

Terms of Reference

Joint Frontex-Italy-EUBAM Pilot Training Action in support of the Libyan General Administration for Coastal Security (GACS)

1. Purpose

These Terms of Reference (TOR) outline the major components of the collaboration between Frontex, Italy, and EUBAM Libya for the development and implementation of a joint pilot training initiative to the benefit of the Libyan General Administration for Coastal Security (GACS). The TOR are annexed to an exchange of letters among the three parties formalizing the commitment to this joint initiative.

2. Background

In a letter to Frontex Executive Director on 15 October 2017, EUBAM Libya requested Frontex support to deliver training in seven specific priority/course areas (sea, land, air domains) in order to enhance the operational capacity of a variety of Libyan authorities performing border management tasks¹. EUBAM Libya, in cooperation with the Libyan National Team for Border Management and Security (NTBMS), had developed in early 2017 a Training Catalogue, and the request to Frontex was part of the mission's effort to encourage donors to supply training to Libyan beneficiaries.

After a careful assessment of the request, the risks, and Frontex capacities and limitations related to a direct engagement with Libyan authorities and an analysis of the strategic priorities of the EU policy towards Libya including the role of EUBAM Libya and Italy, Frontex invited the three parties to a technical meeting in Warsaw on 6 March 2018 to discuss a concept for the development of a joint pilot training initiative. The proposed concept aims in the short term to deliver a training course to a Libyan agency (the GACS) and at the same time to test a collaboration framework that would exploit synergies and minimize risks and that could be used in the future for other capacity-building activities in Libya or elsewhere. The parties agreed at the meeting to further develop the initiative.

The selection of the GACS as a beneficiary of this pilot training action is motivated from a strategic perspective by the importance of maritime operations for the border management of Libya and by the need to complement in a coherent and holistic way already existing initiatives. Operational/technical support to the GACS is one of the priorities of EUBAM Libya. A Maritime Sub-Working Group is being established by EUBAM with the participation of other actors (including Libyan entities, ENFM, Italy, and Frontex) also for that purpose. The EUTF financed project implemented by Italy foresees by 2020 the delivery of repaired vessels to the GACS (3 out of 8 already delivered) as well as the training of additional 88 GACS crew members in addition to the 43 already trained in 2017.

The bilateral cooperation between Italy and Libya provides the legal framework in which this pilot training action will be developed and implemented.

¹ *Air border-related specific practice (airport procedures, border control procedures, back-office further investigation), Search and Rescue on Scene Coordination (OSC), Land-border related practices (border surveillance, border patrol, border checks)*

3. Objectives

The goal of the training is to strengthen the coast guard function of the Libyan GACS by **complementing** capacity building activities launched by Italy in the context of the EUTF financed project for Libya and by **supporting** EUBAM Libya in its strategic initiatives related to institution-building in the Libyan maritime domain.

In particular, the specific objective is to provide 20 GACS crew members with the basic skills and knowledge to safely conduct maritime law enforcement operations using the vessels delivered by Italy.

The overall aim of the pilot training action is to test the joint capacities of the parties and the collaboration framework (EU JHA Agency, EEAS CSDP mission, EU MS) in view of future technical assistance engagements in Libya and potentially in other countries in the region.

4. Outputs

The following outputs are expected by the end of the joint pilot training action:

- Training curriculum and materials tailored to the needs of the beneficiary and in particular focusing on developing and strengthening knowledge and skills for the performance of coast guard functions in the area of border control, operational response, countering cross border crime and Search and Rescue (SAR) as a priority. In addition to the inclusion of a specific component on fundamental rights, the curriculum will streamline fundamental rights across all its components.
- Successful accomplishment of a 3-weeks training course by GACS crew members (at least 80%)
- Evaluation report of the pilot training action including lessons learned and recommendations on the use of similar collaboration frameworks for future capacity building initiatives for other Libyan entities or other third countries.

5. Participants

Participants are Frontex, Italy and EUBAM Libya. In particular, the following capacities of the three parties will contribute to the development and the implementation of this joint initiative:

	Entity	Referent Persons
Frontex	International and European Cooperation Unit (IEC)	[REDACTED]
	Training Unit (TRU)	[REDACTED]
	Coast Guard Sector, Law Enforcement and Coast Guard Unit (CGS)	[REDACTED]
Italy	International Cooperation Office, Central Directorate for Immigration and Border Police, Italian Ministry of Interior (ITA MOI)	[REDACTED]
	Scuola di Polizia Economica-Finanziaria, Guardia di Finanza (ITA Training)	[REDACTED]
EUBAM Libya	Management (EUBAM HOM)	[REDACTED]
	Border Management Unit (EUBAM BMU)	[REDACTED]

6. Beneficiary

The beneficiary of this pilot action is the **Libyan General Administration for Coastal Security (GACS)**. In particular, the trainees will be 20 GACS crew members out of the 43 already trained by Italy in 2017 in the context of their training package associated to the delivery of repaired patrol boats that have been now returned to Libya.

The GACS is a law enforcement agency established within the structure of the MOI. Its competences at sea are up to 12 nautical miles. Beyond this limit, the Libyan Coast Guard (MOD) is responsible. The GACS is also responsible for a 30 km band of land along the coastline (1700 km long). It has law enforcement powers and is thus in charge of countering any illegal activity in its area of responsibility including irregular migration and trafficking of human being, but also with competence on Search and Rescue activities (although there's a clear overlap with the Libyan Coast Guard in terms of competence). In addition, it is in charge of controlling the violation of any administrative regulations within the territorial waters and the coastline. Currently the GACS is not operational at sea, despite having received 3 repaired patrol boats and training in the theory and practice of navigation, maintenance etc.

Commitment and responsibilities of the beneficiary will be discussed and agreed upon in writing during a meeting with high ranking officials from the Libyan Ministry of Interior and the GACS to be organised and led by the Italian Ministry of Interior, with the support of EUBAM Libya, using a similar framework usually used by the Italian MOI for delivery of training to Libyan authorities at the bilateral level. Frontex and EUBAM Libya will also attend the meeting and co-sign the minutes that will constitute the agreement with the beneficiary.

7. Roles and Responsibilities

The participants contribute to the joint pilot initiative according to the following agreed roles and responsibilities.

FRONTEX leads and coordinates the joint pilot action and in particular:

- Funds all the expenses directly related to the pilot and described under costs below. A preliminary budget with foreseen expenses associated should be finalised by Frontex TRU
- Designs a tailored course with a specific curriculum to cover all CG functions, according to GACS tasks and responsibilities within LYB TTW with priority on law enforcement (including sea border surveillance border control, SAR ops, maritime safety and security, and fundamental rights in collaboration with Italy and EUBAM Libya
- Organises preparatory meetings for the development of the curriculum and the implementation plan.
- Employs ITA and other EU MSs trainers as per usual Frontex training policy
- Manages the administration related to mission and trainer reimbursement, participants travel and accommodation, materials etc.
- Delivers the course in collaboration with Italy
- Organises an evaluation meeting
- Conducts the evaluation in collaboration with all parties

ITALY

- Organises a meeting with the Libyan beneficiaries and manages the agreement via minutes.
- Participates in preparatory and evaluation meetings
- Contributes to the development of the training curriculum
- Provides facilities of a training academy (with proper infrastructure for practical exercises), trainers if needed, logistics and equipment as per usual Frontex Partnership Academy agreement
- Vets the trainees selected by GACS
- Manages the list of trainees and related personal data
- Facilitates the issuance of visas
- Performs medical examination for trainees, if required by the practical training exercises

EUBAM:

- Contributes to the development of the training curriculum
- Supports Italy in organizing the meeting aimed at gaining commitment and responsibility of GACS
- Supports Italy in participating with beneficiary authority/ies to identify trainees and handles daily correspondence/relationship with the Libyan authority before and after the training
- Participates in preparatory and evaluation meetings
- Routinely monitors in the field the effectiveness of the training after the delivery
- Funds the mission costs of Libyan participants if meetings are organised in Tunis

- Provides facilities if meetings are organised in Tripoli or Tunis.

8. Activities, Deliverables, and Roles

The pilot action starts when the three parties confirm in writing their commitment to participate in this joint initiative via official letter. Three phases are foreseen: 1) a preparation phase with the objective to conclude an agreement with the beneficiary and define the details of the curriculum and of the implementation; 2) an implementation phase geared towards the delivery of the course; and 3) an evaluation phase intended to collect the lessons learned and assess the effectiveness and efficiency of the pilot in view of future similar engagements.

The following table outlines the activities and deliverables as well as defines the entities who take the lead and/or contribute.

	Activities	Deliverable/Milestone	Lead	Participants/Contributors
1. Preparation				
1.1	Exchange of letters	Formal Agreement on Cooperation Framework concluded	Frontex ITA MOI, EUBAM HOM	
1.2	Meeting with beneficiary	Agreement of beneficiary concluded through signed minutes	ITA MOI	Frontex CGS, EUBAM HOM, GACS
1.3	Identification of trainers and curriculum development meetings ²	Curriculum developed and a preliminary budget elaborated by TRU	Frontex ITA	ITA Training, Frontex CGS, Frontex FRO, EUBAM BMU (+ EU trainers identified by Frontex TRU in support)
1.4	Implementation planning meeting at the PA	Implementation plan and detailed budget forecast drafted (based on the preliminary budget elaborated by TRU)	Frontex ITA Training	Frontex
1.5	Vetting of trainees selected by GACS	Vetting of 20 officers selected by GACS, with the support of ITA MOI	ITA MOI	GACS, EUBAM BMU
2. Implementation				
2.1	Manage trainers	Trainers deliver the course	Frontex	(+ EU Trainers identified by Frontex)
2.2	Compile materials	Materials are developed, translated, and delivered	Frontex	ITA Training, Frontex CGS, EUBAM BMU, (+ EU Trainers identified by Frontex)
2.3	Manage logistics for participants arrival	Participants are selected and admin is managed (visa, travel, accommodation) and they arrive at location. Medical examination (possible)	Frontex Frontex	ITA MOI, ITA training, EUBAM BMU,

² Note that more than one meeting may be necessary for curriculum development. Frontex TRU will develop a concrete timeline with specific dates for the meetings in agreement with ITA Training and EUBAM BMU

2.4	Deliver course	Course delivered	Frontex	ITA Training, (+ EU Trainers identified by Frontex)
2.5	Evaluation of the course	Course is evaluated by the trainees and the beneficiary	Frontex	ITA Training, (+ EU Trainers identified by Frontex
3.Evaluation				
3.1	Evaluation Meeting	Report of meeting drafted	Frontex	Frontex , Frontex EUBAM BMU, EUBAM HOM, ITA MOI, ITA Training
3.2	Draft and agree on Evaluation report	Evaluation report is completed	Frontex	Frontex Frontex Frontex FRO, EUBAM BMU, EUBAM HOM, ITA MOI, ITA Training

9. Timeline (tentative)

The table below clusters the main activities and milestones by phase and proposes an indicative timeline. The timeline will be adjusted based on the outcomes of the preparatory phase. The pilot action should conclude by December 2018 at the latest.

	Activities	Deliverable/Milestone	Timeline											
			Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dic		
1. Preparation														
1.1	Exchange of letters	Formal Agreement on Cooperation Framework concluded												
1.2	Meeting with beneficiary	Agreement of beneficiary concluded through signed minutes												
1.3	Identification of trainers and curriculum development meetings	Trainers identified and Curriculum developed and a preliminary budget elaborated by TRU												
1.4	Implementation planning meeting at the PA	Implementation plan and detailed budget forecast drafted												
1.5	Selection of trainees, including vetting procedure	20 officers from GACS are selected												
2. Implementation														
2.1	Manage trainers	Trainers deliver the course												
2.2	Compile materials	Materials are developed, translated, and delivered												
2.3	Manage logistics for participants arrival	Participants are selected and admin is managed (visa, travel, accommodation) and they arrive at location												
2.4	Deliver course	Course delivered												
2.5	Evaluation of the course	Course is evaluated by the												

		trainees and the beneficiary											
	3.Evaluation												
3.1	Evaluation Meeting	Report of meeting drafted											
3.2	Draft and agree on Evaluation report	Evaluation report is completed											

Note that there is a dependency between the phases and the timing and content of individual activities. For example, the definition of the curriculum and the decision to include practical exercises will influence the implementation planning in terms of period, length, location (for example a specialised centre with simulator, equipment/materials needed (for example special clothing) and thus costs, and may also result in the introduction of health criteria for the selection of the trainees. All these factors shall be taken into consideration during the curriculum development and the implementation planning phases.

10. Costs

Frontex will cover the following costs:

- Reimbursement of travel, accommodation, and DSA for ITA MOI and ITA Training representatives participating in meetings in Europe or Tunisia in the preparation (3) and evaluation (1) phases
- Direct costs of travel, accommodation, DSA, visa for Libyan representatives (max 3) participating in a meeting (1) in the preparation phase if the meeting is in Europe (Rome, Warsaw, or elsewhere)
- Direct costs of travel, accommodation, DSA, visa for 20 GACS trainees and 1 supervisor for the entire duration of the course in Italy (3 weeks)
- Costs identified in the budget forecast drafted during the implementation planning and agreed upon by Frontex by the implementing ITA Partnership Academy as per usual Frontex procedure (costs may include also use of interpreters, materials, equipment etc.)
- Reimbursement of travel, accommodation, and DSA for participating trainers
- Costs of training materials

EUBAM Libya will cover the following costs:

- Direct costs of travel, accommodation, DSA, visa for Libyan representatives (max 3) participating in a meeting (1) in the preparation phase, if the meeting is in Tunis
- Provides facilities if meetings are organised in Tripoli or Tunis

A detailed budget forecast will be prepared by the end of the preparation phase and agreed upon with Frontex.

11. Risks

Nr.	Description	Cause	Effect	Estimated Level	Mitigation Strategy	Cost of Mitigation
R1	Beneficiary does not accept the offer	Limited absorption capacity, disagreement with content	Pilot is stopped	low	Adapt offer to the needs of the beneficiary	Cost of additional modules/length
R2	Beneficiary does not accept the duration of training	According to EUBAM's experience	Pilot won't start	medium	Adapt offer to the needs of the beneficiary	Cost of additional modules/length

Nr.	Description	Cause	Effect	Estimated Level	Mitigation Strategy	Cost of Mitigation
		authorities usually demand at least 4 weeks training				
R3	Trainees do not show up for the training	Problems with visa/flights	Course cannot be delivered, money lost	high	EUBAM BMU and ITA MOI to intervene with options. OR Course postponed	Cost of additional actions (quick visa, new flight tickets). Costs of postponing in terms also of PA and trainers
R4	Trainees do not have a basic understanding to participate in the course	Trainees are NOT the ones who have been selected by the IT MOI	Course does not achieve objective	low	ITA MOI to verify the selected trainees	
R5	Frontex does not find enough competent trainers	Lack of availability of trainers for the period identified	Course cannot take place	low	Frontex to act swiftly to identify trainers	
R6	There are problems of comprehension - language	Interpreters not good enough/not in sufficient quantity	Course does not achieve objective	medium	Select interpreters who have already participated in similar trainings	
R7	Trainees misbehave in Italy and become a security threat	Vetting not conducting properly/not enough supervision	Security, reputational	low	ITA MOI vets trainees who have already participated in training. GACS supervisor also attends the course	

12. Evaluation of the Pilot

The pilot and the collaboration framework will be evaluated in terms of effectiveness and efficiency (cost/benefit analysis). Lessons learned will be recorded as well as recommendations for a continuation of the action for the benefit of the GACS, other Libyan beneficiaries, or other third countries in which similar conditions exist.