

# ***Result-Oriented Monitoring (ROM) for European Neighbourhood Countries***

## **Multi-project ROM Analysis of Integrated Border Management, Migration and Asylum projects in Ukraine (2003 – 2010)**

15 December 2009



This project is funded by  
the European Union



A project implemented by  
INTEGRATION led Consortium  
INTEGRATION - ICCS-NTUA (EPU) - ECORYS



## Table of content

<b>1. Scope and Rationale .....</b>	<b>3</b>
<b>2. Programme Synopsis .....</b>	<b>4</b>
2.1 Executive Summary .....	5
<b>3. Projects performance by monitoring criterion .....</b>	<b>7</b>
3.1. RELEVANCE AND QUALITY OF DESIGN .....	8
3.2. EFFICIENCY OF IMPLEMENTATION TO DATE .....	8
3.3. EFFECTIVENESS TO DATE .....	9
3.4. IMPACT PROSPECTS.....	9
3.5. POTENTIAL SUSTAINABILITY .....	10
3.6. KEY OBSERVATIONS - RECOMMENDATIONS.....	10
<b>4. Lessons Learned and Recommendations .....</b>	<b>12</b>
4.1. Lessons Learned .....	12
4.2 Recommendations .....	14
4.3 SWOT Analysis .....	15
<b>5. Annexes.....</b>	<b>16</b>
<b>Annexe 1 – Terms of Reference.....</b>	<b>17</b>
<b>Annexe 2 – Report List.....</b>	<b>22</b>

## 1. Scope and Rationale

This “Multi-project ROM report – Analysis of Integrated Border Management, migration and asylum projects in Ukraine” has been prepared at the request of the Delegation of the European Commission to Ukraine and has been carried out in accordance with the Terms of Reference (dated 02.10.2009) prepared by the same Delegation.

The analysis is based upon 11 projects related to the Border Management sector, including migration and asylum, implemented and monitored in Ukraine between 2003 and 2009. The sample has been selected by the EC Delegation as presented in the attached Terms of Reference (see Annex 1). In addition to the 8 proposed projects, 3 additional ones have been included in the study. These are: “Strengthening the Asylum systems of Ukraine and Moldova”, C-066125; “The protection of refugees, asylum seekers and forced migrants”, C-103619; “The cross border co-operation, Soderkoping process”, C-117451.

A total of 36 monitoring reports produced by the monitoring team between January 2004 and September 2009 were examined in a desk study analysis. The sample of Monitoring Reports, although produced over such a long period of time, was made easily available through MONIS (Monitoring Information System), the “one stop shop” where all monitoring information produced in the former Tacis region, now ENPI, are stored since 2003 and regularly updated.

MONIS facilitated the identification of all monitoring reports pertinent to the border management, immigration and asylum sectors. It also offers the opportunity to potentially widen the context of the study, for instance by carrying out a similar analysis of the same sector for all sub-regions of the new ENPI region, and to endorse the conclusions by means of the statistical analysis tools which MONIS offers.

In line with the provisions of the ToRs, the study aims at drawing lessons learned and providing recommendations (please refer to Chapter 4) in view of a possible intensified recourse by the EC to a sector-wide approach and budget-support mechanisms in this sector.

## 2. Programme Synopsis

MONIS reference number	Contract no.	Project Title	Start date	End date	Budget
40567	115592	REINFORCING THE STATE BORDER GUARD SERVICE OF UKRAINE'S HUMAN RESOURCES MANAGEMENT SYSTEM - HUREMAS	25/12/05	30/12/07	4,000,000
107340	150033	REINFORCING THE STATE BORDER GUARD SERVICE OF UKRAINE'S HUMAN RESOURCES MANAGEMENT SYSTEM - HUREMAS II	01/03/08	28/02/10	1,000,000
40487	073449	BORDER MANAGEMENT IMPROVEMENT: IMPLEMENTATION OF THE BORDER CROSSING PROJECTS	27/10/03	28/11/06	1,211,176
41727	125442	IMPROVEMENT OF BORDER CONTROLS AT THE MOLDOVAN-UKRAINIAN STATE BORDER - BOMMOLUK 1	01/09/06	31/12/07	3,250,000
41712	99339	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	01/01/07	31/03/09	2,000,000
40518	96462	CAPACITY BUILDING OF MIGRATION MANAGEMENT IN UKRAINE	01/03/05	31/12/08	4,201,672
40542	124449	CAPACITY BUILDING OF MIGRATION MANAGEMENT: UKRAINE (PHASE II)	20/07/06	31/12/08	2,767,000
107621	130082	GDISC UKRAINE – CAPACITY BUILDING AND TECHNICAL SUPPORT TO UKRAINIAN AUTHORITIES TO EFFECTIVELY RESPOND TO IRREGULAR TRANSIT-MIGRATION	01/02/08	31/01/10	1,745,174
41716	117451	THE CROSS-BORDER COOPERATION/ SODERKOPING PROCESS	13/03/06	30/06/09	1,026,000
40745	066125	STRENGTHENING THE ASYLUM SYSTEMS OF UKRAINE AND MOLDOVA	15/04/03	31/12/06	1,635,000
41737	103619	THE PROTECTION OF REFUGEES ASYLUM SEEKERS AND FORCED MIGRANTS	09/12/05	10/12/08	529,705

## 2.1 Executive Summary

In general terms, it can be seen that all of the projects have achieved a level of success in line with the individual 'project purpose', whether this has been for the provision of infrastructure, equipment or facilities or for training and human resource investment. Clearly there has been a need for investment in buildings and equipment throughout the lifetime of these projects and, no doubt, there remains further need for investment in the years ahead.

Much of the substance of the projects examined is aimed at: i) improving service delivery, ii) making operations more effective and iii) developing a service ethos in the Ukrainian State bodies charged with policing the borders, applying customs controls or dealing with migration. These objectives are rather difficult to assess or measure. As a consequence, project purposes have been judged on the basis of achievement of activities presented in the project plans. Future projects and investment initiatives, even where solely or mainly concerned with infrastructure or equipment provision, should foresee the inclusion of some element of improved service delivery measurement. It is self-evident that inefficient or poorly trained staff do not become effective, merely because they are provided with more expensive facilities.

A majority of the monitoring reports gives a positive account on the general design and implementation of individual projects. This, in turn, gives a considerable credit on the project teams. There is also good evidence that lessons have been learned through the project process and that these have been applied in subsequent projects. Indeed, some of the most successful projects are those which constitute a follow-up phase of previous projects, when planning and design were carried out during the lifetime of an existing project. This enables a more timely, appropriate and effective 'project purpose' to be established. Similarly, good levels of success have been achieved where there has been close co-operation with International bodies such as Border Guards (e.g. Soderkoping Process and EUBAM). This type of support is clearly effective and should continue.

More problematic are the issues of 'impact' and 'sustainability'. As already mentioned, impact measurement is comparatively more difficult to accurately attain. As a result, considerable efforts are devoted to measure activities instead, in the belief that improvements in performance will automatically derive from the provision of training and project inputs.

Any sector wide approach should go some way to providing a more effective promotion of improved service delivery in both Border Management and Migration issues. Providing investment and technical assistance is linked directly to improvements in performance. Similarly, a sector approach should more closely mirror the Ukraine Border Management and Migration strategies, or strengthen these if there are clear inadequacies. There are a number of concerns expressed in respect of 'sustainability' of certain projects and these are discussed in more detail in the report. Continued political instability, the current adverse financial situation and the high staff turn-over have been quoted as having a negative influence on project outcomes.

Enhanced sustainability has been achieved in series of projects. In those cases, subsequent projects have assisted in developing longer term and more committed relationships between project partners. Furthermore, they have proven able to

reinforce the change process. Once again, the sector approach offers a better opportunity to trigger performance improvements and to overcome long established 'cultural resistance to change' and provide a more forward looking strategic vision by tying in the project partners in longer term and broader relationships.

### 3. Projects performance by monitoring criterion

#### MULTI-PROJECT ROM

#### ANALYSIS OF INTEGRATED BORDER MANAGEMENT, MIGRATION AND ASYLUM PROJECTS IN UKRAINE

##### I. PROGRAMME DATA

<b>Responsible HQ Brussels:</b> n/a	<b>Responsible EC Delegation:</b> Philippe Bories
<b>Sector/Subsector:</b> Justice, Freedom and Security	<b>Monitors:</b> Martin Eisenbeis, Irina Sholeva, Marina Andreyanova
<b>Start date:</b> 15/04/2003	<b>End date - likely:</b> 28/02/2010
<b>Field Phase date:</b> 25/11/2009 - 09/12/2009	

##### II. FINANCIAL DATA\*

CRIS No.	Start Date	End Date	Budget
115592	25/12/2005	25/12/2007	4,000,000
150033	01/03/2008	28/02/2010	1,000,000
73449	27/10/2003	27/10/2006	1,211,176
125442	01/09/2006	31/12/2007	3,250,000
099339	01/01/2007	31/12/2008	2,000,000
96462	01/03/2005	31/12/2008	4,201,672
124449	20/07/2006	31/12/2007	2,767,011
130082	01/02/2008	31/01/2010	1,745,175
117451	13/03/2006	31/12/2008	1,026,000
66125	15/04/2003	15/11/2006	2,223,738
103619	09/12/2005	10/12/2008	529,705
<b>Total Budget</b> (including all other funding – Gov + Donors):			<b>23,954,465</b>

##### III. INDICATIVE GRADES

1. Relevance and Quality of Design	<b>b</b>
2. Efficiency of Implementation to date	<b>a</b>
3. Effectiveness to date	<b>b</b>
4. Impact Prospects	<b>b</b>
5. Potential Sustainability	<b>c</b>

Note: a = very good; b = good; c = problems; d = serious deficiencies



### 3.1. RELEVANCE AND QUALITY OF DESIGN

Each of the eleven projects subject of this review was inspired by the Ukrainian and the EC joint desire to improve and develop the Ukrainian Authorities abilities to properly manage their common borders, to deal properly with an increasing problem of illegal migration and to address concerns about cross border crime and smuggling, especially of narcotics. It should also be borne in mind that there have been other players involved in project initiation and funding in addition to the EC, including the US Government, UNDP, IOM and separate Member States of the EU acting in a bilateral way.

The projects fall into three categories with variable degrees of connectivity:

- Projects dealing with the modernisation of the State Border Guard Service
- Projects dealing with Border Protection – infrastructure modernisation for both Customs Service and Border Guard Service, provision of equipment and specific measures to deal with smuggling and drug misuse.
- Projects dealing with migrants – their accommodation, systems for dealing with individuals and compliance with International treaty obligations for refugees and asylum seekers.

As is to be expected for projects that have been prepared with some assistance from previous project teams or from International Organisations, the design and relevance of a large majority of projects fall in the ‘good or very good’ assessment category. Particular positive comments refer to the clarity of the **‘intervention logic’ and the logical framework approach, as well as** to clear and unambiguous **overall objectives, and project purposes**. There is evidence in a number of projects of a **stakeholder analysis** and of **lessons being learned and applied** (MR-107340.01).

On the negative side, design inadequacies are mentioned in the context of confusion between **results** and **outputs**, as well as a lack of rigour with **measurable and time related criteria** for results. There are also a couple of examples of insufficient technical details being provided by the beneficiary authority in projects dealing with building refurbishment or construction which inevitably led to protracted delays and additional expenses, (MR-40542.01, MR-40487.01).

Particular reference should be made of CRIS No. 150033 - Reinforcing the State Border Guard Service Human Resources Management System – HUREMAS II, where a good and valid idea has been turned into a meaningful, well managed and delivered programme of work.

### 3.2. EFFICIENCY OF IMPLEMENTATION TO DATE

There is clear evidence of effective project management and delivery throughout almost all of the individual projects. For the majority of projects, the contracting and delivery body has been one of the principal International Organisations, either the UNDP, UNHCR or the IOM although a consulting company has been involved in one project (Louis Berger SA, CRIS No. 2003/073-449).

The more positive aspects of project implementation are signified by a close, open and **responsive** relationship between the project management team and the partner beneficiary organisation (MR-41716.05, MR-40567.02).

Some difficulties were experienced with projects which were especially ambitious in the number and complexity of activities to be provided or with external factors outside of the control of the contractor, (MR-40518.03). However with this particular project, the contractor was still able to achieve '**number of activities implemented is impressive**'.

### 3.3. EFFECTIVENESS TO DATE

The effectiveness of individual projects was largely judged on the **achievement of defined objectives** and in common with the measurement of **efficiency (above)**, for the vast majority of the projects, this was either good or very good. **Effectiveness** can also be seen as an additional measure of the success, or otherwise, of the project contractor's relationship with the beneficiary. This relationship was then judged on the actions, ideas or initiatives that were taken up by the beneficiary from the contractor or other international partners (MR-107340.01, MR-40567.02).

For those projects which in some way fell short of a positive assessment in this particular field, the main reasons were linked to underachievement of action due to technical deficiencies in required paperwork or unforeseen delays due to tendering procedures. These were all connected to construction or refurbishment projects.

### 3.4. IMPACT PROSPECTS

It is clear that there were some concerns with the longer term impact of a number of projects, especially those specifically designed to support or assist migrants, people subject of trafficking and asylum seekers, (MR-41737.10, MR-40745.03). The reservations expressed cover the following specific matters:

- Insufficient State funding
- Political instability
- Frequent re-structuring of Public bodies
- Xenophobia and racist attacks
- High turnover of staff (NGO's and Public Bodies)

The projects that have made the most impact are those that have been a part of a sequence of projects and where a **longer term, trusting** and **co-operative relationship** between the project partners was allowed to develop, (CRIS Nos 115592, 124449). Similarly, projects which through their implementation brought together and encouraged co-operation between various Governmental, International and non-governmental organisations helped to foster greater communication and understanding (MR-40542.03), leading to heightened impact.

There are also good examples where top management had recognised the need to change the **organisational culture and practices** of their organisation. This produced the required desire and necessity to embrace new ideas and to overcome the **cultural resistance** always encountered in major change programmes (CRIS Nos 115592, 150033) with a consequent longer term and far reaching impact.

An additional success factor can also be seen in those projects specifically linked or directly related to International agreements or professional bodies. In the field of

migration issues this can be seen in the development of the EU-Ukraine re-admission agreement 2008 (MR-107621.01) , there are many others including the positive influence of EUBAM on Border management, GDISC on Immigration issues and the Soderkoping Countries direct involvement in the training of Border Guards. These examples may be seen as a positive indication of probable further successful project implementation through the **Twinning Instrument**.

### 3.5. POTENTIAL SUSTAINABILITY

It is significant that out of 36 separate monitoring reports evaluated, only one highlights a potential problem of sustainability (C), MR-40745.03. The principal reasoning being a shortage of State funding which will limit the ability of the responsible authorities from properly dealing with migrants and asylum seekers. Insufficiency of State funds was also highlighted in two other case (MRs 40518.04 and 40542.03) with regard to adequately maintain the Migration Accommodation Centres (MAC) and the Centres for Migrant Advice (CMA) . Some concern was also expressed regarding the non-provision of funding for the Assisted Voluntary Return scheme (AVR). However on a positive note, the signing of a number of EU/Ukraine bilateral agreements in this field, including the Joint Declaration on the EU/Ukraine Association Agreement, signed in September 2008, offer some opportunities for further enhanced co-operation and development. It should also be borne in mind that in the current (December 2009) adverse financial and economic situation, it is more than likely that a number of other projects dependent, or largely dependent on State financing, may also be suffering some measure of limitation or even reduction of services.

There are some very positive indications for the sustainability of developments through the projects with the State Border Guard Service, and again these are clearly set out (MR-40567.02). The commitment of senior management to continue the change process and the flagging up of other areas within the human resource management field for further developments are good indications for the future. Indeed the results for this particular project were clearly oriented for use after the project was completed.

### 3.6. KEY OBSERVATIONS - RECOMMENDATIONS

The issues of migration, border management and cross border organised crime (i.e. smuggling, people trafficking, movement of illegal substances (drugs, explosives, firearms)) will remain important factors between the EU and Ukraine for the foreseeable future. A considerable amount of work and investment has already been provided in these areas, in order to promote reform, encourage the adoption of EU best practice and to raise standards. By and large the projects subject of this analysis have proved to be successful, although there are clearly some problem areas.

Each project has a stated **sector intervention logic**, which sets out the 'Overall Objective' supported by the 'Project Purpose' or 'Specific Objectives' which are themselves broken down into specific activities. In general terms, 'Overall Objectives' tend to be more aspirational than concrete and use phrases such as 'enhance, strengthen or improve'. In most cases, the 'Project Purpose' or 'specific objectives' did provide a clear indication of what would be delivered. Future Projects which aim to

promote ‘improvement’ should have a clear measurement criteria to be able to quantify any improvement or otherwise.

A further point which emerged from the analysis of the sector logic was that across most of the projects (with some notable exceptions, e.g. CRIS No. 099339 – BUMAD 3 ‘Programme for the Prevention of Drug abuse and the fight against drug trafficking in Belarus, Ukraine and Moldova’) the emphasis was on ‘Institutions’ as opposed to seeking for ‘desired system improvements’, or to tackle more comprehensive and overarching problem areas. Indeed, strengthening individual Institutions can completely ignore the possibility that a ‘desired system improvement’ may require a dramatic change or amalgamation of different Institutions, or much greater co-operation with other Institutions not party to that particular project. Any future Sector approach should concentrate on this concept of ‘desired system improvement’ and thereby ensure that all of the concerned or responsible agencies are directly involved in specific projects, to a greater or lesser extent.

It is also clear that the current political administration in the Ukraine have a positive and welcoming attitude to this reform and assistance programme. However, the political situation remains somewhat unstable and with the potential to change dramatically. Similarly within a number of State organisations, notably the Border Guard Service, there has proven to be a positive and dynamic approach to the change process. This carries good prospects for positive future organisational development : **‘Human resource development is the cornerstone of future capability of Ukraine to be fully integrated in Europe’ (BCS 40567.01).**

The frequent changes and re-organisation of the Ukraine State Committee on Nationality and Religion (countless name and role changes in the past 15 years) proved to be a negative influence on a number of projects. Eventually the **State Migration Service of Ukraine** was set up as a separate governmental body in June 2009 following special order by the Cabinet of Ministers. If this proves to be just a re-branding exercise, then real progress will not result. Long term progress in this field will only result from a clear National Strategy **owned and delivered** through the National body.

The Border Guard Service played a prominent role in many of the projects but there appears to be an absence of similar participation by the Customs Service. It was not apparent why this should be so.

One project stands out due to its complexity and scope: CRIS No. 099339 - BUMAD 3 ‘Programme for the Prevention of Drug abuse and the fight against drug trafficking in Belarus, Ukraine and Moldova’. This was a Regional project and involved both National and NGO Institutions as well as some involvement of the Civil Society in the three countries. The project was also a continuation of previous projects, and despite considerable difficulties it received commendable final monitoring assessment. Clearly the issue of drug smuggling and drug abuse has a broader Regional dimension and this approach through an overarching programme with separate National components proved successful. There may be similar issues that are suitable for a Regional approach such as ‘People Trafficking’, ‘Firearms smuggling’ etc.

## 4. Lessons Learned and Recommendations

### 4.1. Lessons Learned

1. A greater degree of success was achieved from projects which built upon or were a continuation of earlier projects, this was especially so when the time gap between the projects was minimal. Where it is recognised for a priority area that a further project will be required, then pre-planning should take place as early as possible (preferably before the end of any current project), in order to reduce to the minimum the time gap between succeeding projects. Steering committees, project management teams and the monitoring teams have a role to play in flagging up the need for follow on projects before a live project is actually completed.
2. Projects designed to strengthen the administrative capacity of beneficiary public bodies experience considerable problems and lose impact where there is no long term strategy or stability within the host organisation. Further projects to strengthen administrative capacity should either be designed to assist in the change process or to reinforce that process after a re-organisation has taken place.
3. Projects specifically designed to support the change process have proved to be very successful where the following conditions are in place :
  - Demonstrated commitment from beneficiary senior management
  - An open collaborative, trusting relationship between the project partners
  - Committed and effective project management
  - A responsive approach from the beneficiary to new ideas and suggestions
  - A dynamic and well supported 'Steering Committee'
4. Steering committees have been somewhat problematic. In many projects there was a reluctance or a lack of energy in setting up properly constituted and representative steering committees in accordance with the guidelines. In other projects, members of steering committees were less than effective in securing commitment from their own organisations or were poor communicators in delivering feedback from steering committee decisions. Project partners should pay more attention to the constitution and activities of steering committees from an early stage in project life.
5. There are many examples of confusion between results, outputs, activities, objectives and project purposes. This is due to personal interpretations of the various terms. Some consideration should be given to a more standardised approach (probably from the Delegation).
6. Particular project implementation problems are attached to those programmes involving construction or refurbishment of buildings. In the main these problems are caused by poor or inadequate pre-planning which causes delay and additional expense. In an effort to eliminate as far as possible these problem areas, early in the project assessment and design phase, some technical assistance or evaluation should be considered.

7. Projects which involve NGO's in addition to Beneficiary Public Bodies, have a broader appeal and impact on Civil Society and as such a greater reach and potentially more impact and sustainability. Where appropriate, additional projects involving NGO's with Public Bodies, should be considered.
8. Formal International and EU sponsored organisations have played an important part in securing success from a number of individual projects. These organisations eg. UNHCR, EUBAM, FRONTEX and IOM should continue to play an important part in future project identification and delivery.
9. Although it is not part of the twinning instrument per se, the positive experience of the EUBAM initiative in particular is a very promising indication of the benefits of a collaborative approach to reform, modernisation and an exchange of 'best practice' procedures. In a similar vein, one of the principal objectives of the 'twinning instrument' is to encourage and develop a co-operative relationship between compatible institutions in order to promote the development process and strengthen administrative capacity. The example of EUBAM is therefore a good indication of future benefits that can be obtained through twinning.
10. In the main, project design, implementation and effectiveness has proved very positive. There has however been a number of questions raised about impact and more particularly, sustainability. These questions are usually connected to either the Beneficiaries ability and willingness to provide continued adequate funding, or to the existence of a longer term meaningful strategy and the necessary legislative provisions. These issues should be carefully considered at the time of project selection and assessment.
11. In assessing the overall impact of the technical assistance provided to date, it is possible to identify a particular sectoral logic in the way that the individual projects have been designed and implemented. However there are two distinctive strands which address firstly Border management issues and secondly migration issues. There is a clear approach to Border management which encompasses a major reform programme for the State Border Guard Service, the refurbishment of facilities and the provision of equipment. This is supplemented by a number of additional programmes of support and mentoring with the whole process being underwritten by the Ukraine National Concept for the SBGS up to 2015. Provided that the necessary 'Corporate Planning' has been carried out and that a clear and relevant future strategy is in place, this style of technical assistance should continue in a similar way.
12. The situation in respect of migration issues is however somewhat different. The design and style of the projects aimed at improving the way that migrants and asylum seekers are actually dealt with create a picture of a service or system working hard to catch up. It is clear from the monitoring reports that the projects have been implemented due to the increase in migration following EU enlargement and the inadequate existing systems and procedures to deal with this. As a consequence, while there was a clear need for the refurbishment and provision of additional facilities and staff training, there are many examples of delays and problems in project implementation because of poor or inadequate pre-planning. This was further exacerbated by the indecision and confusion surrounding the State Committee responsible for migration issues (SCNR). These matters are well illustrated in (MR-41737.10) and the clear statement that migration issues are not settled by

declarations and agreements but by action supported with the required financial funding. The creation of the State Migration Service in 2009 now offers an ideal opportunity for a reassessment of the current situation for migration issues in Ukraine and the development of a more integrated and comprehensive plan in an attempt to get ahead of the game.

## **4.2 Recommendations**

### **Project Management Issues**

- Follow actions decided by Steering Committee
- Review and adjust indicators for results
- Closer monitoring of construction work and procurement
- Organise regular steering committees
- Invite representatives of relevant bodies to steering committees
- Synchronise timelines
- Keep project progress transparent for the Project Purpose – wider circulation of minutes
- Increase EU visibility

### **Project consideration issues**

- Start follow up project before current project completion
- Consider extension of project when situation becomes clear and stable
- In view of many lessons learned, establish working group to prepare report
- Speed up procedure for procurement
- EU to pay special attention to pre-conditions to be in place before launch of project (site construction)
- Add more detailed timing to planning
- A combination with Twinning Instrument would reinforce the efforts of the particular institution
- Implementing Authority to intensify actions to build capacity of NGO and research institutions
- Continue supplementing exchange of experience between Beneficiary and EU Countries

### **Broader issues**

- Encourage project partners to allocate sufficient funds
- Encourage further legislative reform
- Ensure proper mentoring
- Analyse results of training to increase absorption capacity
- Establish co-operation with new officials in Ministries
- Identify possible sources of funding for follow up interventions
- Keep issue of sustainability permanently on the agenda
- Ensure recommendations are communicated to high political level

### 4.3 SWOT Analysis

#### Strengths

- Generally positive assessment of all projects
- Experienced and committed contractors/project teams
- Some committed beneficiary project partners
- Positive influence from International/EU institutions e.g. EUBAM

#### Weaknesses

- Some examples of poor preparation by beneficiaries – leading to delays
- Frequent difficulties experienced in establishing effective and collaborative steering committees
- Lack of clarity and specificity over objectives, results, outputs and project purpose.

#### Opportunities

- Success of some projects, indicate a suitability for twinning instrument
- Continued Political support offers fertile ground for more in depth project development
- The promotion of more collaborative projects involving both State and NGO Institutions eg People Trafficking (SBGS, NGO's for victims, Judicial Authorities, Police, etc).

#### Threats

- Political instability
- Financial and economic weakness leading to lower levels of Public Sector investment and spending
- Lack of continuity of staff in Public Sector, shortage of skilled personnel



## **5. Annexes**

Annexe 1 – Terms of Reference

Annexe 2 – Report List

Annexe 1 – Terms of Reference
-------------------------------

## **TERMS OF REFERENCE**

### **Multi-project ROM – Analysis of Integrated Border Management, migration and asylum projects in Ukraine**

#### **1. BACKGROUND**

##### **1.1 Strategic framework**

Ukraine is a priority partner country within the European Neighbourhood Policy (ENP). A joint EU-Ukraine Action Plan was endorsed by the EU-Ukraine Cooperation Council on 21 February 2005. It is based on the Partnership and Cooperation Agreement (PCA) and provides a comprehensive framework for cooperation in all key areas of reform.

The Revised EU-Ukraine Action Plan on Freedom, Security and Justice, endorsed on 11 June 2007, acknowledges the common challenges on the shared border between Ukraine and the enlarged EU. Effective co-operation in the field of freedom, security and justice is amongst the main challenges and strategic aims of the Revised Action Plan.

Ukraine is one of the member countries under the Eastern Partnership, launched during the Prague summit on 7 May 2009. Within the multilateral component of the Eastern Partnership, Integrated Border Management has been identified as one of five Flagship Initiatives.

##### **1.2 Sector Policy Support Programmes and Budgetary Support**

The Sector Approach is becoming a central element in European Commission (EC) External Assistance and is increasingly being used as an aid delivery method. EC financial support is provided through Sector Policy Support Programmes (SPSP), designed explicitly as an instrument to support a Sector Programme. Sector Budget Support (SBS) can be provided to support the implementation of a SPSP of a partner government.

In general, budget support is the transfer of European Commission financial resources to a national treasury of a partner country, following the respect by the latter of agreed conditions for payment. The financial resources thus received are part of the global resources of the partner country, and consequently used in accordance with the public financial management system of the partner country. Unlike General Budget Support, representing a transfer to the national treasury in support of a national development or reform policy and strategy, Sector Budget Support represents a transfer to the national treasury in support of a sector programme policy and strategy.

##### **1.3 Overall context**

The Government of Ukraine has embarked on a comprehensive reform of its State Border Guard Service. The goal is to develop overall border and customs management capacities with a view to enhancing the level of protection of the state border, and to create a professional law enforcement service in line with best European practices, norms and standards.

Ukraine's commitments to approximate the standards of the border and law enforcement authorities to those of the EU are laid down in a number of national and international agreements, including the EU-Ukraine ENP Action Plan, EU-Ukraine Action Plan on Freedom, Justice and Security (FJS) and the Programme for the Development of the State Border Guard Service of Ukraine.

The Government's efforts in the reform process are accompanied by a series of corresponding technical assistance projects aimed at strengthening technical equipment of border protection units, developing infrastructure, enforcing legality, and ensuring that Ukraine meets its obligations as per the international agreements.

#### **1.4 Institutional and legal frameworks**

Ukraine participates in a number of international and regional initiatives and conventions in the field of border management, migration and asylum.

A concept for the development of the Ukrainian Border Guard Service has been developed until the year 2015. The Concept was approved by the President of Ukraine under Decree no. 546 dated 19 June 2006.

Ukraine is a member of the International Organisation for Migration (IOM). On 8 June 2009 the Government of Ukraine issued Decree no. 643 establishing the State Migration Service of Ukraine which replaces the former Department for Citizenship, Migration and Registration of Physical Persons.

#### **1.5 Other donor activities and donor coordination**

Strong cooperation exists between the EC and the United Nations Development Programme (UNDP), International Organisation of Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR). Cooperation agreements have been concluded with these international organisations for the implementation of EC-financed TA projects in the fields of border management, migration and asylum.

The multilateral track of the Eastern Partnership will advance through a number of flagship initiatives. These initiatives will give additional momentum, concrete substance and more visibility to the Partnership. They seek to mobilize multi-donor support, funding from different IFIs and investment from the private sector.

## **2. DESCRIPTION OF THE ASSIGNMENT**

### **2.1. Global objective**

The global objective is to prepare an ad hoc monitoring study on assistance to the border management sector including migration and asylum in Ukraine. This is to contribute to the improvement of the efficiency of the EC-funded assistance by identifying the presence of a multi-project logic of past and ongoing assistance to integrated border management in Ukraine in view of a possible intensified recourse by the EC to sector-wide approaches and possibly budget support mechanisms.

### **2.2 Specific objectives**

The specific objectives of this contract are

- (1) to provide a documented multi-project sector analysis based on available ROM reports, on the current performance of the EU-funded projects in the sector, and
- (2) to draw summary conclusions and recommendations on the projects' sector logic and strategy, in line with the lessons learned from the past

## 2.3 Suggested methodology

As mentioned in the National Indicative Programme 2007-2010, EC support will be made available in the areas of border management and migration including border crossings and re-admission related issues. The purpose of this assignment is to map out the multi-project/sector logic with regard to border management, migration and asylum, and to provide reflections in view of future programmes in this important sector. The ROM team will collect and analyse available data aiming at:

- summarizing the achievements of past and on-going projects,
- assessing the existence and validity of the strategy developed, and
- measuring the current status of needs and expectations from the stakeholders.

The experts will work in close collaboration with the Delegation. Necessary contacts with the relevant Ukrainian authorities should be made by the experts on the Delegation's advice.

## 2.4 Activities and Results

The analysis will be based on the ROM reports of the following projects:

Contractor	Partner Organisation	Country	Budget	Project title	P M	Status	Start date	End date
International Organization for Migration, Mission in Ukraine (IOM)	State Border Guard Committee	UA	4,000,000	Reinforcing the State Border Guard Service of Ukraine's Human Resources Management System - HUREMAS	B B	t	29 12 05	30 12 07
International Organization for Migration, Mission in Ukraine (IOM)	State Border Guard Committee	UA	1,000,000	Reinforcing the State Border Guard Service of Ukraine's Human Resources Management System - HUREMAS II	M S	o	01 03 08	28 02 10
Louis Berger SA	State Customs Service of Ukraine	UA	1,211,176	Border Management Improvement: Implementation of the border crossing projects	S L	t	27 10 03	28 11 06
United Nations Development Programme (UNDP)	Border Guard and Customs Services of Moldova and Ukraine	MD, UA	3,250,000	Improvement of Border Controls at the Moldovan-Ukrainian State Border - BOMMOLUK 1	B B	t	11 08 06	31 12 07
United Nations Development Programme (UNDP)	Ministries of Interior of Ukraine, Belarus, Moldova	BY, MD, UA	2,000,000	BUMAD 3 - Programme for the Prevention of Drug Abuse and the Fight against Drug Trafficking in Belarus, Ukraine and Moldova	P B R	t	01 01 07	31 03 09
International Organisation for Migration (IOM)	State Committee for Nationalities and Migration	UA	4,201,672	Capacity Building of Migration Management in Ukraine (Phase I)	B B	t	01 03 05	31 12 08
International Organisation for Migration (IOM)	State Border Guards Service of Ukraine	UA	2,767,000	Capacity Building of Migration Management: Ukraine (Phase II)	B B	t	20 07 06	31 12 08
International Centre for Migration Policy Development	Ministry of Internal Affairs, State Border Guard Service, State Committee for Nationalities and Religion, Ministry of Foreign Affairs, Ministry of Justice of Ukraine	UA	1,745,174	GDISC Ukraine -- Capacity Building and Technical Support to Ukrainian authorities to Effectively Respond to Irregular Transit-Migration (ERIT). A comprehensive and complementary approach to migration management support in Ukraine	B A	o	01 02 08	31 01 10

From the detailed analysis of the ROM reports issued during the last 3 years, the following information will be gathered:

- main objectives and purposes of past and on-going projects,
- level of achievement of the stated objectives and impact,
- current status of needs and expectations with focus on the various stakeholders in particular the State Border Guards Service of Ukraine, the Ministry of Internal Affairs and Ministry of Justice

The data collected will be analysed and summarised with regard to:

- strengths and weaknesses of the projects,
- threats and opportunities identified by the ROM reports,
- existence, coherence and validity of the sector strategy and
- prospects for further cooperation in the Integrated Border Management sector in Ukraine.

A set of conclusions and recommendations will be developed, based on the findings of the ROM reports and on the results of the analysis.

## **2.5 Deliverables**

The report will include:

- the tables showing the main conclusions and recommendations of the ROM reports,
- the sector synthesis in terms of positive and negative aspects of the past and on-going cooperation and
- conclusions covering the strategy, updated objectives and possible orientation of the future developments.

## **2.6 Resources and Timetable**

The report will be prepared by the Kyiv ROM regional office with the support of the Headquarters of the ROM ENPI Team in Brussels.

The report will be prepared in October and November 2009 and the draft report will be submitted for final review in the second half of November 2009.

Annexe 2 – Report List
------------------------

Border Management reports, Ukraine  
2004 - 2009

											Monitoring Reports				
Monitoring report number	Contract No.	DAC	Country	Budget	Project Title	PM	Start date	End date	Monitor	Report date	Design	Efficiency	Effectiveness	Impact	Sustainability
MR-40567.01	115592	15000	UKR	4,000,000.00	REINFORCING THE STATE BORDER GUARD SERVICE OF UKRAINE'S HUMAN RESOURCES MANAGEMENT SYSTEM - HUREMAS	Bernhard Bogensperger	25/12/2005	30/12/2007	Irina Sholeva	27/04/06	b	b	b	b	b
MR-40567.02	115592	15000	UKR	4,000,000.00	REINFORCING THE STATE BORDER GUARD SERVICE OF UKRAINE'S HUMAN RESOURCES MANAGEMENT SYSTEM - HUREMAS	Bernhard Bogensperger	25/12/2005	30/12/2007	Irina Sholeva	01/08/07	b	a	a	b	a
MR-107340.01	150033	15000	UKR	1,000,000.00	REINFORCING THE STATE BORDER GUARD SERVICE OF UKRAINE'S HUMAN RESOURCES MANAGEMENT SYSTEM - HUREMAS II	Bernhard Bogensperger	1/3/2008	28/2/2010	Irina Sholeva	26/08/08	a	b	b	a	b
MR-107340.02	150033	15000	UKR	1,000,000.00	REINFORCING THE STATE BORDER GUARD SERVICE OF UKRAINE'S HUMAN RESOURCES MANAGEMENT SYSTEM - HUREMAS II	Maria Stogova	1/3/2008	28/2/2010	Irina Sholeva	29/09/09	a	a	a	a	a
MR-40487.01	73449	21000	UKR	1,211,176.00	BORDER MANAGEMENT IMPROVEMENT: IMPLEMENTATION OF THE BORDER CROSSING PROJECTS	Serhiy Ladnyi	27/10/2003	28/11/2006	Marina Andreianova	25/02/04	c	b	b	b	b
MR-40487.02	73449	21000	UKR	1,211,176.00	BORDER MANAGEMENT IMPROVEMENT: IMPLEMENTATION OF THE BORDER CROSSING PROJECTS	Sergiy Ladnyy	27/10/2003	28/11/2006	Marina Andreianova	29/07/04	b	b	b	b	b
MR-40487.03	73449	21000	UKR	1,211,176.00	BORDER MANAGEMENT IMPROVEMENT: IMPLEMENTATION OF THE BORDER CROSSING PROJECTS	Sergiy Ladnyy	27/10/2003	28/11/2006	Marina Andreianova	08/04/05	b	b	b	b	b
MR-40487.04	73449	21000	UKR	1,211,176.00	BORDER MANAGEMENT IMPROVEMENT: IMPLEMENTATION OF THE BORDER CROSSING PROJECTS	Sergiy Ladnyy	27/10/2003	28/11/2006	Marina Andreianova	31/10/05	c	b	c	b	b
MR-40487.05	73449	21000	UKR	1,211,176.00	BORDER MANAGEMENT IMPROVEMENT: IMPLEMENTATION OF THE BORDER CROSSING PROJECTS	Sergiy Ladnyy	27/10/2003	28/11/2006	Marina Andreianova	04/07/06	b	b	c	b	b
MR-41727.01	125442	21000	UKR/MOL	3,250,000.00	IMPROVEMENT OF BORDER CONTROLS AT THE UKRAINE - MOLDOVA STATE BORDER – BOMMOLUK 1	Bernhard Bogensperger	01/09/06	31/12/07	Ludmila Radautan	05/04/07	b	c	b	b	b
MN-41712.02	99339	16000	UKR	2,000,000.00	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	Bernhard Bogensperger	01/01/07	31/03/09	Veaceslav Scobioala	22/06/07	-	-	-	-	-
MN-41712.04	99339	16000	ALL	2,000,000.00	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	Bernhard Bogensperger	01/01/07	31/03/09	Veaceslav Scobioala	22/06/07	c	b	c	b	b
MR-41712.06	99339	16000	UKR	2,000,000.00	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	Par Brusquini	01/01/07	31/03/09	Veaceslav Scobioala	16/04/08	b	b	b	b	b
MR-41712.08	99339	16000	ALL	2,000,000.00	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	Par Brusquini	01/01/07	31/03/09	Veaceslav Scobioala	16/04/08	b	b	b	b	b
MR-41712.10	99339	16000	UKR	2,000,000.00	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	Par Brusquini	01/01/07	31/03/09	Veaceslav Scobioala	26/02/09	b	b	b	b	b
MR-41712.12	99339	16000		2,000,000.00	BUMAD 3 - PROGRAMME FOR THE PREVENTION OF DRUG ABUSE AND THE FIGHT AGAINST DRUG TRAFFICKING IN BELARUS, UKRAINE AND MOLDOVA	Par Brusquini	01/01/07	31/03/09	Veaceslav Scobioala	26/02/09	b	b	b	b	b
MR-40518.01	96462	15000	UKR	4,201,672.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT IN UKRAINE	Bernhard Bogensperger	03/01/05	31/12/2008	Marina Andreianova	15/07/05	a	b	b	b	b
MR-40518.02	96462	15000	UKR	4,201,672.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT IN UKRAINE	Bernhard Bogensperger	03/01/05	31/12/2008	Marina Andreianova	06/03/06	c	c	c	b	b



Border Management reports, Ukraine  
2004 - 2009

Monitoring report number	Contract No.	DAC	Country	Budget	Project Title	PM	Start date	End date	Monitor	Report date	Design	Efficiency	Effectiveness	Impact	Sustainability
MR-40518.03	96462	15000	UKR	4,201,672.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT IN UKRAINE	Bernhard Bogensperger	03/01/05	31/12/2008	Marina Andreianova	05/07/07	c	c	c	c	b
MR-40518.04	96462	15000	UKR	4,201,672.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT IN UKRAINE	Bernhard Bogensperger	03/01/05	31/12/2008	Marina Andreianova	20/06/08	a	a	a	b	b
MR-40542.01	124449	15000	UKR	2,767,000.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT: UKRAINE (PHASE II)	Bernhard Bogensperger	20/07/2006	31/12/2008	Marina Andreianova	01/12/06	c	b	b	b	b
MR-40542.02	124449	15000	UKR	2,767,000.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT: UKRAINE (PHASE II)	Bernhard Bogensperger	20/07/2006	31/12/2008	Marina Andreianova	07/02/08	a	a	b	b	a
MR-40542.03	124449	15000	UKR	2,767,000.00	CAPACITY BUILDING OF MIGRATION MANAGEMENT: UKRAINE (PHASE II)	Bernhard Bogensperger	20/07/2006	31/12/2008	Marina Andreianova	03/10/08	a	a	a	b	b
MR-107621.01	130082	15000	UKR	1,745,174.00	GDISC UKRAINE – CAPACITY BUILDING AND TECHNICAL SUPPORT TO UKRAINIAN AUTHORITIES TO EFFECTIVELY RESPOND TO IRREGULAR TRANSIT-MIGRATION (ERIT). A COMPREHENSIVE AND COMPLEMENTARY APPROACH TO MIGRATION MANAGEMENT SUPPORT IN UKRAINE	Alessio Bacchielli	01/02/08	31/01/10	Anatoliy Shanchuk	05/09/08	b	b	b	b	b
MR-41716.02	117451	70000	East-R	1,026,000.00	THE CROSS-BORDER COOPERATION/ SODERKOPING PROCESS	Bernhard Bogensperger	13/03/06	30/06/09	Irina Sholeva	31/08/06	c	b	b	b	b
MR-41716.05	117451	70000	UKR	1,026,000.00	THE CROSS-BORDER COOPERATION/ SODERKOPING PROCESS	Bernhard Bogensperger	13/03/06	30/06/09	Irina Sholeva	21/08/07	c	a	b	b	b
MR-41716.06	117451	70000	UKR	1,026,000.00	THE CROSS-BORDER COOPERATION/ SODERKOPING PROCESS	Bernhard Bogensperger	13/03/06	30/06/09	Irina Sholeva	21/08/07	c	a	b	b	b
MR-41716.09	117451	70000	UKR	1,026,000.00	THE CROSS-BORDER COOPERATION/ SODERKOPING PROCESS	Bernhard Bogensperger	13/03/06	30/06/09	Irina Sholeva	04/09/08	b	a	b	b	b
MR-41716.10	117451	70000	ALL	1,026,000.00	THE CROSS-BORDER COOPERATION/ SODERKOPING PROCESS	Bernhard Bogensperger	13/03/06	30/06/09	Irina Sholeva	24/10/08	b	a	b	b	b
MR-40745.01	066125	70000	UKR/MOL	1,635,000.00	STRENGTHENING THE ASYLUM SYSTEMS OF UKRAINE AND MOLDOVA	Bernhard Bogensperger	15/04/03	15/07/04	Ludmila Radautan	22/06/04	a	b	b	b	b
MR-40745.02	066125	70000	UKR/MOL	1,635,000.00	STRENGTHENING THE ASYLUM SYSTEMS OF UKRAINE AND MOLDOVA	Bernhard Bogensperger	15/04/03	15/07/04	Ludmila Radautan	31/05/05	a	b	b	a	b
MR-40745.03	066125	70000	UKR/MOL	2,223,738.00	STRENGTHENING THE ASYLUM SYSTEMS OF UKRAINE AND MOLDOVA	Bernhard Bogensperger	15/04/03	15/07/04	Ludmila Radautan	26/07/06	b	b	b	d	c
MN-41737.03	103619	15000	UKR	529,705.00	THE PROTECTION OF REFUGEES ASYLUM SEEKERS AND FORCED MIGRANTS	Maria Sophia Vermorken	12/09/05	12/10/08	Ludmila Radautan	15/06/07	-	-	-	-	-
MN-41737.05	103619	15000	ALL	529,705.00	THE PROTECTION OF REFUGEES ASYLUM SEEKERS AND FORCED MIGRANTS	Maria Sophia Vermorken	12/09/05	12/10/08	Ludmila Radautan	15/06/07	c	b	b	c	b
MR-41737.09	103619	15000	UKR	529,705.00	THE PROTECTION OF REFUGEES ASYLUM SEEKERS AND FORCED MIGRANTS	Maria Sophia Vermorken	12/09/05	12/10/08	Ludmila Radautan	11/08/08	b	b	a	c	b
MR-41737.10	103619	15000	ALL	529,705.00	THE PROTECTION OF REFUGEES ASYLUM SEEKERS AND FORCED MIGRANTS	Maria Sophia Vermorken	12/09/05	12/10/08	Ludmila Radautan	11/08/08	b	b	b	c	b