



Traceca  
Box 2 (No. 7)  
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In ASSOCIATION WITH



COMPASS QMBH  
TRAFFIC SYSTEMS AND LOGISTICS

Sema

## HARMONISATION OF BORDER CROSSING PROCEDURES

### Technical Proposal



Prepared for:

**European  
Commission**

**August 2001**

# SERVICE TENDER SUBMISSION FORM

Ref: SCR-E/111963/C/SV/WW

Contract title: "Harmonisation of Border Crossing Procedures"

One signed original and two copies of this form and each of the documents mentioned in it must be supplied.

## 1 SUBMITTED by

Tenderer name*	Scott Wilson Kirkpatrick & Co. Ltd
----------------	------------------------------------

\*In the case of a consortium, insert the agreed name of the consortium

## 2 CONTACT PERSON (for this tender)

Name	Adrian Tite
Address	Scott House, Basing View, Basingstoke, Hampshire, England RG21 4JG
Telephone	01256 461161
Fax	01256 816835
e-mail	<a href="mailto:adrian.tite@swkeurope.com">adrian.tite@swkeurope.com</a>

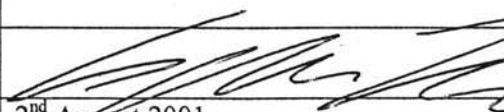
## 3 STATEMENT

I, the undersigned, being the authorised signatory of the above tenderer (including all consortium partners, in the case of a consortium), hereby declare that we have examined and accept without reserve or restriction the entire contents of the tender dossier for the tender procedure referred to above. We offer to provide the services requested in the tender dossier on the basis of the following documents, which comprise our Technical offer, and our Financial offer, which is submitted in a separate, sealed envelope:

- Organisation & Methodology
- Key experts (comprising a list of the key experts and their CVs)
- Tenderer's declaration (including one from every consortium partner, in the case of a consortium)
- Statements of exclusivity and availability signed by each of the key experts

We undertake to guarantee the eligibility of the sub-contractors for the parts of the services for which we have stated our intention to sub-contract in the Organisation and Methodology.

The independent and suitably qualified auditor who would provide the audit certificate prior to the final payment, as mentioned in the draft contract, is Ward Williams Chartered Accountants, 43 - 45 High Street, Weybridge, Surrey, KT13 8BB, UK. Tel: 01932 830664, Fax: 01932 830733 & Email: [malcolm@wardwilliams.co.uk](mailto:malcolm@wardwilliams.co.uk). Our bank account details are as follows: Account no. 37126781, Sort Code. 40-03-28 HSBC Plc, Holborn Circus, 31 Holborn, London. EC1N 2HR. This tender is subject to acceptance within the validity period stipulated in Clause 6 of the Instruction to tenderers. Signed on behalf of the tenderer

Name	Adrian Tite
Signature	
Date	2 <sup>nd</sup> August 2001

Scott Wilson Kirkpatrick & Co Ltd  
Scott House,  
Basing View,  
Basingstoke,  
Hampshire  
RG21 4JG  
England

Telephone +44 (0)1256 461161  
Fax +44 (0)1256 460582  
www.scottwilson.com



EuropeAid A/6 L-41 4/89  
Rue de la Loi 200  
1049 Brussels  
Belgium

Your Reference: SCR-E/111963/C/SV/WW

Our Reference: LEGSB/Z00SB

Date: 26 July 2001

Dear Sir/ Madam

### TENDERER'S DECLARATION

In response to your letter of invitation to tender for the above contract, we hereby declare that we:

- Nominate the following person to act on our behalf for the purposes of this tender and any subsequent contract based on it:

Name	Adrian Tite
Position	Director
Organisation	Scott Wilson Kirkpatrick & Co Ltd

- Reconfirm that we are not in any of the situations excluding us from participating in contracts which are listed in **Section 2.3 of the Manual of Instructions** for External Relations Contracts (available from the following internet address: [http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm));
- Agree to abide by the ethics clauses in **Section 7 of the Manual of Instructions** and, in particular, have no potential conflict of interests or any relation with other short-listed candidates or other parties in the tender procedure at the time of the submission of this tender;
- Will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the tender process or during the implementation of the contract; and
- Fully recognise and accept that any inaccurate or incomplete information deliberately provided in this tender may result in our exclusion from this and other contracts funded by the European Communities.

In the event that our tender is successful, we undertake to provide the proof usual under the law of the country in which we are established that we do not fall into categories (a), (b), (c), (e), or (f) of the grounds for exclusion listed in Section 2.3 of the Manual of Instructions. The date on the evidence or documents provided will be no earlier than 180 days before the deadline for submission of tenders and, in addition we will provide the proof within 15 calendar days after receiving notification of award, or if the information provided is proved false, the award will be considered null and void.

Yours faithfully,

Adrian Tite  
Director

Part of the worldwide Scott Wilson consultancy group

Registered in London: No. 880328 Registered Office: Scott House, Basing View, Basingstoke, Hampshire RG21 4JG, England

UK Offices: Abingdon, Basildon, Basingstoke, Birmingham, Chesterfield, Crewe, Edinburgh, Glasgow, Inverness, Leeds, London, Manchester, Morley, Nottingham, Peterborough, Plymouth, Swindon, Telford and over 30 offices worldwide



Certificate No. FS 825

Scott Wilson Kirkpatrick & Co Ltd  
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Rue de La Loi 200  
1049 Brussels  
Belgium

Your Reference SCR-E/111963/C/SV/WW

Our Reference LEGSBZ00SB

Date 25 July 2001

Dear Sir/ Madam

### **TRACECA: Harmonisation of Border Crossing Procedures**

We confirm that Scott Wilson Kirkpatrick & Co Ltd has agreed to form a consortium with Compass GmbH, NEA Transport Research and Training, and Sema Group Belgium, to jointly prepare and submit a proposal for the above project and accept joint and several liability with other consortium partners for the execution of the contract. We confirm that if the proposal is successful we will undertake the subject Services as specified in the Request for Proposal dated 16 June 2001.

This confirmation is given on 25 July 2001

Yours sincerely  
for Scott Wilson Kirkpatrick & Co Ltd

A handwritten signature in black ink, appearing to read 'Adrian Tite'.

Adrian Tite  
Director

Part of the worldwide Scott Wilson consultancy group

Registered in London: No. 880328 Registered Office: Scott House, Basing View, Basingstoke, Hampshire RG21 4JG, England  
UK Offices: Abingdon, Basildon, Basingstoke, Birmingham, Chesterfield, Crewe, Edinburgh, Glasgow, Inverness, Leeds, London, Manchester, Morley, Nottingham, Peterborough, Plymouth, Swindon, Telford and over 30 offices worldwide



Certificate No. FS 825



EuropeAid A/6 L-41 4/89  
Rue de la Loi 200  
1049 Brussels  
Belgium

Our Reference : 20011107\99052000\CDO\CDO  
Subject : SCR-E/111963/C/SV/WW  
Tenderers' declaration for:  
Traceca Harmonisation of  
Border Crossing Procedures

Rijswijk, 18 July 2001

Dear Sir/ Madam

#### TENDERER'S DECLARATION

In response to your letter of invitation to tender for the above contract, we hereby declare that we:

- Nominate the following person to act on our behalf for the purposes of this tender and any subsequent contract based on it:

<b>Name</b>	Adrian Tite
<b>Position</b>	Director
<b>Organisation</b>	Scott Wilson Kirkpatrick & Co Ltd

- Reconfirm that we are not in any of the situations excluding us from participating in contracts which are listed in **Section 2.3 of the Manual of Instructions** for External Relations Contracts (available from the following internet address:  
[http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm));
- Agree to abide by the ethics clauses in **Section 7 of the Manual of Instructions** and, in particular, have no potential conflict of interests or any relation with other short-listed candidates or other parties in the tender procedure at the time of the submission of this tender;
- Will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the tender process or during the implementation of the contract; and
- Fully recognise and accept that any inaccurate or incomplete information deliberately provided in this tender may result in our exclusion from this and other contracts funded by the European Communities.

Sir Winston Churchillaan 297  
P.O. Box 1969  
2280 DZ Rijswijk, The Netherlands  
Telephone +31 70 39 88 388  
Direct number

+31 70 3988 400

Fax +31 70 39 54 186  
E-mail: [email@nea.nl](mailto:email@nea.nl)  
Internet: <http://www.nea.nl>

NEA Transportonderzoek en -opleiding B.V.  
Bank: ABN•AMRO Rijswijk account no. 51.94.67.396, attn. NEA  
Postbank account no. 396940, attn. NEA  
VAT no. NL 808009011 B01  
Registered with The Hague Chamber of Commerce no 27180347



Transport research  
and training

In the event that our tender is successful, we undertake to provide the proof usual under the law of the country in which we are established that we do not fall into categories (a), (b), (c), (e), or (f) of the grounds for exclusion listed in Section 2.3 of the Manual of Instructions. The date on the evidence or documents provided will be no earlier than 180 days before the deadline for submission of tenders and, in addition we will provide the proof within 15 calendar days after receiving notification of award, or if the information provided is proved false, the award will be considered null and void.

Yours faithfully,  
NEA Transport research and training

Arthur L. Gleijm  
Director



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EuropeAid A/6 L-41 4/89  
Rue de La Loi 200  
1049 Brussels  
Belgium

Our Reference : 20011129\23005\ICDO\ICDO      Rijswijk, 25 July 2001  
Subject : SCR-E/111963/C/SV/WW  
Consortium confirmation for Traceca  
Harmonisation of border crossing procedures

Dear Sir/ Madam,

**TRACECA: Harmonisation of Border Crossing Procedures**

We confirm that NEA Transport Research and Training has agreed to form a consortium with Scott Wilson Kirkpatrick & Co Ltd, Compass GmbH, and Sema Group Belgium, to jointly prepare and submit a proposal for the above project and accept joint and several liability with other consortium partners for the execution of the contract. We confirm that if the proposal is successful we will undertake the subject Services as specified in the Request for Proposal dated 16 June 2001.

It is agreed and confirmed that Scott Wilson will assume the position of the Leading Partner and is authorised to represent NEA Transport Research and Training as the principal contracting party in all matters pertaining to the execution of the contract.

This confirmation is given on 25 July 2001

Yours sincerely,  
NEA Transport Research and Training

Arthur L. Gleijm  
Director

Sir Winston Churchilllaan 297  
Postbus 1969  
2280 DZ Rijswijk  
Telefoon 070 - 39 88 388  
Doorkiesnummer

+31 70 3988 400

Fax 070 - 39 54 186  
E-mail: email@nea.nl  
Internet: http://www.nea.nl

NEA Transportonderzoek en -opleiding B.V.  
ABN•AMRO Rijswijk 51.94.67.396  
Postbank 396940  
BTW-nummer NL 808009011 B01  
K.v.K. Den Haag 27180347

COMPASS GMBH – P.O.B. 12 01 64 – 27515 Bremerhaven

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1049 Brussels

Belgium

### Operation Office Germany

Am Leuchtturm 3  
27568 Bremerhaven / Germany  
Telephone (471) 48 02 – 502/402  
Telefax (471) 48 02 - 410  
e-Mail h-b-compass@t-online.de

your ref.

our ref.

dB

tel. extension

date

23 July 2001

**Project Title: Harmonisation of Border Crossing Procedures**

**Project No.: SCR-E/111963/C/SV/WW**

### TENDERER'S DECLARATION

In response to your letter of invitation to tender for the above contract, we hereby declare that we:

- Nominate the following person to act on our behalf for the purposes of this tender and any subsequent contract based on it:

<b>Name</b>	Adrian Tite
<b>Position</b>	Director
<b>Organisation</b>	Scott Wilson Kirkpatrick & Co Ltd

- Reconfirm that we are not in any of the situations excluding us from participating in contracts which are listed in **Section 2.3 of the Manual of Instructions** for External Relations Contracts, available from the following internet address:

[http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm)

- Agree to abide by the ethics clauses in **Section 7 of the Manual of Instructions** and, in particular, have no potential conflict of interests or any relation with other short-listed candidates or other parties in the tender procedure at the time of the submission of this tender;

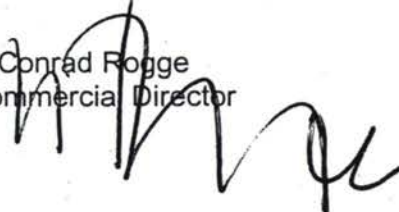


- Will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the tender process or during the implementation of the contract; and
- Fully recognise and accept that any inaccurate or incomplete information deliberately provided in this tender may result in our exclusion from this and other contracts funded by the European Communities.

In the event that our tender is successful, we undertake to provide the proof usual under the law of the country in which we are established that we do not fall into categories (a), (b), (c), (e), or (f) of the grounds for exclusion listed in Section 2.3 of the Manual of Instructions. The date on the evidence or documents provided will be no earlier than 180 days before the deadline for submission of tenders and, in addition we will provide the proof within 15 calendar days after receiving notification of award, or if the information provided is proved false, the award will be considered null and void.

Yours faithfully,

J. Conrad Rogge  
Commercial Director



COMPASS GMBH – P.O.B. 12 01 64 – 27515 Bremerhaven

EuropeAid A/6 L-41 4/89  
Rue de La Loi 200

1049 Brussels  
Belgium

### Operation Office Germany

Am Leuchtturm 3  
27568 Bremerhaven / Germany  
Telephone (471) 48 02 – 502/402  
Telefax (471) 48 02 - 410  
e-Mail h-b-compass@t-online.de

your ref.

our ref.

tel. extension

date

26 July 2001

**Your ref: SCR-E/111963/C/SV/WW**

Dear Sir/ Madam

### TRACECA: Harmonisation of Border Crossing Procedures

We confirm that Compass GmbH has agreed to form a consortium with Scott Wilson Kirkpatrick & Co Ltd, NEA Transport Research and Training, and Sema Group Belgium, to jointly prepare and submit a proposal for the above project and accept joint and several liability with other consortium partners for the execution of the contract. We confirm that if the proposal is successful we will undertake the subject Services as specified in the Request for Proposal dated 16 June 2001.

It is agreed and confirmed that Scott Wilson will assume the position of the Leading Partner and is authorised to represent Compass GmbH as the principal contracting party in all matters pertaining to the execution of the contract.

This confirmation is given on 26 July 2001.

Yours sincerely

  
J. Conrad Rogge  
Commercial Director



EuropeAid A/6 L-41 4/89  
 Rue de la Loi 200  
 1049 Brussels  
 Belgium

SCR-E/111963/C/SV/WW

LEGSB/Z00SB

26 June 2001

Dear Sir/ Madam

**TENDERER'S DECLARATION**

In response to your letter of invitation to tender for the above contract, we hereby declare that we:

- Nominate the following person to act on our behalf for the purposes of this tender and any subsequent contract based on it:

Name	Adrian Tite
Position	Director
Organisation	Scott Wilson Kirkpatrick & Co Ltd

- Reconfirm that we are not in any of the situations excluding us from participating in contracts which are listed in **Section 2.3 of the Manual of Instructions for External Relations Contracts** (available from the following internet address: [http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm));
- Agree to abide by the ethics clauses in **Section 7 of the Manual of Instructions** and, in particular, have no potential conflict of interests or any relation with other short-listed candidates or other parties in the tender procedure at the time of the submission of this tender;
- Will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the tender process or during the implementation of the contract; and
- Fully recognise and accept that any inaccurate or incomplete information deliberately provided in this tender may result in our exclusion from this and other contracts funded by the European Communities.

In the event that our tender is successful, we undertake to provide the proof usual under the law of the country in which we are established that we do not fall into categories (a), (b), (c), (e), or (f) of the grounds for exclusion listed in Section 2.3 of the Manual of Instructions. The date on the evidence or documents provided will be no earlier than 180 days before the deadline for submission of tenders and, in addition we will provide the proof within 15 calendar days after receiving notification of award, or if the information provided is proved false, the award will be considered null and void.

Yours faithfully,

Eric Tourrès  
 International Business Manager

Sema Belgium sa/nv - Rue de Stalle 96 - 1180 Bruxelles - Stallestraat 96 - 1180 Brussel  
 Tel: +32 2 333 55 11 - Fax: +32 2 333 55 22 - <http://be.sema.com>



artesia 550-2721200-52 • Fortis 210-0893125-01 • RCB 292.272 HRB • TVA BE 401.848.135 BTW 555585858 32 2 3335585

SEMABELGIUM

01/08 .01 WED 11:08 FAX 32 2 3335585



EuropeAid A/6 L-41 4/89  
 Rue de La Loi 200  
 1049 Brussels  
 Belgium

SCR-E/111963/C/SV/WW

LEGSBZ00SB

25 July 2001

Dear Sir/ Madam

**TRACECA: Harmonisation of Border Crossing Procedures**

We confirm that Sema Group Belgium has agreed to form a consortium with Scott Wilson Kirkpatrick & Co Ltd, Compass GmbH, and NEA Transport Research and Training, to jointly prepare and submit a proposal for the above project and accept joint and several liability with other consortium partners for the execution of its part of the contract. We confirm that if the proposal is successful we will undertake the subject Services as specified in the Request for Proposal dated 16 June 2001.

It is agreed and confirmed that Scott Wilson will assume the position of the Leading Partner and is authorised to represent Sema Group Belgium as the principal contracting party in all matters pertaining to the execution of the contract.

This confirmation is given on 25 July 2001

  
 Yours sincerely  
 Eric Tourrés  
 International Business Manager  
 for SEMA BELGIUM

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Sema Belgium sa/nv - Rue de Stalle 96 - 1180 Bruxelles - Stallestraat 96 - 1180 Brussel

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32 2 3335585

SEMABELGIUM

1/08 01 WED 11:08 FAX 32 2 3335585



IOM International Organization for Migration  
OIM Organisation Internationale pour les Migrations  
OIM Organización Internacional para las Migraciones

EuropeAid A/6 L-41 4/89  
Rue de la Loi 200  
1049 Brussels  
Belgium

30 July 2001

To whom it may concern:

Scott-Wilson Kirkpatrick & Co, Ltd. Consortium is proposing to work with the EC on a TRACECA-wide contract on Customs and Immigration improvements (SCR-E/111963/SV/WW). If the proposal to work in that region is successful, IOM agrees to undertake the services proposed at the fee rate agreed by the parties. The services will be further defined and agreed upon in the inception phase.

Irena Omelaniuk  
Director  
Migration Management Services Department

---

**Headquarters:**

17 route des Morillons • C.P. 71 • CH-1211 Geneva 19 • Switzerland  
Tel: +41.22.717 91 11 • Fax: +41.22.798 61 50 • E-mail: [hq@iom.int](mailto:hq@iom.int) • Internet: <http://www.iom.int>

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# I

## **GENERAL CONDITIONS FOR SERVICE CONTRACTS**



# ANNEX I: GENERAL CONDITIONS FOR SERVICE CONTRACTS FINANCED BY THE EUROPEAN COMMUNITY

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## PRELIMINARY PROVISIONS

### Article 1 Definitions

1.1 The headings and titles in these General Conditions shall not be taken as part thereof or be, taken into consideration in the interpretation of the Contract.

1.2 The following definitions apply to the contract.

**Administrative order:** any writing instruction or order issued by the Project Manager to the Consultant regarding the performance of the services.

**Beneficiary country:** the country or state outside the European Union with which the European Community has an agreed programme of co-operation.

**Budget breakdown:** in a fee-based contract, the schedule which breaks down the contract value, stating out the fee rates and the provision for incidental expenses.

**Cashflow forecast:** the Consultant's estimate of the cashflows arising directly from the execution of the contract.

**Commission:** the European Commission.

**Consultant:** the party which will perform the services.

**Contract:** the signed agreement entered into by the parties for the performance of the services, including all attachments thereto and all documents incorporated therein.

**Contracting Authority:** the government of the beneficiary country or the legal person governed by public or private law concluding the contract, or on behalf of which the contract is concluded, with the Consultant.

**Contract value:** the sum stated in the contract representing the maximum or total amount payable for the provision of the services.

**Day:** calendar day.

**EC:** the European Community.

**EU:** the European Union.

**Euro:** the European single currency.

**Fee-based contract:** a contract under which the services are provided on the bases of fixed fee rates.

**General damages:** the sum, not stated previously in the contract, which is awarded by a court or arbitration tribunal, or agreed between the parties, as compensation payable to an injured party for a breach of the contract by the other party.

**Global price contract:** a contract under which the services are performed for an all-inclusive fixed price.

**Liquidated damages:** the compensation stated in the contract as being payable by one contracting party to the other for failure to perform the contract or part thereof.

**Month:** calendar month

**National currency:** the currency of the country of the Contracting Authority.

**Project:** the project in relation to which the services are to be provided under the contract.

**Project Manager:** the natural or legal person responsible for monitoring the implementation of the contract on behalf of the Contracting Authority.

**Services:** activities to be performed by the Consultant under the contract such as technical assistance, studies, training and designs.

**Terms of reference:** the document drawn up by the Contracting Authority giving the definition of its requirements and/or the objectives in respect of the provisions of services, specifying, where relevant, the methods and resources to be used by the Consultant and/or the results to be achieved by it.

**Time limits:** those periods in the contract which shall begin to run from the day following the act or event which serves as the starting point for those periods. Should the last day of the period fall upon a non-working day, the period shall expire at the end of the first working day following the last day of the period.

1.3 Where the context so permits words importing the singular shall be deemed to include the plural and vice versa and words importing the masculine shall be deemed to include the feminine and vice versa.

1.4 The word "country" shall be deemed to include State or Territory.

1.5 Words importing persons or parties shall include firms and companies and any organisation having legal capacity.

### Article 2 Notices and written communications

2.1 Whenever there is a deadline for the receipt of a written communication, the sender should ask for an acknowledgement of receipt of its communication. In any event, the sender shall take all the necessary measures to ensure receipt of the communication

2.2 Any notice, consent, approval, certificate or decision by any person required under the contract must be in writing, unless otherwise specified, and shall not be unreasonably withheld or delayed.

### Article 3 Assignment

- 3.1 An assignment is a written agreement by which the Consultant transfers its contract or part thereof to a third party.
- 3.2 The Consultant shall not, without the prior written consent of the Contracting Authority, assign the contract or any part thereof, or any benefit or interest thereunder.
- 3.3 The approval of an assignment by the Contracting Authority shall not relieve the Consultant of its obligations for the part of the contract already performed or the part not assigned.
- 3.4 Assignees must satisfy the eligibility criteria applicable to the award of the contract.

### Article 4 Sub-contracting

- 4.1 A written agreement by which the Consultant entrusts performance of a part of the services to a third party is considered to be a sub-contract.
- 4.2 The Consultant must seek the prior written authorisation of the Contracting Authority before entering into a sub-contract. This authorisation will be based on the services to be sub-contracted and the identity of the intended sub-contractor. The Contracting Authority shall, with due regard to the provisions of Article 2.2, within 30 days of receipt of the notification, notify the Consultant of its decision, stating reasons, should it withhold such authorisation.
- 4.3 No sub-contract can create contractual relations between any sub-contractor and the Contracting Authority.
- 4.4 The Consultant shall be responsible for the acts, defaults and negligence of its sub-contractors and their experts, agents or employees, as if they were the acts, defaults or negligence of the Consultant, its experts, agents or employees. The approval by the Contracting Authority of the sub-contracting of any part of the contract or of the engagement by the Consultant of sub-contractors to perform any part of the services shall not relieve the Consultant of any of its obligations under the contract.
- 4.5 If a sub-contractor is found by the Contracting Authority or the Project Manager to be incompetent in discharging its duties, the Contracting Authority or the Project Manager may request the Consultant forthwith, either to provide a sub-contractor with qualifications and experience acceptable to the Contracting Authority as a replacement, or to resume the performance of the services itself.
- 4.6 Sub-contractors must satisfy the eligibility criteria applicable to the award of the contract.

## OBLIGATIONS OF THE CONTRACTING AUTHORITY

### Article 5 Supply of information

- 5.1 The Contracting Authority shall supply the Consultant promptly with any information and/or documentation at its disposal which may be relevant to the performance of the contract. Such documents shall be returned to the Contracting Authority at the end of the period of execution of the contract.
- 5.2 The Contracting Authority shall as far as possible co-operate with the Consultant to provide information that the latter may reasonably request in order to perform the contract.

### Article 6 Assistance with local regulations

- 6.1 The Consultant may request the assistance of the Contracting Authority of the beneficiary country to obtain copies of laws, regulations, and information on local customs, orders or by-laws of the country in which the services are to be performed, which may affect the Consultant in the performance of its obligations under the contract. The Contracting Authority may charge the Consultant for such assistance, which would be provided at the Consultant's own expense.
- 6.2 Subject to the provisions of the laws and regulations on foreign labour in the country in which the services are to be performed, the Contracting Authority of the beneficiary country shall make every effort to facilitate the procurement by the Consultant of all required visas and permits, including work and residence permits, for the personnel whose services the Consultant and the Contracting Authority consider necessary as well as residence permits for their families.
- 6.3 The Contracting Authority shall issue to its employees, agents and representatives all such instructions as may be necessary or appropriate to facilitate the prompt and effective performance of the services.

## OBLIGATIONS OF THE CONSULTANT

### Article 7 General obligations

- 7.1 The Consultant shall respect and abide by all laws and regulations in force in the beneficiary country and shall ensure that its personnel, their dependants, and its local employees also respect and abide by all such laws and regulations. The Consultant shall indemnify the Contracting Authority against any claims and proceedings arising from any infringement by the Consultant, its employees and their dependants of such laws and regulations.
- 7.2 The Consultant shall perform the services under the contract with due care, efficiency and

diligence, in accordance with the best professional practice.

- 7.3 The Consultant shall comply with administrative orders given by the Project Manager. Where the Consultant considers that the requirements of an administrative order go beyond the authority of the Project Manager or of the scope of the contract, it shall, on pain of being time-barred, notify the Project Manager, explaining its opinion, within 30 days after receipt thereof. Execution of the administrative order shall not be suspended because of this notice.
- 7.4 The Consultant shall treat all documents and information received in connection with the contract as private and confidential, and shall not, save in so far as may be necessary for the purposes of the performance thereof, publish or disclose any particulars of the contract without the prior consent in writing of the Contracting Authority or the Project Manager after consultation with the Contracting Authority. If any disagreement arises as to the necessity for any publication or disclosure for the purpose of the contract, the decision of the Contracting Authority shall be final.
- 7.5 If the Consultant is a consortium of two or more persons, all such persons shall be jointly and severally bound to fulfil the terms of the contract. The person designated by the consortium to act on its behalf for the purposes of this contract shall have the authority to bind the consortium.
- 7.6 Any alteration of the composition of the consortium without the prior written consent of the Contracting Authority shall be considered to be a breach of contract.

#### Article 8 Code of conduct

- 8.1 The Consultant shall at all times act loyally and impartially and as a faithful adviser to the Contracting Authority in accordance with the rules and/or code of conduct of its profession as well as with appropriate discretion. It shall, in particular, refrain from making any public statements concerning the project or the services without the prior approval of the Contracting Authority, and from engaging in any activity which conflicts with its obligations towards the Contracting Authority under the contract. It shall not commit the Contracting Authority in any way whatsoever without its prior written consent, and shall, where appropriate, make this obligation clear to third parties.
- 8.2 For the period of execution of the contract, the Consultant and its personnel shall respect human rights and undertake not to offend the political, cultural and religious practices prevailing in the beneficiary country.
- 8.3 If the Consultant or any of its sub-contractors, personnel, agents or servants offers to give or agrees to offer or to give or gives to any person, any bribe, gift, gratuity or commission as an

inducement or reward for doing or forbearing to do any act in relation to the contract or any other contract with the Contracting Authority, or for showing favour or disfavour to any person in relation to the contract or any other contract with the Contracting Authority, then the Contracting Authority may terminate the contract, without prejudice to any accrued rights of the Consultant under the contract.

- 8.4 The payments to the Consultant under the contract shall constitute the only income or benefit it may derive in connection with the contract and neither it nor its personnel shall accept any commission, discount, allowance, indirect payment or other consideration in connection with, or in relation to, or in discharge of, its obligations under the contract.
- 8.5 The Consultant shall not have the benefit, whether directly or indirectly, of any royalty, gratuity or commission in respect of any patented or protected article or process used in or for the purposes of the contract or the project, without the prior written approval of the Contracting Authority.
- 8.6 The Consultant and its staff shall maintain professional secrecy, for the duration of the contract and after completion thereof. In this connection, except with the prior written consent of the Contracting Authority, neither the Consultant nor the personnel employed or engaged by it shall at any time communicate to any person or entity any confidential information disclosed to them or discovered by them, or make public any information as to the recommendations formulated in the course of or as a result of the services. Furthermore, they shall not make any use prejudicial to the Contracting Authority, of information supplied to them and of the results of studies, tests and research carried out in the course and for the purpose of performing the contract.
- 8.7 The execution of the contract shall not give rise to unusual commercial expenses. If such unusual commercial expenses emerge, the contract will be terminated. Unusual commercial expenses are commissions not mentioned in the contract or not stemming from a properly concluded contract referring to the contract, commissions not paid in return for any actual and legitimate service, commissions remitted to a tax haven, commissions paid to a recipient who is not clearly identified or commission paid to a company which has every appearance of being a front company.
- 8.8 The Consultant shall supply to the Contracting Authority on request supporting evidence regarding the conditions in which the contract is being executed. The Contracting Authority may carry out whatever documentary or on-the-spot checks it deems necessary to find evidence in case of suspected unusual commercial expenses.

**Article 9 Conflict of interest**

- 9.1 The Consultant shall refrain from any relationship which would compromise its independence or that of its personnel. If the Consultant fails to maintain such independence, the Contracting Authority may, without prejudice to compensation for any damage which it may have suffered on this account, terminate the contract forthwith, without giving formal notice thereof.
- 9.2 The Consultant shall after the conclusion or termination of the contract, limit its role in connection with the project to the provision of the services. Except with the written permission of the Contracting Authority, the Consultant and any other contractor, consultant or supplier with whom the Consultant is associated or affiliated shall be disqualified from the execution of works, supplies or other services for the project in any capacity, including tendering for any part of the project.
- 9.3 As a general rule, civil servants and other agents of the public administration of the beneficiary country, regardless of their administrative situation, shall not be recruited as experts in contracts financed by the EC in the beneficiary country.
- 9.4 The Consultant and anyone working under its authority or control in the performance of the contract or on any other activity, shall be excluded from access to EC financing available under the same project.

**Article 10 Specifications and designs**

- 10.1 The Consultant shall prepare all specifications and designs using accepted and generally recognised systems acceptable to the Contracting Authority and taking into account the latest design criteria.
- 10.2 The Consultant shall ensure that the specifications and designs and all documentation relating to procurement of goods and services for the project are prepared on an impartial basis so as to promote competitive tendering.

**Article 11 Indemnification**

- 11.1 At its own expense, the Consultant shall indemnify, protect and defend, the Contracting Authority, its agents and employees, from and against all actions, claims, losses or damage arising from any act or omission by the Consultant in the performance of the services, including any violation of any legal provisions, or rights of third parties, in respect of patents, trade marks and other forms of intellectual property such as copyrights.
- 11.2 At its own expense, the Consultant shall indemnify, protect and defend the Contracting

Authority, its agents and employees, from and against all actions, claims, losses or damages arising out of the Consultant's failure to perform its obligations provided that:

- a) the Consultant is notified of such actions, claims, losses or damages not later than 30 days after the Contracting Authority becomes aware of them;
- b) the ceiling on the Consultant's liability shall be limited to an amount equal to the contract value, and such ceiling shall not apply to actions, claims, losses or damages caused by the Consultant's wilful misconduct;
- c) the Consultant's liability shall be limited to actions, claims, losses or damages directly caused by such failure to perform its obligations under the contract and shall not include liability arising from unforeseeable occurrences incidental or indirectly consequential to such failure.
- 11.3 At its own expense, the Consultant shall, upon request of the Contracting Authority, remedy any defect in the performance of the services in the event of the Consultant's failure to perform its obligations under the contract.
- 11.4 The Consultant shall have no liability whatsoever for actions, claims, losses or damages occasioned by:
- a) the Contracting Authority omitting to act on any recommendation, or overriding any act, decision or recommendation, of the Consultant, or requiring the Consultant to implement a decision or recommendation with which the Consultant disagrees or on which it expresses a serious reservation; or
- b) the improper execution of the Consultant's instructions by agents, employees or independent contractors of the Contracting Authority.
- 11.5 The Consultant shall remain responsible for any breach of its obligations under the contract for such period after the services have been performed as may be determined by the law governing the contract.

**Article 12 Medical and insurance arrangements**

- 12.1 The Contracting Authority may request the Consultant and/or its personnel performing the services to undergo a medical examination by a qualified medical practitioner before leaving their usual place of residence and shall as soon as is practicable furnish the Contracting Authority with the medical report resulting therefrom.
- 12.2 For the period of execution of the contract, the Consultant shall obtain medical insurance for itself and other persons employed or contracted by it under the contract. The Contracting Authority shall be under no liability in respect of the medical expenses of the Consultant.

- 12.3 Within 20 days of signing the contract, the Consultant shall take out and maintain a full indemnity insurance policy for a sum up to the higher of the maximum amount foreseen by the legislation of the country of the Contracting Authority and the amount foreseen by the legislation of the country in which the Consultant has its headquarters and covering, during the period of execution of the contract, the following aspects:
- a) the Consultant's liability in respect of sickness or industrial accident affecting its employees, including the cost of repatriation on health grounds;
  - b) loss of, or damage to, the Contracting Authority's equipment used to perform the contract;
  - c) civil liability in the event of accidents caused to third parties or to the Contracting Authority and any employee of that Authority arising out of the performance of the contract.
  - d) accidental death or permanent disability resulting from bodily injury incurred in connection with the contract; and
- 12.4 The Consultant shall also insure the personal effects of its employees, experts and their families located in the country of the Contracting Authority against loss or damage.
- 12.5 The Consultant shall furnish proof of the insurance policy and of regular payment of premiums without delay whenever required to do so by the Contracting Authority or the Project Manager.

#### Article 13 Proprietary rights in reports and documents

- 13.1 All reports and data such as maps, diagrams, drawings, specifications, plans, statistics, calculations and supporting records or materials acquired, compiled or prepared by the Consultant in the performance of the contract shall be confidential and shall be the absolute property of the Contracting Authority. The Consultant shall, upon completion of the contract, deliver all such documents and data to the Contracting Authority. The Consultant may retain copies of such documents and data, but shall not use them for purposes unrelated to its contract without the prior written consent of the Contracting Authority.
- 13.2 The Consultant shall not publish articles relating to the services or refer to them when carrying out any services for others, or divulge information obtained from the Contracting Authority, without the prior written consent of the Contracting Authority.

## NATURE OF THE SERVICES

### Article 14 The scope of the services

- 14.1 The scope of the services is specified in the Terms of reference.
- 14.2 Where the contract is for an advisory function for the benefit of the Contracting Authority and/or Project Manager in respect of all the technical aspects of the project which may arise out of its execution, the Consultant shall not have decision-making responsibility.
- 14.3 Where the contract is for management of the execution of the project, the Consultant shall assume all the duties of management inherent in supervising the execution of a project, subject to the Project Manager's authority.
- 14.4 If the Consultant is required to prepare a tender dossier, the dossier shall contain all documents necessary for consulting suitable contractors, manufacturers and suppliers, and for preparing tender procedures with a view to carrying out the works or providing the supplies or services covered by an invitation to tender. The Contracting Authority shall provide the Consultant with the information necessary for drawing up the administrative part of the tender dossier.

### Article 15 Provision of experts

- 15.1 Where the contract is for the provision of experts for the execution of a project, the Consultant shall provide such experts in specific fields relating to the execution of the project, in the form of technical assistance in an advisory and/or managerial role. Such experts shall be under the direct authority of the Project Manager.
- 15.2 The services shall be carried out by the experts specified in the contract for the periods of time indicated therein. The Consultant may, with the prior approval of the Contracting Authority, make minor adjustments to such periods as may be appropriate to ensure the efficient performance of the services, provided that such adjustments will not cause payments made under the contract to exceed the contract value.
- 15.3 The Consultant shall be responsible for the quality of the experts which it places at the disposal of the Contracting Authority.
- 15.4 The Consultant may not without the Contracting Authority's prior agreement make use of experts who do not fulfil the same eligibility criteria with regard to nationality which apply to the Consultant itself.

#### Article 16 Personnel and equipment

- 16.1 The personnel which the Consultant uses for the implementation of the contract shall be approved by the Contracting Authority. The terms of reference shall specify the minimum level of training, qualifications and experience of the Consultant's personnel and, where appropriate, the specialisation required.
- 16.2 References and/or curriculum vitae of experts other than the key experts identified in the contract to be employed under the contract shall be submitted to the Contracting Authority for approval.
- 16.3 Staff approved by the Contracting Authority shall commence their duties on the date or within the period laid down in the terms of reference, or, failing this, on the date or within the periods notified to the Consultant by the Contracting Authority or the Project Manager.
- 16.4 Save as otherwise provided in the special conditions, the staff of the Consultant shall reside close to their place of work. Where part of the services is to be performed outside the country of the Contracting Authority, the Consultant shall keep the Project Manager informed of the names and qualifications of staff assigned to that part of the services and of the equipment used.
- 16.5 The Consultant shall:
- forward to the Project Manager within 30 days of the signature of the contract by both parties, the timetable proposed for placement of the staff, specification of their duties and a list of the equipment it intends to use for the services;
  - inform the Project Manager of the date of arrival and departure of each member of staff;
  - submit to the Project Manager for his written approval a timely request for the appointment of any non-key experts.
- 16.6 The Consultant shall adopt all measures necessary to provide and continue to provide its staff with the equipment required enabling them to carry out their specified duties under conditions which are most conducive to efficiency.

#### Article 17 Replacement of personnel

- 17.1 The Consultant shall not make changes in the personnel without the prior written approval of the Contracting Authority. The Consultant must on its own initiative propose a replacement in the following cases:
- In the event of death, in the event of illness or in the event of accident of a member of staff.
  - If it becomes necessary to replace a member of staff for any other reasons beyond the Consultant's control (e.g. resignation, etc.).

17.2 Moreover, in the course of performance, and on the basis of a written and justified request, the Contracting Authority can ask for a replacement if it considers that a member of staff is inefficient or does not perform its duties under the contract.

17.3 Where a member of staff must be replaced, the replacement must possess at least equivalent qualifications and experience, and the remuneration to be paid to the replacement cannot exceed that received by the member of staff who has been replaced. Where the Consultant is unable to provide a replacement with equivalent qualifications and/or experience, the Contracting Authority may either decide to terminate the contract, if the proper performance of it is jeopardised, or, if it considers that this is not the case, accept the replacement, provided that the fees of the latter are renegotiated to reflect the appropriate remuneration level.

17.4 Additional costs incurred by the replacement of staff are the responsibility of the Consultant. Where the expert is not replaced immediately and it is some time before the new expert takes up its functions, the Contracting authority may ask the Consultant to assign to the project a temporary expert pending the arrival of the new expert, or to take other measures to compensate for the temporary absence of the missing expert. Whatever the case may be, the Contracting Authority makes no payment for the period of the expert's or his/her replacement's absence.

#### Article 18 Trainees

18.1 If required in the terms of reference, the Consultant shall provide training for the period of execution of the contract for trainees assigned to it by the Contracting Authority under the terms of the contract.

18.2 Instruction by the Consultant of such trainees shall not confer on them the status of employees of the Consultant. However, they must comply with the Consultant's instructions, and with the provisions of Article 8, as if they were employees of the Consultant. The Consultant may on reasoned request in writing obtain the replacement of any trainee whose work or conduct is unsatisfactory.

18.3 Unless otherwise provided in the contract, remuneration for trainees and travel, accommodation and all other expenses incurred by the trainees, shall be borne by the Contracting Authority.

18.4 The Consultant shall report at quarterly intervals to the Contracting Authority on the training assignment. Immediately prior to the end of the period of execution of the contract, the Consultant shall draw up a report on the result of the training and an assessment of the qualifications obtained by the trainees with a view to their future employment. The form of such reports and the procedure for presenting

them shall be as laid down in the terms of reference.

## PERFORMANCE OF THE CONTRACT

### Article 19 Delays in performance

- 19.1 If the Consultant does not perform the services within the period of execution specified in the contract, the Contracting Authority shall, without formal notice and without prejudice to its other remedies under the contract, be entitled to liquidated damages for every day, or part thereof, which shall elapse between the end of the period of execution specified in the contract and the actual end of the period of execution.
- 19.2 The daily rate for liquidated damages is calculated by dividing the contract value by the number of days of the period of execution.
- 19.3 If these liquidated damages exceed more than 15% of the contract value, the Contracting Authority may, after giving notice to the Consultant:
- terminate the contract; and
  - complete the services at the Consultant's own expense.

### Article 20 Suspension

- 20.1 The Contracting Authority is entitled to suspend the performance of the services or any part thereof for such time and in such manner as it may consider necessary.
- 20.2 If the period of suspension exceeds 90 days and the suspension is not due to the Consultant's default, the Consultant may, by notice to the Project Manager, request permission to resume performance of the services within 30 days or terminate the contract.

### Article 21 Amendment of the contract

- 21.1 Any amendment of the contract must be set out in writing in an addendum, to be concluded on the same terms as the original contract. If the request for an amendment comes from the Consultant, the latter must submit such a request to the Contracting Authority at least 30 days before the amendment is intended to enter into force, except in cases which are duly substantiated by the Consultant and accepted by the Contracting Authority.
- 21.2 However, where the amendment does not affect the basic purpose of the contract and, for a fee-based contract, the financial impact is limited to a transfer within the Fees or between the Fees and the Provision for incidental expenditure involving a variation of less than 10% of the original amount in the Budget breakdown, the Project Manager shall have the power to order any variation to any part of the services necessary for the proper execution of the

contract, without changing the object or scope of the contract. Such variations may include additions, omissions, substitutions, changes in quality, quantity, specified sequence, method or timing of performance of the services.

- 21.3 No such order for a variation may imply any extension of the period of execution.
- 21.4 Prior to any administrative order for variation, the Project Manager shall notify the Consultant of the nature and form of such variation. As soon as possible, after receiving such notice, the Consultant shall submit to the Project Manager a written proposal containing:
- a description of the service to be performed or the measures to be taken and a programme for execution; and
  - any necessary modifications to the programme of performance or to any of the Consultant's obligations under the contract; and
  - For a fee-based contract, any adjustment to the contract value in accordance with the following principles:
    - where the task is of similar character and executed under similar conditions to an item priced in the budget breakdown the equivalent numbers of working days shall be valued at the fee rates contained therein;
    - where the task is not of a similar character or is not executed under similar conditions, the fee rates in the contract shall be applied to the estimated numbers of working days so far as is reasonable, failing which, a fair estimation shall be made by the Project Manager;
    - where a variation is necessitated by a default or breach of contract by the Consultant, any additional cost attributable to such variation shall be borne by the Consultant.
- 21.5 Following the receipt of the Consultant's proposal, the Project Manager shall, after due consultation with the Contracting Authority, and where appropriate with the Consultant, decide as soon as possible whether or not the variation shall be carried out. If the Project Manager decides that the variation shall be carried out he shall issue the administrative order stating that the variation shall be carried out under the conditions given in the Consultant's proposal or as modified by the Project Manager in accordance with Article 21.4.
- 21.6 On receipt of the administrative order requesting the variation, the Consultant shall proceed to carry out the variation and be bound by these General Conditions in so doing as if such variation were stated in the contract.
- 21.7 Changes of address, changes of bank account and changes of auditor may simply be notified by the Consultant to the Project Manager, although this shall not affect the Contracting Authority's right to oppose the Consultant's choice of bank account or auditor.

21.8 No amendment shall be made retroactively. Any change to the contract which has not been made in the form of an administrative order or an addendum shall be considered as null and void.

#### Article 22 Working hours

The days and hours of work of the Consultant or the Consultant's personnel in the country of the Contracting Authority shall be fixed on the basis of the laws, regulations and customs of the country of Contracting Authority and the requirements of the services.

#### Article 23 Leave entitlement

23.1 Annual leave to be taken during the period of execution of the contract must be at a time approved by the Project Manager.

23.2 For a fee-based contract, the fee rates are deemed to take into account the annual leave of up to 2 months for the Consultant's personnel during the period of execution of the contract. Consequently, days taken as annual leave shall not be considered to be working days.

23.3 The Consultant's personnel shall not be entitled to either sick or casual leave provided, however, that the Project Manager may, at his sole discretion whether for compassionate reasons or otherwise, permit the Consultant to take unpaid leave during the period of execution of the contract.

#### Article 24 Information

The Consultant shall furnish the Project Manager with such information relating to the services and the project as the Project Manager may at any time request.

#### Article 25 Records

25.1 The Consultant shall keep full accurate and systematic records and accounts in respect of the services in such form and detail as is sufficient to establish accurately that the number of working days and the actual incidental expenditure identified in the Consultant's invoice(s) have been duly incurred for the performance of the services.

25.2 For a fee-based contract, timesheets recording the days worked by the Consultant's personnel must be maintained by the Consultant. The amounts invoiced by the Consultant must correspond to these timesheets.

25.3 Such records must be kept for a 5-year period after the last payment made under the contract. These documents comprise any documentation concerning income and expenditure and any inventory, necessary for the checking of

supporting documents in particular timesheets, plane and transport tickets, pay slips for the remuneration paid to the experts. Failure to maintain such records constitutes a breach of contract and will result in the termination of the contract.

25.4 The Consultant shall permit the Project Manager or any person authorised by him to inspect or audit, at any reasonable time, the records and accounts relating to the services and to make copies thereof both during and after provision of the services.

#### Article 26 Final report

26.1 Immediately prior to the end of the period of execution of the contract the Consultant shall draw up a confidential final report together with, if appropriate, a critical study of any major problems which may have arisen during the performance of the contract. For a fee-based contract, this final report shall include a financial analysis of the project and an audit certificate provided by the auditor identified in Article 11.1 of the Special Conditions.

26.2 This final report shall be forwarded to the Project Manager not later than 60 days after the end of the period of execution of the contract. Such report shall not bind the Contracting Authority.

26.3 Where the contract is performed in phases, the execution of each phase shall give rise to the preparation of a final report by the Consultant.

#### Article 27 Approval of reports and documents

27.1 The approval by the Contracting Authority of reports and documents drawn up and forwarded by the Consultant shall certify that they comply with the terms of the contract.

27.2 The Contracting Authority shall, within 30 days of receipt, notify the Consultant of its decision concerning the documents or reports received by it, giving reasons should it reject the reports or documents, or request amendments. For the final report, the time limit is extended to 60 days. If the Contracting Authority does not give any comments on the documents or reports within the time limit, the Consultant may request written acceptance of them. The documents or reports shall be deemed to have been approved by the Contracting Authority if it does not expressly inform the Consultant of any comments within 30 days of the receipt of this written request.

27.3 Where a report or document is approved by the Contracting Authority subject to amendments to be made by the Consultant, the Contracting Authority shall, prescribe a period for making the amendments requested.



- 27.4 Where the contract is performed in phases, the execution of each phase shall be subject to the approval, by the Contracting Authority, of the preceding phase except where the phases are carried out concurrently.

## PAYMENTS

### Article 28 Payment and interest on late payment

- 28.1 Payment procedures are set out in Article 7 of the Special Conditions and follow one of the two options below.

#### Option 1: Fee-based contract

The Contracting Authority will make payments to the Consultant in the following manner:

- an advance of 60% of the cashflow forecast for the 12 months following the commencement date, within 60 days of receipt by the Contracting Authority of the Contract signed by both parties and of a financial guarantee, as defined in Article 28.4;
- interim six-monthly payments, if any, as indicated in Article 7.2 of the Special Conditions, within 60 days of the Contracting Authority receiving an invoice setting out the days actually worked and the incidental expenditure actually incurred during the period, as evidenced by the accompanying interim report, subject to approval of that report in accordance with Article 28.2;
- the balance of the final certified contract value, after deduction of the interim payments, within 60 days of the Contracting Authority receiving a final invoice accompanied by the final report and audit certificate from the auditor identified in Article 11.1 of the Special Conditions, subject to approval of the final report and audit certificate in accordance with Article 28.2.

The interim invoices must be paid such that the sum of the advance and the interim payments do not exceed 90% of the maximum contract value stated in Article 3 of the Special Conditions, the balance being paid by deduction from the advance.

#### Option 2: Global price contract

The Contracting Authority will make payments to the Consultant in the following manner:

- an advance of 60% of the contract value stated in Article 3 of the Special Conditions within 60 days of receipt by the Contracting Authority of the Contract signed by both parties and of a financial guarantee, as defined in Article 28.4;
- interim payments, if any, totalling 60% of the contract value stated in Article 3 of the Special Conditions, within 60 days of the Contracting Authority receiving the corresponding interim reports and shall

be paid by deduction from the advance, subject to approval of such reports in accordance with Article 28.2;

- a final payment of 40% of the contract value stated in Article 3 of the Special Conditions if there have been interim payments, or 100% of the contract value if there have been no interim payments, within 60 days of the Contracting Authority receiving a final invoice accompanied by the final report, subject to approval of that report in accordance with Article 28.2.

- 28.2 The payment deadline of 60 calendar days referred to in Article 28.1 shall expire on the date on which the Contracting Authority's account is debited. Without prejudice to Article 32.3, the Contracting Authority may halt the countdown towards this deadline for any part of the invoiced amount disputed by the Project Manager by notifying the Consultant that that part of the invoice is inadmissible, either because the amount in question is not due or because the relevant report cannot be approved and the Contracting Authority thinks it necessary to conduct further checks. In such cases, the Contracting Authority must not unreasonably withhold any undisputed part of the invoiced amount but may request clarification, alteration or additional information, which must be produced within 30 days of the request. The countdown towards the deadline will resume on the date on which a correctly formulated invoice is received by the Contracting Authority.

- 28.3 Once the deadline referred to above has expired, the Consultant may, within two months of late payment, claim late-payment interest:

- at the rate applied by the European Central Bank to its main refinancing transactions in euro where payments are in euro,
- at the rediscount rate applied by the central bank of the country of the Contracting Authority where payments are in the currency of that country.

on the first day of the month in which the deadline expired, plus one and a half percentage points. The late-payment interest shall apply to the time which elapses between the date of the payment deadline (inclusive), and the date on which the Contracting Authority's account is debited (exclusive).

- 28.4 Advances of EUR 50,000 or more must be fully secured by a financial guarantee remaining valid until it is released by the Contracting Authority following final payment. The financial guarantee shall be in conformity with or match the model below:



**Article 29 Revision of prices**

29.1 Unless otherwise stipulated in the special conditions, contracts shall be at fixed prices which shall not be revised.

**Article 30 Payment to third parties**

30.1 All orders for payments to third parties may be carried out only after an assignment made in accordance with Article 3.

30.2 Notification of beneficiaries of assignment shall be the sole responsibility of the Consultant.

30.3 In the event of a legally binding attachment of the property of the Consultant affecting payments due to it under the contract and without prejudice to the time limit laid down in Article 28, the Contracting Authority shall have 60 days, starting from the day when it receives notification of the definitive lifting of the obstacle to payment, to resume payments to the Consultant.

**BREACH OF CONTRACT AND TERMINATION**

**Article 31 Breach of contract**

31.1 Either party commits a breach of contract where it fails to discharge any of its obligations under the contract.

31.2 Where a breach of contract occurs, the party injured by the breach shall be entitled to the following remedies:

- a) damages; and/or
- b) termination of the contract.

31.3 Damages may be:

- a) general damages; or
- b) liquidated damages.

31.4 In any case where the Contracting Authority is entitled to damages, it may deduct such damages from any sums due to the Consultant or call on the appropriate guarantee.

31.5 The Contracting Authority shall be entitled to compensation for any damage which comes to light after the contract is completed in accordance with the law governing the contract.

**Article 32 Termination by the Contracting Authority**

32.1 The Contracting Authority may, at any time and with immediate effect, terminate the contract after giving 7 days notice to the Consultant.

32.2 Termination shall be without prejudice to any other rights or powers under the contract of the Contracting Authority and the Consultant.

32.3 In addition to the grounds for termination defined in these General Conditions, the Contracting Authority may terminate the contract in any of the following cases where:

- a) the Consultant fails to carry out the services substantially in accordance with the contract;
- b) the Consultant continues to default for a period of 14 days after the Contracting Authority has given notice to it of suspension of payments under Article 28.12;
- c) the Consultant fails to comply within a reasonable time with the notice given by the Project Manager requiring it to make good the neglect or failure to perform its obligations under the contract which seriously affects the proper and timely performance of the services;
- d) the Consultant refuses or neglects to carry out administrative orders given by the Project Manager;
- e) the Consultant assigns the contract or sub-contracts without the authorisation of the Contracting Authority;
- f) the Consultant becomes bankrupt or insolvent, or has a receiving order made against it, or enters into an arrangement with its creditors, or carries on business under a receiver, trustee or administrator for the benefit of its creditors, or goes into liquidation;
- g) any adverse final judgement is made in respect of an offence affecting the professional conduct of the Consultant;
- h) any legal disability hindering performance of the contract occurs;
- i) any organisational modification occurs involving a change in the legal personality, nature or control of the Consultant, unless such modification is recorded in an addendum to the contract;
- j) the Consultant fails to provide the required guarantees or insurance, or if the person providing a guarantee or insurance is not able to abide by its commitments.

32.4 The Contracting Authority may, thereafter, complete the services itself, or conclude any other contract with a third party, at the Consultant's own expense. The Consultant's liability for delay in completion shall immediately cease when the Contracting Authority terminates the Contracts without prejudice to any liability thereunder that may have already been incurred.

32.5 Upon termination of the contract or when it has received notice thereof, the Consultant shall take immediate steps to bring the services to a close in a prompt and orderly manner and in such a way as to keep costs to a minimum.

32.6 The Project Manager shall, as soon as is possible after termination, certify the value of

the services and all sums due to the Consultant as at the date of termination.

- 32.7 The Contracting Authority shall not be obliged to make any further payments to the Consultant until the services are completed, whereupon the Contracting Authority shall be entitled to recover from the Consultant the extra costs, if any, of completing the services, or shall pay any balance due to the Consultant.
- 32.8 If the Contracting Authority terminates the contract, it shall be entitled to recover from the Consultant any loss it has suffered up to the maximum amount stated in the contract. If no maximum amount is stated, the Contracting Authority shall, without prejudice to its other remedies under the contract, be entitled to recover that part of the contract value which is attributable to that part of the services which has not, by reason of the Consultant's failure, been satisfactorily completed.
- 32.9 If the termination is not due to an act or omission of the Consultant, the Consultant shall be entitled to claim in addition to sums owing to it for work already performed, a compensation for any loss or injury suffered.

#### Article 33 Termination by the Consultant

- 33.1 The Consultant may, after giving 14 days notice to the Contracting Authority, terminate the contract if the Contracting Authority:
- fails to pay the Consultant the amounts due under any certificate of the Project Manager after the expiry of the time limit stated in Article 28; or
  - consistently fails to meet its obligations after repeated reminders; or
  - suspends the progress of the services or any part thereof for more than 90 days for reasons not specified in the contract, or not due to the Consultant's default.
- 33.2 Such termination shall be without prejudice to any other rights of the Contracting Authority or the Consultant acquired under the contract.
- 33.3 In the event of such termination, the Contracting Authority shall pay the Consultant for any loss or injury the Consultant may have suffered. Such additional payment may not be such that the total payments exceed the amount specified in Article 3 of the Special Conditionst.

#### Article 34 Force majeure

- 34.1 Neither party shall be considered to be in breach of its obligations under the contract if the performance of such obligations is prevented by any circumstances of force majeure which arise after the date of signature of the contract by both parties.

34.2 The term "force majeure", as used herein shall mean acts of God, strikes, lock-outs or other industrial disturbances, acts of the public enemy, wars, whether declared or not, blockades, insurrection, riots, epidemics, landslides, earthquakes, storms, lightning, floods, washouts, civil disturbances, explosions, and any other similar unforeseeable events, beyond the control of either party and which by the exercise of due diligence neither party is able to overcome.

34.3 Notwithstanding the provisions of Article 19 and Article 32, the Consultant shall not be liable for liquidated damages or termination for default if, and to the extent that, its delay in performance or other failure to perform its obligations under the contract is the result of an event of force majeure. The Contracting Authority shall similarly not be liable, notwithstanding the provisions of Article 28 and Article 33, to payment of interest on delayed payments, for non-performance or for termination by the Consultant for default, if, and to the extent that, the Contracting Authority's delay or other failure to perform its obligations is the result of force majeure.

34.4 If either party considers that any circumstances of force majeure have occurred which may affect performance of its obligations it shall notify the other party immediately giving details of the nature, the probable duration and likely effect of the circumstances. Unless otherwise directed by the Project Manager in writing, the Consultant shall continue to perform its obligations under the contract as far as is reasonably practicable, and shall seek all reasonable alternative means for performance of its obligations which are not prevented by the force majeure event. The Consultant shall not put into effect such alternative means unless directed so to do by the Project Manager.

34.5 For a fee-based contract, if the Consultant incurs additional costs in complying with the Project Manager's directions or using alternative means under Article 34.4 the amount thereof shall be certified by the Project Manager subject to the maximum contract value.

34.6 If circumstances of force majeure have occurred and persist for a period of 180 days then, notwithstanding any extension of the period of execution that the Consultant may by reason thereof have been granted, either party shall be entitled to serve upon the other 30 days' notice to terminate the contract. If at the expiry of the period of 30 days the situation of force majeure persists, the contract shall be terminated and, in consequence thereof, the parties shall be released from further performance of the contract.

#### Article 35 Decease

- 35.1 If the Consultant is a natural person, the contract shall be automatically terminated if that person dies. However, the Contracting Authority

shall examine any proposal made by his heirs or beneficiaries if they have notified their wish to continue the contract within 15 days of the date of decease. The decision of the Contracting Authority shall be notified to those concerned within 30 days of receipt of such a proposal.

- b) in all other cases, under the rules of Conciliation and Arbitration of the International Chamber of Commerce (Paris) by one or more arbitrators appointed in accordance with the said rules. The request for arbitration must be submitted within 60 days as from the end of the period of conciliation.

35.2 If the Consultant is a group of natural persons and one or more of them die, a report shall be agreed between the parties on the progress of the services and the Contracting Authority shall decide whether to terminate or continue the contract in accordance with the undertaking given within 15 days of the date of decease by the survivors and by the heirs or beneficiaries, as the case may be. The decision of the Contracting Authority shall be notified to those concerned within 30 days of receipt of such a proposal.

35.3 Such persons shall be jointly and severally liable for the proper performance of the contract to the same extent as the Consultant. Continuation of the contract shall be subject to the rules relating to establishment of any guarantee provided for in the contract.

## SETTLEMENT OF DISPUTES

### Article 36 Settlement of disputes

36.1 The Contracting Authority and the Consultant shall make every effort to amicably settle any dispute relating to the contract which may arise between them, or between the Project Manager and the Consultant.

36.2 Once a dispute has arisen, the parties to this contract shall notify each other in writing of their positions on the dispute as well as of any solution which they envisage possible. If any of the two parties deems it useful, the parties to this contract shall meet and try and settle the dispute. Each party shall respond to a request for amicable settlement within 30 days of such request. The period to reach an amicable settlement shall be 120 days. Should the attempt to reach an amicable settlement not be successful or should a party not respond in time to any requests for settlement, each party shall be free to proceed to the next stage in reaching a settlement in accordance with Article 36.3.

36.3 The parties may agree to the settlement of the dispute by conciliation within a specific time limit by a third party after the amicable settlement procedure adopted has failed.

36.4 The amicable settlement or conciliation procedure adopted shall in all cases involve a procedure in which complaints and responses are notified to the other party.

36.5 In the absence of an amicable settlement or settlement by conciliation within the maximum time limits specified, the dispute shall be settled:

- a) in the case of a national contract, in accordance with the national legislation of the country of the Contracting Authority; and

*Annex*

**II**

**TERMS OF REFERENCE**



EUROPEAN UNION - TACIS

Technical Assistance to the Southern Republics of the  
CIS and Georgia - TRACECA

**TRADE AND TRANSPORT SECTORS**

Terms of Reference

**HARMONISATION  
OF  
BORDER CROSSING PROCEDURES**

Final Recipients:  
National Commissions TRACECA  
and Ministries of Transport

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- Background
- Rationale and Objectives
- Risks and Assumptions
- Main Components
- 5. Reporting
- 6. Factors Ensuring Sustainability
- 7. Environmental Impact
- 8. Monitoring and Evaluation



## 1. Background

### 1.1 Needs of Beneficiaries

During May 1993, a conference organised by the European Commission was held in Brussels at which the states of Armenia, Azerbaijan, Georgia, Turkmenistan, Uzbekistan, Kazakhstan, Kyrgyzstan and Tadjikistan were represented.

The objectives of the Conference were:

- To promote co-operation among the participating states in all matters pertaining to the development of trade and transport in the region.
- To promote the Central Asian-Trans-Caucasian-Europe transport corridor.
- To identify problems and deficiencies in the regional trade and transport systems.
- To define in terms of content and timing a Technical Assistance Programme to be financed by the EU.

From this conference the TRACECA (Transport Corridor Europe Caucasus Central Asia) programme was created as a component of the TACIS interstate programme.

On September 7-8, 1998, delegations of 32 countries and 13 international organisations gathered in Baku for the International TRACECA Conference. Nine Presidents and one Prime Minister, Ministers, Ambassadors and heads of delegation discussed the importance of the TRACECA programme as the shortest way of integration into the international economic structures, as a guarantee of political and economic stability and also as a means to improve regional co-operation.

During this Conference, 12 countries:

Azerbaijan Republic	Republic of Moldova
Republic of Armenia	Romania
Republic of Bulgaria	Republic of Tadjikistan
Georgia	Turkish Republic
Republic of Kazakhstan	Republic of Uzbekistan
Kyrgyz Republic	Ukraine

signed a Multi-Lateral Agreement (MLA) on International Transport in the transport corridor Europe-Caucasus-Central Asia (and four supplementary technical annexes on Customs, road, maritime and rail transport), which has been ratified by 10 countries. It is anticipated that Turkey and Kazakhstan will ratify the Agreement by the end of 2000.

In accordance with the MLA a Permanent Secretariat in Baku was set up.

On 10-11 March 2000 in Tbilisi the First Conference of the TRACECA Intergovernmental Commission (IGC) was held. The Conference adopted the Intergovernmental Commission rules and procedures as well as the statutes of the Permanent Secretariat and elected its first Secretary-General.

National TRACECA Commissions have been set up and a National Secretary appointed in most of the TRACECA States and it is anticipated that all will be in place by the beginning of

2001. The National Commissions have been asked to make comment on proposals for new projects and their comments and recommendations are reflected in the content and structure of these Terms of Reference.

It must be noted that Turkmenistan was not present in Baku and Mongolia which was represented has not yet signed the MLA. However, article 14 provides that the basic Agreement is "open for accession of any state". This provision is clearly intended to make room for them, once they have considered the benefits they may obtain from membership.

## **1.2 Problems to be addressed.**

Since the break-up of the Soviet Union TRACECA states have entered into a series of agreements to regulate transit traffic between and across their territories. These may be summarised as:

- bi-lateral agreements, which are the most prolific, and somewhat difficult to catalogue and administer.
- multi-lateral agreements, such as the "Sarakhs agreement" of May 1996 which is a rare example but working proof of the regional will to regulate transit traffic on a broad basis. Other agreements exist within the framework of the OCJD for rail transport, and there is also the Customs Union which links, at least nominally, certain of the TRACECA states with Russia.
- International conventions, such as TIR.

Most states are in the process of adhering to the main international conventions sponsored by such bodies as UN-ECE and ESCAP.

In the absence of detailed application of the MLA a somewhat chaotic situation exists at the operator level, particularly in road transport. Carriers are confronted by a confusing, fluid regulatory environment and transit fee structure, sometimes administered at both national and oblast level and this continues to lead to delays and inefficiencies at border crossings.

## **1.3 Relation to past and present TACIS projects**

Past and present TRACECA projects have analysed the current situation of the transport sector in the region. The projects of most relevance to border crossing harmonisation include:

- A project to establish a road transport training centre under the overall control of the National Association of Road Hauliers/Carriers, who are the IRU members, in each TRACECA state. This included an element to assist in the establishment or expansion of TIR and SafeTIR (the computerised component of TIR), wherever possible.
- A project to provide assistance in the establishment of a Transport Legal Framework in each TRACECA state. The project worked with local experts to propose and assist in the implementation of national legislation for the transport sector; on a draft multi-lateral agreement; and to secure adherence to the most useful international conventions.
- A project entitled "Trade Facilitation" which carried out a detailed survey of current trade documentation usage, border-crossing conditions and recommended streamlined procedures. These recommendations have already been partially implemented in the region.

- A project to set up a database and forecasting model of freight movements within the region (Traffic Forecasting).
- The Central Asian Rail restructuring project which considered the reorganisation of the concerned operating companies to become more commercially oriented, and determined investment packages of interest to IFIs to support their development.
- Two projects to assist Road Transport operators and support service providers in the region that also addressed regulatory issues in the sub-sector.

Training and familiarisation in international transport practices including customs and transit procedures, has been included in the content of most TRACECA projects.

At the time of writing, two new TRACECA projects and one national TACIS project sharing certain domains of interest with this project should be commissioned within the time frame of the project:

- The Unified Policy on Transit Fees and Tariffs project will investigate rail, port and maritime tariffs and road transit fees, including border costs and propose a more rational basis to be used in the setting of such fees and tariffs.
- The Common Legal Basis for Transit Transport project will give guidance in the organisation of a common legal basis for transit traffic in each TRACECA State.
- The TACIS national project in Kazakhstan on "Support to the development of a Transit Corridors Policy, in the Republic of Kazakhstan" will look at specific aspects of transit transport including a review of goods and passenger flow statistics. They will also look at the application of on-line transport management systems.

The Contractor should closely co-ordinate its work with the above mentioned projects. It is to be noted that the activities of the present project are to concentrate on the technical and operational aspects of achieving the stated objectives. To the extent that any legislative consequences might arise from aspects of the project work these should be the concern of the Common Legal Basis for Transit Transportation project.

#### o **Relation with other donors**

There appears to be a number of other agencies that are either active in the region currently, or have plans to become active shortly. The consultant carrying out this project will be expected to co-operate with other donors to fullest degree possible. The present project will be particularly attentive to complementary actions, collaboration, exchange of information and cross referencing in reports, with the other donors initiatives.

A report entitled "Trade Facilitation in the Caucasus" (November 2000) has been prepared by World Bank. Its content should be taken into consideration by this project. Likewise, several reports have been published by ESCAP and should be considered.

## **2. Rationale and Objectives**

### **2.1 Overall Objectives**

A previous TRACECA project entitled "Trade Facilitation" identified many inconsistencies in the border crossing procedures applied by TRACECA states. These concerned, for example, the documents used, the control processes, the legal basis for the various documents in use, and the overall effectiveness of the controls applied.

In practice there remain serious contradictions between policy and practice at border crossings. On the one hand, TRACECA Governments are very concerned that their economies should be linked to world-wide markets, while on the other hand, inefficient border crossing procedures and incompatible documentary requirements impose wasteful costs on international transport operators, and impede international trade.

The objective of this project will be to **harmonise** procedures within the region, and to **align** them with EU practice.

The emphasis of the project will be on the **implementation** of new procedures, building on the previous investigative work and recommendations of the TRACECA Trade Facilitation Project where necessary seeking authority from the IGC to decide changes, where these are required. It is not intended that the Contractor should repeat the survey work done by the Trade Facilitation project that reported, in exhaustive detail (including photographic evidence), on all relevant border posts. Neither will it be necessary to canvass recommendations from counterparts as the recommendations of the previous project were endorsed at high level and remain broadly valid. Detailed implementation will require day to day collaboration by the Contractor with the TRACECA National Commissions and their National Secretaries to facilitate inputs to individual National governments.

## **Results**

The expected final result of the project will be an appreciable improvement in efficiency in border crossing procedures reflected in reduced costs and reduced delays for commercial parties concerned, notably carriers, exporters, importers, and increased efficiency within state agencies such as Customs. It must be appreciated that full delivery of these benefits cannot be guaranteed during the project timescale and that on-going monitoring and evaluation by the IGC and the National Commissions will be required over a number of years following completion of the project tasks.

### **o Project Purpose and Deliverables**

In order to reach the above stated overall objectives the project purpose and deliverables are defined as follows:

- To prepare model documents in two languages, one of which is to be English and the other a language of choice of each beneficiary state, based on the recommendations contained in the key document package from the Trade Facilitation Project.
- To propose a harmonised list of controls and documents required in respect of transit traffic that conforms to international norms and satisfies national and regional objectives.
- To set performance targets for the proposed controls that are specific, measurable, achievable and realistic within the timeframe of this project.

- To establish, country by country, an implementation programme, in agreement with the national authorities (legal basis, model amendments to laws, documents to be scrapped, publishing procedures for informing officers and users on new rules).
- To produce a Manual for Customs Officers and a User Guide for transport operators and traders.
- To provide on-the-job training and assistance with such re-organisation as may be needed to introduce new procedures and documents.
- In accordance with the MLA, to create an Institute of Customs Brokers in each State with close links to the Freight Forwarders' Associations established by the previous Trade Facilitation and Legal Framework projects.
- To assess the feasibility of establishing a system of common transit procedures in the region adapted from the Convention on a Common Transit Procedure of 20.5.87.

## Results

Results should consist of the achievement of the above project deliverables.

### 3. Risks and Assumptions

The principal assumption is that the ratification of the MLA, and approval of these Terms of Reference, provides a sufficient mandate for the National Commission in each state to resolve the many issues (including infrastructure and other investment and manning levels) that will arise at National level in attempting to implement more coherent and efficient documentation and border crossing procedures. It is assumed that in the majority of states the Beneficiary will be the National TRACECA Commission and that in those where the government designates an alternative Beneficiary the same support structures will be available to the Contractor and on the same basis as would be the case if a National Commission were the designated Beneficiary.

Risks are several:

- That decisions contrary to the MLA are taken by National Authorities, possibly in pursuit of other initiatives being taken in the region through other international organisations.
- That the IGC and its Working Groups are used as a mere talking forum by the National Delegations, without members taking any decisions on key issues.
- That Oblasts or National Agencies are not informed about, or do not respect, the engagements of the MLA and its Annexes.
- That decisions prove incapable of implementation because of insufficient financial resources in individual States.
- That back up on legal issues may not be available from the planned Common Legal Basis for Transit Transportation project if this does not come on-stream in parallel with this project.

### 4. Main Components

#### 4.1. Tasks

#### **4.1.1 Working Groups**

The MLA provides for the establishment of a TRACECA Customs Working Group and it is likely that the IGC will authorise the creation of this body during the timeframe of this project. The Contractor in close co-operation with the Permanent Secretariat in Baku will design ToR for such a working group and will set up a Customs Working Group (CWG) attached to each of the National Commissions. The Contractor should ensure that the representative bodies of transporters, including Freight Forwarding Associations and National Road Transport Associations are included in the CWGs to discuss relevant issues and to obtain reports from their members on any improvements resulting from the project. The Customs Working Groups should meet at approximately monthly intervals and their members should be deeply involved in all project activities. Where site visits or information gathering are necessary to meet project objectives, the primary responsibility for executing these should rest with members of the CWGs and not with the Contractor, who should principally act in an advisory capacity. As TRACECA programmes enter their mature phase counterparts will increasingly assume both operational and moral responsibility for day to day project activities.

Following completion of the project the CWGs should remain in place with the triple task and status of continuing input to the work of the IGC and Permanent International Secretariat, constituting the CWG of the National Traceca Commissions, and being officially recognised by the Customs authorities of the individual States as future Customs Consultative Committees.

#### **4.1.2 Review of previous work and recommendations**

The Contractor and each CWG should, prior to inception report, together confirm and refine the findings and recommendations of the previous Trade Facilitation Project as an aide-memoir. These were:

##### **In respect of Customs Border Control Points**

- Equal opportunities should exist at all borders for use by any international transporter.
- Customs posts should be refurbished to create a positive image.
- Layout at border facilities should be based on "Form follows Function" principles.
- Refurbishment needs to be prioritised.
- Low traffic volume posts should be upgraded or closed to freight traffic. Shared facilities should be considered.
- Customs posts at rail crossings should be refurbished and secured by long term tenancy agreements.
- Customs posts at Ports should be improved and in some cases relocated.
- Approach roads at major border crossings should be widened.
- Control of commercial activities close to border posts should be strengthened.
- Border Control Zones should have restricted access.
- Road signs should be improved, with possible installation of TRACECA route signs to UN format.
- Regulations should promote the use of Customs approved terminals and bonded

warehouses to reduce border work.

- Computerised live-entry Management Information Systems (MIS) should be introduced for planning.
- Staff retention is as important as recruitment.
- Shorter work shifts should be introduced where possible.
- Specialised training is required.
- Key borders should have satellite telephone linkage.
- Customs border posts should have emergency generators.
- More detection equipment, training and systems are required.
- Fewer documentation checks should aim to achieve a target of 5-minute processing time per vehicle.
- All organisations present at border posts should co-operate to achieve faster service levels.
- A prioritised investment programme should be initiated.
- External funding should be sought where required and justified

#### **In respect of Customs Computerisation**

- The ERMIS report should be used as a basic source of detail.
- There should be a specialist study of power and communications systems so that practical and economic decisions can be taken on computerised developments.
- Seminars should be organised on EDI and computerisation for both Customs and Traders to improve awareness of the potential benefits that can result.
- Input of cargo detail to existing networks should be done at the earliest stage possible. Software to extract specific detail from the data input should be obtained.
- Computer developments should aim for a National Trade Data Transfer System (NTDTS).
- TRACECA countries should co-operate to achieve a harmonised NTDTS, in order to save cost and improve regional compatibility.
- The ASYCUDA system should be considered where no network exists and where another system has been selected or is under consideration, a comparison with ASYCUDA should be made.
- There should be an independent Information Technology Department within Customs, to develop the needs of Customs and their customers, the Traders.
- There should be a review of the manner in which statistics are gathered in relation to an integrated NTDTS and compared to the requirements of the receiving agencies to ensure only useful information is provided.
- When designing the systems architecture for a NTDTS, consideration must be given to establishing a pilot scheme in the main clearance centre in the capital city, leading to full implementation in the main clearance centre and perhaps one regional office. This should be followed by progressive implementation at regional level and then at key borders.
- Compliance with international standards in the completion of declarations and in computer systems and protocols is essential.
- WCO should be approached for assistance in the development of this programme.

#### **In respect of Trade Documentation and Customs Procedures.**

- The cargo declaration should remain the key Customs document in its current form.
- The Certificate of Origin should be standardised and consideration should be given to reduce the necessity to use this form.
- All countries should work towards implementing the 1995 TIR convention, and eventually SafeTIR.
- A second type of "Community transit" system should be devised and considered for adoption for traffic movements which cross one or two borders.
- The use of UN aligned commercial documentation should be encouraged, particularly by the relevant trade associations.
- All countries should sign the CMR Convention and actively consider signing the COTIF Convention, as this would formalise the widespread usage of relevant documentation in the region.
- All key international trade documentation should be in two languages, one of which should be English. The second language should be national or Russian.
- National implementation plans should be developed which recognise the different stages of development in the various countries towards reaching a common goal.
- A programme of additional technical assistance, particularly in relation to training, should be developed.
- A TRACECA Customs Co-ordinating Committee should be established to co-ordinate and promote standardisation of Customs documentation and harmonisation of procedures as identified in the report. This should include a senior Customs official from each administration.
- An internal review should be undertaken by each Customs administration of their documentation requirements with the objective of simplification and a reduction in the number of documents required to effect a customs procedure for transit.
- A similar internal review should be undertaken with the objective of reducing the requirement to submit technical certificates and documents at the borders and in connection with a clearance.
- Where a secure transit system is in use, border documentation requirements should be limited to production of the transit document.
- The trend towards a regional clearance system should continue, thus reducing the role of the border post to that of a checkpoint.
- A review should be undertaken as to the role of the internal Customs control points along the roads and at city boundaries with the objective of reducing or eliminating this activity.
- Customs should examine the potential to introduce a pre-entry clearance system to clear goods before they arrive, subject to examination.
- Customs should introduce a "routing" system with clearance without examination on certain traffic based on the principle of risk assessment. This may require strengthening of penalties in some countries to support the system.
- The incidence of convoys should be reduced to essential traffics only and CIS and non-CIS vehicles should be treated identically.
- Customs should promote the establishment or enhancement of Customs brokering services and issue licences to appropriate individuals and organisations.
- A review should be undertaken of the demand and format of Customs statistics and to which organisations they are supplied, to reduce unnecessary reporting
- When a Community Transit System is agreed, further contacts should be established with



banks and insurance companies to determine their ability to provide appropriate transit and transfer guarantees.

Valid recommendations which cannot be taken forward within the present terms of reference should be restated in the Contractor's final report to be incorporated in future action programmes. Counterparts have requested that particular attention should also be paid to the issue of illegal immigration, physical controls on vehicles and the role of the traffic and security police, border guards, regional and city authorities and any other entity collecting fees from traffic at borders or elsewhere, and also the requirements of the phytosanitary and veterinary authorities.

#### **4.1.3 Preparation of Documents**

The Contractor will prepare model documents in two languages, one of which is to be English and the other a language of choice of each beneficiary state, based on the recommendations contained in the key document package from the Trade Facilitation Project.

#### **4.1.4 List of controls and implementation plan**

The Contractor will propose a harmonised list of controls and documents required in respect of transit traffic that conforms to international norms and satisfies national and regional objectives. It will:

- Set performance targets for the proposed controls that are specific, measurable, achievable and realistic within the timeframe of this project.
- Establish, country by country, an implementation programme, in agreement with the national authorities (legal basis, model amendments to laws, documents to be scrapped, and publishing procedures for informing officers and users on new rules).

#### **4.1.4 Management development and training**

The Contractor will produce:

- a Manual for Customs Officers
- a User Guide for transport operators and traders.

The contractor will provide on-the-job training and assistance in the region with such re-organisation as may be needed to introduce new procedures and documents. It is not envisaged that any training will take place outside the region within this project though the Contractor is welcome to assess what *long-term* on-the-job training might usefully be provided in Europe for specific categories of Customs personnel in the future. The concept of job exchange with (say) Customs in Europe could be explored. There has been sufficient Europe-based familiarisation training and study tours organised by numerous previous projects for such initiatives to be considered superfluous in the present environment.

#### **4.1.5 Establish an Institute of Customs Brokers**

In accordance with the MLA, the Contractor will create an Institute of Customs Brokers in

each State with close links to the Freight Forwarders' Associations established by the previous Trade Facilitation and Legal Framework projects. It is hoped that this profession would only be a transitional instrument and that over time the function of freight forwarder and Customs Broker would be merged. Consequently the Contractor should attempt to organise the profession in co-operation with the National Forwarders' Associations sharing as many common facilities such as office accommodation and training structures as appear appropriate.

#### 4.1.6 Pre-feasibility study for a common transit procedure

The difficulties and complexities of seeking to establish an autonomous common transit procedure in a region which is only just familiarising itself with very old established international systems such as TIR should not be under-estimated. Although it is possible that the volume of interstate trade is too low at present to justify immediate action, a common transit system is a laudable long-term goal, so a detailed description of the concept should be provided. The concept is strongly supported by counterparts.

The Contractor should therefore seriously consider the issues involved and present a detailed memorandum and recommendations as part of the final report (or as a separate deliverable if preferred) with particular regard to:

- whether it is realistic to introduce such a system in the present context and if so over what timescale-5/10/15 years.
- The security implications of moving to such a system both in terms of revenue protection for the Customs authorities and state security issues such as narcotics and other smuggling activities.
- The cost and cost-benefit implications of implementation.
- The advantages and disadvantages of the system relative to continued use of TIR carnets
- Whether progressive integration with the system of common transit procedures provided by the Convention on a Common Transit Procedure of 20.5.87, with eventual ratification of that convention, would offer a better long-term solution than seeking to create an additional system. (This is particularly relevant given the expansion of the TRACECA programme into countries also within the PHARE sphere and close to the sphere of operation of the existing convention).

The above six tasks 4.1.1 to 4.1.6 are not necessarily to be carried out sequentially. The Contractor is welcome to enlarge upon the activities described in its proposal and to introduce its own approach to achieve the overall project objectives.

## 4.2 Implementation Procedures

### 4.2.1 Staffing requirements

Proposing the exact composition of the team of experts is left to the discretion of the Contractor, but it should include a qualified transport practitioner with wide practical experience of road, rail and maritime transport as full time Project Manager. The Project Manager will be assisted by two key experts (Transport Lawyer and Transport Economist) and a range of part time specialists for short to medium term assignments.

Expert profile for key experts:

**Project Manager**

Education: Transport Economist or Transport Lawyer

Experience and references:

At least 15 years experience in the fields of Transport Law or Transport economics.  
Specific experience required in Transit Transportation .

At least 3 years experience in Project Management is required.

Field experience in NIS and/or Central European countries would be a distinct advantage

Knowledge of the Russian language is highly desirable

**Transport Lawyer**

Education : Diploma in Civil or Commercial Law with Transport Specialisation

Experience and references:

At least 10 years experience in Transport Law and Transit Transportation.

Field experience in NIS and/or Central European countries would be a distinct advantage

Knowledge of the Russian language is highly desirable

**Transport Economist**

Education : Transport Economist

Experience and references:

At least 10 years experience in Transport Economics, Transit Fees and Transit Transportation.

Field experience in NIS and/or Central European countries would be a distinct advantage

Knowledge of the Russian language is highly desirable

The contractor is free to compose its team of specialists for short and medium term visits. However, although not exclusive, the following domains of expertise should be clearly visible in its proposed staff list:

- General Transport Legislation knowledge
- International Conventions - road, rail, sea and multimodal
- International freight and logistics knowledge
- International Insurance Law and Practice

- Freight forwarding-Legal aspects and codes of practice
- Transport Economics and planning
- Environmental issues e.g. noise, exhaust, axle loading
- Customs Legislation and procedures, world wide
- Documentary requirements and systems including EDI

The Contractor's proposal must fully describe the experts to be assigned to the project, their precise domain of expertise applicable to the project, their individual roles in the achievement of the project objectives, the timing, duration and location of their assignments. Time spent in the beneficiary states and at home office is to be clearly shown.

Counterparts (and in particular the National TRACECA Commissions) will be expected to provide assistance and to participate fully to meetings and discussions and to provide copies of previous relevant studies and documentation. For this to be effective, some personnel from the National Commissions will need to be seconded to the Contractor to ensure the necessary level of management authority and to provide the element of on-the-job-training.

The proposed time-cost element for such contributions should be clearly visible in the Contractor's proposal. There should aim to be a reasonable balance between inputs from local experts in different TRACECA states.

#### 4.2.2 Project Management

The project is to be managed from a regional centre. The Contractor will work closely with the Permanent secretariat in Baku at all times, with National competent authorities, primarily the TRACECA Commissions at local level, and where appropriate, with other relevant National and International institutions and organisations. In designing project deliverables it may be appropriate for the Contractor's staff to work for periods alongside staff of the Permanent Secretariat.

The principal objective of this project is regional harmonisation and the majority of deliverables will be uniform and applicable to all the participating states. Therefore activity in each individual state should always be clearly focussed on the international dimension. The Contractor should regard individual national counterparts as sources of verification of proposed overall regional solutions and should not be diverted into advising and working on purely local problems, which are the responsibility of national TACIS programmes.

The Contractor should bear in mind this regional rather than local emphasis in planning its travel and staffing requirements and a draft schedule of visits including flight requirements and overall travel budget should accompany its proposal. It is appreciated that this may need to be adjusted at inception report stage or later with the agreement of the task manager.

The ratio of working time spent in the Contractor's home office, at the Permanent Secretariat, at a regional centre (if a centre other than Baku is selected) and on mission in the region should be clearly visible in the Contractor's proposal.

The Contractor will be required to attend occasional co-ordination meetings in Brussels.

#### **4.2.3 Project kick-off meeting**

The Contractor will organise a project kick-off meeting in Baku to agree the pre-inception report phasing of the work and to establish priorities in discussions with the Permanent Secretariat. It will be helpful if the Permanent Secretariat can organise attendance of at least some of the National Secretaries for this initial round of meetings and brainstorming.

#### **4.2.4 Informing National Commissions through presentation of reports**

The Contractor will attend at request the Working Group meetings of the Permanent Secretariat in order to inform, evaluate and discuss reports and comments with the General Secretary and the National Secretaries.

#### **4.2.5 Logistics**

The Contractor shall be responsible for arranging necessary living accommodation, travel, telecommunications and other expenses of project experts as well as interpretation, translation, the cost of printing, photocopying and similar office expenses required for the purposes of the work. This shall include the arrangements for regional meetings other than in Baku, as more particularly described in 4.2.4.

It is assumed that office accommodation and services will be available to the Contractor at the Baku Permanent Secretariat and by arrangement with each of the National Commissions.

The Contractor should budget for an appropriate sum of money to reimburse these arrangements following the guidelines set out in 4.4 below.

### **4.3 Rough Timetable**

The project is to be substantially completed within 24 months.

### **4.4 Global Budget**

A maximum budget of 2,000,000 Euro is available.  
Maximum of the Incidental Expenditure: 700,000 Euro

The Contractor is free to indicate in its proposal the proportion of the global budget which it proposes to allocate to each task but it is appreciated that the exact emphasis may not be clear until presentation of the project inception report.

This project does not envisage the specific purchase of equipment for counterparts, as this has been a major component of previous projects. Also the Contractor will have access to the resources of the Permanent Secretariat in Baku and also to those of the National Secretariats. Therefore there should be no requirement for separate office accommodation and indeed the Contractor is strongly encouraged to integrate its project activities within the above mentioned bodies.

In order to assist the sustainability of the Regional and National Secretariats and to defray foreseeable expenditure arising from its use of office resources the Contractor should indicate in its bid the sum it would allocate to the Permanent Secretariat in Baku and to the National Secretariats. For indicative purposes only the following may serve as a guideline:

*In Euro per working day*

Interpreters 90, Translators 70, Drivers 30, local support staff 85

*In Euro per working month*

Communications 1,000, Copying and Courier 800, Office Consumables 900

No expenditure is foreseen for formal training seminars but the Contractor should allocate funds (and would be prudent to evaluate financial requirements and present them in his proposal) to cover the cost of:

- Providing on-the-job training for Customs personnel in key locations
- Providing any presentations of the project or its recommendations on a country by country basis that the Contractor may feel would enhance the overall sustainability of the project.

## 5. Reporting

All reports are to be delivered in the numbers, languages and locations as follows:

	Bound English	Russian	Loose-leaf English	Russian	Diskette (Eng.+Rus)
Brussels	2	0	0	0	1
Permanent Secretariat in Baku	3	3	1	1	1
12National Secretaries	1	1	0	0	1

The contractor is to provide reports directly to key beneficiaries, which may substitute for some of the reports to be distributed other than according to the table above. Lists of addressees for each issue of the reports are to be provided to Brussels and the Permanent Secretariat.

Copies of the Delivery Notes to the recipient(s) are to be provided by fax or mail to the Permanent Secretariat.

The importance of high quality Russian texts, delivered on time, cannot be over emphasised. The reporting dates in these ToR are for the delivery of the Russian and English language text to be provided at the same time.

### 5.1 Computerisation

In order to include reports on the TRACECA web site and to allow further data processing, each report must be provided by the contractor under an electronic file ".doc" (Microsoft Word) or ".pdf" (Adobe Acrobat). In any case, all texts must be composed with COMMON and SCALEABLE fonts in order to include photographs, booklets, maps, diagrams and drawings.

Only photographs, logos and facsimiles of original documents will be accepted under a bitmap graphic format (inside the ".doc" or ".pdf" file) though in this case they cannot be used in the document data processing. The resolution of bitmap files must be 150 dpi or less.

Each report must correspond to one ".doc" or ".pdf" file. Reports transmitted in multiple files and files of a different kind will be refused

Contractors are invited to contact the Webmaster before any file transfer is attempted.

All information to obtain the necessary software (Adobe Acrobat Pro 4.0 or higher) for creating Acrobat Reader files can be obtained at the following Internet address:

<http://www.adobe.com/store/products/acrobat.html>

### 5.2 Project inception report

An Inception Report in Russian and English shall be issued within 4 months of the start of the project. It must summarise initial findings and propose any modifications to the methodology and work plan, in accordance with TACIS Guidelines.

It will also confirm or modify those bodies to be directly involved in the implementation.

### 5.3 Deliverables

#### WORKING PAPERS

In addition to the specific deliverables mentioned in 4.1, Working Papers on the many issues covered by the project should be issued regularly and discussed with the beneficiaries.

### 5.4 Project progress reports

These reports will be submitted at the end of month 10, and month 16 and 22 and shall be in accordance with TACIS Guidelines. The third progress report will be the draft Final. Each report should be presented in the region as discussed in 4.2.4 above.

**QUARTERLY REPORT**  
In order to meet TACIS reporting requirements a brief administrative report will also be required on a quarterly basis (the inception, month 10,16 and 22 progress reports shall be deemed to satisfy their respective quarterly requirement). Production of the quarterly reports should not be allowed to take resources away from the principal task of achieving project deliverables and objectives.

# MONTHLY REPORT

A monthly information report, the format of which is left to the Contractor's discretion and which should not normally exceed 5 pages in length, should in addition be provided to Brussels, the Permanent Secretariat in Baku and National Secretaries.

## 5.5 Final Report

The Final Report will be submitted at month 24.

All Reports required to be in accordance with TACIS Guidelines must include an Executive Summary. Progress reports and quarterly reports should note any deviation from the Contractor's schedule and any difficulties encountered as well as actions proposed to overcome them.

## 6. Factors Ensuring Sustainability

### 6.1 Institutional appraisal

The project poses a considerable institutional challenge, both at the national and regional level. The harmonious development of the present situation is the core objective of the project. The signature and ratification of the MLA indicates that the beneficiaries are themselves placing the highest priority on achieving concrete results, which TRACECA wishes to support by this project. The Contractor should not hesitate to invoke the support of the IGC via the Permanent Secretariat in Baku where local impediments cannot be overcome via the TRACECA National Commissions though it is assumed that these Commissions will themselves have all necessary authority to deal with situations which arise.

### 6.2 Economic and financial appraisal

Most of the beneficiary countries have already created a National TRACECA Commission comprising personnel from key Government Ministries and National Associations. The TRACECA States will benefit from the long term financial viability of the project, as its main aim is to reduce delay, minimise unauthorised payments and facilitate quicker delivery times thereby reducing inventory costs that are inevitably passed on to the consumer in the form of higher prices. The volume of trade will have the potential to be increased within the same infrastructure cost, which should result in economies of scale for the traders, lower prices for the consumer and with increased volume of better managed trade there should be an increased tax revenue to the government.

### 6.3 Political Environment

The signature and ratification of the MLA indicates a positive political environment with potential for the highest level support.



## **7. Environmental Impact**

The opportunity should be taken to improve the environment around border crossings. Reduction in waiting time of road vehicles at such crossings could have significant environmental benefits for the local environment.

## **8. Monitoring and Evaluation**

Key indicators:

- Model trade documents available in two languages
- A harmonised list of controls and documents for transit traffic
- A series of performance targets for the proposed controls
- A country by country implementation programme of agreed changes
- A manual for Customs and a User Guide for transport operators and traders.
- The establishment of effective on-the-job training in key areas
- An Institute of Customs Brokers in each State
- An assessment of the feasibility of a Common Transit Procedure

*Annex*

**III**

**ORGANISATION & METHODOLOGY**



### III.1 INTRODUCTION

#### III.1.1 Project Consortium

The international Consultancy Team for this project has been formed by 5 organisations with Scott Wilson as the lead Consultant. The Consortium members are as follows:

- |   |                 |
|---|-----------------|
| • Scott Wilson Kirkpatrick                | United Kingdom  |
| • NEA Transport Research and Training     | Netherlands     |
| • Compass GMBH                            | Germany         |
| • Sema                                    | Belgium         |
| • International Organisation of Migration | Based in Geneva |

As the lead firm, **Scott Wilson** is probably the most experienced Consultant working on customs and border crossings projects under the Tacis programme. They have completed border crossing studies for Tacis under both the TRACECA and Cross Border Programmes with site evaluations of over 100 crossings. In addition, they have undertaken similar studies for the ADB in Central Asia. In addition to these projects, they have also undertaken two other TRACECA projects with Customs elements, three other Tacis transport project with Customs interfaces and are responsible for development of a Customs Reform Programme in Central Asia for ADB. They are therefore familiar with both the border and Customs environment throughout the TRACECA region.

Scott Wilson has undertaken projects in all 13 countries within the last five years and has resident representatives in each country. They have current projects in the transport sector in 12 countries. They are familiar with leading international consortiums and the requirements necessary to ensure effective co-ordination between the partners. In this case, Scott Wilson is the dominant partner based on their extensive expertise in Customs, border and the regional environment and the other companies are in support.

Each of the support organisations has significant experience in the provision of consultancy services in relation to border organisations – Customs and Immigration:

- NEA has worked with Scott Wilson on two previous TRACECA projects with a Customs interface and have specific expertise in relation to the legal aspects;
- Compass has worked on border-related projects in both the Tacis and Phare regions and has specific expertise in border procedures to supplement that of the lead company;
- Sema has worked on TRACECA projects and have undertaken projects with Customs in the CEEC and NIS and has specific expertise in Customs operations and Customs IT systems;
- International Organisation for Migration is a global intergovernmental agency and is active in immigration procedural matters in the Phare region and in Central Asia.

The proposed Team for this project has been specially selected on the basis of extensive international and local experience, both in terms of relevant skills and regional expertise pertinent to the project. Each firm brings its own strengths to the consortium and together they are able to provide a team of highly experienced experts for the project. Each company recognises the importance of providing personnel who have the relevant experience and practical skills to ensure the successful application of the project in meeting its objectives.

### III.1.2 Team Strengths

The specific team strengths that will be brought to this project include:

- Extensive experience in TRACECA region – all consortium members have undertaken consultancy projects in the region with organisations responsible for border procedures;
- Hands-on experience of relevant TRACECA projects including the TRACECA Trade Facilitation, TRACECA International Road Transport Transit Facilitation, and TRACECA Legal and Regulatory Framework;
- Hands –on experience in other projects include the Tacis Cross Border Programme 11, the Tacis Border Crossing Supervision Unit, Phare Co-ordination of Border Crossing Programmes and the ADB Customs Reform and Cross Border Framework projects;
- The ability of the Consortium to provide experienced specialists who have worked on these related projects;
- Strong Scott Wilson management of complex projects, as shown by a proven track record of successfully completing over 10 Tacis and TRACECA transport-related projects in the past 6 years;
- A wide range of international experience as leading worldwide Consultants in the transport sectors with particular experience road transport, port and rail sub-sector, including on-going projects in the recipient states;
- Experience in co-operation with Recipients in multi-country projects over a wide geographical region;
- Current on-going experience working with the Customs in most of the recipient states;
- Over 100 border inspections completed in the TRACECA countries and evaluations of the existing Customs computer systems, with its border interface, in 10 of the 13 beneficiary countries;
- Strong technical and training experience and skills resource base in all aspects of border procedural activities;
- Experience in establishing representative organisations in the international freight sector in the region having helped to establish the Freight Forwarding and International Road Transport Associations;
- A track record of successfully completing Tacis TRACECA projects on time, within budget and meeting the objectives of the project.

## III.2 PROPOSAL CONTENT

This Proposal is divided into the 5 Annexes as requested by the European Commission. These are as follows:

Annex I - General Conditions for Service Contracts financed by the European Community.

Annex II - Terms of Reference.

Annex III – Organisation and Methodology

Annex IV – Staffing and CVs

Annex V – Budget Breakdown


Annex III (this document) is divided into the following 5 sections and has been structured to reflect the needs of the Terms of Reference in an orderly layout as follows:

III.1 – Introduction (this section)	Introduction to this proposal
III.2 – The Consultant	An overview of the members of the Consortium
III.3 – Project Appreciation	A thorough detailing of our understanding of the assignment, description of the current situation, the critical project issues and comments on the terms of reference
III.4 – Methodology	The methodology to be used to achieve the results required under the project
III.5 – Project Organisation and Staffing	A description of the Team, the project staffing plan and narrative description of the key senior personnel.

### III.3 THE CONSULTANTS

In this section we set out the experience of the companies in the Consortium.

#### III.3.1 Scott Wilson

 **Scott Wilson** is probably the most experienced Consultant working on Customs and border crossings projects in the TRACECA states on behalf of Tacis. They have been undertaking Tacis projects in the Newly Independent States, the Caucasus, and the Central Asian Region since 1995 and are currently involved in all the disciplines for this project in the TRACECA region.

Scott Wilson is a leading international consultancy specialising in the transportation sector. Providing an integrated range of capacity building, management, planning, engineering and environmental services, Scott Wilson undertakes projects from initial planning and conception through to procurement commissioning and maintenance for Clients worldwide.

Scott Wilson's international reputation is based upon its recognised high performance and its comprehensive understanding of regional environments with their specific needs. This is reflected in its well-established and long-term presence in many countries. This situation is only possible when a Consultant is able to undertake projects that meet the aspirations of the project recipients.

Scott Wilson has a well-deserved reputation for strong leadership of technical projects and has successfully completed many Tacis and TRACECA projects. The Company is able to manage multi-sector projects and prides itself in the ability to successfully transfer knowledge and experience to counterparts during the life of a project, and to do this in the most sustainable and practical way.

Over the past 9 years Scott Wilson has been involved with many transport-related projects throughout the CIS and has had a permanent presence in most of the TRACECA countries since 1995. The Company has a strong and solid record worldwide in all transport related fields, including those required for this project:

Customs Procedures	Border Crossing Development
Trade Facilitation	Customs IT systems
Training & Knowledge Transfer	Transport legislation and reform
IT Management systems	Transport economics and planning
Environmental Impact Assessment	Familiar with institutional make-up of Customs in TRACECA region

Scott Wilson's team has previously undertaken assessments at over 100 border crossings in the TRACECA countries. In addition they are currently working with State Customs in 10 TRACECA countries, so are familiar with Customs environment in the Region.

Scott Wilson is probably the most experienced Consultant in border and Customs procedures having managed all of the following projects:

- Tacis TRACECA Trade Facilitation, Customs Procedures and Freight Forwarding
- Tacis Border Crossing Programme Phases II and IIa

- Tacis TRACECA International Road Transport Transit Facilitation
- ADB Cross Border Framework Agreement
- ADB RETA 5942 Customs Reform Programme
- EBRD Institutional development for Turkmenbashi Port
- EBRD Institutional Development for the Port of Aktau, Kazakhstan
- Tacis TRACECA Legal & Regulatory Framework

All these projects have involved site evaluations at border crossings, working with central and regional Customs and many have also involved evaluation of customs and other border procedures. Most of these projects have been undertaken in the Project target area.

Scott Wilson place great importance on quality. Their quality control system is based upon the requirements of those parts of BS EN ISO 9001 that are relevant to a consultancy service. Scott Wilson is registered by BSI (QA) as providing an effective quality system, and will implement a QA system for the management of this project.

Since 1991, Scott Wilson has managed and undertaken many projects throughout the TRACECA and CIS regions. Scott Wilson are currently working on projects with both Customs and Ministries of Transport on behalf of these organisations in the Region and are extremely familiar with the project environment and the issues to be addressed. Projects in the Region and CIS of particular relevance to this project are shown in Table 1 below:

**Table 1: Scott Wilson Relevant Experience**

Funding Agent Year Country	Project Description	Relevance
<b>EC Tacis TRACECA 1996-7</b>  <b>Armenia Azerbaijan Georgia Kazakstan Kyrgyzstan Tadjikistan Turkmenistan Uzbekistan</b>	<b>Trade Facilitation, Customs Procedures and Freight Forwarding</b> <ul style="list-style-type: none"> <li>• Site surveys and recommendations for development of border crossings</li> <li>• Standardisation of transport and trade documents</li> <li>• Proposals for EDI and management information systems for national Customs authorities</li> <li>• Proposals for reform of customs procedures to facilitate trade</li> <li>• Institutional strengthening including the promotion of transport and trade associations</li> <li>• Formation of Freight Forwarding Associations</li> <li>• Training and transfer of technology (courses in 7 countries)</li> </ul>	Recommendations for improvements to border facilities  Proposals on development of Customs IT systems  Institutional development within Customs and the forwarding industry  Training

Funding Agent Year Country	Project Description	Relevance
<p>EC Tacis 1997 - 1999</p> <p>Moldova Ukraine Russia Poland Belarus</p>	<p><b>Border Crossing Study Phases 2 and 2a</b></p> <ul style="list-style-type: none"> <li>• To promote the facilitation of trade and the movement of people between the EU/CEEC and the NIS by the development of infrastructure, equipment and services at the NIS borders</li> <li>• To liberate the constraints imposed upon trade and traffic flows by inefficient border crossing procedures and inadequate infrastructure at 15 border control zones through the production of feasibility studies, design of modern border crossing facilities and improvement of equipment resources</li> <li>• Preparation of long term strategic plans for transport, covering road and rail aspects, and development of proposals for upgrading freight border facilities, including new terminals and road/rail infrastructure</li> <li>• Preparation and signature facilitation of Memoranda of Understanding between the European Commission and the national governments for border crossing procedures and co-operation</li> <li>• Procurement of works contracts for design and construction of new border crossing infrastructure at each of the borders</li> <li>• Development of Terms of Reference for follow-on projects for Customs training and equipment procurement to be let by the European Commission</li> </ul>	<p>Border crossing facility design and appraisal</p> <p>Identification of procedural, equipment and infrastructure constraints</p> <p>Border zone traffic management and facility layout</p> <p>Production of detailed specifications of equipment to enhance controls</p> <p>Institutional strengthening and capacity building</p> <p>Procurement construction works</p> <p>Production of Feasibility Studies</p>



Funding Agent Year Country	Project Description	Relevance
<p>EC Tacis TRACECA</p> <p>1999-April 2002</p> <p>Armenia Azerbaijan Georgia Kazakstan Kyrgyzstan Moldova Moldova Mongolia Tadjikistan Turkmenistan Ukraine Uzbekistan</p>	<p><b>International Road Transport Transit Facilitation</b></p> <ul style="list-style-type: none"> <li>Assist 11 countries of the TRACECA region to create the most favourable conditions for road transport</li> <li>To set up the basic elements with national Customs Authorities and Ministries of Transport ensuring adherence to the ADR Agreement, the TIR Convention and SafeTIR, in countries where the principle has been established and to encouraging the use of the TIR Convention of 1995 in those countries not yet compliant.</li> <li>Creation of working pilot systems for SafeTIR transmission of data to IRU</li> <li>Procurement agents for SafeTIR IT and training equipment</li> <li>To establish a permanent training structure for the road transport industry in each of the countries, so that they can be financially secure, beyond the duration of the project</li> <li>Train trainers to deliver courses international transport related courses to transport operators</li> </ul>	<p>Procurement of IT equipment</p> <p>Evaluation and development of IT systems to facilitate border transits</p> <p>Delivery of training in Customs procedures</p>
<p>EC Tacis TRACECA</p> <p>1995-7</p> <p>Armenia Azerbaijan Georgia Kazakstan Kyrgyzstan Turkmenistan Tadjikistan Uzbekistan</p>	<p><b>Legal and Regulatory Framework</b></p> <ul style="list-style-type: none"> <li>The introduction of legislative changes to national transport laws and regulations to promote regional harmony</li> <li>Institutional Strengthening including the promotion of trade and transport association.</li> <li>Reform of customs and freight forwarding procedures</li> <li>Training and technology transfer</li> </ul>	<p>Training</p> <p>Customs legislation</p>
<p>ADB Nov 2000 Ongoing Kazakhstan, Kyrgyzstan Uzbekistan Tadjikistan China</p>	<p><b>Development of Customs Reform Programme</b></p> <ul style="list-style-type: none"> <li>Identification of current Customs environment and constraints</li> <li>Evaluation of current reform programmes</li> <li>Assessment of existing and proposed programmes in the region relating to Customs assistance of all the IFIs</li> <li>Identification of programme deficiencies</li> <li>Proposals for a targeted development programme based on technical assistance and development loans to achieve sequenced reforms within Customs in the region so as to promote trade</li> </ul>	<p>Assessment of border operations and constraints</p> <p>Assessment of Customs legislation</p> <p>Evaluation of documentation and clearance procedures</p>

Funding Agent Year Country	Project Description	Relevance
EC Tacis Dec 1998 – Ongoing  Ukraine Poland	<b>Bug River Bridge Proposed Second Crossing</b> <ul style="list-style-type: none"> <li>• Feasibility study for reconstruction of bridge and approach road at the border zone between Ukraine and Poland</li> <li>• Inspection of condition of existing facilities and identification of upgrade/replacement requirements</li> <li>• Review of design of replacement facilities</li> <li>• Development of tender documentation</li> <li>• Preparation and signature facilitation of Memorandum of Understanding between the European Commission and the Governments of Ukraine and Poland for border crossing procedures and co-operation</li> <li>• Procurement of works contracts for construction</li> </ul>	Feasibility study  Border zone traffic management and facility layout
Turkish Government/ Private 1987 – 1999  Turkey	<b>Ankara Peripheral Motorway/ Ring Road</b> <ul style="list-style-type: none"> <li>• Design and construction supervision contract of 110km of dual carriageway</li> <li>• Use of Russian standards in conjunction with Asshto standards</li> <li>• Development of a bi-national supervision team</li> <li>• Training and technology transfer</li> </ul>	Experience in Turkey  Training and technology transfer
EC Phare 2000 – 2002  Romania	<b>Constanta Oil Terminal</b> <ul style="list-style-type: none"> <li>• Assisting with preparing the oil terminal for privatisation by enhancing its attractiveness and establish sustainable environmental improvements to match EC directives</li> <li>• Environmental due diligence liability audit</li> <li>• Oil spill contingency plans</li> <li>• Rehabilitation of contaminated ground</li> </ul>	Experience in Romania  Trade facilitation
EBRD 1996  Bulgaria	<b>Transit Toll Roads Study</b> <ul style="list-style-type: none"> <li>• Extensive data review and collection</li> <li>• Traffic study</li> </ul>	Experience in Bulgaria

### III.3.2 Compass GmbH



Compass was incorporated in 1978 as an independent, private German company providing consultancy and engineering services in the field of traffic systems and logistics. The diversification of advisory services to Customs and other border-crossing administrations took place in 1992, following the urgent need for improvements of trans-border traffic clearance procedures in the Eastern European countries. Compass has undertaken numerous projects concerned with:

- modernisation of Customs and border crossing administrations;
- customs computerization;

- customs tariffs and goods valuation;
- training systems development;
- harmonisation of legislation;
- border control systems;
- anti-smuggling controls and investigation techniques with Customs Authorities and other Public Bodies involved in border crossing activities.

Compass carried out assistance projects as diverse as:

- institutional strengthening;
- enhancement of maritime and land based transport logistics;
- logistic networks;
- organization of multi-modal transport systems;
- planning of telecommunications and telematic networks.

The Compass approach to projects is to act, wherever possible, as technical advisor and facilitator, assisting in identifying clear objectives and establishing respective technical system solutions for private clients and host administrations.

The services offered by Compass are:

- Modernization and strengthening of customs and border-crossing administrations
- Design of cross-sector information networks border crossings linked to private enterprises and authorities (customs)
- Technical assistance to border guards, customs, veterinary, phyto-sanitary services at the border crossings to improve procedures
- Identification of organisations set-up, facilities and infrastructure for ministries and authorities such as: Ministries of Transport, Customs authorities, Ministries of Interior, Border Police
- customs computerization including customs tariffs and goods valuation
- identification of infrastructure needs and related investments
- harmonization of legislation and border control systems
- telematic networks, linking trade and transport enterprises with authorities
- anti-smuggling controls and investigation techniques with customs authorities and other public bodies
- development of operational procedures to streamline border crossings
- manpower development and training activities
- identification of deficiencies in the trade and transport systems

Compass therefore complements the technical assistance skills of Scott Wilson, especially in border operations and Customs IT technology.

Relevant experience is shown in Table 2 below:

**Table 2: Compass GmbH relevant experience**

Funding Agent Year Country	Project Description	Relevance
<p><b>EC Tacis</b> Feb 1999 – ongoing</p> <p><b>Ukraine</b> <b>Moldova</b> <b>Russian Federation</b> <b>Belarus</b></p>	<p><b>Border Crossing Supervision Unit</b></p> <ul style="list-style-type: none"> <li>• Performance analysis and monitoring of all border crossing procedures</li> <li>• planning and implementation of operational improvements to harmonize and enhance outdated and differing customs procedures</li> <li>• administrative practices and traffic management, co-ordination and co-operation between the various national services operating at the border crossing posts, comprising customs, border guards, immigration, veterinary and phyto-sanitary services</li> <li>• recommendations on suitable, standardized and modern equipment, particularly for the detection of illicit goods and persons</li> <li>• definition of communication networks and control systems, technical equipment specifications and tender documentation</li> <li>• recommendations on border crossing facilities for all border control services</li> </ul>	<p>Monitoring of border crossing procedures</p> <p>Communication system design, and specifications</p> <p>Harmonisation of regional procedures</p> <p>Equipment recommendations</p>
<p><b>EC Phare</b> Oct 1995 – April 1996</p> <p><b>Romania</b></p>	<p><b>Solving of Border Crossing Bottlenecks at Calafat/ Vidin</b></p> <ul style="list-style-type: none"> <li>• Improved traffic control</li> <li>• Preparation of statistical systems</li> <li>• Establishing a customs and border control information system based on ASYCUDA</li> <li>• Management and control of ferry services</li> <li>• Personnel policy for recruitment and training of customs staff</li> <li>• Proposals for institutional improvements of local organizations and authorities</li> </ul>	<p>Evaluation of border crossing procedures in Romania</p> <p>Border information system</p> <p>Human Resource Development</p> <p>Institutional analysis</p>

Funding Agent Year Country	Project Description	Relevance
<p>EC Phare Nov 1993 – Oct 1995</p> <p><b>Romania</b></p>	<p><b>Technical Assistance to the General Customs Administration</b></p> <ul style="list-style-type: none"> <li>• Management assistance for implementation of the new program control data</li> <li>• Drafting guidelines for financial estimates</li> <li>• Establishing a new audit system</li> <li>• Proposals for implementation of risk strategies</li> <li>• Preparation and implementation of a project quality management plan</li> <li>• Establishing criteria for tender evaluation</li> <li>• Preparation of manpower development plans</li> <li>• Training of Customs staff</li> </ul>	<p>Working with Romanian Customs</p> <p>Training of Customs staff</p> <p>System design</p>
<p>EC Phare Oct 1994 – Aug 1995</p> <p><b>Hungary</b></p>	<p><b>Technical Assistance and Training Program for Border Crossings of the Balkan Corridors</b></p> <p>Recommendations were delivered on:</p> <ul style="list-style-type: none"> <li>• Improvements of operational procedures at border crossings related to customs, border guards, veterinary and phyto-sanitary services</li> <li>• Investments for physical upgrading of border posts</li> <li>• Manpower development in customs and border post services</li> <li>• Development and improvements of telecommunication networks</li> <li>• Analysis of road traffic</li> <li>• Weak point analysis at border crossings</li> </ul>	<p>Analysis of border posts</p> <p>Proposals for improvements in border procedures</p> <p>Analysis of upgrading border posts activities</p>
<p>EC Phare Nov 1993 – July 1994</p> <p><b>Bulgaria</b></p>	<p><b>Co-ordination of Phare Border crossing Programs</b></p> <ul style="list-style-type: none"> <li>• Proposals for institutional reorganization of Customs authorities</li> <li>• Technical assistance for implementation of new operational procedures and logistics</li> <li>• Establishment of an intergovernmental information system</li> <li>• Proposal for personnel development policy, recruitment and training</li> </ul>	<p>Development of new border procedures in Bulgaria</p>

Funding Agent Year Country	Project Description	Relevance
<b>EC Phare</b> <b>Feb 1994 – May 1994</b>  <b>Bulgaria</b>	<b>Short Term Action Plan for Balkan Corridors Countries</b> The Short Term Action Plan included proposals, submitted to the Governments of Bulgaria, Hungary and Romania Customs Administrations, for: <ul style="list-style-type: none"> <li>• Implementation of new Customs operational procedures</li> <li>• Establishment of an inter-governmental information system</li> <li>• Policy for recruitment and training of personnel</li> <li>• Coordination of information systems between the Ministries of Transport and Ministries of Finance (Customs Administration) for railways and road transport</li> <li>• Simplification of documentation</li> </ul>	New Customs operational procedure  Recruitment and training  Harmonisation of information systems  Established an intergovernmental Information System

### III.3.3 Sema Belgium



Sema is the leader computer services company in Consultancy, System Integration and outsourcing. The group is established in the principal European markets : France, United Kingdom, Spain, Germany, Scandinavia, Benelux, Switzerland and Italy and in Asia and America. Sema employs 20.200 people in more than 140 establishments in the world, in particular in Brussels, Paris, London, Birmingham, Glasgow, Madrid, Cologne, Turin, Stockholm, Singapore and Atlanta.

Sema operates in the following main sectors of activity - banking, insurance, finance, telecommunications, industry, services, energy and utilities, transport and the public sector.

Sema Belgium has a proven capacity to provide expertise that are required under the present project. The record shows:

- a long presence in most of Eastern Europe countries and a track record of organising and implementing large and/or complex interventions in these countries;
- An operational working relationship with a significant number of Customs Administration in Eastern Europe countries (Three Baltic States, Hungary, Slovakia, Romania and Macedonia);
- A proven experience to develop adequate IT solutions tailor-made to the specific needs of public administrations of Eastern Europe countries engaged in and committed to improving their services and their performances;
- Experience of Automated System for Custom Data (ASYCUDA) in countries of Eastern Europe and if the documentation and procedures that are used in connection with both border and final clearance;
- A proven experience in providing training modules and programmes for the Customs Administration.

Relevant experience is shown in Table 3 below:

**Table 3: Sema Belgium relevant experience**

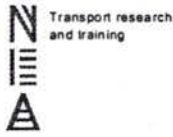
Funding Agent Year Country	Project Description	Relevance
<p><b>EC Tacis</b>  <b>Sept 1995 – Dec 1997</b>  <b>Kazakhstan</b>  <b>Kyrgystan</b>  <b>Turkmenistan</b>  <b>Uzbekistan</b>  <b>Tadjikistan</b>  <b>Mongolia</b></p>	<p><b>Monitoring and evaluation of Tacis Projects in Central Asia (TRACECA)</b></p> <p>In 1995, a Monitoring &amp; Evaluation framework was designed to correspond to the new organisational structure of Tacis, now structured on a geographical rather than sectoral basis. The overall objective of this project was to establish a team of external experts in Monitoring &amp; Evaluation, located in Almaty, with a sub-office in Tashkent to undertake M&amp;E of Tacis projects in the Central Asian region and to continue to develop the local M&amp;E capability in the Central Asian Region.</p> <p>Sema Belgium has assured the monitoring and evaluation of over 130 projects covering all of the European Commission's TACIS programme of Technical Assistance to the former countries of the Soviet Union in Central Asia in all of the sectors (transport, energy, agriculture, human resources, privatisation, environment, institutional development, banks and finance, education and training with a team of over 20 experts. Resulted in production of over 600 reports, which were disseminated to interested parties.</p> <p>Regular reporting and Feedback as well as advice was provided to European Commission Task Managers. An overall programme evaluation report was prepared for region. Workshops were held on Project Cycle Management Techniques including instruction in the use of logframe planning.</p> <p>At the request of the European Parliament Sema Belgium also participated in the global evaluation of the TACIS programme.</p> <p>In particular for TRACECA, SEMA Belgium has worked for 3 projects. The 2 most important were the following :</p> <p>Travelling facilities improvement for international trucks in Uzbekistan, Turkmenistan and Kazakhstan (monitoring), improving of management of real way transport in Uzbekistan. Performance analysis and monitoring of all border crossing procedures, planning and implementation of operational improvements to harmonize and enhance outdated and differing customs procedures, administrative practices and traffic management, co-ordination and</p>	<p>Establishment of Monitoring &amp; Evaluation Offices;</p> <p>Monitoring and Evaluation of All projects financed by the European Commission's TACIS programme in Central Asia.</p> <p>Advice and Reporting to Task Managers of the Commission.</p> <p>Provision of Workshops in Project Cycle Management and Logframe planning techniques</p>

Funding Agent Year Country	Project Description	Relevance
	<p>co-operation between the various national services operating at the border crossing posts, comprising customs, border guards, immigration, veterinary and phyto-sanitary services, recommendations on suitable, standardized and modern equipment, particularly for the detection of illicit goods and persons, definition of communication networks and control systems, technical equipment specifications and tender documentation, recommendations on border crossing facilities for all border control services</p>	
<p><b>EC Europeaid June 1996 – March 2000</b></p> <p><b>International Multicountries</b></p> <p>Including <b>Bulgaria Romainia</b></p>	<p><b>Phare Framework Contract in the field of Information Technology</b></p> <p>Within the multi-country framework of the PHARE Programme, the European Commission had signed 13 sectoral framework contracts in order to speed up the mobilisation of highly qualified expertise and services and to minimize the Programme Management Units and the EC's administrative effort involved in the contracting of simple assignments. Those contracts concerned all services of a value up to 300.000 EUR.</p> <p>Each sector was covered by a separate framework contract awarded to a separate multinational consortium of companies from both the PHARE countries and the EU Member States. Sema Group was leader of the consortium chosen by the Commission for the Information Technology (IT) sector. The consortium also involved companies such as Planet (Greece), Glossy (Romania) and IQSOFT (Hungary), and Marcom (Bulgaria) as partners.</p> <p>Sema acted as a coordinator for all projects and maintained the relationships with the PHARE authorities.</p> <p>Consortium has been implementing and managing about more than 160 IT specific projects involving more than 500 experts in support of Ministries, Public Organisations as departments of statistics, Regional authorities, EC Delegations in 9 Phare countries. These projects have been managed according to the ISO9001 standards</p>	<p>Technical Assistance</p> <p>Experience in projects in Bulgaria and Romania</p>



Funding Agent Year Country	Project Description	Relevance
<p>EC Nov 1997 – Nov 1998</p> <p>Bulgaria</p>	<p><b>Technical Assistance to the BCA in Management, Organization &amp; Human Resources , Economic, Financial &amp; Accounting, Operational, Programme Management Unit Training</b></p> <p>In line with the Republic of Bulgaria’s application for membership of the European Union, the government has initiated a programme of substantial change in order to achieve alignment with EU practices. This process is supported with assistance from the EU’s Phare programme. A significant component of this programme concerns the Bulgarian Customs Administration which has an important role to play in achieving alignment through the transformation programme.</p> <p>The aims of the Customs Transformation Programme are to align the practices of the Bulgarian Customs Administration (BCA) with those of the Customs Administrations of the Member States of the EU and to develop a computerised Information System which will provide increased revenue, equality of treatment, accurate trade statistics and accurate revenue accounting.</p> <p>Strategic requirements of the intervention were to cover: Management, Organisation and Human Resources, Operational Aspects, Economic, Financial and Accounting as well as Information Systems.</p> <p>The specific intervention of SEMA Belgium included the training of staff in Phare projects management, Customs Human Resources Management, Central Accounting and Financial Administration, Customs Statistics, Intelligence and Information, Application of the Single Administrative Document, Successful fight against fraud, customs violations, economic smuggling and drugs trafficking, Customs Inspectorate and Auditing Services, Common Transit System, Bulgarian Integrated Tariff creation and improvement.. SEMA also organised for multi-country study visits of the officials to EU Administrations</p>	<p>Technical Assistance</p> <p>Provision of technical assistance to the Bulgarian Customs</p> <p>Understanding of border issues in Bulgaria</p>
<p>EC May 2001 – Dec 2001</p> <p>Macedonia</p>	<p><b>Transportation facilitation in South East Europe</b></p> <p><b>Training the customs staff in MS Office , ASYCUDA 1.16D, IT.</b></p>	<p>Training &amp; Technical Assistance</p>

### III.3.4 NEA Transport Research and Training



NEA Transport research and training is an independent organisation specialised in research, consultancy and training services in the field of traffic, transport, infrastructure and logistics. NEA's activities cover a broad field encompassing all the economic and social aspects of both passenger and freight transport, for all modes.

In the field of consultancy NEA has experience in modelling, forecasting and evaluation of international freight flows (simulation, scenario building, economic impact analysis, etc.). Furthermore several projects on transport policy development and implementation have been carried out. For both national and international clients NEA has carried out a variety of feasibility and economic impact studies of infrastructure projects and research on logistics and physical distribution.

NEA is experienced in training, development of course material and case studies, training needs assessments, institutional strengthening, and other training related matters. NEA is the founder of the NEA Transport Hogeschool (NTH), a university of professional education in transport (distance learning course). Upon completion of the 4-year study an official Bachelor's degree can be obtained.

Clients include the World Bank, Asian Development Bank, Commission of the European Communities, the Netherlands Government, international branch organisations and the private sector.

Services offered by NEA Transport research and training are:

- Transport forecasting and planning
- Feasibility studies
- Statistics and data management
- Mobility management
- Management consultancy
- Market monitoring
- ICT in transport
- Training and needs assessments
- Training the trainers courses
- Transport policy development
- Institutional strengthening
- Legal reform and services
- Project management
- Micro, meso macro economic studies

Fields of specialisation are:

- Road and rail transport
- Urban and rural transport
- Logistics and physical distribution
- Combined and intermodal transport
- Maritime transport and ports
- Inland navigation

Relevant experience is shown in Table 4 below:

**Table 4: NEA Transport Research and Training relevant experience**

Funding Agent Year Country	Project Description	Relevance
<p><b>EC / Tacis 1995-1997</b></p> <p><b>Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgystan, Tadjikistan, Turkmenistan Uzbekistan</b></p>	<p><b>TRACECA Legal and Regulatory Framework Project</b></p> <p>The TACIS Traceca Legal and Regulatory Framework Project with the principal objective of promoting regional trade and transport has to clarify and harmonise regional transport and infrastructure legislation and practices through:</p> <ul style="list-style-type: none"> <li>• Improvement of the regional access to the transport markets.</li> <li>• Introducing international standards in trade and transport</li> </ul> <p>Organising national transport markets according to new transport laws on rail, road and water transport, facilitating multimodal transport operations.</p>	<p>Transport Policy and Legal Support</p>
<p><b>EC / Tacis 1996</b></p> <p><b>Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgystan, Tadjikistan, Turkmenistan Uzbekistan</b></p>	<p><b>TRACECA Immediate Training Action</b></p> <p>Technical assistance consisting of Immediate Training Action with the primary objective of support to the regional and work forces directing and contributing to the reform process to achieve regional free traffic flow in line with market demand and future economic growth. To achieve a maximum leverage of the programme, the training is focused on two particular sub-groups; Senior Level Management and Trainers/Middle to Lower Level Management.</p>	<p>Management training in trade and transport facilitation</p>

Funding Agent Year Country	Project Description	Relevance
<p><b>European Commission</b> 2000-2001</p> <p><b>Republic of Kazakhstan</b></p>	<p><b>Support to the development of a transit corridor Policy in the Republic of Kazakhstan</b></p> <p>The overall objective of the EC/TACIS project is to increase the competitiveness of international corridors of the Republic of Kazakhstan.                      The specific purposes are:</p> <ul style="list-style-type: none"> <li>• Improvement of the legal framework for the development of international traffic, including transit traffic on the territory of the Republic of Kazakhstan and relevant aspects of the business/investment environment.</li> <li>• Development of an information system for recording and monitoring of cargo traffic in the international corridors.</li> <li>• Improvement of the transport network and development of infrastructure of international corridors.</li> <li>• Introduction of modern technologies for the organisation of cargo and passengers international traffic.</li> <li>• Improvement of the commercial awareness and competence of freight forwarders and strengthening/developing the position of the forwarder in the transport chain.</li> </ul> <p>The project recipients are the Kazakh trade, forwarding and transport sector and the Ministry of Transport, Communications and Tourism. The duration of the project is 18 months and the project will basically be implemented in Astana and Almaty, Kazakhstan.</p>	<p>Upgrading of the customs legislation and procedures (Advisory)</p>

Funding Agent Year Country	Project Description	Relevance
<p><b>World Bank 1997-1998</b></p> <p><b>Georgia</b></p>	<p><b>Establishment of a Training Unit of the Transport Reform and Rehabilitation Centre (TRRC) in Georgia</b></p> <p>The main objectives of this project have been to strengthen and improve the performance of the professional core of senior managers working in transport management and operations in the private, parastatal and public sector of the transport industry by equipping them with sound knowledge of the industry; and to give technical assistance to the Training Unit of the TRRC in business plan development, project management, curriculum development, training materials development and use of computer based learning materials.</p> <p>About 300 Georgian senior and operations managers from the transport sector in Georgia have been trained. During the implementation of the programme the Training Unit has acquired great experience in organising/administering seminars; established contacts with private companies and firms in the transport sector and representatives of government institutions; and involved local trainers in the implementation of a growing number of seminars and training programmes.</p> <p>The Training Unit is in the process of becoming a sustainable and independent Centre for Transport Research and Training.</p>	<p>Management training in trade and transport facilitation</p>
<p><b>World Bank 1998</b></p> <p><b>Ukraine</b></p>	<p><b>Transport Sector Review</b></p> <p>Identify the determinants of future demand for containerised transport services, and discuss the institutional, physical, managerial, and financial adjustments required to meet that demand, in addition to modifications to the regulatory framework which may be called for.</p> <p>Review available data and obtain additional information necessary to address the restructuring of the regulatory framework, and quantify the economic and financial impact of the physical and institutional issues identified.</p> <p>Propose corrective measures and corresponding cost estimates.</p> <p>Identify key pieces of legislation and institutional reform necessary, inclusive of transport facilitation initiatives.</p>	<p>Survey on border crossing operations (Research)</p>

Funding Agent Year Country	Project Description	Relevance
<p>EC / Tacis 1995-1996</p> <p>Armenia Azerbaijan Georgia</p>	<p><b>Improvement of road transport services in the Caucasus</b></p> <p>NEA is participating in the implementation of the project "Improvement of Road Transport Services in Armenia, Azerbaijan and Georgia". This project is financed by TACIS and started in 1995.</p> <p>The objectives of the project are to facilitate development of the domestic and international road transport industries within the countries in the Caucasus and to assist viable private/to be privatised or state autonomous operators in gaining an equitable market share of international traffic.</p> <p>Amongst the planned outputs of the project are pilot or demonstration business plans for common road cargo hauliers and, possibly, for automotive support and service enterprises providing essential operational support to the road transport industry.</p>	<p>Facilitation of international transport by road (Advisory)</p>
<p>World Bank 1996</p> <p>Armenia</p>	<p><b>Armenia Transport Sector Review</b></p> <p>The goals of this project were:</p> <ul style="list-style-type: none"> <li>• Identify the determinants of future demand for containerised transport services, and discuss the institutional, physical, managerial, and financial adjustments required to meet that demand, in addition to modifications to the regulatory framework which may be called for.</li> <li>• Review available data and obtain additional information necessary to address the restructuring of the regulatory framework, and quantify the economic and financial impact of the physical and institutional issues identified.</li> <li>• Propose corrective measures and corresponding cost estimates.</li> </ul> <p>Identify key pieces of legislation and institutional reform necessary, inclusive of transport facilitation initiatives.</p>	<p>Survey on border crossing operations (Research)</p>

Funding Agent Year Country	Project Description	Relevance
<b>EC / TACIS</b> <b>1999-2000</b>  <b>Armenia,</b> <b>Azerbaijan,</b> <b>Georgia,</b> <b>Kazakhstan,</b> <b>Kyrgystan,</b> <b>Tadjikistan,</b> <b>Turkmenistan</b> <b>Uzbekistan</b>	<b>TRACECA International Road Transport Transit Facilitation</b>  The aims of the project "TRACECA – International Road Transport Transit Facilitation" is the creation of a network of training centres, the adherence to the TIR Convention of 1975 (and SAFETIR implementation) and the procurement of equipment for SAFETIR Border Crossings	Transport transit facilitation (Advisory)
<b>UN ESCAP</b> <b>1994</b>  <b>New Independent states of Central Asia and China, Islamic Republic of Iran and Pakistan</b>	<b>Study on Developing Land Transport Linkages between the New Independent states of Central Asia and China, Islamic Republic of Iran and Pakistan</b>  For the United Nations Economic and Social Commission for Asia and the Pacific, Bangkok. The study included identification of existing transport routes linking Kazakhstan, Turkmenistan and Uzbekistan with neighbouring countries to gain access to sea ports, assessing the status of existing major rail and road infrastructure to form a part of a land transport network. It also included identification and assessment of major container terminals and recommendation of options of the land transport network formulation, including major container terminals	Trade facilitation (Advisory / Research)

### III.3.5 International Organisation for Migration (IOM)

IOM is a global intergovernmental agency with a mandate to work with governments and other parties to meet migration challenges in a balanced and comprehensive manner. Established in 1951 with a mission focused initially on migration challenges in Europe, IOM has developed into a leading worldwide migration organization representing the interests of 86 Member States and 41 Observer States.

Given its global coverage, and its presence in countries of migrant origin, transit and destination, the Organization is well placed to provide advice and guidance to Governments on best practices in migration management, particularly at border locations. IOM is currently engaged in approximately four hundred migration projects with governments, NGOs and other partners worldwide. These are carried out through a number of core activities, including Technical Cooperation on Migration - capacity building and institution-strengthening projects to develop specific legal, regulative, administrative and structural capabilities;

IOM has been awarded numerous contracts by governments, UN agencies, and the European Union to conduct applied research and technical cooperation on a wide-range of subjects. In the last two years IOM has prepared five major books on migration policy and practice, and

other articles and research reports. IOM's Technical Cooperation projects currently total over 100 around the world. They include support to EU Candidate Countries in Development of Migration Policies and Practices Consistent with the Acquis (EC Phare Horizontal Support Project in Collaboration with Govt. of Denmark (2001)). Through this project, IOM assists ten Central European candidate countries in developing national plans of action (migration modules) to bring migration policy, legislation and practice in line with EU Acquis provisions. As part of an implementation team led by Denmark, IOM is jointly assessing existing points of divergence from the Acquis, and creating a gaps analysis and a Migration National Action Plan for Acquis harmonization.

In Eastern Europe and Central Asia, IOM continues to provide institutional and capacity building support to Governments in Migration Law, Policy and Operations (1996 – 2001). To assist these countries approximate their migration policies and operational capabilities more to EU and international standards, IOM formulates policy, rewrites legislation and regulative frameworks, trains key staff and establish operational systems of migration control and facilitation. It also facilitates close and substantive discussion and co-planning between countries in this region and countries in Western Europe most affected by migratory trends from the region, through informal and regular "Cluster" meetings of key officials. Through these actions, complementary policy responses are being shaped toward international standards and mutually beneficial outcomes by the concerned governments.

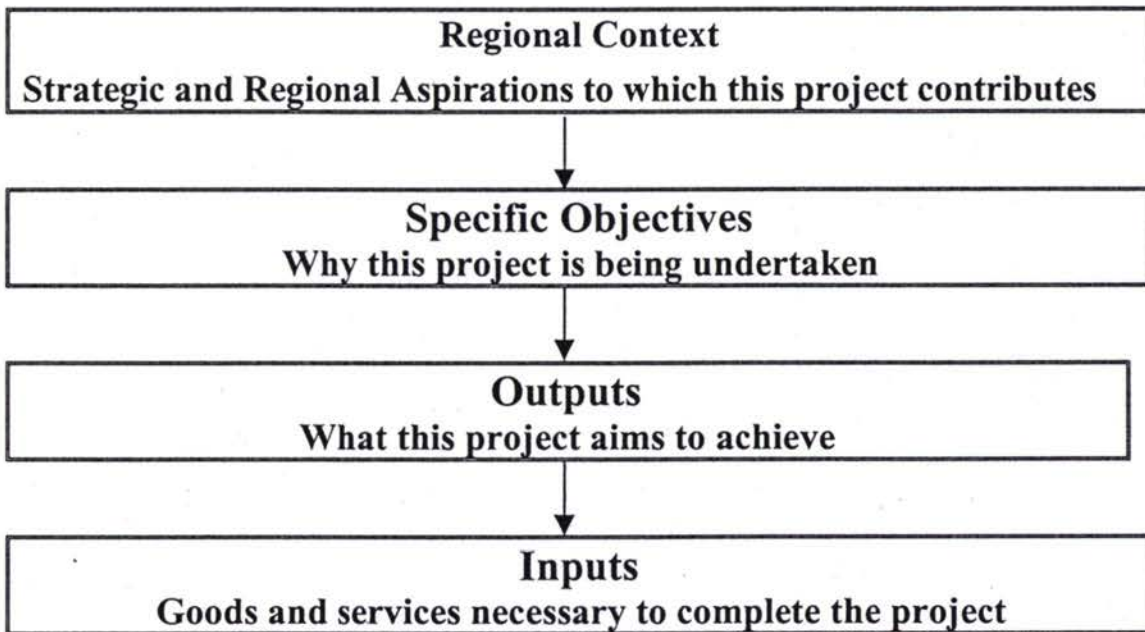
With this background, IOM has a comprehensive understanding of the various border immigration procedures throughout the target area of this project. In addition they are able to understand the logic behind those procedures and the options for adopting alternative approaches.



### III.4 PROJECT APPRECIATION

#### III.4.1 Project Approach

The Consultant has carefully reviewed the Terms of Reference for the Project: "Harmonisation of Border Crossing Procedures". The principles of the Logical Framework approach have been applied so that an optimal proposal can be made for the project. A Logical Framework approach assumes that a Technical Assistance project is linked in the manner outlined graphically below:



Use of this Logical Framework concept has the following advantages:

- Common understanding of the objectives of all concerned;
- Fundamental questions are asked in relation to existing border procedures and the weaknesses analysed;
- Systematic and logical analysis of the inter-related elements between documentation, procedures, controls, training, brokerage and transit systems are emphasised;
- Key linkages between these project elements and external factors are highlighted;
- Systematic approach to monitoring and analysing the different aspects of the project;
- Standard procedures for collecting and analysing data across the 13 countries;
- Continuity of approach throughout the duration of the 2-year project allowing for possible changes in staff and in the final handover to the TRACECA National Commissions;
- Identifies how the success of the project can be quantified.

The Logical Framework Approach for the project is outlined in the following sections under four main headings:

- Regional Context;
- Specific Objectives;
- Outputs;
- Inputs.

A simplified Logframe covering this project is shown as Figure 1.

**Figure 1 – SIMPLIFIED PROJECT LOGFRAME**

**Wider Objectives:** To promote a transport corridor between Europe and the Caucasus/Central Asia through regional harmonisation and integration with international transport and trade practices and to promote the movement of traffic along that corridor

**Specific Project Objectives:** To harmonise border crossing procedures within the region and to align them with EU practice.

**Outputs:** The following outputs will be provided:

**Institutional deliverables:** Customs Working Groups, Institutes of Customs Brokers, Training in modern border procedures;

**Technical Reports:** Border Procedures Database, Border Documentation Report, Harmonised Controls and Implementation Plan, Manual for Customs Officers, User Guide for transport operators and traders, Pre-Feasibility Report on Development of Common Transit Procedures;

**Non Technical Reports:** Inception Report, Progress Reports, Draft Final and Final Report, Administrative Reports, Information Reports.

**Activities:**

- Development of co-ordination mechanism with IGC and National Commissions;
- Review of previous work and recommendations;
- Establishment of Customs Working Groups and Brokers Associations;
- Audit of Border Procedures;
- Development of reports on Documentation and Harmonised Controls;
- Production of User Guides and Manuals;
- Training in modern border procedures;
- Proposals for a Common Transit Procedural System;
- Production of standard Tacis reports.

**Target Group:** The direct Beneficiary is the National TRACECA Commissions (or their equivalent) and the Intergovernmental Commission. The indirect beneficiaries will be the various border organisations, traders and transport organisations through harmonised and simplified procedures.

**Inputs:** Technical assistance will include 960 man days of long term experts, 490 man days of short term experts and 3840 mandays of local facilitators. A project office will be established in Baku and there will be a national Focal Point in each country. Visits will be made to all relevant organisations and selected border crossings. Liaison will be maintained with other TRACECA projects and the other IFIs active in the region.

**Assumptions:**

- TRACECA National Commissions have sufficient influence to implement changes in border procedures and facilitate the work of the project;
- National Customs will be fully supportive of Customs Working Groups and allow external involvement in meetings;
- Customs Broking Associations can be formed and established as legal entities.

## Regional Context of the Project

Since the early 1990's there has been major political and economic changes both within the EU and the countries to the east. The EU has extended eastwards with membership of former EFTA countries, such as Austria and Finland, as well as the absorption of the former East Germany. The former communist countries of Eastern Europe have become independent and have developed their own market economies. Many of these countries of Central and Eastern Europe (CEEC) are expected to become members of an extended EU at some future date, including the TRACECA countries of Bulgaria, Romania and Turkey.

These changes to the EU and the potential expansion in the next 10 years have created a larger trading environment with different perspectives and trends. One of these trends has been increased emphasis on developing trade to the east, especially with the Commonwealth of Independent States (CIS).

The break-up of the Former Soviet Union into independent states in 1991 created specific new opportunities for both the CIS and the EU. As most of these Newly Independent States (NIS) developed their market economies, the importance of international trade between Western, Central and Southern Europe and the countries to the east increased. These changes will continue to be reflected in an ever-increasing demand for the movement of both people and freight between the EU, CEEC and CIS countries.

This expansion in trade is expected to be carried along a relatively small number of strategic corridors. This was due to the limited transport infrastructure in the CEEC and Turkey and particularly within the CIS, especially when compared to that within the EU. There was a need to prioritise and concentrate investment on infrastructure development to the maximum benefit of all countries. This was most clearly demonstrated by extending the Trans-European multi-modal transport corridors into the nine "Crete" corridors, now referred to as the TENS corridors. These now extend through several TRACECA countries – Bulgaria, Moldova, Romania, Turkey and Ukraine.

It was recognised that in order to facilitate trade between Europe and the CIS states in the Caucasus and Central Asia that a similar approach was required. In May 1993, a conference was organised by the European Commission with the 8 southern CIS countries with the objectives of:

- Promoting co-operation among participating states in all matters pertaining to the development of trade and transport in the region;
- Promoting a Central Asian-Trans-Caucasian-Europe transport corridor;
- Identifying problems and deficiencies in the regional trade and transport systems;
- Defining in terms of contents and timing a Technical Assistance programme to be financed by the EU.

It can be seen that the "Harmonisation of Border Crossing Procedures" project is particularly relevant to these objectives in that:

- Harmonisation would promote regional co-operation;
- Improvements in border processing would promote the use of the corridor;
- Complex and time-consuming procedures have been shown to be a deterrent to regional trade and transport systems.

At the September 1998 International TRACECA Conference in Baku, 10 member states signed a Multi-Lateral Agreement (MLA), including Bulgaria, Moldova, Romania and Ukraine who had joined TRACECA. Kazakhstan, Mongolia, Turkey and Turkmenistan did

not sign the MLA at that time. The MLA is valid for 10 years and contains the following references to the harmonisation of border crossing procedures:

- Article 8 – 6 g “simplifying customs procedures and practices which are applied at established crossing points”;
- Technical Annex on International Railway Transport – Article 6 – “ the Parties shall cooperate at the level of the competent authorities to facilitate border crossing operations”;
- Technical Annex on Customs and Documentation Procedures – A harmonised format for the Customs Declaration for goods, in the UN aligned form, shall be developed and introduced within the territories of the parties”, “harmonised UN-aligned commercial documentation accompanying goods in bilingual form shall be introduced for use within the territories of the Parties as soon as possible” and “the Parties shall promote the establishment and development of licensed services of customs brokers”.

It can be seen that the issues to be addressed by this project represent an integral part of the MLA and its objectives.

### Specific Objectives

The overall TRACECA programme objective is:

*“To promote a transport corridor between Europe and the Caucuses/Central Asia through regional harmonisation and integration with international transport and trade practices and to promote the movement of traffic along that corridor”.*

Within this overall objective, it has been recognised that a key element was improvements in trade facilitation. Previous work has highlighted the delays at the road and rail borders that were hampering efforts by TRACECA to promote development of an integrated transport corridor. This project seeks to resolve many of these constraints.

The specific project objectives are:

*“to harmonise border crossing procedures within the region and to align them with EU practice”*

The emphasis of the project will be on implementation of new procedures in the region in collaboration with the TRACECA National Commissions and their national Secretaries facilitating inputs to individual National Governments.

The expected results will be appreciable improvements in the efficiency of border procedures that will be reflected in reduced delays at road, rail and port borders. These reduced transit times should result in lower transport costs and greater reliability that will lead to increased trading opportunities.

### Outputs

The outputs of the project are designed to ensure the project objectives are achieved by the production of the designated deliverables. These consist of two types of deliverables:

- Institutional;
- Technical Reports;
- Non-technical Reports.

#### **Institutional:**

The Project is expected to provide the following institutional deliverables:

- Customs Working Groups;
- Institute of Customs Brokers;

- Training in modern border Procedures;

#### **Technical Reports:**

- Border Procedures Database;
- Border Documentation Report;
- Harmonised Controls and Implementation Plan;
- Manual for Customs Officers;
- User Guide for transport operators and traders;
- Pre-Feasibility report on Development of Common Transit Procedures.

#### **Non Technical Reports:**

- Inception Report;
- Progress Report;
- Draft Final and Final Report;
- Administrative Report;
- Information Reports.

#### **Inputs**

- 960 man days of long term specialist input covering:
  - Project Planning and Supervision;
  - Project Co-ordination at both central and national level;
  - Project Management.
- 490 man days of short term specialist input covering:
  - Trade Facilitation;
  - Customs;
  - Immigration;
  - Veterinary;
  - Phytosanitary;
  - Customs Brokerage;
  - Freight Forwarding International Logistics;
  - Border Post Design;
  - Legal;
  - Training;
  - Information Technology in Customs;
  - Project Co-ordination.
- 3480 man days of local facilitation:
  - Secretarial and Administrative staff;
  - Interpreters;
  - Translators;
  - Drivers.

#### **Visits**

Regular visits will be required to all 13 countries to ensure project progress, to collect data and meet appropriate authorities. These will include the following:

- TRACECA National Commissions and their Secretaries;
- Customs Working Groups;
- Brokers Associations;
- Site visits to selected border locations.

## Meetings

Meetings will be held with the following organisations:

- The European Commission;
- The Intergovernmental Commission;
- EU Delegations;
- The TRACECA Co-ordination Team;
- Tacis and Phare Co-ordination Units;
- EU Monitors;
- TRACECA National Commissions and their Secretaries;
- State Customs;
- State Border Guards/Immigration Services;
- Ministries of Agriculture;
- Road Police/Traffic Inspectorate;
- Ministries of Transport;
- World Bank;
- European Bank for Reconstruction and Development;
- Asian Development Bank;
- UNDP;
- USAID;
- IRU;
- State Railways;
- National Freight Forwarding Associations;
- International Road Transport Associations;
- Customs Brokers Associations;
- Major road transporters;
- Port Authorities.

### III.4.2 Project Environment

It is considered that the Project has two key elements:

- Institutional;
- Technical.

The following sections indicate the Consultants understanding of these key elements.

#### **Institutional**

The Terms of Reference make clear the need for a strong institutional framework to achieve the objectives of this study. The focus is on effective co-operation mechanisms that are able to address the respective issues, reach a consensus and then persuade the relevant organisations to consider adopting new approaches that will lead to simplified and harmonised procedures.

The Consultant notes the institutional structure of the Intergovernmental Commission with a Central Secretariat in Baku and National Commissions (or equivalent in each country). In principle, decision-making and co-ordination is concentrated in Baku, with the working groups being located in each country. The TRACECA National Commissions represent the linkage between the Commission and its working groups and the National Government.

The Consultant proposes to adopt a similar institutional framework for the project. The Project Manager responsible for decision-making within the project and for project co-ordination will be based in the IGC Building in Baku. This will enable day-to-day contact with the officers of the Commission to ensure effective liaison throughout the 2 year period. He will co-ordinate his technical working groups/teams from this base through the two Team Leaders who will be located respectively in the Black Sea/Caucasus and Central Asian Regions. The national level co-ordination will be undertaken through nominated Focal Points – the Consultant’s representatives in each country – as well as through the Team Leaders.

The importance of this central co-operation and co-ordination function in achieving positive results from the project is not underestimated. As a result, the Consultant has proposed their most experienced Tacis Project Manager, with over 6 years project management experience in Tacis transport projects in the CIS. He is also a Russian speaker, which will facilitate local co-operation.

The two Team Leaders have extensive experience in development of regional co-operation, as well as their technical expertise. Together, they have established co-operation mechanisms in place with all the Customs organisations, except Turkey. These contacts will be used to assist in the formation of the Customs Working Groups.

The Focal Points will be the Consultant’s nominated representatives in each country. They will be responsible for maintaining co-operation and co-ordination with the National Commissions. In almost all countries, these representatives are known to and experienced in working with national Customs in relation to other projects. They are also well-known by the members of the Consultant’s project teams.

The Consultant is confident that the proposed mechanisms indicated above will ensure the required co-operation and co-ordination on strategic and technical issues at:

- Central level in Baku between the IGC and its Secretariat and the Project Management;
- Regional level between the National Commissions (and their respective Governments) and the national Focal Points and technical specialist teams.

## **Technical**

### ***Procedures***

The technical issues relate to the particular environment of border crossings in the TRACECA countries. The Consultant has detailed experience of road, rail and port border activities in all the CIS countries, Bulgaria and Romania and some knowledge of border procedures in Turkey. In general, the Bulgarian, Romanian and Turkish border procedures are more aligned with EU-type procedures and the CIS countries conceptually have a common system, though with individual modifications.

The principle cause of the delays at the border crossings is the use of outdated procedures, rather than documentation, that are then compounded by a number of other factors. Customs is generally responsible for the longest processing period incurred during any border transit. The existing legislation and practices used in most countries in the TRACECA region, in reality, amount to a primary clearance at the border, irrespective of whether it is being cleared inland or is travelling in transit under bond (TIR). A complete set of import or export documentation has to be physically produced at the border followed by a check of the vehicle/wagon, and possibly also of the cargo. The problem of documentation is therefore related principally to the production requirement as part of the procedures, rather than their specific format. Customs at the borders tend to work in isolation, rather than in combination

with their colleagues responsible for the internal clearance, often leading to duplication of such clearance and inspection activities.

The existing border procedures are not compatible with principles of the Revised Kyoto Convention to which most countries wish to aspire, nor do they meet the obligations contained in many of the multi-lateral or bi-lateral agreements that have been signed, including the TRACECA Multi-Lateral Agreement. Within almost all these agreements are clauses relating to commitments to simplify and harmonise border procedures. In most cases, these border procedures have not changed significantly over the last ten years. There have been some minor improvements in relation to inter-Customs Union traffic and the installation of IT control systems, but conversely some deterioration at other TRACECA border crossings. The principle reason for the reduction in border delays, particularly in the CIS, since 1998 has been due to a reduction in overall traffic as a result of the difficult economic situation and border restrictions, rather than genuine improvements in unit performance. As economic conditions improve and regional trade expands, it is expected that the delays at borders will reappear unless expedited procedures are introduced.

There is evidence that the procedures themselves are not fully comprehended by those who have to administer it. The activity has become largely an administrative activity checking paperwork, much of which is not understood by the examining officer. This is followed by a physical check of the vehicle, as a routine inspection, and possibly even of the contents. The routine nature of the activity unsupported by a risk/intelligence systems is unlikely to be effective in combating smuggling and leads to an increased opportunity for extraction of coercive payments.

Modern transit procedures are largely absent throughout the region. The problems start at the border. Transit traffic is, in effect, processed as an import and then reprocessed at the exist border as an export. There is no simplified procedure in force that provides reduced documentation requirements for such a transit and all support documentation is still required at each border. This is considered to be a control issue to eliminate transit traffic being "lost" into the domestic market without payment of duties and taxes. Again, this practice does not align with international conventions, such as TIR, that is applicable in most states. The development of the proposed common transit system is critical to the TRACECA region as many of the countries are landlocked and are consequently dependent on transit activities.

A particular problem relates to the breaking of seals placed on vehicles/rail wagons by previous Customs organisations. Some countries have adopted a policy of breaking all seals because they, in effect, doubt the integrity of the previous Customs organisation. This is often in breach of international conventions and makes the effective control of transit traffic more difficult when seals have been broken and replaced several times within a journey.

Previous studies have highlighted the high incidence of both legal and illegal payments on transit traffic in the form of road taxes, environmental tax, overload payments and payments to the traffic police. Customs contribute to this adverse practice in the form of convoy charges or temporary bonds. Whilst such practices may be justified in relation to sensitive high value shipments, the policy is administered for all traffic and often in a discriminatory manner (such as higher charges to non-nationals). In many cases convoys charges are paid but then no Customs accompany the load due to lack of resources. Such transit costs significantly contribute to raising the cost of transport.

The lack of co-operation mechanisms with the railways and the other national Customs organisations means that all processing is undertaken in an unplanned and uncoordinated manner. This is because of the lack of pre-arrival information and therefore the process only commences with the physical arrival of the cargo or the carrier in front of the individual



Customs officer. In relation to rail traffic the rail transfer sheet used throughout the CIS and the waybill (manifest) do not provide sufficient data for Customs clearance purposes and thus there are delays in inspecting individual documents for each consignment. There is no data interchange capability between the Customs and the rail network that provides advance data on traffic flows to enable such documents to be prepared in advance of arrival at the border.

The lack of co-operation between both the internal organisations at the border and with their partner facility compounds the problems. At most border crossings there are between five and nine other organisations present (border guards, veterinary, sanitary, phytosanitary, health, road tax, etc.). Each works in isolation and there is no concept of a "border team" role to facilitate goods and people through the border (though border guards and Customs sometimes undertake joint inspections of vehicles). Thus, passing through the border becomes an "administrative obstacle race" which is then followed by a parallel "obstacle race" within 2 kms in the other country.

The other major organisation at the border is the immigration service, in most TRACECA countries undertaken by the Border Guards. It should be noted that such Border Guards are a military, rather than a civil, organisation and this significantly effects their approach to immigration and border control procedures. They have a dual function – security and immigration – and in most cases they become inter-related. Border Guards within their security remit are responsible for control of the border, including the entry and exit points of the border crossing. In effect, they control the traffic flow in and out of road crossings, guard the ships and rail wagons. When evaluating potential improvements in border procedures this security role will need to be considered as it influences the ability to introduce new procedures. In some countries the Border Guards have prime responsibility for border post operations, rather than Customs.

The main Border Guard role is immigration services – checking of passports and visas. There are considered to be three main constraints as compared to similar functions in the EU. Firstly, that at most borders the passengers/drivers have to leave their vehicles in order to have their passports checked. This slows the flow and in many cases involves mixing inward and outward passenger, thus compromising security. Secondly, there has been an increased demand for visa requirements between TRACECA countries. Few borders are able to issue full or transit visas. Thirdly, the lack of equipment means that all checks are manually-based.

Given the different speeds of transition and economic development between countries, there is increased impetus for economic migration. Effective immigration controls are essential to addressing this problem. There is a risk that the procedures will become more time-consuming rather than faster. There are almost no cross border intelligence mechanisms and each country tends to be acting in isolation.

The Border Guards have a duplicate role to Customs in terms of the movement of illegal goods, particularly weapons and nuclear materials. At many borders this involves a duplication of checks of vehicles by Border Guards and then Customs. There is a case for delegating such responsibilities to either one party or the other.

Most border posts also have Veterinary, Phytosanitary and Sanitary/Health officials present. In most cases there are purely administrative rather than technical checks – i.e. checking and stamping of documents. These controls appear to purely check whether the appropriate paperwork is present and does not normally require technical expertise. If a problem arises the shipment is delayed and a technical specialist is summoned. A key issue in this study will be the functionality of such checks, whether the administrative aspects can be delegated to another party or whether the checks can be undertaken at an alternative location, such as at the point of clearance.

Delays at the borders are also caused by the imposition of vehicle checks, taxes and insurance by the Traffic Inspectorate, Traffic Police or Ministry of Transport/Roads. This causes delays not only because of the payment system but also debate, particularly in relations to axle weights etc. Again, one of the issues will be whether this needs to be within the Border Control Zone and whether a more effective system can be developed, possibly with prepayments.

The Consultant has undertaken studies at both rail borders and ports and recognises the peculiarities of each. A key problem at most rail borders is that the procedures are consecutive rather than concurrent. The processes only commence with the arrival of the train as the train code guard's journal and transfer list delivery sheet sent in advance do not contain sufficient data to commence clearance procedures. The transfer and checking of documents by all the various parties can take up to 4 hours for freight trains. In some TRACECA countries an additional problem is the requirements to split the train manifest into individual wagon manifests.

At the TRACECA ports in relation to ferry operations the main procedural constraint is the "Border Clearance Party" consisting of up to five different organisations. Again, the procedures are consecutive rather than concurrent. Cargo handling cannot commence until this process is completed, thus ferries often do not commence cargo handling until at least 2 hours after arrival, as opposed to around 20-30 minutes in the EU for non inter-EU voyages.

In general most border posts are in poor condition, though this is being gradually rectified in relation to primary borders. However, few of these border posts have on-line IT systems that could be used to introduce simplified procedures. Whilst some countries now have installed computers at their border posts, these are principally used for statistical purposes. The IT systems do not possess intelligence risk assessment packages and are generally used in parallel with a paper system, thus duplicating checks. The entry of the data relating to the cargo at the border does not expedite the later inland clearance process. The introduction of IT has tended in many cases to increase the workload of individual officers, who may already be working in difficult conditions with long shifts on low pay, rather than generate the anticipated benefits expected of such an investment. There is also no method of sharing the information amongst the organisations present at the border, thus each has to undertake its manual and IT activities in isolation.

In order to undertake change it is important to not only understand the current process but its functionality. The key issue is not only what takes place but why – what is the proposed function of each specific procedures? This comprehension is vital to identify whether the procedure is redundant, because the circumstances have changed, or whether there is an alternative way in which that control function could be undertaken or even could be performed by another party. Proposals for simplification and harmonisation will need to be supported by logic that assures each border organisation that its responsibilities are not being compromised by such changes.

The Consultant does not underestimate the difficulties in promoting and implementing changes in border procedures. There is a direct linkage between complexity and coercive payments required to expedite those procedures. Most personnel at borders are on low pay and the supplementing of pay by such practices is widely accepted. Thus, there is expected to be an inherent resistance to such simplification because of its negative effect on remuneration levels. The Consultant will address this risk with the Commission and propose methods of mitigating this situation.

The Consultant, in the two Team Leaders, has considerable experience of border procedures throughout the TRACECA region, though some up-dating may be required in view of recent procedural changes at some borders. They will make selected audits of border procedures as well as propose improvements designed to simplify and harmonise procedures. This is seen as possibly a two stage process.

The first stage is to examine the opportunities to harmonise procedures either side of the border on a localised or national basis. In this situation the primary focus is on reducing the duplication of effort either side of the border on the basis of co-ordinated controls. In addition, the elimination of non-core functions wherever possible.

The second stage is to attempt to adopt a common procedural system throughout TRACECA. This is considered to be an idealistic goal that cannot be achieved in the short to medium term. However, it should be possible to progress towards harmonised controls – i.e. procedures that can easily interface with each other without necessarily being identical.

The Consultant has an experienced team of Border Specialists who will be called in to address specific issues identified by the Team Leaders or the border authorities. Many of these team members are familiar with procedures and documentary requirements at CIS and Phare borders as a result of work on previous projects.

## Documentation

In general, all Customs documentation used in the CIS is virtually identical. Each country uses the standard Cargo Declaration in use throughout the CIS and which is similar to the Single Administrative Document (SAD) used throughout most of Europe. It is understood that Romania, Bulgaria and Turkey also use standard declarations compatible with the SAD. Despite this apparent standardisation, no country accepts the Cargo Declaration of another country and requires its own to be completed for transit through the border. This needs the presence of a Declarant, even at remote border facilities, to transpose the information from one Cargo Declaration to another. Previous research has shown that a major cause of delays at borders is errors incurred in this transposition process, usually due to typing mistakes, rather than attempted fraud. The current approach means that the Customs have no records of the Declaration value in the previous country. Revaluation at the borders is a common problem resulting in revenue leakage.

Whilst the Cargo Declaration is a standard document, almost all other documentation, other than the TIR carnet, CMR note and the Certificate of Origin, is non-standard. Most of the support documents, such as road consignment notes, contracts, import licences, are non-standard and are often in a foreign language. There is also no harmonisation of what documents are required in what form in each country on the transit route. The importer/exporter tends to know what will be required at the country of origin and destination but is unaware of the requirements in between and may not even be aware of the routing. Trucks in transit are often delayed at remote locations due to the absence of a single form, even though the goods are not destined for that country. An additional problem is the continual changing of the documentary requirements and the opportunity for coercive payments that this offers.

As indicated in the Procedures section, the personnel at the borders are often only undertaking an administrative check at the border. It is particularly important that the documentation is harmonised as much as possible to allow a document to be used in more than one country. It is noted that in many cases it is more important to have the document than that the checker can understand its contents – i.e. recognition is more critical than content. A good example is the TIR carnet and CMR, which is in English and French but is recognised and used in the CIS

even though officials usually do not understand either language. Harmonisation of international documentation helps facilitate such procedures that are based on recognition as opposed to content.

A major issue to be considered within the project will be related to what documents are required to be produced where. Simplified procedures have to be based on less checks for standard transits, though more focussed on higher risk traffic. This change will save time at the border, but the national authorities are still expected to require appropriate controls to combat contraband and illegal goods. The methodology adopted in the EU is to severely reduce the documentation requirements at the border in favour of centralising non-core checks at the inland point of clearance. Thus, the key document problem is less about document format than about point of production.

It is recognised that some documents will never be harmonised, such as contracts and pro forma invoices etc. An important aspect of the documentation appraisal will be to identify which documents can realistically be harmonised/standardised and which will remain unique. This clarification will be important in potential changes in border procedures as simplification and harmonisation in border procedures will be largely dependent on the acceptance of only standard recognisable documents, with unique documents presented at the point of clearance. The lack of language skills at most borders places increased reliance on document recognition.

The Consultant is familiar with the documentation requirements in all of the TRACECA countries, mainly as a result of the earlier Trade Facilitation Project. He is also conversant with the SITPRO and UN documentation formats and recommendations towards standardisation of trading and Customs documentation. As a result, the Consultant fully understands the strategic option of moving from the current situation to the objectives indicated in the Terms of Reference.

### III.4.3 Comments on the Terms of Reference

The Consultant has carefully reviewed the Terms of Reference for the TRACECA Harmonisation of Border Crossing Procedures and would like to comment in relation to the following aspects:

- Overall Objectives;
- Customs Working Groups;
- Management Development and Training;
- Customs Brokers Association;
- Programming;
- Team Composition.

#### Overall Objectives

The objective of this project “will be to harmonise procedures within the region and to align them with EU practice”. The stated objective does not refer to simplification. It is considered that in many TRACECA countries that the procedures are already harmonised – i.e the procedure on one side of the border is the same as on the other. The Consultant considers that simplification is more important than harmonisation, though this may assist, and is clearly stated as an objective in Article 8 of the MLA. The Consultant has therefore assumed that “harmonisation” in this case also implies simplification.

The objective implies that all procedures should be harmonised with EU practice. Within the EU there are no internal border controls and the practices at the external borders are not identical, though they may be similar. In meeting this objective, the Consultant will have regard to both EU and recommendations of other international organisations and treaties. Examples of this would be compliance with WTO, the Revised Kyoto Agreement, SITPRO, WCO etc.

The objectives section implies that the project is mainly concerned with the implementation of the previous TRACECA Trade Facilitation Project and work should not be repeated. The Consultant has been active in trade facilitation in the region and is aware that considerable changes have been implemented since completion of that project. In addition, this project has a much wider remit than the previous project (which only covered Customs) and the original 8 countries are now 13, including 3 countries with dissimilar procedures and documentary requirements. Whilst acknowledging that this project is a natural progression for the Trade Facilitation Project, it is considered that the Terms of Reference does not take due recognition of extra work necessary to implement harmonised procedures, such as the need to revalidate and obtain data in respect of the new countries. These comments also relate to Section 4.1.2 of the ToR.

### **Customs Working Groups**

The Consultant fully accepts the need to establish Customs Working Groups. However, there are major concerns as to whether the proposed format will be implementable. The ToR infers that all countries are keen to establish such organisations. Experience in the region indicates that such working groups are difficult to form and that Customs are often reticent to participate.

A key problem is the traditional approach whereby the Customs are a government implementing agency to which those who interface with them have to conform. Most Customs are not customer-orientated and the relationship between Customs and the trading community is not one of mutual partnership. Proposals in the Trade Facilitation project for Customs Consultative Committees made little progress, mainly due to this psychological barrier. In few TRACECA countries does such a mechanism exist whereby Customs and Users work in partnership.

It is considered that the requirement to have both Customs and "representatives of the transporters" may in some countries compromise the ability to establish such working groups. The Consultant considers that Customs Working Groups should consist of national Customs and whenever possible representative from the transporters. The removal of this conditionality will increase the potential of establishing such Groups. In those without a transporter presence it may be possible to introduce such representation at a later stage.

In order for these Customs Working Groups to be effective, the composition from the Customs must include potential decision-makers. This is likely to be at either Director or Deputy or Assistant Director level. It is not considered that monthly meetings are realistic at this level and that within a short period of time it will be downgraded to less influential officials. It is considered that these meetings should be based on need, rather than on a predetermined scheduling.

The Consultant does not agree that the CWG should be responsible for executing the site visit or information gathering rather than the Contractor. This is because of the following:

- The CWG only includes Customs and has no understanding of the issues relating to the procedures of the other border organisations;

- The CWG will initially lack the necessary objectivity in that it understand its own specific national environment but not the wider regional dimension contained within the project remit;
- The Consultant is concerned at the ability of the CWG to produce independent data within short timescales to enable the project to maintain its schedule. It should be noted that most borders are far from the location of the CWG and members will be reticent to make long journeys to collect such data without recompense.

The Consultant recognises the need to work with and co-operate with the CWG but should not be totally reliant on their output, especially in the initial stages. It is considered that as the project progresses that the Consultant will place greater reliance on the CWG, especially those that are seen to be effective in meeting their assigned roles.

### **Management Development and Training**

The Consultant foresees some problems in implementing Section 4.1.4. The first problem is that it assumes that a single procedure and documentation system can be established across all 13 countries. This is unlikely to be the case, and may not be desirable. In practical term, the most probably scenario is that Bulgaria, Romania and Turkey would adopt EU practices (although as indicated all EU border practices are not identical) and that all the CIS countries would adopt a simplified system that was “in harmony” with the EU and international standards. It is improbable that a standard uniform procedure can be implemented in all cases and that there will be some variances within a harmonised conceptual system.

These variances will make it difficult to produce a standardised manual for Customs Officers because individual situations will be present. A more significant problem is that the border procedures are enshrined in national legislation, usually in the Customs Code that contains both primary and secondary legislation. Given this situation the manual could not be issued on an official basis without Government approval. It is also considered doubtful that Customs would allow an external party to issue manuals for use by its own personnel.

The production of the User guide for transport operators and traders is expected to be less contentious. However, it will also present problems due to the non-uniform situation and its lack of official authorisation. In addition the situation and localised regulations at some borders change without notice and it will be difficult to ensure that such manuals are current.

The Consultant will need to discuss this Section with both the Task Manager and the Commission to confirm how this task is to be achieved and to obtain the necessary national support to make it implementable.

### **Customs Broker Associations**

The Consultant recognises the desire to establish Customs Brokers Association but is concerned at the practicality of implementing the ToR. It should be noted that there are not Customs Brokers Associations throughout the EU.

The situation in the TRACECA countries varies significantly:

- In some countries there are no Customs brokers because the legal system does not permit such systems (usually in the more centrally controlled economies);
- In some countries there is a single authorised Customs broker, often controlled by Customs;
- In some countries brokers can only be licensed and operate as individuals, not as a corporate entity;

- In some countries freight forwarders can provide broking services so there is no separate Customs broking entity.

The Terms of Reference is proposing a uniform approach in an operating environment that is dissimilar. An additional problem is that the ToR proposes linkage with the Freight Forwarders Association. Such Associations are by membership only and are not exclusive. Consequently such linkage must be indirect, otherwise it would be in breach of anti-monopoly legislation in some member states.

The approach proposed by the Consultant is to identify and report on the brokerage situation in each country and recommend a strategy to promote brokerage services. In those countries where it is considered there would be benefit in establishing such an Association and it could obtain the necessary government authorisation, the Consultant would assist in its formation, similar to the process adopted in relation to forming the Freight Forwarding Associations.

### **Programming**

The Terms of Reference infer that the project will be undertaken concurrently in all 13 countries. Whilst the Consultant understands the need for all countries to be involved in a co-ordinated programme, it is considered that it may be impractical to proceed on a simultaneous basis.

During the Inception Period the Consultant will set out a programme of priorities. It is considered that the potential to introduce harmonised procedures will be greater in some countries than other. It is also believed that there may be some benefit in considering pilot projects at certain key border to be able to demonstrate the application of simplified and harmonised procedures.

The same situation applies to Task 4.1.5 Customs Brokers in that following the initial assessment, priority will be given to those countries where the conditions are suitable for such an Association before proceeding to those where conditions will make an Association significantly more difficult to form.

The Consultant appreciates the need for regular visits to each country, even though a Focal Point has been appointed in each country. The travel budget has been adapted to allow for such a regular visit programme to ensure effective contact is maintained between the core team and the National Commissions and border authorities.

### **Team Composition**

The Terms of Reference indicates that the Core Team should consist of Transport Economists and Transport Lawyers. The Consultant does not agree with the proposed profiles for the following reasons:

- There is no significant economic input to this project, except a minor role within the Pre-Feasibility Study;
- There is no direct legal input, except in relation to identification of possible changes in legislation to implement the proposals;
- The profiles do not indicate any requirement for Customs and border procedures experience that represents the core function of the project.

As a result the Consultant wishes to exercise "the discretion" indicated. The Project Manager is "a qualified transport practitioner with wide practical experience of road rail and maritime transport". However, he will be supported by two key experts with significant experience of both border procedures and Customs Crossings in the TRACECA region because the Consultant considers these skills are more relevant to the needs of the project.

The Consultant has included both lawyers and transport economists within the team as short term experts to cover these non-core disciplines. The border inspection team consists of specialists with expertise in each of the main border activities.

### III.4.4 Risks and Assumptions

The Consultant recognises that the principle assumption is that the National Commissions are in a position of influence sufficient to be able to promote and implement change in border procedures. The composition of the Commissions (or alternate) is already predetermined. The Consultant appreciates the needs to provide as much support as possible to facilitate the National Commissions in this critical role.

The identified risks within the ToR are noted:

- Decisions are taken contrary to the Articles in the Multi-Lateral Agreement, particularly Article 8, or that the spirit of the Agreement does not result in implementation;
- The IGC and the CWG does not take decisions on key issues, or is not in a position to do so;
- The various agencies are not informed of the engagements of the MLA and its Annexes. The Consultant is aware that this is the situation in a number of TRACECA states. However, the Consultant will ensure that such bodies are made aware of these obligations within the course of the project;
- Decisions prove incapable of implementation because of insufficient financial resources in individual states. This risk is considered to be low as the funding necessary for phased implementation is not considered to be high. It is considered that the higher risk is of non-implementation due to legislation or inflexibility of the various organisations in accepting new approaches;
- Back-up on legal issues is not made available from the planned Legal Basis for Transit Transportation project. The Consultant can partly mitigate this risk by use of the project lawyers.

The Consultant is experienced in all of the various aspects of the project and in the ability to address problems as they arise and mitigate accordingly. One of the key roles of the Project Manager is to ensure that both the Task Manager and the Commission are informed of potential problems as they arise and to provide proposals for remedial action, if necessary in co-ordination with the IGC.



### III.5 METHODOLOGY

The Consultant's standard methodology used for this type of technical assistance is to divide the project into a number of specific sequenced or parallel tasks. This enables the Beneficiaries, the Task Manager and the Permanent Secretariat to have a clear picture of progress achieved at any point within the 2-year project. It therefore provides appropriate project transparency.

#### III.5.1 Inception Phase

##### Task 1 Mobilisation

The Consultant will mobilise his specialist Project Team on signature of the contract with Tacis. They will already have been placed on stand-by when indications have been provided on the award of the project. This will enable the Core Team, consisting of the Project Manager and the two Team Leaders to proceed to the Region within 14 days to establish initial contact for the project with the Secretariat in Baku. It is anticipated that an Inception visit will also be required with the Task Manager in Brussels.

At the same time, the Consortium's resident representatives in each country will establish contact with the TRACECA National Commissions in each country.

##### Task 2 Inception Meetings

The Inception/Kick-off Meetings in both Brussels and Baku will review the methodology and work planning contained within this Proposal to discuss whether any modifications are required. These may relate to changes that have occurred in relation to project needs since the Terms of Reference were prepared or in project emphasis. Conversely, the Task Manager or the Secretariat may require clarification on the proposal or adjustments to the proposed programme and methodology.

A key issue will be agreement on priorities. It is recognised that the tasks in this proposal are not sequential and many will have to be undertaken concurrently in order to proceed on a broad front. However, it is appreciated that some tasks are considered to be more urgent than others, some have a longer potential implementation lead time and still others will require more detailed research before the core elements of the task can be undertaken.

The Consultant will discuss the institutional arrangements to be followed in this project. In particular, the following issues will need to be clarified:

- Co-operation mechanisms between the Consultant, Task Manager and Secretariat;
- Reporting and co-operation mechanisms with EU Delegations and Monitors;
- Liaison mechanisms with TRACECA National Commissions and their Secretaries;
- Relationships between the National Commissions and their Government organisations, Customs (Committees), Immigration (Border Guards), Ministries of Agriculture (Veterinary/phytosanitary), Internal Security (police) etc.;
- Liaison and support with the Customs Working Groups.

It is hoped that representatives of some of the National Commissions can be present at this kick-off meeting in Baku, so as to be able to address these institutional arrangements in detail and to be able to adopt a common approach throughout the TRACECA countries.

The Consultant recognised the critical importance of the organisational/institutional aspects of this project in order for it to achieve its goals. Thus, the decision to appoint a Project Manager with such experience to be based in Baku in the TRACECA offices.

### **Task 3      Review of Previous Work and Recommendations**

The Core Project Team will review all previous reports that are expected to be relevant to this project. This is expected to include the following that have been undertaken by members of the project team:

- TRACECA Trade Facilitation, Customs Procedures and Freight Forwarding Project;
- TRACECA International Road Transport Transit Facilitation;
- TRACECA Transport Legal Framework.

As the lead Consultant for the TRACECA Trade Facilitation project, the Consultant is aware of the synergy between that project and this study, in that in many respects this is a logical follow-on to that project. However, the Consultant appreciates that there are significant differences in that the previous project:

- Only covered 8 of the 13 countries expected to be included in this study;
- It excluded the border procedures in Bulgaria, Romania and Turkey that are significantly different from those in the southern CIS, which are broadly similar;
- It did not include either Moldova or Ukraine, which whilst adopting CIS procedures have relatively recently made major changes to their border procedures, especially with regard to pre-entry requirements and IT control systems that make them different from those included in the original study;
- Some progress in modernisation of border procedures has occurred, partially as a result of the previous study, and there have been changes in the political/economic environment whereby the original recommendations may no longer necessarily be valid;
- The previous study address Customs border procedures only. It excluded all activities relating to the other 5-8 organisations present at many of the borders.

The Consultant will revisit that study and re-evaluate the findings and recommendations of the Trade Facilitation project in the light of subsequent events. The results of this appraisal will be issued in the form of an aide-memoir. This will include indications of possible caveats in respect of the differences between the remit of that programme and this study.

The International Road Transport Transit Facilitation project in relation to harmonisation of border procedures is mainly relevant in terms of the TIR systems and its IT support system SafeTIR. It is noted that all countries except Turkmenistan and Tadjikistan have implemented the TIR Convention and that this should theoretically expedite border transits, though in most cases it does not due to the other procedures. This project did identify other international Conventions, such as CMR, ADR etc., that might have an impact on border procedures. Consortium members have been involved in the parallel PHARE project covering Bulgaria and Romania. A key aspect of this study in relation to possible border developments was the audit of IT usage within each Customs organisation.

The Transport Legal Framework provided information on Customs Codes and provided model legislation. It is considered that the legal aspects will be a major factor in the implementation of the results of this study. It is known that most of the CIS countries have made changes to that Code since the Framework Project in 1996-7. In many of the TRACECA countries the procedural aspect in relation to Customs operations are enshrined within that Code and therefore any changes in those procedures will require further changes to the Customs Code. It is understood that there are legislative implications in relation to all

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the other border organisations. The Consultant has copies of some of these Codes and other legislation.

In addition to these projects indicated in the Terms of Reference, the Consultant has been involved in the following projects:

- Tacis Cross-Border Programme;
- Tacis Improvements on Traffic Flows on TEN Corridors 11 and 1X;
- ADB RETA 5942 Customs Reform Programme;
- ADB Cross Border Framework Agreement.

The Cross-Border Programme was important in respect of this study in that a Border Inspection Team undertook a detailed physical audit of CIS-type border procedures. This team included Customs, Immigration, Veterinary, Phytosanitary and Transport Specialists, many of whom will be available to assist on this study. It therefore covered most of the activity areas not included in the TRACECA Trade Facilitation Report.

The Improvements on Traffic Flows on TEN Corridors 11 and 1X covered selected rail borders in Ukraine and Moldova. Apart from these being members of TRACECA, the main significance to this study was that a full audit of border procedures was undertaken as part of that project, covering Border Guard and Customs activities, as well as all the other organisations present.

The ADB projects are concentrated on Central Asia. In both studies analysis of border procedures was undertaken and proposals for simplified and harmonised systems were proposed. As part of the Reform Programme, the Strategic Plans of each Customs have been examined and their proposals in respect of development of border procedures and IT has been indicated. The Consultant has all the reports relating to both studies.

The Consultant has access to the other reports noted in the Terms of Reference:

- TRACECA Traffic Forecasting
- TRACECA Central Rail Restructuring Projects

And reports on the two road transport operators will be sought. Initial indications are that these reports may be of less significance, given that they were not focussed on either borders or procedures.

In addition to these studies, the Consultant has, and is, currently working with EBRD at key TRACECA ports – Aktau, Baku and Turkmenbashi – and has been providing Trade Facilitation advice in connection with improvements in border procedures, both in respect of vessel and cargo clearance routines. The Consultant is also working in Constanza. Relevant project reports will be studied.

The Consultant has access to several reports by World Bank and the IMF on Customs and World Bank, UNDP and SPECA reports on trade facilitation.

In addition, the Consultant has copies of both existing and proposed agreements on the simplification and harmonisation of border procedures. These include the Arusha Agreement and the International Convention on the Simplification and Harmonization of Customs Procedures, known as the Kyoto Agreement, as well as other agreements relating to simplified border procedures. Of key importance is the Protocol of Amendment that forms the Revised Kyoto Convention. This Convention of the World Customs Organisation is considered to be the “benchmark” for future development of simplification and harmonisation of procedures. It is currently only signed by 14 countries (mostly EU member states) and

requires 40 countries for ratification, but this is expected to be achieved by early 2002. More importantly, it is the Convention to which almost all of the CIS countries expect to aspire and ratify in the next few years and will lead to the most fundamental changes in their activities and legislation. This is complementary to EU proposals on simplification and harmonisation of border crossings.

The Consultant has a library of many of the multi-lateral and bi-lateral agreements that have been signed by the TRACECA countries. Many of these include Articles relating to both simplification and harmonisation of border procedures, including Article 4 of the Technical Annex of the Basic Agreement. In many cases, the national Customs are unaware of the obligations contained within these Agreements.

The objective of this task in the Inception Phase is to identify the following:

- the existing information base and status of development;
- what changes have taken place since that data was collected;
- what information caveats exist that effect the basis of this study.

This will avoid repeating work that has already been undertaken and focus planning on additional work that will be required in Task 6.

#### **Task 4 Working Groups**

The Consultant will discuss the roles and responsibilities of the proposed TRACECA Customs Working Groups. In the Approach Section, the Consultant has indicated some possible concerns regarding the potential effectiveness of these Working Groups. These will be discussed in detail with the Permanent Secretariat prior to preparation of the Terms of Reference (ToR).

The ToR will be completed within the Inception Phase and will include the following:

- Rationale for their establishment;
- Objectives;
- Roles and Responsibilities;
- Composition;
- Tasks;
- Reporting Mechanisms;
- Monitoring and Evaluation methodology.

The Customs Working Groups will be established in as many countries as possible. They will be attached to each of the National Commissions and should include representatives of both border operators and users. This should include State Customs and a representative of either the International Road Transport Association and/or the National Freight Forwarding Association, plus representative of the other Ministries involved in border controls, if possible.

It is considered that the Consultant with the Secretariat will probably have to provide some direction and initial focus during their formation period. This may be either in the form of producing draft agendas or physically facilitating the inaugural sessions to ensure commonality of approach and goals. This will be co-ordinated through the Project Manager and the Team Leaders, as well as through the Consultant's local representatives.

The Working Groups could be established in up to 14 countries and report only to their National Commissions. Consequently, an effective co-ordination mechanism needs to be established to ensure that all are working to the same overall agenda and addressing issues

that will actually result in both the simplification and harmonisation of border procedures, as well as their implementation.

As indicated in the Approach Section, it is not considered that the Consultant should be totally reliant on information provided by the Working Group. This is because most borders are far from the central administrations, the groups will probably have problems in attracting personnel with current operational expertise at these borders and they are unlikely to include all the border organisations (as this is specifically a Customs Working Group). However, it is recognised after an initial period that site visits and data collection may be increasingly undertaken by members of the Working Group. The role of the Consultant will then resort to that of being an ad-hoc advisor.

Eventually, on the completion of the project these Working Groups may gradually be transformed into Customs Consultative Committees. The Consultant will provide model agreements on such committees to facilitate this transformation process.

### **Task 5 Inception Report**

The Inception Phase will be completed with the production and circulation of a standard Tacis Inception Report by week 17. This will be in both Russian and English in hard copy and diskette. This will contain the following:

- Project Synopsis;
- Analysis of the Project – summarising initial findings;
- Project Planning – reporting on work completed and programme to week 40.

The Report will propose any modifications to either this proposal or the ToR on which the study is based. Reasons will be given for any such modifications and these will be discussed with both the Task Manager and the Secretariat.

The appendix will contain the aide-memoir in relation to the Trade Facilitation Project, the ToRs for the Customs Working Groups and the organisations/bodies with whom the project will liaise to ensure effective implementation.

## **III.5.2 Project Inception Phase**

### **Task 6 Border Procedures Audit**

The Consultant recognises that significant work has already been undertaken in relation to the identification of border procedures. Indeed, the Consultant undertook most of that initial work. However, this was focussed only on Customs procedures, covered only the eight original TRACECA countries and it is known that changes have been made since that date.

There is a need to confirm the exact nature of the procedures being used in the 13 countries. There are currently no comprehensive records on such procedures and if the objective is to harmonise procedures, then it is imperative that Tacis has knowledge of the base from which such changes will commence. As indicated in both the Approach and Task 4, it is not considered that the Customs Working Groups have sufficient expertise or composition to provide detailed information on all the procedures at the different types of border.

There are three types of border crossing to be addressed in this study:

- Road borders;
- Rail borders – with and without a gauge change;

- Ports – such as Aktau, Baku, Constanza, Illychovsk, Poti, Turkmenbashi and Varna

The Consultant has detailed information on all road border procedures in Moldova and Ukraine and significant knowledge of Customs border procedures in the Caucuses, Central Asia and Turkey. In respect of rail borders, the Consultant has detailed information on all procedures in Ukraine and Moldova and Customs procedures in respect of the other CIS countries. The Consultant is familiar with both port procedures relating to both the vessel and the cargo in respect of the CIS countries and outline knowledge of all the other TRACECA countries with ports.

It is proposed to establish a border procedures database covering all 13 countries to define the current system from which the proposed harmonisation is to be developed. The team leaders, with the Project Manager will compile this database in Baku. It is envisaged that a number of site visits will be made and a 3 month period has been allowed for such visits.

It is considered to be important that the database is both independent and accurate. In addition to collecting information on the procedures, particular attention will be paid to the functionality of all of the procedures. This is seen as critical to being able to initiate change. The results will be distributed to the National Commissions for confirmation by the respective authorities.

These visits will be undertaken under the supervision of the Team Leaders. They will be undertaken by a border specialist, supplemented by members of the Border Specialist Team as required in relation to specific issues which are identified as representing a constraint to border transits or which differ significantly from either EU or CIS practice. Again, it is critical to identify peculiarities and the reasons for them.

## **Task 7 Document Preparation**

The Consultant will collect sample documentation used in each country in relation to border transits – i.e. only those documents that have to be physically produced in order to transit that country's border.

Much of this documentation is available from the Trade Facilitation Project but additional material will be required from:

- Bulgaria
- Moldova
- Romania
- Turkey
- Ukraine

Sample documentation will be collected by the Consultant's local representatives with the assistance of the Customs Working Groups, where established, in relation to Customs required documentation only.

The Consultant will prepare a Border Documentation Report that contains models of all the key documents necessary for a border transit. These will be in English and a language of the Beneficiary State, unless it is an international document which is in nominated language only such as TIR Carnets and CMR.

The Report will identify differences between these standard documents, based on UN and EU formats, and those currently in use in each country. This will highlight the potential document

harmonisation problems and indicate the potential to move towards a harmonised documentation system in each country.

## **Task 8 Listing of Harmonised Controls and Implementation Plan**

The Consultant will provide a Report containing a list of model harmonised border controls and documentation requirements in respect of transit traffic complying with international best practice as well as satisfying national and regional objectives. In this context transit is taken to mean all traffic passing through that border to be either cleared inside that country or passing through to another country.

It should be noted that these proposed controls will only relate to the movement of freight traffic. This will include the cargo, the means of transport (truck/railwagon/ship) and the personnel responsible for the means of transport (driver, guard etc.)

Whilst not specified within the ToR it is assumed that there is an intention to also introduce simplified procedures, in line with EU practice and international agreements such as the Revised Kyoto Convention and most of the multi and bi-lateral agreements. This is in addition to the alignment of procedures with EU practice.

These border controls will cover the following control aspects:

- Immigration;
- Customs;
- Veterinary;
- Phytosanitary;
- Health;
- Sanitary.

It is not expected that this Report will include procedures in relation to the following organisations often present at border crossings:

- Traffic Police;
- Road Inspectorate;
- Road Tax Authorities;
- Environmental;
- Insurance;
- Declarants;
- State Railways;
- Port authorities;
- Ships Agents.

In addition to listing these proposed harmonised controls, these will be compared with the results of the work undertaken in Task 6. This will identify the differences between the proposed harmonised system and current practice and highlight what changes would be required nationally to enable the harmonised approach to be implemented.

The Consultant will provide a set of border performance indicators. These are expected to be predominantly time-based in terms of both individual procedures and overall performance of the facility (i.e. border team performance). These indicators will exclude other indicators related to seizures, illegal immigrants etc. that are likely to be border specific.

It is proposed to include a possible Implementation Plan. This would be based on discussions with the national authorities in each country via the TRACECA National Commissions. The research work undertaken in Task 6 and the differences identified between the proposed



controls and the existing situation will provide some indications as to implementation timescales.

It is recognised that it will take time to implement a harmonised system and that this is unlikely to be fully achieved within the timeframe of this project, as indicated in the ToR. For example, most of these procedures are enshrined within national legislation and thus, changes involving legislative changes are unlikely to be achieved in practice within 2 years.

The Consultant believes that consideration should be given to the possible use of pilot programmes at pre-selected borders and that the procedures of the various organisations need not be implemented at the same time. It is recognised that changed in relation to some border control organisations will be easier than others and any move towards harmonisation should be introduced as soon as possible.

### **Task 9 Management Development and Training**

The Consultant will prepare and issue:

- A Manual for Customs Officers;
- A User Guide for transport operators and traders.

In relation to the proposed harmonised procedures. The objective of these documents is to explain to both Customs and Users the concepts behind the harmonised procedures and how they would work in practical terms, highlighting the advantages over current practice.

It should be noted that these are for information and guidance purposes only, and are not considered to be legal documents. This lack of legal status eliminates the need to validate the contents in advance with the legal authorities in each country. Copies of these documents will only be circulated nationally through the TRACECA National Commissions, following approval by their respective Governments or relevant authorities.

The Consultant will provide training on the proposed harmonised procedures on the basis of Seminars. In addition appropriate on the job training and assistance will be provided in those countries implementing the harmonised system. It may be that some of this training could be undertaken in co-operation with the existing Tacis training programmes for Customs in the TRACECA region.

Any training that is provided will be subject to an initial needs assessment by the Consultant and a degree of commitment by the Recipient in terms of attendance in relation to both numbers and quality of staff. The needs assessment will also address the issue of the need for external training visits to possible Pilot Projects or for long term on-the-job training through exchanges.

### **Task 10 Establishment of a Customs Brokers Association**

In accordance with the TRACECA Multi-lateral Agreement, The Consultant will assist in developing an Institute of Customs Brokers. The ToR indicates that this must have close links to the Freight Forwarders Association. The Consultant does not consider that this rigid approach is easily implementable and proposes a more flexible approach.

The situation in relation to Customs brokerage service differs significantly across the region in that some countries have:

- no separate or independent brokerage services;
- a state-controlled monopoly broker;

- a position whereby only individuals, rather than companies can be brokers.

Direct linkage with the Freight Forwarding Association, that covers some but not all forwarders, would be contrary to monopoly laws in many of the TRACECA states.

The Consultant recognises the need to promote the more widespread access to professional brokerage services and there is considerable merit in establishing such an Association. The Consultant will provide model documentation on the formation and rules for such an Association, similar to that provided to the Freight Forwarding Associations.

There is a longer term requirement for the two associations to liaise in their mutual interests. It is also hoped that eventually forwarders can become brokers in their own right in those countries where there is currently a legal constraint to doing so.

The difference of approach proposed by the Consultant is to use a two-stage process:

- Form Customs Brokers Associations;
- Promote a form of voluntary linkage with the Freight Forwarding Associations based on mutual interest.

This approach recognises the current situation in respect of different national situations and avoids the risks of Tacis promoting a monopolistic situation.

The situation regarding common facilities may also require a different approach than that suggested in the ToR. This is because many countries are developing ACCS that have a DTI (Direct Trader Input) capability where the Broker will enter the Cargo Declaration data direct into the customs computer. Given LAN development problems the most likely option is to locate the Brokers in close proximity to the Customs building.

The option of broker training sharing facilities with the Forwarding Associations merits considerations. However, in many countries the broker training is provided by Customs, rather than other brokers. This is because only Customs are authorised to issue a licence based on their training. In such cases brokers are trained in the Customs training Centres.

The Consultant through his team members and local representatives will maintain close co-operation with both the newly formed Brokers Associations and the Freight Forwarding Associations in order to facilitate closer links between the two organisations. This is considered important in the longer term development of integrated door-to-door transportation systems.

## **Task 11 Pre-feasibility Study of Common Transit Procedures**

The Consultant recognises the importance of an effective transit system in the TRACECA Region. This is particularly important in respect of those CIS countries that are landlocked. The lack of such systems significantly increases transport costs, thus constraining trade.

As indicated in Section 11, the current methodology whereby transit goods are processed as a temporary import and then a temporary export leads to delays at borders as well as duplication of effort, especially by Customs and Brokers as well as the carrier.

The TIR system is an effective transit system that is recognised internationally. All except Tadjikistan and Turkmenistan (in accession process) are members of that Convention. The major constraints relating to TIR are as follows:

- It does not result in expedited border procedures in most countries;

- The high cost makes it prohibitive for cross-border trade (or for transits of less than 3 countries).

The Consultant's specialists will examine the various options in relation to the development of an effective transit system, including the continued use of TIR where appropriate. The key issues are expected to relate to expedited simpler procedures at the borders along the transit passage and control concerns by the respective Customs authorities. The potential introduction of such systems would represent a significant change in Customs approach to control aspects that would need to be addressed.

Particular attention will be given to the Common Transit Procedure of 20/05/87 and as to whether it is practical and implementable in the TRACECA environment. The ToR indicates the importance of this Convention in the context of Romania and Bulgaria in the PHARE region. However, it is considered that the transit problems in these countries are less than those in the CIS countries.

A Pre-Feasibility Report on Development of Common Transit Procedures (CTP) will be produced as a separate report. It will include the following:

- Examination of Common Transit Procedure Options;
- SWOT Analysis of CTP;
- Potential constraints to implementation;
- Security and Control Aspects;
- Cost Benefit Analysis;
- Timetable for Introduction.

## **Task 12 Liaison with other Projects and IFIs**

The importance of internal co-operation between the Project Team, the TRACECA Intergovernmental Commission, the National Commissions and the Working Group was emphasised in Tasks 2 and 4. It will also be essential to liaise with other on-going TRACECA projects especially:

- The TRACECA Co-ordination Team with their offices in Odessa and Tashkent. Regular visits will be made to these offices during the project to ensure that they are aware of progress being achieved;
- The TRACECA Common Legal Basis for Transit Transportation that has a specific synergy with Task 11. Close liaison will be essential to avoid duplication in relation to transit procedural aspects;
- The TRACECA Unified Policy on Transit Fees and Tariffs in relation to the costing aspects of border delays;
- The Tacis "Support to the Development of Transit Corridors Policy" in relation to transit proposals in relation to Kazakstan
- The TRACECA Central Asian Border Crossings that is addressing the equipping on key border crossings and development of transit IT systems.

In addition to liaison with other Tacis and relevant Phare projects, it will be important to maintain contact with the other IFIs who are active in the region in connection with Customs and transit activities. These include the following:

- World Bank;
- IMF;
- EBRD;
- ADB;
- USAID;

- UN/UNDP/SPECA.

And national programmes in some countries being funded by EU Governments as part of their assistance programmes.

### **Task 13 Progress Reports**

The Consultant will prepare 2 Progress Reports in English and Russian and on diskette. These will be completed in Months 10 and 16 and will follow the standard Tacis reporting system consisting of the following:

- Project Synopsis;
- Summary of Project Progress since Start – Executive Summary;
- Project Progress in Reporting Period;
- Project Planning for next Reporting Period;
- Relevant Appendices.

Any deviations from the Inception Report will be noted with reasons for such deviations.

These will be circulated as per the ToR to the Task Manager, the Permanent Secretariat and the 12 National Secretaries. In addition, copies will be sent to the TRACECA Co-ordination Offices and the appointed Monitors.

In addition to the above formal Reports, Administrative Reports will be provided on a “quarterly” basis in Months 8, 13 and 19. Whilst it is recognised that these are not quarterly, they are designed to act as Interim Reports between the formal Progress Reports. The contents and format of these Administrative Reports will be agreed with the Task Manager.

The Consultant will provide short Monthly Briefing Notes commencing from Month 6 and ending with Month 22. These are designed to ensure that the Task Manager, The Intergovernmental Commission and the National Commissions are aware of progress being achieved across the Regions.

The Consultant recognises the importance of these Reports and Notes, which will be produced by the Project Office in Baku, in supporting the co-ordination process that will be critical to the success of this project. It should be noted that the Consultant does not intend to include any of the specific deliverable reports indicated in the above tasks 7,8,9 and 11 as appendixes to the Progress or Administrative Reports. They are considered to be important in their own right and will therefore be issued as stand-alone reports.

All reports will be in both English and Russian. The Consultant recognises the importance of good Russian text and has an established translation network for this purpose. In addition, a quality control system is in place covering both English and Russian text in conformity with BS EN ISO 9001.

Copies of the Delivery Notes of the following will be faxed to the Permanent Secretariat:

- Inception Report
- Progress Reports
- Administrative Reports
- Draft Final and Final Report
- Deliverable Reports in relation to Tasks 7,8,9 and 11.

## **Task 14 Final Report**

The Consultant will prepare and issue a draft Final Report in Month 22. This will follow the standard Tacis Format consisting of the following:

- Project Synopsis;
- Summary of Project Progress – Executive Summary;
- Project Progress in the Final Period;
- Overall Report on Project;
- Lessons Learnt and Recommendations.

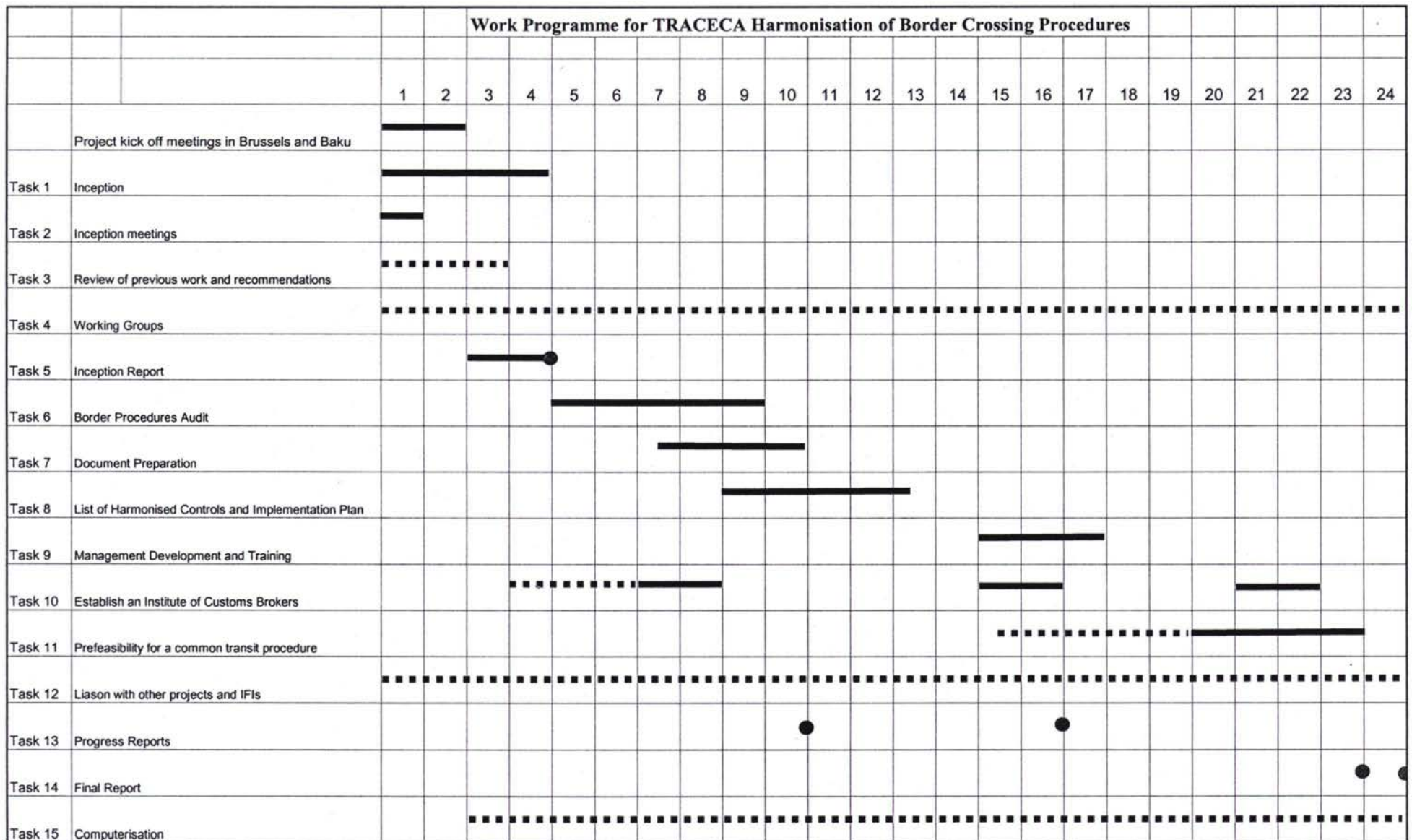
The draft report will be circulated as per the Progress Reports. A maximum period of 6 weeks will be allowed for consultation/comments so as to ensure the issuing of the Final Report in Month 24.

## **Task 15 Computerisation**

The Contractor will establish a specific website for the project, similar to that set up and in operation for the TRACECA Road Transport facilitation project. Any reports sent for inclusion on the TRACECA web site will be in “.doc” or “.pdf” format to allow for further processing prior to posting on the web. Contact with the webmaster will be made by the Project Co-ordinator in Basingstoke prior to any such electronic transfer.

The work programme for the project is attached as Figure 2 on the following page.

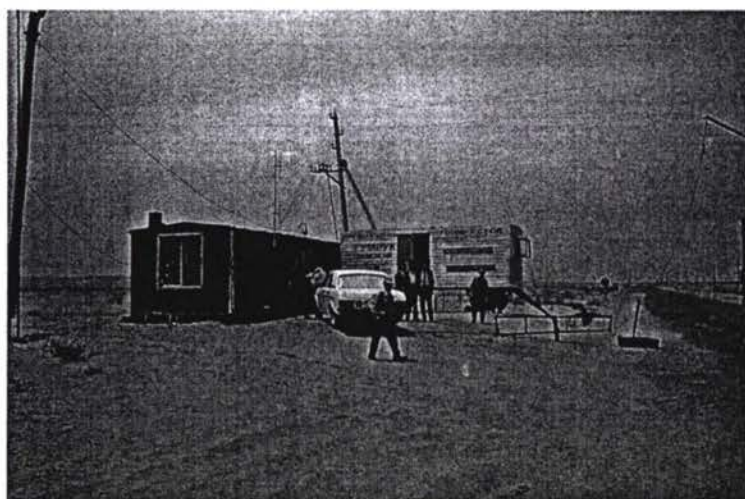
Figure 2: Project programme



*Annex*

**IV**

**STAFFING AND CVs**



## IV.1 PROJECT ORGANISATIONAL STRUCTURE

The project organisation and staffing schedules are discussed in this section. As indicated in the Project Approach, the Consultant recognises the importance attached to have the correct organisational structure, as well as having access to experienced consultants with the appropriate skills for the project.

The organisational structure for the project is shown in Figure 3. The key features are as follows:

- The **Project Manager** – Peter Ranger – is at the centre of the structure and will be based in Baku. He will be responsible for day-to-day contact with the Inter Governmental Commission (IGC) Permanent Secretariat and for keeping the Task Manager advised of project progress. He will liaise with the National Commissions and their Secretariats through the IGC and his two Team Leaders. He will be responsible for mobilising the specialists teams in response to the needs identified by the Team Leaders;
- The **2 Team Leaders** will be responsible for liaison with the National Commissions and their Secretariats. They will also be responsible to liaison with the various border organisations, the Customs Working Groups and the Customs Brokers Associations. They will also maintain regular contact with the TRACECA Co-ordination Teams in Odessa and Tashkent, as well as regional monitors. As the Technical Specialists, they will be responsible for calling in specialists to address particular issues and manage all site visits. They will also attend regular co-ordination meetings in Baku. Though each Team Leader has a specific region, it is intended that they will work together during the Inception Period to ensure a common approach to addressing the various issues;
- The four Teams consist of **specialists** in all aspects of border procedures, Economics, IT and Legal. These short term consultants will make visits to the region in response to needs identified by the Team Leaders;
- The **Project Administrator** will be responsible for overall administration of the project from the Consultant's headquarters. She will be responsible for supplementary liaison with the Task Manager and Tacis, project logistics, accounting and web site maintenance;
- The **Backstopping Team** consists of specialists who have technical skills that could be required in relation to specific circumstances. They will be on call to assist the Team Leaders as required.

The Consultant recognises the need to have a clear simple reporting and liaison structure. The proposed structure contains transparent lines of communication and reporting to assist the recipients and consultants undertaking the project.

It should be noted that almost all members of the project team have worked on Tacis or PHARE projects on behalf of members of the Consortium. In addition, many have worked together and are known to each other, which will facilitate the working arrangements.

## IV.2 STAFFING

For a project of this nature, it is essential to establish an overall team and the specialist teams that comprise of members with the appropriate skills and experience in the various technical disciplines and have some regional experience. The Consultant considers that two of the important features are the ability to co-ordinate at a regional and national level and to have practical expertise. Both these skills are evident in the proposed project staffing.



## Core Project Team

The Core Project Team will consist of the Project Director, the Project Manager, the two Team Leaders and the Project Administrator:

- The Project Manager and the Project Administrator will be based in the Head Office in Basingstoke, UK, and have a part time involvement;
- The Project Manager will be based in the offices in Baku allocated by the ICG Secretariat and will be full time on the project. He will also travel throughout the region as required;
- The Team Leaders will travel extensively throughout their respective regions. They will not be based at a specific location and their positioning will be in response to identified needs as the project develops. It is intended that they will travel extensively throughout their region.

These staff have been selected because of their experience in co-ordination in relation to previous projects, their technical skills and their practical approach in meeting project objectives.

### Project Director – Adrian Tite

Adrian Tite is a Regional Director of Scott Wilson in charge of International Development. He has extensive experience in managing and directing large scale multi-disciplinary projects in the transport and infrastructure sectors. These have included major projects for Tacis and PHARE in the CIS and CEEC, as well as other international funding institutions, such as World Bank, ADB and EBRD.

He was project Director for 3 previous TRACECA projects – Trade Facilitation, Legal Framework and Road Transport Transit Facilitation. All these have involved border procedures. In addition, he was Project Direct for the Tacis Cross Border 11 project on development of CIS border facilities. He has been responsible for other projects in almost all of the countries included in this project and is familiar with the national environments.

### Project Manager – Peter Ranger

Peter Ranger has over 38 years experience in Project Management, Development and Engineering support functions for transport-related projects. His experience includes institutional analysis and organisational development for public and private organisations.

He is one of the most experienced Project Managers on Tacis transport projects having been working in the CIS on such projects since 1995. He has lived permanently in region during this period and has gained extensive knowledge of institutional co-ordination, the CIS environment and methods of working. He has demonstrated excellent team leadership and project management skills, as well and practical knowledge and understanding of Tacis programme objectives and development of effective working mechanisms with governmental recipients. He is a Russian-speaker.

During this period of time he has managed 4 major Tacis Transport Projects in the CIS. The first involved the establishment of two pilot companies for multi-modal transport and freight forwarding including organisation and management structures, accounting, and information technology to facilitate customs and freight forwarding. Others involved port and regional planning, all of which involved operational interface with Customs and development of procedures to enhance performance.

### **Team Leader – Central Asia – Anthony Bayley**

Over 30 years experience in international transportation - air, marine, rail and road - both as an operational manager in the private sector and for the last 16 years as a Transport and Logistics Consultant. Projects have extended through Europe, the CIS, Africa and the Far East and have involved multi-modal logistics, freight forwarding, port operations, air cargo, trade facilitation, institutional and corporate reform in the freight industry and customs procedures. He has worked for many of the international funding agencies including the EU, EBRD, World Bank and ADB.

He has been involved in development of trade facilitation and Customs in the TRACECA region for the last 5 years. He is one of the most experienced border specialists of the Tacis programme. He was the Team Leader for the Trade Facilitation Procedures project and has undertaken evaluations at most of the TRACECA border crossings and is familiar with border procedures in the region. Under the CBC programme he was responsible for the needs assessment of the border crossings, including upgrading of procedures and in the TRACECA Road Transit project he is working with Customs on the installation of SafeTIR. In the Tacis Corridors 11 and 1X project he was responsible for proposals to improve the rail borders, including changes in procedures. He was responsible for the development of the Cross Border Framework Agreement for the ADB and is currently developing a Customs Reform Programme covering Central Asia for the ADB. He is therefore familiar with all aspects of the project.

### **Assistant Team Leader – Black Sea and Caucasus – Horst Pressler-Hoft**

Horst Pressler-Hoft is a Customs consultant on strategic business issues relating to European Trade, Customs and Excise matters and transit and export control. This has included planning, implementation and upgrading of border crossing procedures and automated customs systems, including development of internal IT supported control systems at borders. He has worked on planning and implementation of economic customs regimes and training.

He has participated in previous TRACECA projects in the Balkan Customs Corridor and Tacis-PHARE Cross Border Studies designed to improve performance. He is familiar with both border procedures in the PHARE countries and the CIS, through work with the Latvian Customs.

### **Team Administrator – Debra Power**

Debra Power is an experienced administrator with Tacis and TRACECA projects. She is the Administrator for the TRACECA Trade Facilitation and Road Transport Transit Facilitation projects, as well as the Tacis Border Crossings project. She is therefore familiar with the border procedures environment and has travelled in the region.

She has been responsible for establishing and maintaining the web sites established on previous TRACECA projects.

## **Specialist Support Teams**

### **Border Procedures Team**

#### **Customs – Valdis Kursietis**

Valdis Kursietis has extensive experience as a serving customs officer with both UK Customs and Latvian Customs and since then working with private companies and customs authorities advising them on customs procedures. He is therefore familiar with both EU and CIS practices and the computerisation of customs procedures. He has been involved in the

assessment of border procedures and identification of potential changes in line with best international practice.

#### **Customs – David Sloane**

David Sloane is an experienced Customs officer with 35 years experience with the UK Customs and Excise before undertaking consultancy work. He is familiar with all EU border procedures. He has been involved in the development of Customs computerisation in Latvia and this has included evaluations of border procedures that are based on CIS systems.

#### **Immigration – Claus Folden**

Claus Folden is a Deputy Head of Division with the Danish Immigration Service. He is familiar with all Schengen related immigration issues and has sat on various working parties. He has worked in Eastern Europe and has been responsible for immigration/visa matters in PHARE programmes.

#### **Veterinary – Idonea Pickering**

Idonea Pickering is a Veterinary Inspector with the Ministry of Agriculture Fisheries and Food. She is responsible for implementation of veterinary procedures at the border posts of the Humber Ports. This includes the import and export procedures for intra/extra community trade and Border Inspection Post Duties. She is therefore familiar with EU requirements and the practical implementation of those requirements. She was the Veterinary Expert for the EC Tacis Border Crossing Study Phase II project visiting CIS borders, so understands the border procedures.

#### **Phytosanitary – Stuart Baker**

Stuart Baker has expert knowledge and experience of working in the horticultural and agricultural industries, including international policy and commercially sensitive plant quarantine and phytosanitary. He has first-hand knowledge, through application, of the quarantine and phytosanitary controls and procedures that operate within the EU under EU legislation (Council Directive 77/93/EEC and related legislation).

He has three years experience working as a member of the European Commission as a Detached National Expert on plant health, representing the Commission on Third Country and Member State missions, standing committees and working groups. He was the Phytosanitary Specialist for the EC Tacis Border Crossing Study Phase II project visiting CIS borders, so understands the border procedures.

### **Main Support Team**

#### **Economics**

##### **Martin Oaten**

Martin Oaten has considerable experience in economic appraisal of infrastructure and border related projects utilising standard cost benefit appraisal methodologies demanded by the international donor community. He is familiar with project appraisal and monitoring techniques as well as transport sector project appraisal in Eastern Europe and the TRACECA countries. He has undertaken a broad range of transport in the UK and internationally. He was Project Economist for the Tacis Cross Border project and made site visits to several CIS borders.

## Legal

### Georg Gotschlich

Georg Gotschlich is an experienced legal specialist in Customs matters. He was a Ministerial Counselor in Washington prior to joining the World Customs Organisation as Director of Technique and Compliance. He was then President of EuroCustoms. He has worked on Tacis-PHARE programmes being responsible for analysis of border legislation. He is therefore familiar with both EU, CEEC and CEEC border procedures and existing WCO proposals for simplification and harmonisation.

### Robert Clepton

Robert Clepton has extensive experience in the TRACECA countries and participated in the previous TRACECA Legal and Regulatory Framework project. He has long experience in drafting as well as assessment of civil and commercial law legislation, in particular transport law, in general and in the field of road, rail water and air transport.

## IT

### Michael Arblaster

Michael Arblaster has extensive experience of Customs Information Technology, including ASYCUDA++ that is used in some of the TRACECA countries. He has participated in a number of DGXXI Projects, produced a comprehensive Global Report on Customs IT and has extensive experience of Customs Project Implementation and National Customs infrastructure and operations investigation.

## Back Stopping Team

### Legal – Jean-Luc Foux

Jean-Luc Foux is a practising lawyer, a court-appointed expert on transport law at the Court of Civil Appeals in Paris, and visiting lecturer in European Transport Law at the University of Pau. For the last 20 years he has specialised in domestic and international transportation law, and customs law. He has acted as a visiting legal expert on a number of EC funded projects including the TRACECA Legal and Regulatory Framework giving advice on regional harmonisation of railway and customs law, integration with international conventions and world trade practices, institutional development and training.

### IT-Mike Schwarzer

Mike Schwarzer has almost 30 years experience of the IT industry, of which the last 14 years have been concerned with development of IT solutions for the transport environment that are designed to enhance and control trade and transport. He has worked on Tacis projects in the CIS for the last 3 years and is familiar with the systems used by many Customs Authorities in the TRACECA region, as well as the existing IT border control methodologies. He is currently working on development of IT systems with Customs on an existing TRACECA project. He has been responsible for development and design of community-type systems involving Customs control, DTI, use of EDI and is familiar with international Customs software.

### Enviromental – Ruth Glombok

Ruth has 8 years experience of carrying out Environmental Assessments on transport-related projects, in ncluding borders. She is fully conversant with the demands placed up them by the various funding agencies especially Tacis and EBRD. She has undertaken projects in a range of countries in accordance with procedures and requirements of various clients including government departments, international bodies and donor agencies including Tacis.

### **Customs Broker – Peter Bedford**

Peter Bedford has over 30 years experience in the shipping and international freight forwarding industry, with over 20 years at director level. He has a wide range of experience but has specific expertise in the establishing of new services and offices, resource management, production of feasibility studies and business development. He has been responsible for general forwarding, trailer operations, ships agency activities and the establishment of marketing networks. As a UK forwarder, he also has extensive experience in customs brokerage experience (as forwarders are also brokers). This has involved import and clearances in relation to Eastern Europe and the CIS.

### **Local Personnel**

The Consultant is keen to maximise on the use of local personnel in order to provide an element of skill transfer. However, it is not considered that this particular project requires the extensive use of such specialists as the Consultant will be working directly with the relevant border organisations. If the Consultant considers, at a later stage, that there would be benefits in using specific specialists in a particular country, the Consultant will discuss this need with the Task Manager.

The Consultant will establish a Project Office and co-ordinate nationally through their offices and nominated Focal Points. These are expected to be all local personnel. In addition the Consultant will require:

- Local Support Staff;
- Interpreters;
- Translators;
- Drivers.

The structure of the team and the programme for the staff inputs are attached as Figures 3 and 4 on the following pages.

Figure 3: Staffing Organogram

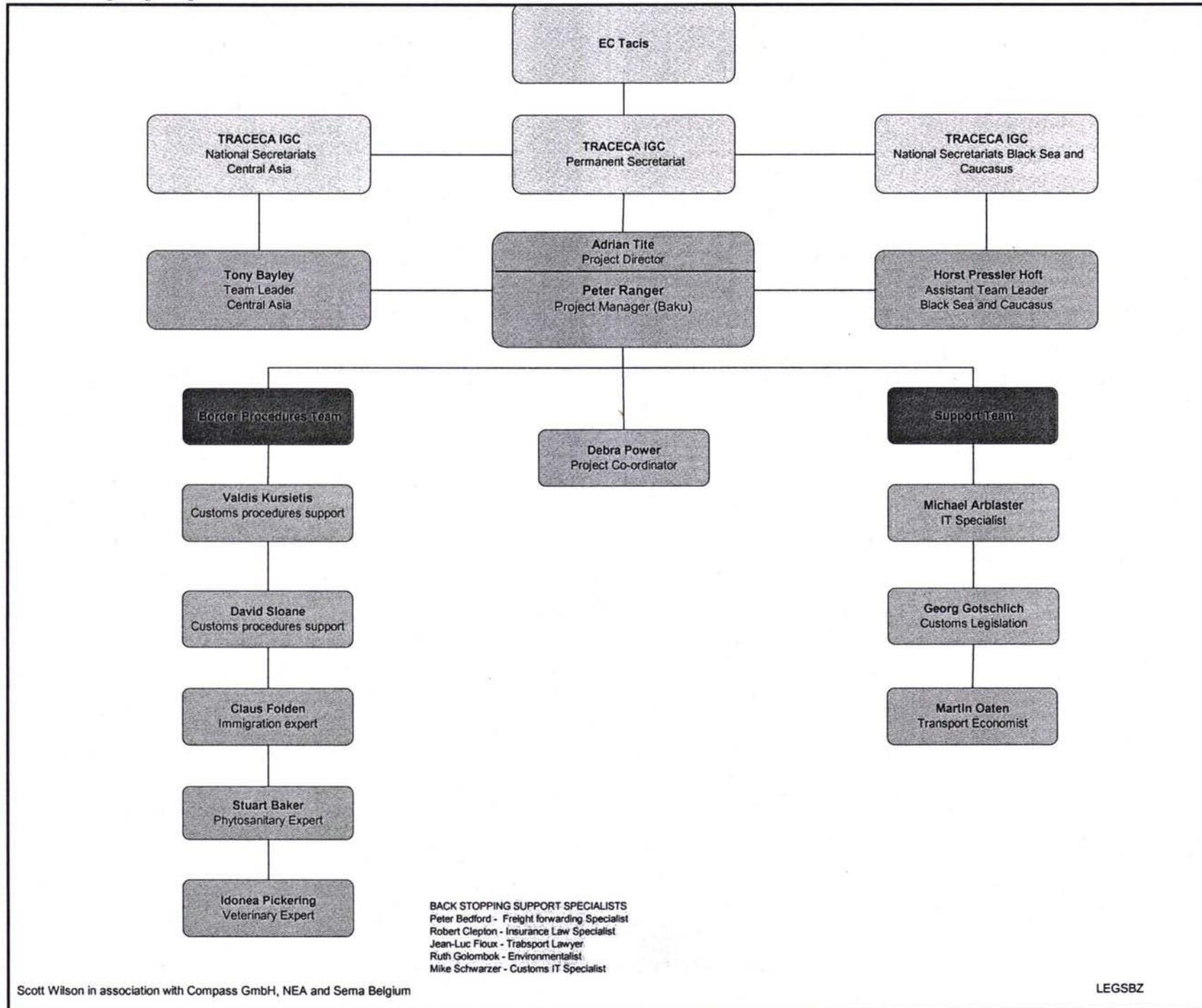


Figure 4: Project Staffing Programme

Project Team	Project Month																								Total input (days)		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	EU	CIS	
Adrian Tite	.....																								5	6	
Peter Ranger	—————																								20	440	
Tony Bayley	.....																								20	230	
Horst Pressler-Hoft	.....																								10	230	
Debra Power	.....																								100	0	
Valdis Kursietis							.....									.....										5	58
David Sloane							.....									.....										5	58
Claus Folden							.....									.....										5	35
Stuart Baker								.....																		5	35
Idonea Pickering								.....																		5	35
Georg Gotschlich												.....														5	17
Martin Oaten																										5	17
Michael Arblaster																										5	17
<b>Backstopping Team</b>																										10	50
Peter Bedford																											
Robert Clepton																											
Jean - Luc Fioux																											
Ruth Golombok																											
Mike Schwarzer																											
<b>Total</b>																										205	1228

**Legend**  
 ————— Full time  
 ..... Part time

2  
 42  
 365  
 200  
 460

900 CIS  
 50 EU  
 950

483

1433

950/483  
 483  
 950  
 1433

### IV.3 SUMMARY LISTS OF KEY AND NON-KEY EXPERTS

A complete list of all the Key Experts involved in the project has been included as Table 5. Curriculum Vitae have been included with letters of exclusivity and availability for each candidate.

A complete list of all the short term experts in the Border Procedures, Support and Back Stopping teams has been included as Table 6.

No local non-key experts have been included at this stage. The Consultant reserves the right to seek approval for such specialists based on identified needs within the project



**TABLE 5: SUMMARY LIST OF KEY EXPERTS**

**TENDERER: SCOTT WILSON.**

**PROJECT REFERENCE: SCR-E/111963/C/SV/WW**

**IV.1 KEY STAFF:**

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Peter RANGER	Principal Management Consultant	38	61	British	British Army College HND	<ul style="list-style-type: none"> <li>▪ Very experienced project manager</li> <li>▪ Experienced in organisation development, institutional analysis, human resource development and in the FSU</li> <li>▪ Extensive experience of transport logistics</li> <li>▪ Extensive experience of Tacis projects and their objectives</li> </ul>	Armenia 1992 - 1993 Georgia 1992 - 1994 Uzbekistan 1994 - 1994 Tajikistan 1994 - 1994	English – VG Russian – G French – G German – G

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Anthony BAYLEY	Senior Consultant	37	54	British	A Levels	<ul style="list-style-type: none"> <li>▪ Fully up to date with Customs in all the beneficiary countries</li> <li>▪ Experienced border crossing expert</li> <li>▪ Familiar with border crossing procedures in CIS</li> <li>▪ Logistics expert</li> <li>▪ Legal and regulatory changes to enhance trade</li> <li>▪ Customs procedures, terminal design</li> <li>▪ Familiar with customs' technical requirements in CIS</li> </ul>	Kyrgyzstan 1997-current Kazakhstan 1997-ongoing Tadjikistan 1997-ongoing Turkmenistan 1997-ongoing Uzbekistan 1997-ongoing Armenia 1996-ongoing Georgia 1996-ongoing Azerbaijan 1996-ongoing Ukraine 1997- ongoing Moldova 1997- ongoing	English - VG French - G Russian - W
Horst PRESSLER-HOEFT <hr/> WERNER SPUNADT	Senior Consultant	35	53	German	Diploma Certified Merchant in Foreign Trade	<ul style="list-style-type: none"> <li>▪ Experienced with upgrading of border crossing procedures and facilities</li> <li>▪ Fully conversant with administrative border crossing procedures</li> <li>▪ Experienced with latest automated IT systems</li> <li>▪ Customs logistics</li> <li>▪ Transit and export control management consultant</li> </ul>	Bulgaria 1994 Romania 1997	English – VG German – VG French – G

**TABLE 6: SUMMARY LIST OF NON-KEY STAFF**

**TENDERER: SCOTT WILSON**

**PROJECT REFERENCE: SCR-E/111963/C/SV/WW**

**IV.2 NON-KEY STAFF**

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Adrian TITE	Director and Head of Institutional Development Services	33	55	British	Brighton University BSc Civil Engineering  Imperial College, London University MSc in advanced technology  Member of the Institute of Management Services  Fellow of the Institute of Civil Engineers	<ul style="list-style-type: none"> <li>▪ Trade facilitation</li> <li>▪ Freight forwarding</li> <li>▪ Customs</li> <li>▪ Human resource development</li> <li>▪ Policy, planning and economic appraisal</li> <li>▪ Restructuring and Reform of Ministries of Transport</li> <li>▪ Institutional Development of transport sector, particularly road and road transportation</li> <li>▪ Procurement Services, Equipment and Construction under International Agency Funding</li> <li>▪ Training in-country, workshops and study tours</li> <li>▪ Working on projects funded by Tacis, Phare, World Bank, DFIF, Finnida, Danida</li> <li>▪ Extensive experience of working in FSU countries and other countries in transition</li> </ul>	Kazakhstan 1994–ongoing  Kyrgyzstan 2000–ongoing  Turkmenistan 2000–ongoing  Uzbekistan 1996 -ongoing  Tadjikistan – 1997 -ongoing	English – VG          French - W

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Debra POWER	Senior Consultant	5	31	British	University of London, BA Hons Henley Management College MBA	<ul style="list-style-type: none"> <li>▪ Experienced UK based project co-ordinator</li> <li>▪ Extensive experience in co-ordinating TRACECA projects</li> <li>▪ Logistics management specialist</li> </ul>	Kyrgyzstan 2000 Kazakhstan 2000 Moldova 2000 Ukraine 2000 Armenia 1998	English – VG
Valdis KURSIETIS	Customs Consultant	24	46	British/ Latvia (dual nationality)	Diploma in Senior Management, 1994, Danish School of Public Administration	<ul style="list-style-type: none"> <li>▪ Trade facilitation expert</li> <li>▪ Experienced ex-Customs officer</li> <li>▪ Expertise in Customs software packages (ASYCUDA)</li> <li>▪ Experienced trainer</li> </ul>		English - VG Latvian -VG German – G
David SLOANE	Customs Consultant	41	62	British	HM Customs and Excise Training Centre, 1960	<ul style="list-style-type: none"> <li>▪ 35 years as a serving customs officer</li> <li>▪ Specialist in anti-smuggling measures and staff</li> <li>▪ Experienced in advising on procedural changes</li> <li>▪ Preparation of manuals for use by Customs Officers and Brokers</li> </ul>		French – G English - VG Hungarian- W
Claus FOLDEN	Immigration Specialist	8	37	Danish	Legal exams University of Copenhagen	<ul style="list-style-type: none"> <li>▪ Specialist in immigration issues</li> <li>▪ Experienced immigration officer</li> <li>▪ Very familiar with EU regulations and agreements on migration</li> </ul>		English – VG German – VG French – G

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Stuart BAKER	Consultant on EU phytosanitary controls	34	63	British	Wisley School of Horticulture Diploma in Horticulture, 1962 And M.Hort (RHS) 1962	<ul style="list-style-type: none"> <li>▪ Experienced in advising FSU states on implementation of new phytosanitary legislation and procedures</li> <li>▪ Advised on phytosanitary technical requirements, specification and design concerning the construction of specific border inspection posts</li> <li>▪ Development of relevant training manuals</li> </ul>	Bulgaria 1994 Romania 1994	English - VG French - G
Idonea PICKERING	Border Veterinary Consultant	27	51	British	Bachelor of Veterinary Medicine and Science	<ul style="list-style-type: none"> <li>▪ Veterinary expert for the EC Tacis Border Crossing Study Phase II</li> <li>▪ Veterinary expert for MAFF</li> <li>▪ Familiar with border inspection post duties</li> <li>▪ Responsible for implementation of veterinary procedures at UK ports</li> </ul>		English - VG French - W
Georg GOTSCHLICH	Head of a Customs Office	41	70	German	1 <sup>st</sup> State Law exam at University Muenster (Westf.) and Georgetown University, Law and Economics 1951 - 1955  2 <sup>nd</sup> State State Law exam at State of North Rhine Westphalia and World Migration Organisation Geneva 1955-1959	<ul style="list-style-type: none"> <li>▪ Carried out a recent analysis of border legislation in the region</li> <li>▪ Former Director of World Customs Organisation</li> <li>▪ Former President of EUROCUSTOMS</li> <li>▪ Experienced customs trainer in Customs procedures, preferential rules, enforcement, and EDI</li> </ul>	Bulgaria 2000 - 2001 Kazakhstan 2001 Moldova 2000 - 2001 Romania 2000 - 2001 Ukraine 2000 - 2001	English - VG German - VG French - W

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Martin OATEN	Principal Economist	12	32	British	Exeter University BA Hons Economics and Geography	<ul style="list-style-type: none"> <li>▪ Experience in analysis of border crossings in the former Soviet-Union</li> <li>▪ During the EC Tacis Border Crossing Study Phase II he established an evaluation model to assess the financial and economic viability of each border crossing</li> </ul>	Armenia 1994 Kazakhstan 1997 – 1998 Turkmenistan 1995	English - VG French - W German - W
Michael ARBLASTER	Consultant	29	55	British	Wolverhampton University of Technology; HNC	<ul style="list-style-type: none"> <li>▪ IT expert for Customs authorities</li> <li>▪ Familiar with Customs IT situation in Romania</li> <li>▪ Customs infrastructure and operational investigation specialist</li> <li>▪ Familiar with customs logistics</li> </ul>	Romania 1996 – 1997	
Peter BEDFORD	Forwarding Consultant	30	55	British	Wheelright Grammar School O levels	<ul style="list-style-type: none"> <li>▪ 30 years experience in International Shipping and freight</li> <li>▪ Extensive experience of business development</li> <li>▪ Extensive customs brokerage experience in Eastern Europe and CIS</li> </ul>		English -VG German- G

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Robert CLEPTON	Deputy Judge in the Court of Appeal of the Hague; in Road, Rail, Water and Air Transport	40	66	Dutch	State University of Leiden Dr Law	<ul style="list-style-type: none"> <li>▪ Extensive experience of TRACECA region</li> <li>▪ Participated in TRACECA Legal and Regulatory Framework project</li> <li>▪ Familiar with the regulatory framework in the beneficiary countries</li> </ul>	Armenia 1994 Azerbaijan 1994 Georgia 1994 Kazakhstan 1994 Tadjikistan 1994 Turkmenistan 1994 Uzbekistan	Dutch –VG English –VG French – G German – G
Jean Luc FIOUX	1. Legal Consultant 2. Transport Expert at the Paris Court of Appeal 3. Visiting Lecturer in European Transport Law at the University of Pau	26	54	French	Doctorate in Law (with Distinction) 1973 University of Paris II	<ul style="list-style-type: none"> <li>▪ Experienced in the region</li> <li>▪ Legal expert in the EC TACIS TRACECA Legal and Regulatory Framework where he advised on regional harmonisation of railway and customs law; integration with international conventions and world trade practices; institutional development; and training.</li> </ul>	Armenia 1995 - 1997 Azerbaijan 1995 - 1997 Georgia 1995 - 1997 Kazakhstan 1994 - 1997 Kyrgyzstan 1995 - 1997 Tadjikistan 1995 - 1997 Turkmenistan 1995 - 1997 Uzbekistan 1995 - 1997	

Name of Expert	Present Position	Years of Experience	Age	Nationality	Educational Background	Specialist Areas of Knowledge	Experience in the Beneficiary States	Languages and Degree of Fluency (VG, G, W)
Ruth GOLOMBOK	Principal Environmental Specialist	8	40	British	PhD Chemistry, university of Cambridge 1986 – 1990	<ul style="list-style-type: none"> <li>▪ Experienced in related environmental assessments of transport related projects</li> <li>▪ Experience in the CIS</li> <li>▪ Familiar with Tacis guidelines</li> </ul>	Uzbekistan 1995 & 1999	English – VG French – G
Mike SCHWARZER	Consultant	25	51	British	Huddersfield University BSc Electronics, 1972	<ul style="list-style-type: none"> <li>▪ Expert in IT solutions for the transport industry</li> <li>▪ Familiar with existing Customs IT situation in TRACECA region</li> <li>▪ Responsible for the specification and acquisition of the necessary computer and communication equipment via EC tender regimes</li> </ul>	Moldova 1999 - 2001 Ukraine 1999 – 2001 Armenia 1999 – 2001 Georgia 1999 – 2001 Azerbaijan 1999 – 2001 Kyrgyzstan 1999 – 2001 Kazakhstan 1999 – 2001	English – VG German – G





## Proposed position in the programme

PROJECT MANAGER

1. Family name: RANGER
2. First names: Peter
3. Date of Birth: 17 June 1940
4. Nationality: British
5. Civil status: Married
6. Education:

Institution	British Army College
Date: from/to	1962 – 1971
Degree or Diploma obtained	Higher National Diploma (Military)

## 7. Language skills: (Mark 1 to 5 for competence)

Language	Reading	Speaking	Writing
English	5	5	5
Russian	3	4	3
German	4	4	4
French	3	4	3

8. Membership of professional bodies: Fellow of the Chartered Institute of Transport  
Fellow of the Institute of Logistics and Transport  
Fellow of the Institute of Freight Professionals  
Fellow of the Institute for Supervision & Management  
Member of the Association of European Transport  
Member of the Institute of Management  
Associate of the Institution of Mechanical Engineers
9. Other skills: Computer literate (Technical Planning & Modelling systems & management packages including MS-Project98)
10. Present position: Principal Management Consultant
11. Years with firm: 6
12. Key qualifications:

Peter Ranger has over 38 years experience in Project Management, Development and Engineering support functions for transport related projects. His experience includes institutional analysis and organisational development for public and private organisations.

He is one of the most experienced Project Managers on Tacis transport projects having been working in the CIS on such projects since 1995. He has lived permanently in region during this period and has gained extensive knowledge of institutional co-ordination, the CIS environment and methods of working. He has demonstrated excellent team leadership and project management skills as well and practical knowledge and understanding of Tacis programme objectives and development of effective working mechanisms with governmental recipients.

During this period of time he has managed 4 major Tacis Transport Projects in the CIS. The first involved the establishment of two pilot companies for multi-modal transport and freight forwarding including organisation and management structures, accounting, and information technology to facilitate customs and freight forwarding. Others involved port and regional planning, all of which involved operational interface with Customs and development of procedures to enhance performance.

He has provided training at all levels both in technical and managerial functions.

Peter Ranger has been selected as the Project Manager because of his great depth of experience of:-

- Working in Russia and CIS countries
- Proven Leadership Qualities

- Motivational Abilities of Project Management
- Knowledge of CIS Governmental Structures and Co-operation mechanisms
- Knowledge of problems related to Organisational Change
- Knowledge of Transport Issues in the CIS
- Understanding of Tacis programme objectives.

13. Specific regional experience

Country	Date: from to
Russia	1995 -2001
Armenia	1992 1993
Georgia	1992 1994
Uzbekistan	1994 1994
Taiikistan	1994 1994

14. Professional Experience Record

Date from to	1995 To Date
Location	Russia
Company	Scott Wilson Kirkpatrick
Position	Project Manager
Description	<p>Project Manger for Tacis project to develop a Regional Strategic Plan for the Nizhny Novgorod Region, involving an extension to Corridor 11. This project required extensive co-ordination with both federal and regional governments, as well as with the various transport operators and the regional Customs in the development of ICD facilities. Responsible for establishment of both project office and of a regional planning organisation.</p> <p>Project Manager for EC Tacis project to develop the commercial viability and efficiency of the River / Sea Ports of Azov and Taganrog in Russia. Responsible for the coordination of input of teams of foreign experts. The Development Strategy included the areas of Management Development, Finance and Investment Planning, Marketing, Strategic Planning, Technical Maintenance, Port Operations, Computerised Information Systems and Human Resource Development. Project involved development of Customs services in relation to port traffic and new container trade.</p> <p>Project Manager for EC Tacis project to develop the commercial viability and efficiency of the Commercial Sea Port of Novorossiysk. Responsible for the coordination of input of foreign experts. The Development Strategy included management restructuring, financial and investment planning, marketing, IT development, port maintenance, port operations, and improvements in Customs services.</p> <p>Team Leader and Long-term Transport Management and Training Expert for EC Tacis project to improve the transport in the Samara region of Russia. Guided the formation of two pilot companies for multi-modal transport and freight forwarding including organisation and management structures, accounting, information technology to facilitate customs and freight forwarding.</p>

Date from to	1994 1995
Location	Tanzania

Company	World Bank
Position	Consultant
Description	<p>Planning and Management Systems expert on the Development of Port of Dar Es Salaam Project infrastructure. This involved organisation of the short and long term planning activities and the introduction of MIS systems to improve operational performance and infrastructure maintenance.</p> <p>Consultant for municipal transport project in Georgia. Responsibilities included evaluation of Crisis Management Planning, Infrastructure evaluation and Financial Systems. Maintained co-ordination with City and Federal organisations</p>

Date from To	1994 1994
Location	Trinidad & Tobago
Company	Mott MacDonald
Position	Consultant
Description	Consultant to National Roads Project including review and recommendations on planning, equipment, budgets, and training. Also investigation and practical development of alternative road pavement for secondary roads.

Date from to	1993 1994
Location	Angola and Tajikistan
Company	United Nations
Position	Consultant – Transport Logistics
Description	Transport Logistics Consultant responsible for reviewing and recommending changes in the organisation and cost effective management of roads and UN vehicle fleets in Angola and Tajikistan.

Date from to	1992 1993
Location	Armenia and Georgia
Company	CARE International
Position	Consultant
Description	Logistics Specialist responsible for identification of sustainable routes and distribution networks for aid supplies within the Caucasus. This required extensive travelling in both Georgia and Armenia to negotiate transit permissions with Governments and Customs and to ensure security of aid shipments.

15. Others:

Publications

- 1998 - Working in Russia – Advice & Evaluations (Internal Company Publication)
- 1995 - Management Aspects (New World Transport)
- 1994 - Transport Fleet Management Guidelines (UN)
- 1993 - Logistics for Armenian Aid Transport (Cranfield Trust journal)
- 1988 - Transport Logistics for Famine Relief (Developing World Land Transport)

## STATEMENT OF AVAILABILITY AND EXCLUSIVITY

**PUBLICATION REF: SCR-E/111963/C/SV/WW**

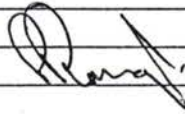
I, the undersigned, hereby declare that I agree to participate exclusively with the tenderer Scott Wilson Kirkpatrick Co Ltd in the above mentioned service tender procedure. I further declare that I am able and willing to work for the period(s) foreseen for the position in which my CV has been included in the event that this tender is successful, namely:

From	To
October 2001	October 2003

I confirm that I am not engaged in another EC funded project in a position for which my services are required beyond the expected starting date of my services under this tender.

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Furthermore, should this tender be successful, I am fully aware that if I am not available at the expected start date of my services for reasons other than ill-health or *force majeure*, I may be subject to exclusion from other tender procedures and contracts funded by the EC and that the notification of award of contract to the tenderer may be rendered null and void.

Name	Peter Ranger
Signature	
Date	30 <sup>th</sup> July 2001



Proposed position in the programme:

TEAM LEADER – CENTRAL ASIA

1. Family name: BAYLEY
2. First names: Anthony Nigel
3. Date of Birth: 15 March 1945
4. Nationality: British
5. Civil status: Married
6. Education:

Institution	Oundle School
Date:	1956 - 1963
Qualification obtained	Advanced Level General Certificate of Education

7. Language skills (Mark 1 to 5 for competence):

Language	Reading	Speaking	Writing
English	5	5	5
French	3	3	2
Russian	1	1	1

8. Membership of professional bodies: Member Institute of Logistics  
Member Market Research Society  
PPL 1 (Civil Aviation Authority)
9. Other skills: Computer literate
10. Present position: Associate Consultant
11. Years with firm: 15
12. Key qualifications:

Over 30 years experience in international transportation - air, marine, rail and road - both as an operational manager in the private sector and for the last 16 years as a Transport and Logistics Consultant. Projects have extended through Europe, the CIS, Africa and the Far East and have involved multi-modal logistics, freight forwarding, port operations, air cargo, trade facilitation, institutional and corporate reform in the freight industry, regulatory changes to enhance trade, warehousing and terminal design, customs procedures, pricing structures, and movement of hazardous cargo. He has worked for many of the international funding agencies including the EU, EBRD, World Bank and ADB.

He has been involved in development of trade facilitation and Customs in the TRACECA for the last 5 years. He was the Team Leader for the Trade Facilitation Procedures project and has undertaken evaluations at most of the nominated border crossings and is familiar with border procedures in the TRACECA region. Under the CBC programme he was responsible for the needs assessment of the border crossings, including upgrading procedures and in the TRACECA Road Transit project he is working with Customs on the installation of SafeTIR. In the Tacis Corridors 11 and 1X project he was responsible for proposals to improve the rail borders. He was responsible for the development of the Cross Border Framework Agreement for the ADB and is currently developing a Customs Reform Programme covering Central Asia for the ADB.

13. Specific experience in the region:

Country	Date:
Armenia	1995 – present
Azerbaijan	1996 – present
Bulgaria	
Georgia	1996 – present
Kazakstan	1997 – present
Kyrgyzstan	1997 – present
Moldova	1999 – present
Romania	2000
Tadjikistan	1997 – present
Turkey	2000
Turkmenistan	1997 – present
Ukraine	1997 – present
Uzbekistan	1997 – present

14. Professional experience:

Date:	1982 – present
Location	Worldwide, mainly CIS
Company	Independent, mainly Scott Wilson
Position	Associate Consultant
Description	<p>Trade Facilitation Specialist to develop a regional programme for development of a Customs Reform Programme covering Central Asia and Xinjiang Region of China. This required detailed evaluation of existing constraints at both border and central Customs. Proposals were made for a programme of policy advice, technical assistance and targeted development loans leading towards sequenced reform. Proposals include development of border procedures and changes in legislation to comply with WTO accession and the Kyoto Convention (ADB).</p> <p>Logistics and Customs specialist on project to improve the traffic flows on TENs Corridors No II and IX. A Feasibility Study was undertaken on the development of new border facilities at Brest, which is the main road entry point from the EU/CEEC to Belarus, Russia and through to Kazakstan. This included concept design and costing of a new freight terminal. Team Leader to provide Feasibility Studies for redevelopment of 4 selected rail border crossings in Ukraine and Moldova (EU).</p> <p>Team Leader for project to develop the TIR system throughout the southern republics of the CIS and Mongolia by implementation of the Convention. This requires changes to national legislation, the development of international transport associations and their development into Guaranteeing Associations in the countries not within the system. In complying countries, the SafeTIR computer systems was installed following site assessments and extended to the main offices of exchange through a 0.5 m Euro procurement programme (EU).</p> <p>Team Leader for technical assistance programme for the development of the border crossings between the EU-CEEC and NIS. The project required the production of documentation to the EU Commission to enable them to activate ECU34 million of border improvement funding. This involved identification of the specific needs of the 18 borders, production of individual feasibility studies covering infrastructure development, equipment and training on new procedures. Following approval project tender files and Memorandums of Agreement were developed with State Customs (EU).</p>

Transport Consultant for project to identify the border constraints for trade and road transportation between Kazakstan and Kyrgyzstan in preparation for a major road rehabilitation programme. Recommended solutions and an Action Plan were developed to provide compatible policy and regulations either side of the border to expedite transit. A Cross-Border Framework Agreement was produced to both Governments to sign as a condition of the Loan Agreement (ADB).

Team Leader for EC TACIS Trade Facilities, Customs Procedures, and Freight Forwarding project in the CIS countries (TRACECA) for project to harmonise transport and trade documentation, improve customs procedures and facilities, introduce new management information systems, and develop a multi-modal freight forwarding industry. Project was site based with extensive travel inspecting ports, road and rail terminals and 78 border crossing throughout the Caucasus and Central Asia.(EU)

Trade Facilitation Expert for EC TACIS Legal and Regulatory Framework Project in the CIS countries (TRACECA), including Kazakstan, with specific responsibility for advising on freight forwarding, Customs codexes, and warehouse and depot regulations and recommending changes to existing legislation to enhance trade. (EU)

Transport Specialist for project to evaluate the policies and strategies of the TRACECA programme covering the southern republics of the CIS on behalf of the European Commission. This required an appraisal of the multi-modal transport programme, its policy objectives and evaluation of selected individual projects in order to provide recommendations on possible re-orientation and improvements in the project cycle. This was in order to make the TRACECA programme more effective in meeting the needs of both the Commission and the recipient countries (EU)

Team Leader for project to provide Strategic Transport Plans for the Nizhny Novgorod Region. The Plan is designed to cover both passenger and freight transport by road, rail and internal waterways and to further develop EU corridor No 2 through to the Urals. This involved research on the trade and transport throughout the area to establish planning priorities for the removal of constraints and development of freight transport by all modes. All planning documents provided and facilitated initial consultation process (EU).

Other Tacis Projects:

Team Leader for major project to restructure the Russian Internal Waterways and River Sea Shipping to permit access by EU shipping.

Port Operations Specialist for project at Russian ports of Taganrog and Azov in the Sea of Azov.

Team Leader for feasibility study to restructure and privatise the state-owned Georgian Shipping Company.

Team Leader for technical assistance project to help the Government of Uzbekistan to re-route their exports of cotton through the Georgian ports.

Marketing Strategy and Trade Facilitation Expert for project to re-develop the Port of Aktau in Kazakstan on the Caspian Sea.

Port Logistics/Trade Facilitation Expert for project to re-develop the Port of Novorossisyk on the Black Sea from a naval to a major commercial port.

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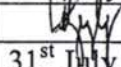
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Name	Anthony Bayley
Signature	
Date	31 <sup>st</sup> July 2001





Proposed position in the programme ASSISTANT TEAM LEADER – BLACK SEA AND CAUCASUS

1. Family Name: Pressler-Höft
2. First Names: Horst Peter
3. Date of Birth: 18 February 1948
4. Nationality: German
5. Civil Status: Married
6. Education

Institution	Superior Commercial High School of the City State of Bremen
Date:	04/1965 – 11/1966
Degree(s) or Diploma(s) obtained	High School Diploma / Degree "Diplom-Finanzwirt"

Institution	Handelskammer zu Bremen < German Customs & Excise >
Date:	12/1966 – 05/1969 < 1976 – 1979 >
Degree(s) or Diploma(s) obtained	Certified Merchant in Foreign Trade / Diplom-Finanzwirt

7. Language Skills:

Language	Reading	Speaking	Writing
German	5	5	5
English	5	5	4
French	4	3	2

8. Membership of Professional Bodies:
  - European Forum for Customs and International Trade (EFA)
  - AWV German Consulting Association for Lean Public Management, German Quality Soc.
9. Other Skills:
  - Computer literate with:
  - All market leading Desk Top application Software, eg. Com Analyst's Notebook Customs Intelligence Software Applications, ASYCUDA
10. Present Position
  - COMPASS GmbH associated Senior Professional Border Crossing Procedures, Foreign Trade and Customs/Excise, Trade and Transport Facilitation Expert
11. Years with Firm: 7
12. Key Qualifications:
 

Independent management consultant on strategic business issues: European Trade, Customs and Excise matters, transit and export control, include. UN/EU Embargo policy, project management, consulting and public procurement services, planning, implementation and updating of automated customs systems, improvement, upgrading border crossing procedures and facilities in both administrative and public domains, including development of internal latest IT supported control systems, also on dual-use items; planning and implementation of economic customs regimes: inward/outward processing, customs warehousing, Economic Freezones, special duty relief and suspension schemes; customs valuation and tariffs, binding tariff informations and customs rulings, rules of origin in preferential and non-preferential foreign trade, Customs Systems re-engineering/organisation including preventive action, audits and training.



13. Specific regional experience:

Country	Date:
Bulgaria	1994
Romania	1992 – 1995

14. Professional experience

Date:	1994 – present
Location	Hamburg – Germany
Company	Dipl. Finanzwirt H. P. Preßler-Höft, International Trade Consultant and QM-Manager (Services) as per DIN EN ISO 9000:2000 standards
Position	Independent Professional Business Consultant
Description	<p>Consultancy Services performed included i.a.: Compilation of the Final Report on the Balkan Customs Corridors TRACECA Project for TIR traffic under the auspices of the EU Commission and ECE/IRU.</p> <p>The analysis of the existing Bulgarian Customs policy, structure and weak points of procedures at border crossings for the Short Term Action Plan Balkan Corridors Countries, the technical assistance estimating and documenting investments, preparation, evaluation of tender documentation improving the upgrading of border crossing facilities; proposals for implementation of new Customs operational procedures and co-ordination of information systems between Ministries of Transport and Finance.</p> <p>Draft of the Latvian Financial Plan and ToR on behalf of Phare for the national Customs Automation Project; the design and update of the national Customs Revenue Accounting System, review/update of the EU High Level User Requirements in preparation of the upstream UNCTAD/ASYCUDA Version 3.0 ASYCUDA ++ System and the draft model IT Project Quality Assurance Plan including drafting procurement procedures.</p> <p>Technical Assistance on behalf of the TACIS-DUMA Project related to the General Systems review and update of the current Public Transport Legislation of the Russian Federation related to road, railway and waterways, Quality Assurance and compliance testing, EU Harmonisation.</p> <p>Technical Assistance on major PHARE-TACIS Projects for the supply of extensive technical equipment within the framework of the multicountry Customs &amp; Border Guards Programme for numerous juxta-posed Customs Stations along the national borders of the Central European States including technical specifications programme, Quality Assurance and tender preparation. evaluation and assistance for award procedures</p>

Date: from - to	1992 – 1994
Location	Hamburg – Germany
Company	PRESSLER-HÖFT & PARTNER – <i>establ. 1992</i> – International Trade Consultants – Euro Customs Agency
Position	Founder and Managing Partner
Description	Working in the field of International Trade and Customs Practice, providing all related consultancy services.

Date: from - to	1988 – 1991
Location	Hamburg – Germany
Company	KPMG International / Global Tax Consulting & Audit (BIG FIVE)
Position	Senior Manager
Description	Head of Department of International Trade and Customs Services, launching and consolidating both the national and international customs practices of the KPMG-Group on a worldwide scale.

Date:	1986-1988
Location	Frankfurt – Main Germany
Company	ARTHUR ANDERSON & CO – Global Management / Tax Consulting and Audit firm (BIG FIVE)
Position	Senior Consultant
Description	Special Consultancy Services in the field of their upstriving international trade and customs practice.

Date:	1982-1985
Location	Luxembourg
Company	Civil Service: EUROPEAN COURT OF AUDITORS – EC Own Resources Sector
Position	EC Administrator (Seconded from Germany as a temporary agent)
Description	Auditing the proper collection and sound financial management of the Community Own Resources by the Member States, including regular public auditing assignments and fact finding missions to the EC Member States and the EC Commission as well, on basis of Article 206 of the European Treaty and the governing EC Financia Regulations.

Date:	1976 – 1986
Location	Bremen
Company	OBERFINANZDIREKTION BREMEN (Regional Customs Directorate) – Abteilung Zölle und Verbrauchsteuern/Vorprüfungsstelle Bund (Department pf Customs and Excise, Export Control, CAP levies)
Position	External customs & excise auditor, incl. COCOM export controls
Description	Internal Control and statutory auditing of all levels of customs systems and procedures, include. Organisational and financial management reviews on behalf of the German Federal Customs & Excise Services and the national Court of Auditors in Frankfurt – Germany.

15. Publications and Lectures

- 2000/2001      Slovak Republik, Bratislava  
Professional Training for the Supreme Audit Office on CAAT's (computer assisted audit tools) and INTOSAI/EUROSAI Public control standards
- 1999/2000      Ministry of Transport of the Russian Federation - Moscow  
Public Seminars on the fiscal-economic Role of Free Ports in the International Trade, Hearing on Best Western Customs Practices in relation to Global Maritime Traffics.
- 1996              Riga/Latvia – Ministry of Finance  
Public Hearing on the new SRS computerized customs revenue accounting system.
- 1992              The State Customs Committee of the Russian Federation – Moscow  
General Statement on the pan-European perspectives in foreign trade with Central and Eastern Europe.

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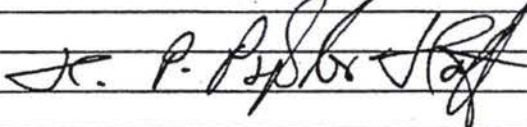
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Name	Horst Peter Pressler-Höft
Signature	
Date	24-07-2001



## Proposed position in the programme

PROJECT DIRECTOR

1. Family name: TITE
2. First names: Adrian Percy
3. Date of Birth: 1945
4. Nationality: British
5. Civil status: Married
6. Education:

Institution	Imperial College - London University
Date: from - to	1970 - 1971
Degree(s) or Diploma(s) obtained	MSc

Institution	University of Brighton
Date: from - to	1963 - 1967
Degree(s) or Diploma(s) obtained	BSc

## 7. Language skills:

Language	Reading	Speaking	Writing
English	5	5	5
French	1	1	1

8. Membership of professional bodies: Member Institute of Management Services  
European Engineer (Eur Ing)  
Fellow Institution of Civil Engineers
9. Other Skills: Computer Literate
10. Present position: Director
11. Years with firm: 26
12. Key Qualifications:

Adrian Tite has 26 years world-wide experience of managing and leading large scale multi-disciplinary public and private sector projects in the transport and infrastructure sectors involving policy, planning, economic, and technical services; institutional, organisational and human resource development; and legal and regulatory reform; trade facilitation, freight forwarding, customs, and commercialisation and privatisation of transport operations.

He is currently Project Director for the EC Takis TRACECA International Road Transport Transit Facilitation Project and was Project Director for the EC Takis Border Crossing Study Phases II and IIa, the EC Takis TRACECA Trade Facilitation, Customs Procedures and Freight Forwarding Project, and the EC Takis TRACECA Legal and Regulatory Framework Project.

Project experience encompasses all aspects of reform and project investment including feasibility studies, engineering, procurement, project management, and implementation for all modes of surface transport. A feature of many of the projects has been deregulation, improvement of trade and flow of goods, transport infrastructure, customs, equipment procurement, security and regulations.

He has extensive experience of working in the public sector within ministries, state owned enterprises and private owned transport operators, particularly in FSU and countries in transition economies.

Adrian has a wide experience of evaluations, reviewing, and monitoring of development projects and of procurement and training through aid funding particularly with PHARE and Tacis programmes, World Bank, DfID, FINNIDA, NORAD and DANIDA.

13. Specific regional experience

Country	Date
Moldova	1998 – ongoing
Kyrgyzstan	2000 – ongoing
Ukraine	1998 – ongoing

14. Recent Professional Experience Record

Date: from - to	1984 - date
Location	UK and International Assignments
Company	Scott Wilson
Position	Director
Description	1999 - ongoing Director for the <b>EC Tacis International Road Transport Transit Facilitation Project</b> . The project spans 11 FSU countries, including Ukraine and Moldova, and will provide training centres for road transport professionals to deliver courses in CPC, ADR, DGSA and Customs. 22 training courses will be run in the TRACECA region and the development of the IRU SafeTIR programme will also be addressed.
	1998 – 1999 Director for technical assistance to Armenian Ministry of Economy to help develop a National housing policy.
	1997 – ongoing Director for <b>EC Tacis Border Crossing Study Phase II</b> of 16 road and rail border crossings between FSU and Central Europe. The work includes making recommendations for improvement to operating methods and procedures, infrastructure and traffic flow improvement. Workshops were held with all Recipients to gain consensus and acceptance of the proposed changes. Tender documentation for procurement of infrastructure works. Terms of reference for technical assistance for border control and customs, and for a project supervision unit were produced, together with equipment procurement requirements.
	1997 Director for study of: <ul style="list-style-type: none"> <li>• deregulation of the transport sector in Georgia</li> <li>• privatisation of Georgian Shipping Company under World Bank finance.</li> </ul>

	1996 - 1998 Director for training consultancy to the Vietnam Ministry of Construction Consultants to introduce modern international management and operation practice involving designing and implementing training programmes in Vietnam and UK for 300 junior, middle and senior managers for project management, management techniques, procurement, business planning, MZS and information technology strategy. Project included procurement of training equipment, vehicles and computers.
	1996 - ongoing Director of Phare project for National Road Code development and road safety education in Albania with particular emphasise on harmonisation with EU legislation and European practice services, including design and implementation of Study Tour for vehicle licensing, inspection and testing, road safety policy and

	enforcement.
	1996 - 1998 Director for the EC Tacis TRACECA Legal and Regulatory Framework, including the drafting and implementation of transport legislation and regulatory codes covering inter government agreements, general transport law, land, sea, and inter-modal transport, customs and freight forwarding procedures, Institutional development. A programme of seminars and workshops were implemented to facilitate, understand and changes.
	Director for the EC Tacis TRACECA Trade Facilitation, Customs Procedures and Freight Forwarding project covering implementation of transport and trade documents and management information systems, support for improvement of customs control, development of the freight forwarding industry, and institutional development. A programme of seminars, workshops and study tours was implemented
	Director for EC Tacis project providing technical assistance to Government of Kazakhstan for the reform of transport law and regulatory system to facilitate international trade. The work included customs, documentation, freight forwarding and insurance for the rail, road, maritime and aviation sectors. The assignment included training workshops and seminars, study tours, institutional strengthening, and development of training courses in country to cover all aspects.
	1984 – 1989 Directing specification, procurement documentation, tender assessment and supervision of manufacture, installation and commissioning of container handling equipment of Dar es Salaam, including training of operators and maintenance staff.
	Responsible for Conversion of freight storage site to a customs bonded inland Container Depot and design of a new depot to handle break bulk and container traffic in Dar es Salaam including customs facilities and advice on operations and systems for interfacing with freight forwarders.

15. Others:

Publications and Presentations:

“Regional Harmonisation in Trade and Transport”

1996 - Tashkent Conference on Financing and Investing in the Transport Infrastructure of the CIS

“Legal and Regulatory Reform in Kazak Transport Sector”

1995 - Almaty Traceca Conference

“Traffic Legal and Regulatory Framework Reform”

1995 - Vienna Traceca Conference

Conference Organisation:

1998 - Member of IRF Organising committee for First International Silk Road Rehabilitation Conference, Ashgabad

Proposed position in the programme:

PROJECT CO-ORDINATOR

1. **Family Name:** POWER
2. **First Names:** Debra Mary
3. **Date of Birth:** 21 October 1969
4. **Nationality:** British
5. **Civil Status:** Married
6. **Education:**

Institution	Henley Management College
Date:	April 1998 - On-going
Degree(s) or Diploma(s) obtained	MBA by distance learning Currently in the final year of study.

Institution	Queen Mary & Westfield College, University of London
Date:	1989 - 1991
Degree(s) or Diploma(s) obtained	BA (Hons) Geography

7. **Language skills: (Mark 1 to 5 for competence)**

Language	Reading	Speaking	Writing
English	5	5	5
Russian	2	2	2
French	1	1	1

8. **Membership of professional bodies:**

9. **Other skills:**
  - Computer Literate
  - Use of professional software:  
Word, Project, Excel, Access, PowerPoint

10. **Present position:** Senior Consultant

11. **Years with firm:** 5

12. **Key qualifications:**

Experienced Project Co-ordinator responsible for the co-ordination of resources for multi-faceted projects in East and Central Europe and the Former Soviet Union. Responsible for management of multi-disciplinary teams of professionals in international projects, maintaining key contacts with clients, recipients, beneficiaries and international partners. She is responsible for all aspects of equipment procurement for EC Tacis projects, from the preparation of tender dossiers to the management of let contracts. She has designed and maintains Scott Wilson's TRACECA web site and has developed CD-ROM based training courses for EC and EBRD funded projects.

She has been responsible for the management of Scott Wilson's TRACECA region projects for the past 5 years. She is currently the Project Manager for the TRACECA Road Transport Transit Facilitation project, and she was the Project Co-ordinator for the TRACECA Legal & Regulatory Framework and TRACECA Trade Facilitation projects. She has visited many of the TRACECA region countries and has made site visits to many of the CIS border crossing points. Her key responsibilities include financial management, managing the recruitment, selection and training of local staff for in-country offices and logistics management for multi-country projects.



13. Specific regional experience

Country	Dates:
Kyrgyzstan	May 2000
Kazakhstan	May 2000
Moldova	February 2000, July 2000
Ukraine	February 2000, July 2000
Armenia	August 1998, December 1998

14. Professional experience

Date	22/1/96 to date
Location	UK
Company	Scott Wilson Kirkpatrick & Co. Ltd
Position	Senior Consultant
Description	<p>Responsible for Scott Wilson's business development and project management in Central and Eastern Europe and the Former Soviet Union.</p> <p><b>2000-2001: Project Co-ordinator for the EBRD Preparation of Project Induction Workshop Material</b>, involved with the development of training materials for procurement, financial and project management issues for EBRD's worldwide Project Implementation Unit staff. Design and development of an interactive CD-ROM for training materials.</p> <p><b>1998-on-going: Project Co-ordinator for EBRD-funded Turkmenbashi Port PIU</b> in Turkmenistan, responsible for establishment and management of local project office, key contact with the client and liaison with Port management. Responsible for co-ordination of a team of international experts, involving logistics, reporting and financial management.</p> <p><b>1999-Ongoing: UK Project Manager for the Tacis TRACECA International Road Transport Transit Facilitation Project</b>            Management of training courses delivered in 11 countries of the TRACECA region and a UK study tour, business planning for transport training centres in 11 TRACECA countries and liaison with Ministries of Transport, Customs Authorities and Training Centre Management Structures in 11 TRACECA countries. Consultation with Ministries of Transport, Customs Authorities and Training Centre Managers for the procurement of IT and training equipment for 11 TRACECA countries. Preparation of Tacis tender documents, management of Tacis contract documents, design and development of an interactive CD-ROM for training materials. Management of resources, financial planning and co-ordination with the Client in Brussels.</p> <p><b>1996-1999: Project Manager for the Tacis Border Crossing Study Phase 2 Project.</b> Project Manager responsible for co-ordinating staff inputs, logistics management, financial management and the production of contractor reports. Responsible for organising 2 multi-country conferences held in Poland, with associated training needs analysis, design and evaluation of planned objectives. Also responsible for co-ordination of production of project tender files for each border crossing, project accounting and budgeting and liaison with the client. Site visits have been made to some of the Russian borders.</p> <p><b>1998-1999: Project Co-ordinator for EBRD-funded Reconstruction of Port</b></p>

**Management Project** in Aktau, Kazakhstan, responsible for establishment and management of local project office in Aktau, key contact with the client and liaison with Port management. Responsible for co-ordination of a team of international experts, involving logistics, reporting and financial management.

**1998: Project Manager** for World Bank project to develop a **National Housing Policy in Armenia**. Responsible for all aspects of management and planning of an international and local team for the Government of Armenia's strategic objective to devolve responsibility for the planning, delivery and financing of housing and relating municipal services to autonomous authorities. The study aimed to include finance, technical assistance and institutional development in assisting the Ministries of Finance & Economy and Housing & Urban Development to address critical housing and shelter issues through the management of existing and proposed housing stock more efficiently and equitably and by the establishment of processes through which future development needs could be identified and prioritised through realistic projections of available resources.

**1998: Project Manager and Seminar Leader** for Phare-funded **Course on Preparing Terms of Reference**, held in Macedonia in June 1998 for delegates from Phare-funded PCUs from Albania, Macedonia and Bosnia. Responsibilities included co-ordinating preparation and distribution of course materials, logistics management and scheduling inputs from training experts, accounting and reporting to the client, PTRC. Training administration, course evaluation and delegate interviews conducted in-country

**1996-1998: Project Co-ordinator/Documentalist** for the **EC Takis TRACECA Legal & Regulatory Framework and Trade Facilitation, Customs Procedures & Freight Forwarding Projects**. Responsibilities included design and preparation of delegate training material, conference and workshop administration including co-ordinating local facilities, translation and interpretation services and local administrative support. Logistics management, information dissemination, editing of Contractor reports and financial monitoring for this project which was run in an 8 country region of the Former Soviet Union. Head office documentalist co-ordinating the staff and office facilities in each of the TRACECA countries, maintaining library of relevant legal and technical data sources, co-ordinating the production of reports for programmes between UK and overseas staff and with local staff.

#### 15. Others

Sept 1998  
- June 1999

Russian language course for conversational and business language training

**Proposed position in the programme:**

**CUSTOMS EXPERT**

1. **Family name:** Kursietis
2. **First names:** Valdis Janis
3. **Date of birth:** 11<sup>th</sup> November 1955
4. **Nationality:** British/Latvian (dual nationality)
5. **Civil status:** Married
6. **Education:**

Institution	Danish School of Public Administration
Date:	1994
Diploma obtained	Diploma in Senior Management and Leadership

Institution	Crown Agents
Date:	1996
Degree obtained	Training course on Project Management and PRINCE methodology

7. **Language skills:**

Language	Reading	Speaking	Writing
Latvian	5	5	5
English	5	5	5
German	4	3	3

8. **Membership of professional bodies:** Charter Member of Riga "Ridzene" Rotary Club  
Secretary General of Latvian Portage Association  
Founder member of Latvian Transatlantic Organisation
9. **Other skills:** Latvian/English translation skills – translated the Latvian Customs Code and the current Customs Law into English  
Computer literate – MS Word, Visio, Excel, Access
10. **Present position:** Independent Customs Consultant
11. **Years within the firm:** Self employed for the last 2 years
12. **Key qualifications:**

Valdis Kursietis has extensive experience as a serving customs officer and since then working with private companies and customs authorities advising them on customs procedures. He is familiar with current customs software packages and the computerisation of customs procedures. He has been involved in the assessment of the User Requirement, assessment of conceptual design, preparation, modification, completion of standards and format for the implementation of the UNCTAD ASYCUDA ++ Customs Processing and Accounting System. He is also familiar with the situation in FSU countries and the hurdles that now need to be overcome.

13. **Specific Regional Experience:**

<b>Country</b>	<b>Date:</b>
Latvia	1992 – 2000

14. Professional Experience Record:

Date:	January 1999 – to date
Location	Riga, Latvia
Company	
Position	Independent Customs consultant
Description	<p>Customs consultancy, registered with PHARE/TACIS Central Consultancy Register: LAT - 22060</p> <p>Private consultancy on Customs and business management – consultancy to private companies on Customs procedures and advice on problems relating to individual cases. Presentation to trade representatives of training seminars relating to Customs Valuation.</p> <p>Official projects include work as short-term legal expert on the PHARE Customs Legislation Alignment project in Latvia.</p>

Date:	January 1997 – January 1998
Location	Riga, Latvia
Company	BBC BALTIC CONSULTANTS, Riga Office
Position	Managing Partner
Description	<p>Customs and business consultancy firm, registered with PHARE/TACIS Central Consultancy Register: Private consultancy on Customs and Business Management.</p> <p>Consultancy Tasks performed including the Phare Modernisation of Latvian Customs Administration Project, concerned with:</p> <ul style="list-style-type: none"> <li>• Adoption of Customs new legislation and procedures – review of existing legislation and procedures and harmonisation with EU requirements</li> <li>• Modernisation of Customs Administration – review of current procedures and proposals for appropriate amendments</li> <li>• Training activities – analysis and review of training needs and proposals for meeting them</li> <li>• Computerisation of Customs operations – drafting of the User Requirement, assessment of conceptual design, preparation, modification, completion of standards and format for the implementation of the UNCTAD ASYCUDA ++ Customs Processing and Accounting System</li> <li>• Quality assurance of the User Requirement to the standards and formay required by the Latvian ASYCUDA Co-ordination Unit</li> </ul> <p>Also worked on Eurocustoms and Crown Agents Projects – Assistant to the Crown Agents TIMS Implementation Team and the Eurocustoms Border Crossing Project Team</p> <p>Prepared English language translations of Latvian Customs Legislation for harmonisation with EU Customs legislation.</p>

Date:	1994 – 1996
Location	Riga, Latvia
Company	Latvian State Revenue Service
Position	<p>1. Advisor to the Director General (1994-1996), State Revenue Service and</p> <p>2. Project Manager (1996)</p>

Description	<ol style="list-style-type: none"> <li>1. responsible for advising the SRS Director General on customs matters, including policy, legislation, operational and personnel matters, liaison with EU PHARE Representatives, WCO, Eurocustoms, IMF, World Bank</li> <li>2. Project Manager for the Revenue Accounting System Modernisation Project - responsible for compiling the project brief, co-ordination of the work of foreign short-term experts and local working groups, reporting to the Project Director and Project Board, liaison with the Customs Administration Modernisation Programme Management Unit in reviewing the current revenue accounting system and drafting proposed changes to the system by the introduction of computerisation.</li> </ol>
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Date:	1992 – 1994
Location	Riga, Latvia
Company	Latvian Customs Department
Position	<ol style="list-style-type: none"> <li>1. Customs Inspector, Riga Maritime Passenger Port (10/92-8/93)</li> <li>2. Director General, Latvian Customs (08/93-09/94)</li> </ol>
Description	<ol style="list-style-type: none"> <li>1. responsible for examination and clearance of passengers baggage, import/export cargoes, assessment of duty charges</li> </ol> <p>responsible for the overall running of the Latvian Customs Administration, including formulation of policy, review of Customs legislation and drafting of proposed amendments to the legislation, cross-disciplinary co-operation with the Taxation Service, Financial Police and Borderguards, implementation of University level training courses for Customs Officers, representation of the Customs Dept. in international meetings</p>

Date:	1977 – 1992
Location	Chatham, UK
Company	H.M Customs and Excise (U.K)
Position	<ul style="list-style-type: none"> <li>• Officer, Medway Customs Division (1977-1979)</li> <li>• Officer Dartford, Chatham Excise Districts, Medway Oils District, Officer-in-charge, Medway Administration District (1979-1990)</li> <li>• Officer, Thamesport Container Base (1990-1992)</li> </ul>
Description	<ol style="list-style-type: none"> <li>1. Documentary control of import declarations, scrutiny selection for examination, examination and clearance</li> <li>2. responsible for inland control of import/export companies; involving security and verification of traders accounts and records; responsible for administration services for the District, incl. supervision of annual leave records, stationary, buildings</li> <li>3. scrutiny of import and export declarations, selection for examination, physical examination of cargoes, clearance</li> </ol>

**15. Others:**
**Lectures:**

- G24 Conference, Brussels/Belgium, September 1993  
Report on the assimilation of the Latvian Customs Service into the State Revenue Service, proposed changes and modernisation including ASYCUDA systems appraisals for integration purposes
- Danish – Latvian Business Businessmen's Association Copenhagen/ Denmark, November 1993  
Lecture on the current situation in Latvian Customs and the prospects for change
- American – Latvian Association, Milwaukee/USA, July 1994  
Lecture on the current and proposed development of Latvian Customs and the State Revenue Service
- Ministry of Finance, Riga/Latvia, November 1996  
Public Hearing on the new SRS computerised customs revenue accounting system

Proposed position in the programme:

CUSTOMS EXPERT

1. Family name: SLOANE
2. First names: David John
3. Date of birth: 24 March 1939
4. Nationality: British
5. Civil status: Married
6. Education:

Institution	Douglas High School for Boys
Date	September 1950 – June 1957
Degree (s) or Diploma (s) obtained	General Certificate of Education Ordinary Level ( 9 Subjects) Advanced Level (2 subjects).

Institution	HM Customs and Excise Training Centre
Date :	Feb 1960
Degree (s) or Diploma (s) obtained	– Officer of Customs and Excise (all aspects of Customs and Excise work

7. Language Skills:

Language	Reading	Speaking	Writing
French	3	3	1
English	5	5	5
Hungarian	1	2	1

8. Membership of professional bodies:

9. Other skills: ASYCUDA expert  
HM Customs & Excise trainer  
HM Customs & Excise Purchasing Officer
10. Present position: Customs Consultant
11. Years with firm: 35 years with HM Customs & Excise
12. Key qualifications:

35 years experience as a UK Customs Officer involved with all aspects of customs control for freight transportation, including warehousing, landing, shipping and policy. He areas of experience include ports, airports and rail terminals. His key area of experience has been with computerised customs systems such as ASYCUDA and the Travicom Declaration system.

As Chief Technical Advisor for the UNCTAD ASYCUDA Hungary Project, he was responsible for system testing for ASYCUDA for Version 3 releases up to Version 10. Responsibilities included the development of training programmes for Customs department managers, staff from Government Departments and Brokers Organisations. As Project Management Advisor for the Latvian ASYCUDA Project, he was responsible for implementing procedural changes, systems testing and the preparation of manuals for use by Customs Officers and Brokers. He supervised training for Customs Officers, and the re-organisation and implementation of the ASYCUDA system at the project's Pilot Site. Site visits were made to Customs Offices at the Latvian borders, inland depots and at Riga airport. He was responsible for liaison with the Intelligence Teams of Latvian Customs, covering Risk Assessment and Audit in Asycuda.

He has been responsible for promoting the use of ASYCUDA with Road Haulage Associations through the use of Carnets, developed at the Transit Module seminar for the Baltic States in Geneva, carrying out systems testing on the 'beta' version of ASYCUDA Transit and publishing instructions for its use.

13. Specific experience in the region:

Country	Date
Hungary	February 1995
Latvia	February 1998
Montenegro	February 2000

14. Professional Experience Record :

Date:	February – March 2000
Location	Montenegro
Company	Barents Group Washington
Position	Tax Advisor on the US AID Montenegro Economic Restructuring Support Project.
Description	Re-organisation of Customs & Internal Taxation Departments

Date:	February 1998 – November 1999
Location	Latvia
Company	SEMA Group, Belgium
Position	Project Management Advisor ASYCUDA project Latvia.
Description	<p>Modernisation programme for Latvian Customs Service.</p> <p>The aim was to bring their regulations and procedures into line with the EU and it was necessary to re-write many of their existing procedures. Three releases of ASYCUDA were received during the project and I managed the system testing, fault reporting and changes as well as the construction of the master files, the menus and password control. Customs Offices were also re-viewed to identify their needs under ASYCUDA and to look to providing a more economic and efficient service for Latvia. The project has been successful and there are now 37 offices using ASYCUDA.</p>

Date:	February 1995 – February 1998
Location	Hungary
Company	UNCTAD
Position	Chief Technical Advisor ASYCUDA Project Hungary
Description	<p>Installation of Asycuda combined with modernisation of HCFG.</p> <p>The project was designed to modernise the Hungarian Customs Service, to bring its procedures into line with the EU and to install an improved, computerised, Declaration Processing system.</p> <p>Duties included planning and training of Customs Trainers, managing systems testing and recommending changes to UNCTAD Geneva. Presentation to interested Customs delegations from other potential users of ASYCUDA.</p> <p>Serving on procurement Tender Boards and advising the Hungarian Customs Service on Tender procedures. Liaison with brokers and Senior Management from Customs and other Government Departments.</p>

Date:	February 1960 – February 1995
Location	Various Offices throughout the UK
Company	HM Customs & Excise
Position	Officer, Surveyor, Assistant Collector.



CURRICULUM VITAE:

David J SLOANE

Description	All aspects of Customs and Excise work Management, Training, Interviewing, Estates and Project Management, Market testing, Purchasing and Budget Management.
Date:	January 1958 – January 1960
Location	England and Germany
Company	Royal Air Force
Position	Work Study Recorder
Description	Carrying out reviews of RAF procedures, making recommendations and implementing solutions designed to increase efficiency.





Proposed position in the programme:

IMMIGRATION SPECIALIST

1. Family Name: FOLDEN
2. First Names: Claus
3. Date of Birth: 28<sup>th</sup> June 1964
4. Nationality: Danish
5. Civil Status:
6. Education

Institution	University of Copenhagen
Date: from - to	1993
Degree(s) or Diploma(s) obtained	Cand. Jur.

Institution	Tietgen School Odense
Date: from - to	1986
Degree(s) or Diploma(s) obtained	Higher Business Education

Institution	Folk High School
Date: from - to	1985
Degree(s) or Diploma(s) obtained	Krogerup Folk High School

Institution	Math-Physics. Upper Secondary
Date: from - to	1983
Degree(s) or Diploma(s) obtained	Upper Secondary Katedral School Odense

7. Language Skills:

Language	Reading	Speaking	Writing
English	5	5	5
German	5	5	5
French	4	4	3

8. Membership of Professional Bodies:
9. Other Skills:
10. Present Position: Deputy Head of Division. Senior Legal Expert
11. Years with Firm: 3
12. Key Qualifications:

Professional History

13. Specific Countries Experience:

Country	Date: from - to

14. Recent Professional Experience Record

Date: from - to	July 1998 - current
Location	
Company	The Danish Immigration Service
Position	Deputy Head of Division. Senior Legal Expert
Description	<p>Project Co-ordinator on The Common Visa System. Co-ordinating the legal and case flow aspects of this common electronically system handling visa-applications for all Danish Immigration Authorities. Responsible for ongoing implementation of the electronically visa case handling system within The Danish Immigration Service.</p> <p>Responsible for the visa related co-operation within EU/Schengen. In this context a member of the Danish delegation to the EU/Schengen Visa Working Group.</p> <p>Responsible for the drafting of papers on visa issues to Ministries and other Immigration Authorities.</p> <p>Expert within the PHARE Horizontal Programme, Visa Module.</p>

Date: from - to	July 1996 – July 1998
Location	Sarajevo
Company	The Royal Danish Embassy, Sarajevo
Position	Immigration Attaché
Description	<p>Head of The Visa Section.</p> <p>Responsible for the overall co-ordination of the Danish Authorities repatriation to Bosnia of Bosnians living in Denmark. Part of this having close contact to embassies, IOs, NGOs and Bosnian Authorities.</p> <p>Project Co-ordinator on Decentralised Municipality to Municipality projects.</p> <p>Drafting Political Analyses and Reports on Immigration issues.</p>

Date: from - to	December 1995 – July 1996
Location	Zagreb
Company	The Danish Immigration Office, Zagreb
Position	Head of The Danish Immigration Office in Zagreb
Description	<p>General management. Supervision of staff.</p> <p>Budget Responsible.</p> <p>Responsible for the handling of applications for residence in Denmark.</p> <p>Drafting reports to The Danish Immigration Authorities.</p>

Date: from - to	February 1993 – December 1995
Location	
Company	The then, Directorate for Aliens
Position	Head of Section
Description	<p>Head of The Middle East Section on Asylum.</p> <p>Handling applications for asylum and residence from citizens of The Middle East. Litigating at The Refugee Board.</p> <p>Deputy at The Danish Immigration Office in Zagreb, spring 1994.</p>

Proposed position in the programme

PHYTOSANITARY EXPERT

1. Family Name: BAKER
2. First Names: Stuart Rodger
3. Date of birth: 6 April 1938
4. Nationality: British
5. Civil Status: Married
6. Education:

Institution	Wisley School of Horticulture
Date:	1962
Degree(s) or Diploma(s) obtained	Diploma in Horticulture, Royal Horticultural Society, with HONOURS

Institution	Wisley School of Horticulture
Date:	1962
Degree(s) or Diploma(s) obtained	M. Hort (RHS) (Master of Horticulture), Section 1, General Horticulture. Awarded the CHITTENDEN PRIZE for highest National marks.

7. Language Skills (Mark 1 to 5 for competence):

Language	Reading	Speaking	Writing
English	5	5	5
French	3	3	3

8. Membership of Professional Bodies:

9. Other skills:

10. Present position: Independent Consultant on EU phytosanitary controls

11. Years with firm:

12. Key qualifications:

Extensive expert knowledge and experience of working in the horticultural and agricultural industries, including 34 years in the Plant Health and Safety Inspectorate of MAFF dealing with domestic and international politically and commercially sensitive plant quarantine and phytosanitary matters, the domestic certification and marketing of seed potatoes and cereal seed crops and the enforcement of agricultural seed marketing regulations. A first-hand knowledge, through application, of the quarantine and phytosanitary controls and procedures that operate within the EU under EU legislation (Council Directive 77/93/EEC and related legislation).

Three years experience working as a member of the European Commission as a Detached National Expert on plant health, representing the Commission on Third Country and Member State missions, standing committees and working groups.

The management and responsibility for staff involved in statutory phytosanitary controls on plants and plant products in domestic, EU and international trade, including technical, personnel and budgetary matters.

A developed and established working relationship with expert plant health personnel in Member States, Candidate Countries and certain Developing Countries.

An extensive knowledge of botanical nomenclature (to plantsman level) and plant husbandry.

13. Specific experience in the region:

Country	Date
Bulgaria	1991 -1994
Romania	1991 - 1994

14. Recent Professional Experience Record

Date:	November 1998 – April 2001
Location	Slovenia
Company	Slovenian Phytosanitary Inspection Service
Position	Short Term Expert
Description	<p>Independent consultant, working, over a three year period as a short term expert within Slovenia with the Slovenian Phytosanitary Inspection Service under the Phare Framework Programme, to advise on the implementation of EU plant health procedures and assist in the creation of a technical manual and handbook for inspectors. Over the same period, worked with the Slovenian Plant Protection Department, Ministry of Agriculture, to assist the drafting of new Slovenian plant health legislation harmonised with that of the EU. (September 1997 – September 2000)</p> <p>Responsible for the Protected Zone element of the Agriculture, PL9607-01-10 contract on Seeds and Plant Protection, Poland. (April to September 2000)</p> <p>Member of the TAIEX (European Commission) team covering the subject of plant health quarantine, involving advisory visits to the 12 Candidate Countries to assess stage of <i>acquis communautaire</i> and make recommendations on those areas of plant health controls needing particular attention to achieve EU equivalence. Advisory visits made to the Czech Republic, Estonia, Bulgaria, Malta and Latvia. Participation as a speaker at TAIEX/Candidate Country workshops (York, Rome, Bremen, Bratislava, Brussels) presenting consolidated results from the advisory visits on behalf of TAIEX and conditions relating to border inspection posts. (May 2000–May 2001)</p> <p>Contracted to advise on phytosanitary technical requirements, specification and design concerning the construction of specific border inspection posts on the Croatian border of Slovenia, under the Phare Transport Framework Contract. (March – May 2000)</p> <p>Short-term expert (25 days) in the Dutch/Slovenian Twinning programme, advising/assisting the preparation of draft national plant health legislation. (January – August 2001)</p> <p>Short-term expert (90 days) in the Dutch/Polish Twinning programme (on-going) participating in workshops, responsible for presenting the structure and content of EU legislation, according to the subject of the workshop – monitoring and surveys/imports/measures/registration and plant passports. (June – August 2001)</p>

Date:	September 1994 – April 1998
Location	Exeter
Company	
Position	Senior PHSI
Description	Responsible for the implementation of UK/Single Market plant health legislation within the South West Region of England, managing seven

Plant Health and Seeds Inspectors. Work within the region included the certification of basic grade seed potatoes and cereal seed crops; the inspection and certification of *Narcissus* bulb crops for export and Single Market use; the statutory controls of harmful plant health organisms; the inspections of imported and to be exported plants, plant products and machinery; the inspection and licensing of laboratories handling harmful organisms, together with general management, organisational and budgetary functions. Continuing involvement at EU level on Working Groups concerned with the harmonisation and equivalency of plant health legislation between the EU and Central and Eastern European Countries. A member of the European Commission/Member State team involved in specific harmonisation discussions with the Slovak Republic. Acted as MAFF PHSI Consultant on (a) a TACIS cross-border project between Poland and Belarus (1 week) and (b) a PHARE Framework project advising the Slovenian Phytosanitary Inspection Service on the implementation of EU legislation and procedures toward their eventual accession to an enlarged EU (2 weeks). Retired from PHSI, MAFF service, 6 April 1998.

Date:	September 1991 – September 1994
Location	Brussels
Company	European Commission
Position	Seconded National Expert
Description	<p>Founder member of the EC Phytosanitary Inspectorate as the Potato Technical Specialist, with specific duties relating to the control of harmful organisms in potatoes at Community level. Generalist duties concerned the over-seeing of all aspects of EC plant health legislation (including Commission exercises and missions relating to the registration of producers, authorisation and issue of plant passports, the inspection of third country imports, Member State compliance with derogations, the assessment of Member States' adherence to protected zone requirements) to ensure its satisfactory implementation throughout all Member States.</p> <p>Personal involvement included regular and frequent contact with specialists and administrators from all Member States, through missions, committee attendance and participation; missions to South Africa, Egypt, Canada and the Czech Republic on specific potato projects for reporting back to the Standing Committee on Plant Health; formal technical contacts with the relevant authorities in Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania with regard to developing bilateral trade in potatoes with due regard to plant health controls; the preparation of technical data sheets on potatoes and general content for the EC Plant Health Inspector's Phytosanitary Vademecum as guidance for all Member States and the participation in and chairing of relevant technical working groups at Commission level.</p>

Date:	April 1976 – August 1991
Location	Wolverhampton
Company	
Position	Senior PHSI
Description	<p>Responsible for the management and organisation of the nine Plant Health and Seeds Inspectors within the West and North Midland Regions of England. PHSI work within these Regions involved all aspects of phytosanitary controls of both a domestic and international nature.</p>



Proposed position in the programme:

VETERINARY EXPERT

1. Family name: PICKERING
2. First names: Idonea Beatrice
3. Date of Birth: 7 March 1950
4. Nationality: British
5. Civil status: Married
6. Education:

Institution	Edinburgh University
Date:	1969 – 1974
Degree(s) or Diploma(s) obtained	Bachelor of Veterinary Medicine and Science

7. Language skills: (Mark 1 to 5 for competence)

Language	Reading	Speaking	Writing
English	5	5	5
French	2	2	2

8. Membership of professional bodies: Member of the Royal College of Veterinary Surgeons
9. Other Skills: Computer literate
10. Present position: Border Veterinary Inspector/Independent Consultant
11. Years with firm: 26
12. Key qualifications:

Idonea Pickering is a Veterinary Inspector with the Ministry of Agriculture Fisheries and Food. She is responsible for implementation of veterinary procedures at the border posts of the Humber Ports. This includes the import and export procedures for intra/extra community trade and Border Inspection Post Duties. She is therefore familiar with EU requirements and the practical implementation of those requirements.

Veterinary Expert for the EC Takis Border Crossing Study Phase II project. Visits made to some NIS border and analysis of data from remaining border posts for the project team.

## 13. Specific regional experience:

Country	Date:
Belarus	1998
Poland	1998

## 14. Professional Experience

Date:	1991 - date
Location	UK
Company	Ministry of Agriculture, Fisheries and Food
Position	Veterinary Officer
Description	Responsible for the implementation of EU and national regulations regarding the import and export movement of live animals and animal food products by road, sea and air to/from the Humberside region, including transit movements. This involved physical inspection of both commercial and domestic animals, meat and other food products and checking and signing of international documentation. There are significant quantities of traffic moving to/from the NIS due to the various shipping lines serving the Humber Ports.

Date	1978 - 1991
Location	UK
Company	Haven Veterinary Group
Position	Veterinary Surgeon
Description	Responsible for general veterinary duties involving both small and large animal work. This included significant import and export inspections and production of the appropriate documentation in connection with local agricultural and industrial clients. She was the Official Veterinary Surgeon for the local rabies quarantine unit.

Date	1974 - 1978
Location	UK
Company	Pickin, Fitzpatrick and Latimer
Position	Veterinary Surgeon
Description	Responsible for general veterinary duties for both small and large animal work. This also included work as a local Veterinary Inspector overseeing import and export of cattle and sheep responsible for inspection and preparation and validation of international documentation.

## 15. Others

**Proposed position in the programme**
**CUSTOMS LEGISLATION**

1. **Family name:** Gotschlich
2. **First names:** Georg-Dieter
3. **Date of birth:** 22.03.1931
4. **Nationality:** German
5. **Civil status:** Married
6. **Education:**

<b>Institution</b>	University Muenster (Westf.) and Georgetown University Washington D.C.
<b>Dates from/to:</b>	1951 –1955, Studies of Law and Economics
<b>Degrees or Diplomas obtained:</b>	1 <sup>st</sup> State Law exam (Referendar)

<b>Institution</b>	State of North Rhine Westphalia and World Migration Organization Geneva
<b>Dates from/to:</b>	1955 – 1959 Referendariat
<b>Degrees or Diplomas obtained:</b>	2 <sup>nd</sup> State Law exam (Assessor)

**7. Language skills:**

<b>Language</b>	<b>Reading</b>	<b>Speaking</b>	<b>Writing</b>
English and German	1	1	1
French	2	2	2

8. **Membership of professional bodies:** EFA Muenster, European Forum for external trade, Customs and TVA;  
Association of Customs Officers
9. **Other key skills and abilities:** PC, IT
10. **Present position:** Consultant; Head of a Customs Office
11. **Years within the firm:** independent 5 years
12. **Key qualifications:**

Preparation of legal instruments as ministerial counselor, Management of Customs Administrations,

- Consulting in national and European customs and border-crossing regulations
- Evaluation of customs and border-crossing systems
- Studies on customs and customs administration systems in various countries
- Studies on EU legal matters in the field of border crossing and customs
- Introduction of EDP/EDI Systems in customs administration
- Former Head of local Customs Unit;
- Supervision of Customs offices;
- Practical work in Valuation, Customscode, Tariff, Preferences
- Legislative responsibility for International Customs matters, Preferences
- Formulation of international Customs moduls.
- Former Director - World-Customs Organisation, Customs Coop. Council WCC/CCC
- Former President of EUROCUSTOMS, responsible for Preparation, Organisation and Management of Technical Assistance in Customs Matters of 15 EC- and EFTA Members in PHARE- and TACIS Countries, financed by the EC
- Experienced trainer in Customs procedures, Preferential rules, enforcement, and EDI.



## 13. Specific experience in the region:

Country	Dates from – to
Kazakhstan	May 2001
Ukraine	October 2000 – March 2001
Moldova	October 2000 – March 2001
Bulgaria	October 2000 – March 2001
Romania	October 2000 – March 2001

## 14. Professional experience record:

Dates from/to	1996 – 2001
Location	Koenigswinter/Germany
Company	Independent
Position	
Description of Duties	<p>Consultancy work for TACIS, EU- and National PHARE Programs Poland, Bulgaria, Romania / GTZ Programs for Peru et.al.</p> <p>EU Program Customs Border Procedures, NIS Customs Legislation</p> <p><b>Analysis of Border Legislation NIS, TACIS</b></p> <p>The objective is to analyse applicable legislation and other regulations in force at the Western borders of the four NIS states. The analysis shall comprise the identification of obstacles to modern control techniques and shall enable the Commission to give recommendations to the partner states to modernise their border legislation and other regulations in order to adjust them to international standards. The primary and secondary legislation and other regulations at these borders should be analysed, especially with regard to <b>customs controls</b>, border guard and immigration control, phytosanitarian and veterinarian controls and <b>road transport inspection</b>.</p> <p>The work included several field missions, meetings with key Customs and Border Guards Officials as well as detailed analysis of the relevant legislation, creation of best practice manual and other useful recommendations.</p> <p>Personal experience and knowledge of customs situation in all PHARE countries plus Croatia and FYROM on the basis of regular working visits and seminars.</p>

Dates from/to	1991 - 1996
Location	Paris/France
Company	EUROCUSTOMS
Position	President
Description of Duties	Preparation, Organisation and Management of Technical Assistance in Customs Matters of 15 EC- and EFTA Members in PHARE- and TACIS Countries, financed by the EC.

Date:	1981 - 1990
Location	Brussels/Belgium
Company	World Customs Organisation/CCC
Position	Director Technique and Compliance

Description	Responsible for Customs Law, Customs techniques & computers, Customs Procedures (Kyoto Convention), Enforcement, Management and Training.
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Date:	1960 - 1980
Location	Bonn, Washington,
Company	German Ministry of Finance and Foreign Ministry
Position	Ministerial Counselor
Description	Legislation, International affairs - EC- and national Customs Law - Delegate to international organisations - Chairman of Finance Committee of WCC/CCC

**15. Other relevant information**

Detailed Record of Training Delivered: All my professional life Training – courses prepared and given in Customs procedures, Preferential rules, enforcement, EDI.

**PUBLICATIONS**

- THE PIVOTAL ROLE OF CUSTOMS in Combat 1989, The 4th European EDI Conference, Munich
- INTERNATIONALES KYOTO ÜBEREINKOMMEN ZUR VEREINBARUNG UND HARMONISIERUNG DER VERFAHREN Recht der internationalen Wirtschaft, AWD des Betriebsberaters, Heidelberg, June 1984
- NEW MEANS OF COMBATTING THE SMUGGLING OF DRUGS BY CONTAINERS in Ports and Harbours, Tokyo, May 1984
- ACTION BY THE CUSTOMS COOPERATION COUNCIL TO COMBAT ILLICIT DRUG TRAFFICKING, in Bulletin on Narcotics, Vol. XXXV, no. 4, Geneva, Oct/DEC 1983
- CONTAINER MARKINGS: A BEGINNERS GUIDE, in International Cargo Crime Prevention, Elsevier int. bulletin, Amsterdam 1986
- STRENGTHENING EUROPEAN CUSTOMS COOPERATION in The Narc Officer, Albany NY, February 1989
- A CHANGING WORLD in Ports and Harbours, Tokyo, July/August 1992
- CUSTOMS AND BUSINESS in Electronic Commerce, Electronic Business, 7th international EDI-IOI conference, Slovenia, June 1994
- EDI AT THE LINK BETWEEN CARRIERS AND CUSTOMS in Making the right connections EDI in the air cargo industry, London, November 1990
- EDI - THE CUSTOMS CONNECTION, Customs Co-operation Council, Brussels 1988
- THE PIVOTAL ROLE OF CUSTOMS IN MODERNE TRADE in Nineties, National Customs Brokers and Forwarders Association of America Inc., Maui Hawaii, November 1989
- CUSTOMS ATTITUDES; TECHNIQUES AND EDI IN CENTRAL AND EASTERN EUROPE in Linking the business world electronically, 5th World congress of EDI, Brighton 1994



Proposed position in the programme:

ECONOMIST

1. Family name: OATEN
2. First names: Martin
3. Date of Birth: 5 January 1967
4. Nationality: British
5. Civil status: Single
6. Education:

Institution	Exeter University
Date:	1985 - 1988
Degree(s) or Diploma(s) Obtained	BA Economics & Geography

7. Language skills: (Mark 1 to 5 for competence)

Language	Reading	Speaking	Writing
English	5	5	5
French	2	3	2
German	2	3	2

8. Membership of professional bodies:

9. Other skills: Computer literate, HDM III
10. Present position: Principal Economist
11. Years with firm: 5
12. Key qualifications:

Martin Oaten has considerable experience in economic appraisal of infrastructure development projects worldwide utilising standard cost benefit appraisal methodologies demanded by the international donor community. He is familiar with project appraisal and monitoring techniques as well as transport sector project appraisal in Eastern Europe and the countries of the Former Soviet Union.

He is familiar with all the problems associated with the change in expectations from a command economy to a market economy; these manifest themselves in decision making ability and the ability to match plans with resources. Martin Oaten has undertaken a broad range of transport infrastructure development projects both in the UK and internationally. He has recently undertaken a traffic demand study for the Tacis Russian Internal Waterway Project developing the demand model. He is the Project Economist for the Pilot Project to develop a Logistics Centre at Nizhny Novgorod, so is familiar with the economic environment in the Region.

He has provided business plans for the development of infrastructure expansions at the ports of Novorossiysk and Azov. Recent clients have included EC, the World Bank, Asian Development Bank and EBRD. In addition, he is currently Project Manager of two projects for the EBRD concerning the development of transport infrastructure and operations in both the Phare and Tacis regions of Eastern Europe and the Former Soviet Union.

13. Specific regional experience

Country	Date:
Russia	1994 - 2000
Turkmenistan	1995 - 1995
Armenia	1994 - 1994
Kazakstan	1997 - 1998
Poland	1997 - 1999
Belarus	1997 - 1997
Lithuania	1997 - 1997

14. Professional experience

Date	1999 – to date
Location	UK and Overseas
Company	Scott Wilson
Position	Principal Economist
Description	<p>Project Manager on EBRD financed study providing technical advice on an ongoing basis for transport sector projects in the Tacis countries of Eastern Europe. The contract is due to run 24 months with a total budget of Euros 750,000.</p> <p>Project Manager on this EBRD financed study providing technical advice on an ongoing basis for transport sector projects in the Phare countries of Eastern Europe. The contract is due to run 24 months with a total budget of Euros 750,000.</p> <p>Transport Economist on this Islamic Development Bank funded feasibility study of a new link road linking Tajikistan with China. The project involved the full economic cost - benefit analysis of upgrading the road from an existing earth track to a permanent all weather surface using HDM III.</p>

Date	1995 - 1999
Location	UK and Overseas
Company	Scott Wilson
Position	Senior Economist
Description	<p>Transport Economist on a study commissioned by the European Commission examining the potential for upgrading border crossing facilities in Eastern Europe. Specific responsibility for evaluating border crossings between Poland and Lithuania, Lithuania and Russia, Belarus and Lithuania. In addition, also responsible for the development of a evaluation template used to assess the financial and economic viability of all border crossings.</p> <p>Transport Economist on a study commissioned by the European Commission</p>



	<p>examining potential future development of the inland waterways system in the Volga basin region of Russia. The study included an assessment of existing and future demand through data research, a market survey and development of a model. The study was also concerned with the financial appraisal of investing in new equipment and facilities at Nizhny Novgorod and at other inland ports on the River Volga.</p> <p>Transport Economist on a study commissioned by the European Commission examining potential future development of the ports of Azov and Taganrog in the Black Sea. Particular responsibility included development of business plans for selected investments in infrastructure.</p> <p>Project Manager and financial expert on this study developing a business case for a major infrastructure investment in the port of Novorossiysk in southern Russia. The project examined the feasibility of building new port facilities as well as improved transport links in the form of a new railway and road. The business plan was then used as a basis in attracting private sector investment to the project in both Russia and Western Europe.</p> <p>Transport Economist on this World Bank funded feasibility study of a major interurban link in Kazakstan. The project involved the full economic cost - benefit analysis of upgrading the road from the existing capital, Almaty, to the proposed new capital Akmola using HDM.</p>
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Date	from to	1992 1995
Location	UK and Overseas	
Company	Tecnecon	
Position	Senior Economist	
Description	<p>Senior Consultant working on transport sector studies and infrastructure projects overseas, including projects in the CIS, Belize, Uganda, Pakistan and Vietnam:</p> <p>Transport Economist on a study for the EBRD of the administration and financing of Turkmenistan's road sector. The principal aim of the study is to recommend how road user charges can be changed to reflect the economic costs of road use and to move the road sector financial self-sufficiency.</p> <p>Transport Economist for assignment was commissioned by the EC (DG VIII) to develop a sectoral policy orientation for the identification and formulation of Community funded transport projects. Particularly responsible for developing the user guide and policy document concerning the road, rail and air transport sub sectors.</p> <p>Transport Economist on this EC TACIS funded study to undertake a survey of the Armenian highway sector. The main aims of the study were to survey the condition of the country's main road network and to develop a prioritised programme for the rehabilitation and maintenance of the network.</p>	



**CURRICULUM VITAE:**

**Michael ARBLASTER**

**Proposed position in the programme**

**IT SPECIALIST**

- 1. **Family Name:** ARBLASTER
- 2. **First Names:** Michael
- 3. **Date of Birth:** 26<sup>th</sup> November 1946
- 4. **Nationality:** British
- 5. **Civil Status:** Married
- 6. **Education**

Institution	Wednesday Boys High School
Date:	1956 – 1961
Degree(s) or Diploma(s) obtained	GCE 'O' Levels in Mathematics, English Literature, English Language, Physics, Chemistry, French, History, Geography, Art

Institution	Wolverhampton University of Technology
Date:	1961 – 1964
Degree(s) or Diploma(s) obtained	ONC Metallurgy (distinction in Mathematics) HNC Metallurgy

7. **Language Skills (Mark 1 to 5 for competence):**

Language	Reading	Speaking	Writing
English	5	5	5
French	5	5	4
German	2	2	1

- 8. **Membership of Professional Bodies:**
  - Member of the Chartered Institute of Marketing (MCIM)
  - Member of the Institute for the Management Of Information Systems (MIMIS)

- 9. **Other Skills:**
  - Computer Literate
  - Familiar with Customs IT systems in beneficiary states

- 10. **Present Position:** Consultant & Project Manager

- 11. **Years with Firm:** 9

12. **Key Qualifications:**

Michael has extensive experience of Customs Information Technology including ASYCUDA++. He has participated in a number of DGXXI Projects, produced a comprehensive Global Report on Customs IT and has extensive experience of Customs Project Implementation and National Customs infrastructure and operations investigation.

He also has extensive experience in Western/Central/Eastern Europe; European Commission: DGXXI; DGIII; DGI.



13. Specific experience in the region:

Country	Date:
Georgia	2000 – present
Romania	1996 – 1997
Russia	1992 – 1993

14. Recent Professional Experience Record

Date:	1993 – present
Location	Lithuania, Belgium, Georgia, Romania, Luxembourg, United Kingdom
Company	Mershire Limited
Position	Consultant / Project Manager
Description	<p>Working under PHARE for the SEMA Group as a Project Manager Adviser to the Lithuanian Customs automation project. Lithuania Customs are installing ASYCUDA++ on nationwide client-server systems, with a UnixWare and Oracle platform.</p> <p>The task was to</p> <ul style="list-style-type: none"> <li>▪ Advise Lithuanian Project staff – in particular, the Project Manager - on the structuring control and progressing of the project;</li> <li>▪ Help team structuring, supply job descriptions and assist with team building;</li> <li>▪ Liaise with UNCTAD in Geneva and Bucharest;</li> <li>▪ Liaise with the CCCU (Customs Computerisation Co-ordination Unit), the pan-Baltic co-ordinating body;</li> <li>▪ Provide guidance on project planning using Microsoft Project;</li> <li>▪ Advise on Issue, Change and Risk Management;</li> <li>▪ Advise on an Administration/ Resource/ Stock Control/Build/Delivery/Tracking System;</li> <li>▪ Advise on delivery, customs clearance, warehousing, system build, site preparation, communications, training, help desk, hotline and on-site maintenance;</li> <li>▪ Supply guidelines on a “Hearts &amp; Minds” programme for Customs staff, the general populace and political figures;</li> <li>▪ Advise on project staging, i.e. prototype, testing sites, pilot phase and rollout.</li> </ul> <p>Consultancy on project management, methodologies and quality assurance for the EC IDA Telematics Programme. The major task, however, was in monitoring &amp; evaluating DGXXI customs projects funded by IDA, specifically</p> <ul style="list-style-type: none"> <li>▪ <i>TRANSIT</i>, a customs suspense regime network to exchange information on goods traffic within the European Union’s Common Transit System;</li> <li>▪ <i>VIES</i>, VAT Information Exchange System between computers of MSAs (Member States Administrations)</li> <li>▪ <i>TARIC</i>, TARif Intégré Communautaire system for tariff related legislation re commerce, agriculture &amp; other external trade measures;</li> <li>▪ <i>EBTI</i>, for telematic exchange of European Binding Tariff Information;</li> <li>▪ <i>SCENT CIS/FISCAL</i>, telematic exchange of information to combat fraud</li> <li>▪ <i>EXCISE CONTROL</i>, conversion of SEED (System for Exchange Excise Data: registers of tax warehouses, authorised warehouse keepers &amp; registered excise traders) to on-line distributed database;</li> <li>▪ <i>QUOTA</i>, to facilitate centralised management, plus data dissemination to traders, of quotas &amp; ceilings and gsp Goods Under</li> </ul>

	<p>Surveillance scheme;</p> <ul style="list-style-type: none"> <li>▪ CCN/CSI, Common Communications Network/Common Systems Interface to connect the customs systems in all MSAs;</li> <li>▪ EDI for C&amp;IT, to promote message exchange via EDI and EDIFACT.</li> </ul> <p>The task included liaison with DGXXI's Project Office and assimilation &amp; assessment of maXXIme, DGXXI's methodology for progress monitoring and QC/QA of Customs IT projects;</p> <p>Working for IBM as Project Manager of ICIS (Integrated Customs Information System), a multimillion ECU PHARE project for customs automation in Romania. Tasks included:</p> <ul style="list-style-type: none"> <li>▪ The conversion of 96 Customs Offices - General Headquarters, Regional Administrations and Local Customs Offices - in ten regions throughout the country (about the same size as West Germany</li> <li>▪ Installation of IBM client/server systems, of configurations appropriate to each site, each with specific modules of the ASYCUDA++ customs application software, ported for the first time on to Oracle and UnixWare;</li> <li>▪ Liaison with UNCTAD in Geneva and Bucharest;</li> <li>▪ Recruitment of project team, location/set up of new project office, negotiations with sub-contractors, securing of technical ASYCUDA++ expertise;</li> <li>▪ Project planning with MS Project; MITP to produce Project Control Book, organise Project Definition Workshop, institute Issue/Change/Risk Management;</li> <li>▪ Specification and supervision of Administration/Resource/Stock Control/Build/ Delivery/Tracking System;</li> <li>▪ Liaison with Romanian Customs, site visits.</li> <li>▪ Set up of international delivery, customs clearance, warehousing, system build, site preparation, comms, training, help desk/hotline and on-site maintenance;</li> </ul> <p>Management of the Pilot Project as a precursor to full rollout.</p>
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Location	Luxembourg, Russia, Poland, Czech Republic, United Kingdom
Company	Ricardo Hitec Consultancy
Position	European Co-ordination Manager
Description	Employed as Senior Consultant providing advice and leading projects in a wide range of industries, covering many business sectors and high tech aspects, from strategic planning to shop floor, and then as European Co-ordination Manager, located in Luxembourg.

15. Others

Publications and Broadcasts

A Perspective on Global Customs: Key Issues and Best Multinational Client Practices

Converting Urals Defence Industries: A View from the West Article: The Russian Gazette

Sprinting in the Right Direction  
The Devil's High Tech Dictionary

Paper: Technological Innovation Conference, Turin  
Article: Industrial Computing Magazine





Proposed position in the programme: FORWARDING/CUSTOMS BROKING SPECIALIST

- 1. Family name: BEDFORD
- 2. First names: Peter
- 3. Date of Birth: 2<sup>nd</sup> April 1946
- 4. Nationality: British
- 5. Civil status: Married
- 6. Education:

Institution	Wheelright Grammar School
Date:	1957 - 1962
Degree(s) or Diploma(s) obtained	5 O Levels

7. Language skills: (Mark 1 to 5 for competence)

Language	Reading	Speaking	Writing
English	5	5	5
German	2	2	1

- 8. Membership of professional bodies: Institute of Freight Forwarders  
Association of Warehouse Keepers
- 9. Other skills: Computer literate
- 10. Present position: Forwarding Consultant
- 11. Years with firm: 1
- 12. Key qualifications:

Peter Bedford has over 30 years experience in the shipping and international freight forwarding industry, with over 20 years at director level. He has a wide range of experience but has specific expertise in the establishing of new services and offices, resource management, production of feasibility studies and business development. He has been responsible for general forwarding, trailer operations, ships agency activities and the establishment of marketing networks.

As a UK forwarder, he also has extensive experience in customs brokerage experience (as forwarders are also brokers). This has involved import and clearances in relation to Eastern Europe and the CIS.

13. Specific regional experience

Country	Date

14. Professional Experience Record

Date	2000-2001
Location	UK and Europe
Company	Logistico
Position	Managing Director

**CURRICULUM VITAE:****Peter BEDFORD**

Description	Responsible for all operations of specialist express logistics company. Current traffic relates to express distribution throughout the EU and Phare countries.
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Date	1995-2000
Location	UK and Europe
Company	ITS Logistics
Position	Managing Director
Description	Responsible for all aspects of managing a medium sized freight forwarding and logistics organisation. This involved control of the financial and operational aspects, including the provision of brokerage services.

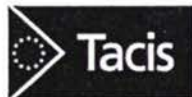
Date	1987-1995
Location	UK and Europe
Company	Portbridge Transport International
Position	Director
Description	Responsible for development of UK operations for a major European international transport organisations. Initial tasks involved establishment marketing and agency network to support regional logistics operations. This included agencies in Eastern Europe. Added-value products developed to extend the services able to be offered to clients, including customs brokerage services.

Date	1985-1987
Location	UK and Germany
Company	Interbritannia Forwarding
Position	Director
Description	Responsibility for operations and marketing for major international trailer operator between UK and Germany/Eastern Europe. This involved management of the marketing team, negotiation of all out-sourcing activities and control of fleet operations This covered both part load/consolidation services as well as full load services.

Date	1980-1985
Location	UK and Europe/Scandinavia
Company	Giltspur Bullens/Scansped UK
Position	Director
Description	Responsible for development and control of all marketing and sales activities. This included the identification and development of new products/income streams. Responsible for the European agency network and development of contractual arrangements, as well as acquisition of new companies.

Date	1973-1980
Location	UK, Europe and Far East
Company	Brown Jenkinson
Position	Regional Director
Description	Director responsible for development of shipping agency services in UK for major Far Eastern and German container shipping groups. Created UK office network, ICDs and inland distribution contracts. Then responsible troubleshooting and development of cost-reduction programmes.

Date	1970-1973
Location	UK and Europe
Company	Escambe McGrath
Position	Sales Representative
Description	Responsible for selling of liner shipping services for the P&O Group throughout northern England.



**CURRICULUM VITAE:**

**Peter BEDFORD**

Date	1962-1970
Location	Worldwide
Company	London & Overseas Freighters
Position	Chief Officer
Description	Responsible for all deck activities on both tankers and dry cargo vessels.

Proposed position in the programme:

INSURANCE LAW SPECIALIST

1. Family name: CLEPTON
2. First names: Robert
3. Date of birth: 30 December 1935
4. Nationality: Netherlands
5. Civil status: Married
6. Education:

Institution	State University of Leiden
Date:	September 1954 - May 1960
Degree(s) or Diploma(s) obtained:	Doctoral degree Netherlands law; Doctor Jurist

7. Language Skills (Mark 1 to 5 for competence):

Language	Reading	Speaking	Writing
Dutch	mother tongue	mother tongue	mother tongue
English	5	5	4
French	4	3	3
German	4	2	2

8. Membership of professional bodies: Various associations of Dutch lawyers.
9. Other skills: Computer Literate
10. Present Position:
  - Member of Council of State of the Netherlands
  - Deputy Judge in the Court of Appeal of the Hague; in Road, Rail, Water and Air Transport
  - Member of the Board of the Dutch Association for Maritime and Transport Law;
  - Member of the Board of the Dutch Association for Public Transport Law
11. Years with the firm: 5
12. Key qualifications:

Robert Clepton has extensive experience in the TRACECA countries and participated in the previous TRACECA: Legal and Regulatory Framework project. He has long experience in drafting as well as assessment of civil and commercial law legislation, in particular transport law, in general and in the field of road, rail water and air transport.

13. Specific regional experience:

Country	Date
CIS countries	October 1994

14. Professional Experience:

Date:	1995 - 1997
Location	Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tadjikistan, Turkmenistan, Uzbekistan
Company	Ministries of Transport
Position	Legal Expert Transport insurance
Description	The TACIS Traceca Legal and Regulatory Framework Project with the principal objective of promoting regional trade and transport has to clarify and harmonise regional transport and infrastructure legislation.

Date:	1996
Location	Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tadjikistan, Turkmenistan, Uzbekistan
Company	Ministries of Transport, Trade and Transport Sector
Position	Trainer
Description	Technical assistance consisting of Immediate Training Action with the primary objective of support to the regional and work forces directing and contributing to the reform process to achieve regional free traffic flow in line with market demand and future economic growth. To achieve a maximum leverage of the programme, the training is focused on two particular sub-groups; Senior Level Management and Trainers/Middle to Lower Level Management.

Date	December 1969 - October 1992
Location	The Hague
Company	Ministry of Justice
Position	Head of division for private law legislation
Description	Preparation of national legislation; Negotiations on international conventions and European Directives, amongst others in the field of transport.

Date	October 1992 - present
Location	The Hague
Company	Council of State
Position	Member
Description	Advice to Government on bills, and handling administrative disputes and Crown disputes in highest instance.

1. Member of the Dutch governmental delegation during several meetings of the Legal Committee of ICAO in Montreal.
2. Chairman of governmental working group of UNIDROIT for the preparation of the CRTD Convention on civil liability for damage caused during inland transport of dangerous goods (road-, rail- and inland navigation transport) (1981 - 1986).
3. Chairman of the working groups of the Inland Transport Committee of ECE in Geneva on limitation of liability of owners of inland navigation vessels (CLN) and on the international transport of passengers in inland navigation (CVN)
4. Member of the Dutch governmental delegation and later as head of the delegation of the meetings of the IMO Legal Committee from 1970 - 1992; Chairman of the Legal Committee from 1985 - 1992.

Head of delegation to the following diplomatic conferences:

- IMO Conference on transport of passengers and their luggage, Athens 1974;
- IMO Conference on limitation of liability for maritime claims, London 1976;
- UN Conference on international carriage of goods by sea, Hamburg 1978;
- IMO Conference on transport of dangerous goods by sea and on the amendment of the convention on civil liability for oil pollution and the convention on the International Oil Pollution Fund, London 1984;
- IMO Conference on salvage, London 1989.

**15. Others:**

Professor of Transport Law, Erasmus University Rotterdam (1989 - 1992);  
 Member of Rotterdam BAR (1963 - 1967)  
 Head of Average Bureau - Dutch Association of Marine Underwriters (1967 - 1969)

Other publications:

The CRTD Convention on Civil Liability and Compensation in Transnational Environmental Liability and Insurance, editor Ralph P. Kröner, Graham Trotman and International Bar Association, London/Boston, 1993.

The special features arising from the Hamburg Diplomatic Conference, Seminar on the Hamburg Rules, organized by Lloyd's of London Press, September 1978;

Limitation of Liability for Maritime Claims, Essays on International & Comparative Law in Honour of Judge Erades, Martinus Nijhoff Publishers, The Hague (1983);

The IMO Draft Salvage Convention, European Transport Law, Vol. XXIV, no. 1.

Liability and Compensation for Maritime Carriage of Hazardous and Noxious Substances (HNS) in Liability for Damage to the Marine Environment, edited by Collin M. de la Rue, CMI-Lloyd's of London Press, 1993.



## Proposed position in the programme

TRANSPORT LAWYER

1. Family name: FIOUX
2. First names: Jean-Luc
3. Date of Birth: 12 September 1947
4. Nationality: French
5. Civil status: Married
6. Education:

Institution	University of Paris II
Date:	1967 - 1973
Degree(s) or Diploma(s) obtained	Doctorate in Law (with Distinction) 1973 Higher Diploma in Private/Public Law 1969/71

## 7. Language skills (Mark 1 to 5 for competence):

Language	Reading	Speaking	Writing
French	5	5	5
English	4	3	3
German	3	1	1
Spanish	4	2	1
Italian	4	3	2

8. Membership of professional bodies: Legal Expert Corporation - Court of Appeals of Paris, Deputy Chairman  
IRU Legal Assistance Network
9. Other skills: Familiar with operations and use of personal computers
10. Present position:
  - 1) Legal Consultant
  - 2) Transport Expert at the Paris Court of Appeal
  - 3) Visiting Lecturer in European Transport Law at the University of Pau
11. Years with firm: 6 years

## 12. Key qualifications:

Jean-Luc Fioux is a practising lawyer, a court-appointed expert on transport law at the Court of Civil Appeals in Paris, and visiting lecturer in European Transport Law at the University of Pau. For the last 20 years he has specialised in domestic and international transportation law, and customs law. He also specialises in the provision of seminars and training programmes in France and abroad including training for Directors of transport companies in devising and negotiating contracts with public, state, or local authorities for operations under the new French deregulated environment.

Overseas he has acted as a visiting legal expert on a number of EC funded projects including:

- under the EC TACIS Legal and Regulatory Framework in TRACECA Transport Corridor he gave advice on regional harmonisation of railway and customs law; integration with international conventions and world trade practices; institutional development; and training.;
- advice on transport legal reforms in Kazakhstan.

- training on EU-China Public Procurement Pilot Project
- technical assistance for regulatory codes related to the carriage of perishable goods in refrigerated wagons in Russia;

Prior to this he gained extensive institutional experience during 16 years with the French Road Passenger and Freight Haulage Trade Association (F.N.T.R) and 20 years with the French Transport Management Training Association (A.F.T).

He also has extensive previous experience of consultations and negotiations with state and other public officials in relation to legal and fiscal problems. He was formerly an International Road Transport Union (I.R.U.) expert on fiscal matters in its representation to the European Commission and was also a member of the I.R.U. Legal Commission.

**13. Specific experience in the region**

Country	Date:
Armenia	1995 – 1997
Azerbaijan	1995 – 1997
Georgia	1995 – 1997
Kazakhstan	1994 – 1997
Kyrgyzstan	1995 – 1997
Tajikistan	1995 – 1997
Turkmenistan	1995 – 1997
Uzbekistan	1995 – 1997

**14. Professional experience**

Date:	1987 – Ongoing
Location	France
Company	Court of Civil Appeals
Position	Legal Expert
Description	Court appointed expert on Transport Law in Paris (Court d'Appel). During this period he has also provided independent advice on transport and legislative issues to a number of public transport executives and private transport companies including training of senior managers in preparing and negotiating contracts for operating in the new French deregulated environment.

Date:	1991 – Ongoing
Location	China
Company	Scott Wilson Kirkpatrick
Position	Legal Expert
Description	He is presently involved in the EU – China Public Procurement Pilot Project assisting in the training to assist China's accession to the WTO. He is responsible for the training of large numbers of executors covering the monitoring and regulation of bidding laws including the necessary requirements of the new law to prevent corruption.





Date:	1995 – ongoing
Location	Russia
Company	S.I.S.I.E
Position	Transport Legal Expert
Description	Visiting expert for EC TACIS project in Russia providing technical assistance for regulatory codes related to the carriage of perishable goods in refrigerated wagons including harmonising with EU legislation and international conventions.

Date	Dec 1995 - Dec 1997
Location	TRACECA Countries: Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan
Company	Scott Wilson Kirkpatrick
Position	Railway/Customs Law Expert
Description	Visiting expert for EC TACIS Legal and Regulatory Framework in TRACECA Transport Corridor including advice on regional harmonisation of railway and customs law; integration with international conventions and world trade practices; institutional development; and training.

Date:	1994 – 1995
Location	Kazakhstan
Company	Scott Wilson Kirkpatrick
Position	Transport Law Expert
Description	Visiting expert for EC TACIS Transport Law Reform Project in Kazakhstan covering land, sea and air transport modes. Responsible for advising on legal reforms, developing action plans for future technical assistance needs, integrating with international transport and customs conventions, and training counterpart legal personnel.

Date:	1975 – 1991
Location	France
Company	French Passenger and Freight Haulage Association
Position	Head of Legal, Fiscal and Insurance Services
Description	Responsible for all legal and fiscal services including advice and assistance to member companies on legal problems, negotiation of international transport and customs conventions and agreements; negotiations with State and other public officials; and management training.  During this period he was also a member of the IRU Legal Commission in Brussels and the IRU expert representative on fiscal matters to the European Union.

**CURRICULUM VITAE:****Dr Ruth GOLOMBOK**

Proposed position in the programme:

**ENVIRONMENTAL SPECIALIST**

1. Family Name: GOLOMBOK
2. First Names: Ruth
3. Date of Birth: 22 November 1960
4. Nationality: British
5. Civil Status: Single
6. Education:

Institution	University of Glasgow
Date:	1978 - 1982
Degree obtained	BSc (Hons I) Chemistry

Institution	University of Cambridge
Date:	1986 - 1990
Degree obtained	PhD Chemistry

## 7. Language Skills (Mark 1 to 5 for competence):

Language	Reading	Speaking	Writing
English	5	5	5
French	5	3	2

8. Membership of Professional Bodies: Registered Associate Environmental Auditor  
Member of the Chartered Institution of Water & Environmental Management (MCIWEM)
9. Other Skills: Computer Literate
10. Present Position: Principal Environmental Specialist
11. Years with Firm: 3 years
12. Key qualifications:

Ruth has 8 years experience of carrying out Environmental Assessments on transport related projects. She is fully conversant with the demands placed up them by the various funding agencies especially Takis and EBRD. Relevant experience and qualifications for this role follow on below:

- Environmental and social studies ranging from development of strategies, impact assessments, audits and reporting, pollution prediction, monitoring and evaluation, particularly in relation to infrastructure and transportation projects.
- Undertaking projects in a range of countries in accordance with procedures and requirements of various clients including government departments, international bodies and donor agencies including Takis
- Creative problem solving using technical, numerical and analytical methods.



**CURRICULUM VITAE:**

**Dr Ruth GOLOMBOK**

- Understanding of engineering and technical requirements and ability to work with engineers, specialists and developers.
- Knowledge of the range of issues associated with the natural, physical, biological and social-cultural environments, techniques to address them and their inter-relationships.
- The development and practical application of policy, guidelines and regulatory measures.
- Proposal of environmental monitoring and management plans, review of local capabilities to implement such plans and the design and delivery of capacity building exercises and technology transfer for government officials, managers and members of local communities.
- Development and use of environmental, economic, social and ethical indicators
- Techniques to raise awareness of and to integrate environmental and social considerations and principles of sustainability into policy making and management.

**13. Specific experience in the region:**

Country	Date
Uzbekistan	1995 and 1999

**14. Professional experience:**

Date:	1998 – to date
Location	UK
Company	Scott Wilson Kirkpatrick & Co Ltd
Position	Principal Environmental Specialist
Description	<p>Roads</p> <p>Warsaw Traffic Management Project: Project Identification, Poland - Environmental component of a study to assess a proposed traffic control system and identify components of a road management pilot programme, Phare.</p> <p>Central Uganda Road Maintenance and Rehabilitation Programme Study and Design Update, Uganda - EIA of proposals for 270 km highway through heavily populated urban and rural agricultural areas. Undertaken for the African Development Bank.</p> <p>Road Sector Institutional Support Technical Assistance Project, Uganda - EIA of the rehabilitation of three sections of rural highway through a National Park and agricultural areas. Effects during construction and operation were evaluated and mitigation measures recommended, undertaken for the World Bank.</p> <p>West Midlands to North West Conurbations Multi-modal Study, UK - The project aims to manage existing transport networks as efficiently as possible. Input is being provided to the development of frameworks, methods and criteria consistent with those outlined in international, national and local guidance to rank various options in terms of environmental and social objectives. Government Office of the West Midlands</p> <p>Other Transport</p> <p>Train Operating Companies Commercialisation Project, Poland - Environmental component of a pre-investment study to modernise the freight locomotives, equipment and handling procedures. The study identifies environmental consequences of the proposed intervention and reviews current environmental legislation and the performance and management practices of the railway company and includes an Action Plan, undertaken for the EBRD.</p>



**CURRICULUM VITAE:**

**Dr Ruth GOLOMBOK**

	<p>Uzbek Railway Project, Uzbekistan - Environmental component of a pre-investment due diligence study for the development of the railway infrastructure, EBRD.</p> <p>Azov and Taganrog Port Development, Russian Federation - Environmental Review of current port operation and proposals of recommendations both in terms of design and operation of equipment and management procedures to reduce impacts on the environment, undertaken for Takis</p> <p>Policy/Strategy Development of Strategic Guidelines for Mining and Oil Extraction in Arid and Semi-Arid Regions - The guidelines are intended for government, prospecting companies, NGOs and monitoring agencies and cover all components of the environmental management cycle. They are being developed for the IUCN, together with the Secretariat of the Convention to Combat Desertification, the World Business Council and the OECD Secretariat.</p>
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Date:	1992 – 1997
Location	UK
Company	Mott MacDonald Group
Position	Environmental Project Manager
Description	<p>Road Network Pre-investment Study, Czech Republic - Environmental component of an economic, environmental and technical study undertaken for the European Investment Bank (EIB) to identify, justify and rank various road improvement and new investment projects for possible financing by the EIB and the European Bank for Reconstruction and Development (EBRD). The appraisal was undertaken in accordance with EBRD and EIB policy.</p> <p>Industry EIA Tobacco/Cigarette Factories Izmir, Turkey and Samarkand, Uzbekistan - Environmental Impact Assessments of construction and operation of proposed factories to identify environmental concerns and recommend mitigatory works and measures. The appraisals were based on UK and EU policy, legislation and guidelines and focused on emissions to air and water.</p>



## Proposed position in the programme:

CUSTOMS IT EXPERT

1. Family Name SCHWARZER
2. First Names Michael George
3. Date of Birth 11 May 1949
4. Nationality British
5. Civil Status Married
6. Education

Institution	Wigan Technical College
Dates	1967-1969
Degrees/Diplomas	Ordinary National Diploma, Electrical/Mechanical Engineering
Institution	Huddersfield Polytechnic
Dates	1969 - 1972
Degrees/Diplomas	BSc Electronics

## 7. Language skills

Language	Reading	Speaking	Writing
English	5	5	5
German	2	3	2

## 8. Membership of Professional bodies

9. Other skills
  - Computer Literate
  - EDI Experience
  - Overseas Work Experience
10. Present Position EDI Specialist
11. Years with Firm 4 years
12. Key Qualifications

Mike Schwarzer has almost 30 years experience of the IT industry, of which the last 14 years have been concerned with development of IT solutions for the transport environment that are designed to enhance and control trade and transport. He has worked on Taxis projects with Scott Wilson in the CIS for the last 3 years and is familiar with the systems used by many Customs Authorities in the TRACECA region, as well as the existing IT border control methodologies. He is currently working on development of IT systems with Customs on an existing TRACECA project. He has been responsible for development and design of community-type systems involving Customs control, DTI, use of EDI and is familiar with international Customs software.

## 13. Specific regional experience

Country	Date:
Russia	01/1993 - 04/2001
Ukraine	11/1999 - 04/2001
Moldova	11/1999 - 04/2001
Armenia	11/1999 - 04/2001
Georgia	11/1999 - 04/2001
Azerbaijan	11/1999 - 04/2001
Kyrgyzstan	11/1999 - 04/2001
Kazakhstan	11/1999 - 04/2001

14. Professional Experience:

<b>Date</b>	2000-2001
<b>Location</b>	Delhi, Mumbai and Chennai India
<b>Company</b>	Scott Wilson Kirkpatrick
<b>Position</b>	IT, EDI, Customs and Community System Team Leader
<b>Description</b>	<p>EU-India Maritime Project</p> <p>Technical Expert responsible for liaison between all Port Community members to improve the efficiency of Indian Sea Port by use of IT and EDI Technology. Also responsible for investigation and liaison with Indian Customs Authorities to improve flow of data within the Port Community by integrating and harmonising Customs procedures in line with European standards.</p> <p>Team member responsible for the implementation of true Community Computerised System in co-operation with Central and Regional Government, Central and Local Customs Authorities and all Sea Port Users.</p> <p>Responsible for the specification and acquisition of the necessary computer hardware, communication equipment and software within the Port Community. Project aims are an overall, measurable improvement in the efficiency of the Port sector in India. The project is scheduled to be completed by mid 2003.</p>

<b>Date</b>	1998 – 2000
<b>Location</b>	Switzerland, TRACECA Republics of the CIS, including Kazakhstan,
<b>Company</b>	Scott Wilson Kirkpatrick
<b>Position</b>	IT and EDI Team Leader
<b>Description</b>	<p>TACIS Project:</p> <p>International Road Transport Transit Facilitation, TRACECA Project</p> <p>Technical Expert/Team Leader responsible for the technical liaison between beneficiaries – Country Customs and Road Transport Organisation and the IRU (International TIR) in Geneva to facilitate additional techniques utilising Computer Technology and EDI communications to speed up the flow of SafeTIR discharge data. SafeTIR utilises standard WP30 formatted data strings</p> <p>Responsible for the specification and acquisition of the necessary computer and communication equipment via EC tender regimes.</p> <p>Installation, set up and operation of these improvements is expected by mid 2001.</p>

<b>Date</b>	1998 –2000
<b>Location</b>	Moscow and Nizhny Novgorod, Russia
<b>Company</b>	Scott Wilson Kirkpatrick
<b>Position</b>	IT and EDI Specialist
<b>Description</b>	<p>TACIS Project:</p> <p>Internal Russian Waterways and River-Sea Transport Project, ref. TNRUS 9603</p> <p>Technical expert responsible for the technical evaluation, system specification, selection and procurement of a Port Management system for the Port of Nizhny Novgorod and its associated Logistics Centre. The system has been installed and is in test phase at present</p>

<b>Date</b>	1998 – 2000
<b>Location</b>	Nizhny Novgorod, Russia
<b>Company</b>	Scott Wilson Kirkpatrick
<b>Position</b>	IT and EDI Team Leader

Description	<p>TACIS Project: Nizhny Novgorod Regional Transport Development, re TNRUS 9804</p> <p>Technical expert/Team Leader responsible for the technical evaluation, design, specification and selection of an IT system for the Nizhny Novgorod Transport community, linking and exchanging data between the transport department of the regional government and the major transport operators of Road, Rail and waterways including the Nizhny Novgorod Port.</p> <p>The project involves a Multimodal Information system to provide data collection on all modes and types of cargo movements within the Nizhny Novgorod region to allow overall development of transport within the region.</p> <p>Data from the system, in additional to statistical purposes, will be automatically provided and transmitted to a newly developed Freight Traffic forecasting Model.</p> <p>The 5 interlinked systems are currently being installed with a live start date early 2001.</p>
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Date	1998 –1998
Location	Jeddah & Riyadh, Saudi Arabia
Company	Maritime Cargo Processing, UK
Position	IT and EDI specialist
Description	<p>MCP Internal Project: Sales/Technical visit, funded by Government officials to ascertain if the widely used Felixstowe Port Community system (FCP80) could be adapted for use throughout Saudi Arabia.</p> <p>Discussions and technical presentations to Jeddah Port and related community partners as well as Government Officials in Riyadh.</p>

Date	1986 to date
Location	UK Wigan
Company	Ideal Internet Services Limited
Position	Director
Description	<p>Responsible for the development and implementation of the UNITRACK total concept computer system. This system consists of modular software packages for the control of containers, vehicles, general and bulk cargoes, including integrated EDI facilities in ports and terminals, Inland Clearance Depots, M&amp;R depots and for owned container fleets.</p> <p>EDI facilities in the Shipping and Distribution arena are predominantly UN/EDIFACT style messaging originally using a plethora of communications means, now almost entirely via the Internet medium.</p> <p>UN/EDIFACT Message Formats include:</p> <ul style="list-style-type: none"> <li>Customs Cargo report – CUSCAR</li> <li>Ingates and Outgates – CODECO</li> <li>Discharge and Loading – COARRI</li> <li>Dangerous Goods notification – IFDGN</li> <li>Customs declaration – CUSDEC</li> <li>Customs response – CUSRES</li> <li>Container pre-arrival notification – COPARN</li> </ul> <p>Knowledge of EDI methodologies for Direct Trader Input (DTI), Inventory Control, Imports, Exports, Dangerous Goods.</p> <p>Full understanding of the benefits for the Port Community including: Port Operators, Stevedoring Organisations, Clearing Agents, Local, Regional and Country Customs, Shipping/Liner Agencies, Clearing Agents, Road and Rail companies</p> <p>The UNITRACK systems provides for planning, managing and tracking containers, general cargo and vehicles with a port or depot environment.</p>