JLS programmes due to its specific purpose and target groups and no other financing sources were identified to put into practice the activities provided for by the present project proposal.

3.2. Linked Activities

Project RO-02/IB/JH-IO Twinning “Follow up to the assistance for the National Institute of Magistracy (NIM) and for the Training Centre for Clerks and Other Specialized Personnel”.

The twinning provides for a National Strategy of NIM, in-service-training in line with EU-requirements drafted and approved by the NIM; improvements in the in-service training curricula of NIM effectuated and approved by the NIM; a system of trainers for in-service training of magistrates in line with EU-model; training for up to 700 magistrates in both EC and national matters in line with EU standards. No overlap with Phare 2002 is foreseen, as the current project proposal intends to train the law enforcement agencies personnel on specific topics which were not addressed by the previous project.

PHARE 2004/016-772.01.04 "Continuation of the assistance for NIM and TCC" is part of the priority 2 "Building a professional judicial system" and starts on the second half of 2007. It offers training for judges and prosecutors in the following fields: EC law, special investigation methods and witness protection, treatment of persons who co-operate with the judicial system, such as whistleblowers, complex economic and financial investigation in criminal cases, criminal aspects regarding privatization and public procurement investigation. A number of 16 seminars on the topic listed for groups of 20-25 participants (judges and prosecutors) is provided.

PHARE 2004/016-772.03.12 - "Fight against organized crime-an inter-institutional approach" focused on strengthening the anti-organised crime functions, based on an integrated sector strategy ensuring the strategic and operational co-operation between all law enforcement institutions. The project provides for training in the field of fighting organized crime for prosecutors within DIOCT, judges, police officers and other officials. 2 seminars covered countering forgery and counterfeiting of currency and other means of payment and other 2 seminars addressed money laundering issues, attended by 35 prosecutors from DIOCT, 23 judges and 36 police officers.

Phare 2005/017-553.03.05 - "Strengthening the Romanian institutions capacity of protecting the intellectual and industrial property rights". The Twinning project, of which implementation will start in April 2007, provides for training of 30 prosecutors, 75 judges and 104 police officers in various topics on intellectual property rights. Due to the specific purpose of the current project proposal, no overlap with this Phare 2005 project is foreseen.

PHARE 2006 for justice, Project 8 - "Further consolidation of the institutional capacity of the Public Ministry with a focus on fighting against organized crime and terrorism", which provides for training on organized crime and terrorism for 250 prosecutors and experts.

3.3. Results

1. Training Needs Assessment (TNA) report at the level of the prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, judges, police officers and financial experts within FG and NAFA on investigative techniques and evidence administering on financial and economic crime elaborated.
2. Specific training curricula developed.
3. A number of 70 law enforcement personnel (30 prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, 20 judges, 10 police officers and 10 financial experts within FG and NAFA) selected to be trained on substantial issues and Training of Trainers (ToT).

4. The selected 70 law enforcement personnel in-depth trained and learnt the best practices on investigative techniques and evidence administering on financial and economic crime.

5. The 70 personnel attending the training on investigative techniques and evidence administering on financial and economic crime attended a 4 days ToT and learnt the necessary training skills to further disseminate the information acquired on substantive issues.

6. Manual on methodology and working procedures for conducting investigations on economic and financial crime, including best practices at EU level, examples of jurisprudence and also detailed notions on ToT drafted, translated into Romanian language, assumed, endorsed by the responsible institutions.

3.4. Activities

1. Conduct a TNA at the level of the prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, judges, police officers and financial experts within FG and NAFA on investigative techniques and evidence administering on financial and economic crime and draft a TNA report.

It is envisaged that this activity will require the input of 2 STEs, one of 15 years of experience and one of 10 years of experience. The experts are assumed to require in total 14 working days in delivering the specific output (i.e. 7 working days per expert, delivered through 1 mission each).

TF budget activity 1 – 14,454 euro

2. On the basis of the conclusions of the TNA report, draft the training curricula for 70 law enforcement personnel (prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, judges, police officers and financial experts within FG and NAFA). The training curricula should include, but not be limited to the following subjects:

- Modus operandi for tax evasion and other economic and financial crimes
- Investigation techniques on tax evasion and economic and financial crimes
- Gathering, analyzing, processing and use of investigative data

It is envisaged that this activity will require the input of 2 STEs, one of 15 years of experience and one of 10 years of experience. The experts are assumed to require in total 16 working days in delivering the specific output (i.e. 8 working days per expert, delivered through 1 mission each).

TF budget activity 2 – 16,160 euro

3.1. Elaborate the criteria for the selection of the law enforcement personnel to be trained on substantial issues related to economic and financial crime and ToT.

3.2. On the basis of the selection criteria elaborated at activity 3.1, select a number of 70 law enforcement personnel (30 prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, 20 judges, 10 police officers and 10 financial experts within FG and NAFA) to be trained on substantial issues and ToT.

It is envisaged that this activity will require the input of 2 STEs, one of 15 years of experience and one of 10 years of experience. The experts are assumed to require in total 20 working

days in delivering the specific output (i.e. 10 working days per expert, delivered through 1 mission each).

TF budget activities 3.1 and 3.2 – 19,572 euro

4. Deliver 4 intensive 5 day training sessions to the selected 70 law enforcement personnel on the topics provided for in the training curricula, as follows:

- a. 2 day specialised training on investigation techniques and other relevant areas identified as result of the TNA for prosecutors, police officers and the financial experts within GF.
- b. 3 day joint training sessions on processing and use of investigating data for prosecutors, judges, police officers and financial officers.

The training materials will be delivered to NIM at the end of training.

It is envisaged that this activity will require the input of 3 STEs, one of 15 years of experience and two of 10 years of experience. The experts are assumed to require in total 60 working days (i.e. 20 working days per expert, delivered through 4 missions each).

TF budget activity 4 – 60,780 euro

5. Deliver 4 ToT sessions of 4 days each to the participants in each the above mentioned training sessions, including evaluation of the ToT attendants.

It is envisaged that this activity will require the input of 2 STEs, one of 15 years of experience and one of 10 years of experience. The experts are assumed to require in total 20 working days, delivered in 2 missions each.

TF budget activity 5 – 20,260 euro

Benchmarks:

- *Participants' specialised knowledge and skills are upgraded in the field of economic and financial crime evidence administering.*
- *Participants are familiarized with relevant EU standards and regulations in the field.*
- *The conviction of economic and financial crime is increased by the application and dissemination of the acquired expertise and knowledge.*

6. On the basis of the information provided in the training sessions, but not limited to, draft a manual on methodology and working procedures for conducting investigations on economic and financial crime, including best practices at EU level, examples of jurisprudence and also detailed notions on ToT.

It is envisaged that this activity will require the input of 2 STEs, one of 15 years of experience and one of 10 years of experience. The experts are assumed to require in total 30 working days (15 days per expert, delivered in one mission each).

TF budget activity 6 – 29,014 euro

Benchmark:

- *The manual will provide information for the elaboration of further tasks.*

The activities will be implemented through a Twinning Light contract.

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Required inputs:

This project requires an experienced team of minimum 6 **short-term experts** (160 man-days in total) having minimum 10, respectively 15 years of experience in fighting economic and financial crime. They must have recent experience on performing investigations and gathering, analyzing, processing and use of investigative data on these categories of crimes and must also have expertise in designing training materials and delivering theoretical and practical training.

General profile of the STEs:

- Deep going knowledge and relevant practical experience on conducting investigations on economic and financial crime and evidence administering;
- Sound knowledge of relevant EU legislation and best practice on fighting economic and financial crime, as well as of institutional arrangements to be put in place for the efficient fight against economic and financial crime;
- Experience in preparing and delivering of training programmes;
- Excellent drafting and reporting skills;
- Former experience as trainer in similar projects;
- University degree in law or equivalent and specializations in the field of economic and financial crime investigations;
- Experience in EU acceding countries/new Member States would be a plus;
- Participation in similar projects would be an asset;
- Fluency in spoken and written English;
- Good communicator;
- Rapidly adaptable to new working environment and ability to work under pressure;
- Analytical, problem-solving and creativity skills.

Project leader – min. 15 years experience

A project leader chosen among the short term experts is needed in order to undertake the responsibilities arising from the twinning covenant, supervise the project implementation, to participate to the achievement of the activities of the project and elaboration of the quarterly reports and to ensure the ownership of the project on behalf of the member state partner.

The main tasks for the project leader are:

- Project management and coordination of the activities of the team members in line with the agreed work programme to enable timely completion of project outputs.
- Preparation of quarterly project progress reports and final report.
- Supervision of the preparation and production of tasks reports.
- Act as the contact point of the MS administration for any issues that may arise during the project implementation, at the required level of representation.

Requirements for the project leader who will be responsible for the twinning light project:

- Legal studies or equivalent;
- Minimum of 10 years experience in conducting investigations on financial and economic crime as prosecutor or police officer;
- Sound knowledge of relevant EU legislation and best practice on fighting economic and financial crime, as well as of institutional arrangements to be put in place for the efficient fight against economic and financial crime;
- Capacity to demonstrate innovative approach by abstracting from own experience and adapting to the needs, constraints and culture of the beneficiary;

- Experience in cooperation with EU acceding countries/new member states would be an asset;
- Good communication skills; previous experience of working in a multi-disciplinary and multi-national team would be a plus;
- Previous experience as project coordinator/project manager;
- Participation in similar projects;
- Fluency in spoken and written English;
- Excellent computer literacy.

3.4. Lessons learned:

See annex 5

4. Institutional Framework

The Project will be implemented in the following institutional framework:

The overall responsibility for the project lies with the Prosecutor's Office attached to the High Court of Cassation and Justice (POHCCJ).

The main beneficiaries of the project are: the Public Ministry, the General Inspectorate of Romanian Police (GIRP) within the Ministry of Administration and Interior, the Superior Council of Magistracy (SCM), the FG and NAFA within the Ministry of Economy and Finances.

Contact persons for the beneficiaries:

Prosecutor's Office attached to High Court of Cassation and Justice

Mr. Codrut OLARU, Chief Prosecutor of DIOCT / project manager
Bd. Libertatii nr. 14, District no. 5, Bucharest, Romania
Tel. 00 40 213 19 38 67
Fax 00 40 21 319 38 58
E-mail: olaru_codrut@mpublic.ro

Superior Council of Magistracy

Mr. Nicolae Dan CHIUIJDEA, Deputy President
Tel. 00 40 21 311 69 12
Fax 00 40 21 311 69 51

General Inspectorate of Romanian Police

Questor Dan Valentin FĂTULOIU, Chief Inspector
Bucharest, Sos. Stefan cel Mare nr.13, sector 2
Phone: 00 40 21 212 20 20
Fax: 00 40 21 210 65 52

Financial Guard

Mr. Adrian CUCU, General Commissioner
Phone: 00 40 21 316 57 61
Fax: 00 40 21 317 57 53
Email: adrian.cucu@mfinante.ro

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National Agency for Fiscal Administration
 Mr. Daniel CHITOIU, Deputy President
 Phone: 00 40 21 314 75 35
 Fax 00 40 21 319 96 41
 Email: daniel.chitoiu@mfinante.ro

5. Detailed Budget

€M	Transition Facility support			Co-financing			Total cost
	Investment	Institution Building	Total Transition Facility (=I+IB)	National Public Funds (*)	Other Sources (**)	Total co-financing of the project	TF plus co-financing
Project 01 TWL	0.00	0.20	0.20	0.00	0.00	0.00	0.20
Project 01 parallel cofin	0.00	0.00	0.00	0.07*	0.00	0.07*	0.07*
Total	0.00	0.20	0.20	0.07*	0.00	0.07*	0.27

* The co-financing is parallel and will be provided from the budget of the Public Ministry.

VAT is not an eligible expenditure under both the Transition Facility and national cofinancing funds indicated in the above budget table. Where contracts are subject to VAT due to provisions of national legislation, these funds have to be provided from national resource outside and in addition to the amounts indicated in the budget table.

6. Implementation Arrangements

6.1. Implementing Agency

The Implementing Agency is Central Finance and Contracts Unit (CFCU) which will be responsible for tendering, contracting, administration, accounting, payments and financial reporting.

Mrs. Carmen ROSU, Director CFCU/PAO
 030669 Bucharest, Sector 3
 Mircea Voda Boulevard 44, Entrance B
 Telephone: 00 40 21 326 02 02
 Fax: 00 40 21 326 87 30; 326 87 09
 E-mail: carmenrosu@cfcu.ro

The overall responsibility on technical implementation is under the Public Ministry. The contact details for the Implementing Authority are the following:

Ms. Ana Maria HRISTODORESCU, SPO – Head of PIU
 Bucharest, Sector 5, Romania
 14 Libertatii Bd.

Phone: +40 (21) 311 88 71
Fax: +40 (21) 311 88 72
E-mail: hristodorescu_ana@mpublic.ro

6.2. Twinning light

Implementing authority

Public Ministry

Gabriela SCUTEA, Deputy General Prosecutor / BC project leader
Bdul Libertatii, no.14, District no. 5, Bucharest, Romania
Tel: 00 40 21 410 28 48
Fax: 00 40 21 319 3879
E-mail address: adj_pg@mpublic.ro

In order to ensure that the project focus is in line with all required principles, a Steering Committee will be established. It will consist of representatives from Public Ministry, GIRP, SCM, FG, NAFA, as well as from National Aid Coordination and Central Finance and Contracting Unit. Representatives from NIM taking part in the implementation phase will attend the Steering Committee. The Steering Committee will coordinate and supervise the implementation of activities and will hold a meeting every three months during the preparation and implementation phase of the project.

6.3. Non-standard aspects

The project will respect the Twinning Manual provisions.

6.4. Contracts

Contracts	TF funds Euro	Co-financing	Total Budget
TWL	200,000	70,000	270,000

7. Implementation Schedule

7.1. Start of tendering/call for proposals

May 2008

7.2. Start of project activities

January 2009

7.3. Project completion

September 2009

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8. Sustainability

Resources in terms of staff and budget to secure the sustainability of the project after their completion will be ensured.

The beneficiaries undertake to ensure the sustainability of the results as follows:

- The training activities under result 4 will be sustained through providing a ToT component, where the participants to the training on substantial issues will get the necessary skills to further disseminate the information. The ToT attendants will be evaluated and receive a trainer certificate. The training materials will also be delivered to the NIM at the end of the training sessions, to support the delivering in the future of such training.
- The manual provided under result 6 will be endorsed and assumed by the responsible institutions and properly disseminated among professionals.

9. Conditionality and sequencing

Conditionality

The adequate human resources will be ensured before the start of the project.

Sequencing

- MS administration will present the offers.
- Contract will be prepared on time and according to the project fiche.
- Beneficiary will be prepared to jointly work on the contract with the MS partner.
- The twinning contract is planned to be signed by September 2008.
- The project will be implemented in compliance with the schedule provisioned in the contract.
- Steering Committee will be formed and first meeting will take place in December 2008.
- Project activities will be carried out by April 2009.

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period)
4. List of relevant Laws and Regulations
5. Lessons learnt from previous years
6. Detailed budget
7. Additional information

Annex 1 - Log frame

Log frame planning matrix for project fiche		Programme name and number 2007/19343.01.04	TF
Title of the project Strengthening the Romanian law enforcement agencies operational capacity to fight economic and financial crime		Contracting period expires in 15 December 2009	Disbursement period expires in 15 December 2010
		Total budget : 0.27 MEuro	TF budget: 0.20 MEuro
Overall objective	Relates to Copenhagen criterion and acquis chapter¹	List of other projects with same objective	
Efficient fight against economic and financial crime	<ul style="list-style-type: none"> The Monitoring Report on the state of preparedness for EU membership of Bulgaria and Romania from September 2006 	RO-02/IB/JH-IO Twinning "Follow up to the assistance for the NIM and for the Training Centre for Clerks and Other Specialized Personnel" PHARE 2004/016-772.01.04 "Continuation of the assistance for NIM and TCC" PHARE 2004/016-772.03.12 "Fight against organized crime-an inter-institutional approach" PHARE 2006 for justice, Project 8 - "Further consolidation of the institutional capacity of the Public Ministry with a focus on fighting against organized crime and terrorism".	
Project purpose Unitary approach in evidence administering (gathering, analysing, processing and use of investigating data) applied by all Romanian law enforcement agencies in cases related to economic and financial crime	Objectively verifiable indicators <ul style="list-style-type: none"> Number of solved cases on financial and economic crime increased with 10% each 	Sources of Verification <ul style="list-style-type: none"> Annual Reports of the Public Ministry Project reports; Internal audit reports 	Assumptions <ul style="list-style-type: none"> Active interest of the participants in training sessions and commitment to

¹ Please specify here the recommendation made in Comprehensive Monitoring Report or other relevant documents (SIGMA (financial control, procurement, Peer Reviews, Evaluation reports, Final reports of TW projects)

Results	year after the completion of the project	Statistics and reports of the beneficiaries	ensure sustainability
Objectively verifiable indicators	Sources of Verification	Assumptions	
<p>1. TNA report at the level of the prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, judges, police officers and financial experts within FG and NAFA on investigative techniques and evidence administering on financial and economic crime elaborated.</p> <p>2. Specific training curricula developed.</p> <p>3. A number of 70 law enforcement personnel (30 prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, 20 judges, 10 police officers and 10 financial experts within FG and NAFA) selected to be trained on substantial issues and Training of Trainers (ToT).</p> <p>4. The selected 70 law enforcement personnel in-depth trained and learnt the best practices on investigative techniques and evidence administering on financial and economic crime.</p> <p>5. The 70 personnel attending the training on investigative techniques and evidence administering on financial and economic crime attending a 4 days ToT and learnt the necessary training skills to further disseminate the information acquired on substantive issues.</p> <p>6. Manual on methodology and working procedures for conducting investigations on economic and financial crime, including best practices at EU level, examples of jurisprudence and also detailed notions on ToT drafted, translated into Romanian language, assumed, endorsed by the responsible institutions.</p>	<ul style="list-style-type: none"> TNA report drafted. Training curricula drafted. 4 training sessions on economic and financial crime issues of 5 days each for 70 staff delivered by the end of the project. 70 law enforcement agencies staff selected to be trained 70 staff trained until the end of the project on economic and financial crime issues and in ToT. Improved NIM training resources by the end of the project. Relevant manual drafted by the end of the project. Higher number of economic and financial crime investigations each year after the completion of the project 	<ul style="list-style-type: none"> Annual Reports of the Public Ministry Project reports TF sectoral monitoring reports Training lists of participation Manual in place 	<ul style="list-style-type: none"> The staff to be trained is available by the time of the training. Willingness of the beneficiaries to follow the manual issued under the project.
Activities	Means	Sources of Verification	Assumptions

<p>1. Conduct a TNA at the level of the prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, judges, police officers and financial experts within FG and NAFA on investigative techniques and evidence administering on financial and economic crime and draft a TNA report.</p> <p>2. On the basis of the conclusions of the TNA report, draft the training curricula for 70 law enforcement personnel (prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, judges, police officers and financial experts within FG and NAFA). The training curricula should include, but not be limited to the following subjects:</p> <ul style="list-style-type: none"> • Modus operandi for tax evasion and other economic and financial crimes • Investigation techniques on tax evasion and economic and financial crimes • Gathering, analyzing, processing and use of investigative data <p>3.1. Elaborate the criteria for the selection of the law enforcement personnel to be trained on substantial issues related to economic and financial crime and ToT.</p> <p>3.2. On the basis of the selection criteria elaborated at activity 3.1, select a number of 70 law enforcement personnel (30 prosecutors within the prosecutor's offices attached to tribunals and courts of first instance, 20 judges, 10 police officers and 10 financial experts within FG and NAFA) to be trained on substantial issues and ToT.</p> <p>4. Deliver 4 intensive 5 day training sessions to the selected 70 law enforcement personnel on the topics provided for in the training curricula, as follows:</p> <ol style="list-style-type: none"> 2 day specialised training on investigation techniques and other relevant areas identified as result of the TNA for prosecutors, police officers and the financial experts within GF. 3 day joint training sessions on processing and use of investigating data for prosecutors, judges, police officers and financial officers. The training materials will be delivered to NIM at the end of training. <p>5. Deliver 4 ToT sessions of 4 days each to the participants in each the</p>	<p>1 TWL Contract 14 working days / 2 STEs.</p> <p>16 working days / 2 STEs</p> <p>20 working days / 2 STEs</p> <p>60 working days / 3 STEs</p>	<ul style="list-style-type: none"> • Annual Reports of the Public Ministry • Project reports • TF sectoral monitoring reports • Training lists of participation • Assessment report in place • Manual in place 	<ul style="list-style-type: none"> • Financial, logistic and human resources commitment of the beneficiaries to the project. • Efficient operation between Member States experts and national officials.
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above mentioned training sessions, including evaluation of the ToT attendants.	20 working days / 2 STEs		
6. On the basis of the information provided in the training sessions, but not limited to, draft a manual on methodology and working procedures for conducting investigations on economic and financial crime, including best practices at EU level, examples of jurisprudence and also detailed notions on ToT.	30 working days / 2 STEs		

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Adoption of the new statistical acquis communautaire provisions

D = Design
C = Contracting
I = Implementation

Annex 3

Annex 3a - Cumulative contracting schedule

	31/03/07	30/06/07	30/09/07	31/12/07	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09
CONTRACTED Twinning light								0.20 Meuro				
NB: All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.												

Annex 3b - Cumulative disbursement schedule

	31/03/08	30/06/08	30/09/08	31/12/08	31/03/09	30/06/09	30/09/09	31/12/09	31/03/01	30/06/01	30/09/01	30/09/01
DISBURSEMENT Twinning light					0.08 Meuro	0.10 Meuro	0.02 Meuro		0	0	0	0
NB: All disbursements must be completed within 36 months of signature of the FA.												

Annex 4 - List of relevant Laws and Regulations

1. GD no. 232/2005 on Strategy on judiciary reform 2005 – 2007
2. GD no. 1171/2005 on approving the National Strategy on Countering organized crime and the Action Plan for implementation the Strategy
3. Law no. 39/2003 on preventing and countering organized crime
4. Law no. 508/2004 on organizing and functioning of the Department for Investigation of Organized Crime and Terrorism
5. GEO no. 131/2006 on amending Law no. 508/2004 organizing and functioning of the Department for Investigation of Organized Crime and Terrorism
6. Law no. 241/2005 on preventing and countering tax evasion
7. Law no. 54/2006 for approving GEO no. 134/2005 for amending and completing GEO no. 43/2002 on National Anticorruption Department
8. Criminal Code
9. Criminal Procedure Code

Annex 5 - Lessons learnt from previous years

<i>Identified Gaps or Recommended courses of intervention</i>	<i>Action for covering the Gap or implement the recommended intervention</i>	<i>Phare Programming (Project Reference) 2004-2006</i>	<i>Transition Facility</i>
<p>2nd Peer Review Report December 2005 by Susette Schuster "continuous training should be strengthened. To the expert many problems of the judiciary are more due to a lack of ideas and lack of knowledge".</p>	<p>During the last years, the professional specialization of law enforcement personnel in dealing with offences like, money laundering, computer-related crime, and offences committed through electronic means of payment etc was a priority at the level of the management of the law enforcement agencies.</p>	<p>Project RO-02/IB/JH-IO Twinning "Follow up to the assistance for the National Institute of Magistracy and for the Training Centre for Clerks and Other Specialized Personnel".</p> <p>Phare 2004/016-772.03.12 "Fight against organized crime – an inter-institutional approach"</p> <p>Phare 2005/017-553.03.05 "Strengthening the Romanian institutions capacity of protecting the intellectual and industrial property rights"</p> <p>Phare 2006 "Improvement of capacity of the prosecutor office attached to the High Court of Cassation and Justice to fight against organized crime and terrorism"</p>	<p>Strengthening the Romanian law enforcement agencies operational capacity to fight economic and financial crime</p>
<p>Country Monitoring Report, May 2006 Political criteria Justice system "Training needs remain high particularly for judges, prosecutors and clerks already employed. A consistent interpretation of the law at all level of courts is not fully ensured yet throughout the country." Chapter 24: Cooperation in the field of justice and home affairs "Further good progress has been made in the overall reform of the justice system, especially in strengthening its administrative capacity."</p>	<p>The participation of Romanian law enforcement personnel in other EU programmes (AGIS, MATRA) by attending seminars, conferences, study visits, is ongoing. In 2007, within the Phare 2004, 12 "Fight against organized crime –an inter-institutional approach", 2 seminars covered countering forgery and counterfeiting of currency and other means of payment and other 2 seminars addressed money laundering issues, attended by 35 prosecutors from</p>	<p>Phare 2004/016-772.03.12 "Fight against organized crime --an inter-institutional approach"</p> <p>Phare 2006 "Improvement of capacity of the prosecutor office attached to the High Court of Cassation and Justice to fight against organized crime and terrorism"</p>	

<p>Still, the overall administrative capacity in staff and training is not yet up to requirements. Romania needs to remain vigilant as regards unethical behavior within the justice system. Ensuring a consistent interpretation of the law will be particularly important in terms of building the confidence that underpins the principle of mutual recognition. Direct contacts between Romanian judges and prosecutors and their colleagues in EU member states remain limited. Preparations in this area need to be stepped up".</p> <p>The Monitoring Report on the state of preparedness for EU membership of Bulgaria and Romania from September 2006 still finds for the Romanian Public Ministry "serious managerial shortcomings such as [...] lack of relevant ongoing training [...]" and concludes that „further efforts are needed to ensure a more consistent interpretation and application of the law in order to create legal certainty”.</p>	<p>DIOCT, 23 judges and 36 police officers.</p> <p>At the GIRP level it has been reviewed and actualized the system of inter-departmental, inter-ministerial and inter-services cooperation protocols which has as purpose the information exchanging between the police units and between these and others law enforcement institutions (Public Ministry, Justice Ministry, GIBP, NAA etc)</p> <p>Based on these protocols it has been made information and data exchanges, training courses and common actions at central and territorial level.</p>		
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Annex 6 – Detailed budget

Actions to be undertaken under the Twinning Light project	Responsibility		Cost		
	<i>tick as appropriate</i>				
	BC	MS	Unit Cost	No of Units	total MS Cost
Activity 1 Training Needs Assessment					
2 MS Experts		X	250,00	14	3.500,00
Project management costs		X	3.500,00	150%	5.250,00
Per diems		X	228,00	18	4.104,00
Air tickets		X	800,00	2	1.600,00
Coffee breaks	X				
Total activity 1					14.454,00
Activity 2 Training curricula					
2 MS Experts		X	250,00	16	4.000,00
Project management costs		X	4.000,00	150%	6.000,00
Per diems		X	228,00	20	4.560,00
Air tickets		X	800,00	2	1.600,00
Coffee breaks	X				
Total activity 2					16.160,00
Activity 3 Trainees selection					
2 MS Experts		X	250,00	20	5.000,00
Project management costs		X	5.000,00	150%	7.500,00
Per diems		X	228,00	24	5.472,00
Air tickets		X	800,00	2	1.600,00
Coffee breaks	X				
Total activity 3					19.572,00
Activity 4 Training sessions					
3 MS Experts		X	250,00	60	15.000,00
Project management costs		X	15.000,00	150%	22.500,00
Per diems		X	228,00	60	13.680,00
Air tickets		X	800,00	12	9.600,00
Accommodation participants	X				
Transport participants	X				
Coffee breaks	X				
Seminars materials	X				
Total activity 4					60.780,00
Activity 5 ToT training sessions					
2 MS Experts		X	250,00	20	5.000,00
Project management costs		X	5.000,00	150%	7.500,00
Per diems		X	228,00	20	4.560,00
Air tickets		X	800,00	4	3.200,00
Accommodation participants	X				
Transport participants	X				
Coffee breaks	X				
Seminars materials	X				
Total activity 5					20.260,00
Activity 6 Manual					
2 MS Expert		X	250,00	30	7.500,00
Project management costs		X	7.500,00	150%	11.250,00

Per diems		X	228,00	38	8.664,00
Air tickets		X	800,00	2	1.600,00
Coffee breaks	X				
Total activity 6					29.014,00
MS Project Leader					
Fees		X	250,00	9	2.250,00
Air tickets		X	800,00	3	2.400,00
Per diems		X	228,00	9	2.052,00
Project management costs		X	2250,00	150%	3.375,00
Total MS project leader					10.077,00
Operational Costs					
Kick off meeting costs		X	2000,00	1	2.000,00
Final meeting costs		X	2000,00	1	2.000,00
Visibility costs[1]		X	3000,00	1	3.000,00
Audit certificate costs[2]		X	3000,00	1	3.000,00
Interpretation costs		X		lump sum	5.000,00
Printing materials		X		lump sum	4.200,00
Translation of documents		X		lump sum	4.000,00
Travel within the country		X		lump sum	2.000,00
Total operational costs					25.200,00
Provision for changes in prices (at maximum 2,5% of sub-total)					4.483,00
Total TF budget					200.000,00
Co-financing					70.000
Total budget					270.000,00

Annex 7 - Additional information

The present project fiche was designed by the Project Implementation Unit within the Public Ministry (PIU). No external expertise was used in the formulation process.

The tender documentation will also be prepared by the PIU team in the Public Ministry, namely:

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