

Utrikesdepartementet

**Antagande av rådsbeslut enligt artikel 28 och 43.2 i EU-fördraget om
ändring av gemensam åtgärd 2005/889/GUSP om inrättande av EU:s
gränsövervakningsuppdrag för gränsövergångsstället i Rafah (EUBAM Rafah)**

1 bilaga

Ärendet

Den 25 november 2005 antog Europeiska unionens råd en gemensam åtgärd (2005/889/GUSP) för att etablera en insats för stöd till gränsstationen i Rafah vid gränsen mellan den palestinska myndigheten i Gaza och Egypten. Insatsens syfte är att bidra till att gränsstationen hålls öppen och till att förtroendet stärks mellan den palestinska myndigheten och Israel.

Insatsen har, sedan dess etablering, förlängts varje år, senast i november 2009, och gäller till och med den 24 maj 2010.

Rådet föreslås nu besluta om att förlänga insatsen med ytterligare ett år, till och med den 24 maj 2011, samt att anpassa texten i den gemensamma åtgärden till Lissabonfördraget. Rådet förväntas anta ett rådsbeslut med denna innebörd vid ett kommande ministerrådsmöte.

Lydelsen av förslaget till rådsbeslut framgår av *bilagan*.

Regeringens beslut

Regeringen beslutar att Sverige i rådet ska rösta för ett antagande av rådsbeslutet, under förutsättning att det i huvudsak stämmer överens med bilagan.

Utdrag till

UD/SP

UD/MENA

UD FMR

UD/RS

SB SAM

Ju/PO

FÖ/SSK

Fi/BA

Representationen Bryssel

Ambassaden Tel Aviv

Generalkonsulatet Jerusalem



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 May 2010

9266/10

LIMITE

**PESC 572
CIVCOM 254
COSDP 380
COMEM 83
RELEX 377
JAI 378
EUBAM RAFAH 26**

NOTE

From : Civilian Planning and Conduct Capability (CPCC)
To : Delegations

Subject : Council Decision amending and extending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) - Financial Statement

On 15 April 2010, the Foreign Relations Counsellors Working Party (RELEX) reached an agreement on the text for a draft Council Decision amending and extending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) from 25 May 2010 until 24 May 2011 as well as on the related budgetary impact statement contained in the Annex to this note.

BUDGETARY IMPACT STATEMENT**BUDGETARY IMPACT STATEMENT**

Policy area(s): External Relations

Activity (-ies): Common Foreign and Security Policy

Title of action: Council Decision 2010/xxx/CFSP of xx May 2010 amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)

1. BUDGET LINE(S) CONCERNED + HEADING(S)

19 03 01 ‘Monitoring and implementation of peace and security processes’

2. LEGAL BASIS

Treaty on European Union, in particular Articles 28, 31 (2) and 33

Treaty on the Functioning of the European Union

Council Regulation (EC) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Union, in particular Article 75(2) thereof.

3. OVERALL FIGURES FOR THE FINANCIAL YEAR (IN EUROS)

3.1 Current year

		Commitments	Payments
Initial appropriation for the financial year		38,000,000	26,000,000
Supplementary budgets		-	-
Transfers		-	-
Total appropriation		38,000,000	26,000,000
Utilisation at	Date 12/04/2010	2,168,762.41	7,899,870.73
Balance available		35,831,237.59	18,100,129.27
Total for the measure proposed		1,950,000	1,950,000

3.2 Carryovers

		Commitments	Payments
Carryovers		1,331,237.59	358,100.28
Utilisation at	Date	1,331,237.59	358,100.28
Balance available		-	-
Total for the measure proposed		-	-

3.3 Following year

(If the proposal covers year n+1)

N/A

3.4 Subsequent years (in the case of commitments in annual instalments)

(If the programmes are adopted in annual instalments, the commitments should be divided over the whole period planned for the commitments)

N/A

4. DESCRIPTION OF THE ACTION

The aim of EUBAM Rafah is to provide a Third Party presence at the Rafah Crossing Point in order to contribute, in cooperation with the Union's institution-building efforts, to the opening of the Rafah Crossing Point and to build up confidence between the Government of Israel and the Palestinian Authority (PA).

To this end, EUBAM Rafah shall:

- actively monitor, verify and evaluate the PA's performance with regard to the implementation of the Framework, Security and Customs Protocols concluded between the parties on the operation of the Rafah terminal;
- contribute, through monitoring, to building up the Palestinian capacity in all aspects of border management at Rafah;
- contribute to the liaison between the Palestinians, Israeli and Egyptian authorities in all aspects regarding the management of the Rafah Crossing Point.

EU BAM Rafah shall implement the responsibilities entrusted to it in the Agreement between the Government of Israel and the Palestinian Authority regarding the management of the Rafah Crossing Point. It shall not undertake substitution tasks.

Breakdown	2010	2011	Total
<u>Contribution EC:</u>	€ 1,950,000	-	€ 1,950,000
<u>In-kind contributions by Member States</u>			
<p><u>Personnel</u></p> <p>At present Finland, France, Germany, Hungary, Italy, Sweden are providing staff to the Mission.</p> <p><u>Equipment</u></p> <ul style="list-style-type: none"> • Luxembourg: 1 Helmet bullet proof, 1 bullet proof jacket (donated on 27/06/2007) • Sweden: 26 modules (container package fully equipped – donated on 21/04/2006) + 4 sets of body armour and helmets (donated on 19-22/04/2006) • United Kingdom: 5 armoured vehicles fully equipped (mobile satellite phones + mobile radios) + 2 armoured vehicles for 1 month + equipment for personnel (2 laptops, 6 VHF handsets, 1 VHF repeater, 6 UHF handsets, 1 UHF repeater, 1 UHF base station, 6 GSM phones, 6 SAT phones: donated on 24/11/2005) • Germany: 2 laptops (donated on 30/11/2005) 			
<u>Financial Contribution by Member States</u>¹			260,000€
TOTAL	€ 1,950,000 + € 260,000		
EC+MS bilateral contributions			

- ¹ Expenditures foreseen during the new mandate
- * Instalment of an additional access controller (Class 2 area) (€1,000)
 - * Reinforcement measures for HQ premises (€3,500)
 - * Upgrade of 5 existing armoured vehicles (€ 180,000)
 - * Other security equipment recommended by CSO (metal detector, scanner, portable explosive detector, etc) (€65,000)
 - * Security sweeping for offices and residences (€ 10,000)
Amount already spent: 932,043.61 €

5. METHOD OF CALCULATION ADOPTED

5.1 Calculation of main costs by heading

5.1.1 Personnel costs

Type	Staff 25 Nov 09 – 24 May 10	Staff requested 25 May 2010 – 24 May 2011
HoM	1	1
Seconded Staff (EU)	12	7
International contracted staff	5	5
National staff	12	10
Total	30	23

The distribution of posts following the revised organigramme is as follows:

International Seconded positions:

- | | |
|---------------------------------------|---|
| 1 Political/Legal Adviser – | to be published in the next Call for Contributions (CfCs) |
| 1 PPIO – | to be published in the next CfCs |
| 1 Chief of Operations/DHoM – | to be published in the next CfCs |
| 1 Customs Expert – | to be published in the next CfCs |
| 1 Border Police Expert – | to be published in the next CfCs |
| 1 Senior Mission Security Officer | |
| 1 Senior Monitor/HoM Close Protection | |

International Contracted staff:

- 1 Head of Administration and Finances
- 1 Senior Finance and Accounting Officer
- 1 Senior Human Resources Officer

1 CIS Officer – to be published in the next CfCs
1 Senior Logistics/Transport and
Operations Expert – to be published in the next CfCs

Local staff:

1 Legal Officer
1 Administrative/Procurement Officer
1 Mission Transport and Logistic Officer
1 Finance and Accounting Officer
1 Interpreter/Human resources Officer
3 Language assistants in Gaza (1 full time position, 2 part time positions)
2 Drivers

Salaries

Head of Mission

Head of Mission 12 months * 15,800 €/month = 189,600 €

The remuneration of the Head of Mission, corresponds to the basic salary of a grade AD 13, 1st step, as fixed at Article 66 of the EC Staff Regulations. This salary is determined on the basis of Commission Communication C(2009)9502 of 30 November 2009 on “Specific Rules of Special Advisers entrusted with the implementation of operational CFSP actions and contracted international staff”.

The remuneration includes applicable allowances as per the EC Staff Regulations.

Basic salary	11,461 €
Expatriation allowance (16%)	1,834 €
Household and children allowances	0 €
Hardship allowance (20%)	2,029 €
Margin for indexation and allowances	476 €
Total	15,800 €

The cost of the Head of Mission comprising monthly salary and removal allowance (50% of monthly basic salary) at the end of mission totals € 201,772.

Seconded staff

The budget foresees up to 7 staff members seconded from Member States, whose high risk insurance and per diems are covered by the EU. Salaries, expenses for medical check and travel to Ashkelon are covered by the seconding Member States.

International seconded experts		QTY	Unit cost	Total
7 positions for seconded experts	1 Political / Legal Adviser (1 x 11 months) 1 PPIO (1 x 11 months)	2,400	85.37	204,888
	1 Chief of Operations / DHoM (1 x 11 months) 1 Customs Expert (1 x 11 months) 1 Border Police Expert (1 x 11 months)			
	1 Senior Mission Security Officer (1 x 12 months) 1 Security Monitor / HoM Close Protection (1 x 12 months)			
Risk allowance	3 days x 12 months = 36 days	36	35	1,260
Hardship allowance	pm	-	-	-
			Subtotal	206,148

Per Diem

Seconded staff are eligible to receive per diems. Per diem will be paid for each day, from the date of arrival in the country of assignment until the date of leaving the country, including during regular leave. The level of per diem is based on the Guidelines for allowances for seconded staff participating in EU civilian crisis management missions². It consists of 75% of the per diem paid by the UN to military observers/civilian police as Mission Subsistence Allowance. Locations for which an UN MSA rate has not been established will refer to the 'Daily Subsistence Allowance' (DSA) rate of the International Civil Service Mission. The current DSA rate for Israel (=elsewhere in Israel) is 570 NIS. On this basis the daily allowance rate stands at € 85.37³. Per diem to cover a period of 11 months are considered for all the modified or new positions which will be part of the next Call for Contributions.

Risk allowance

No risk allowance will be paid for days with a presence in provisional headquarters in Ashkelon, Israel, as the SITCEN risk assessment is at the level of MEDIUM.

Hardship allowance

As the Commission Delegation in Tel Aviv does not pay a living conditions allowance of 30% or more, no hardship allowance will be paid.

International contracted staff

Salary scales and remuneration package are in accordance with Commission Communication C(2009)9502 of 30 November 2009 on "Specific Rules of Special Advisers entrusted with the implementation of operational CFSP actions and contracted international staff".

² Council Doc 7291/09 of 10 March 2009.

³ Based on the InforEuro exchange rate of April 2010: 1 Euro = NIS 5.0074

International contracted staff		QTY	Unit cost	Total
Head of Administration and Finance	1 position x 12 months = 12 months	12	5,006	60,072
Senior Finance and Accounting Officer	1 position x 12 months = 12 months	12	4,475	53,700
Senior Human Resources Officer	1 position x 12 months = 12 months	12	3,875	46,500
Senior CIS Officer	1 position x 11 months = 11 months	11	3,700	40,700
Senior Logistics/Transport and Operations Expert	1 position x 11 months = 11 months	11	4,150	45,650
PPIO	pm			
Per diem	3 positions x 365 days + 2 positions x 334 = 1,763	1,763	85.37	150,507.31
Installation + Removal allowance	5 positions x 2 allowances = 10 allowances	10	2,000	20,000
Home leave	5 positions x 2 home leave = 10 home leave	10	800	8,000
Travel to take up duty or terminate duty	5 positions x 2 travels = 10 travels	10	800	8,000
Risk allowance	2 days x 12 months = 24 days	24	35	840
Hardship allowance	pm	-	-	-
Subtotal				435,169.31

Per Diem

International contracted staff are eligible to receive per diems. Per diem will be paid for each day, from the date of arrival in the country of assignment until the date of leaving the country, including during regular leave. The level of per diem is based on the Guidelines for allowances for seconded staff participating in EU civilian crisis management missions⁴.

Removal allowance

The budget covers an **installation and removal allowance** corresponding to 50% of one monthly basic gross salary of international contracted staff. This is for taking up office and upon termination of service (lump sum).

⁴ Council Doc 7291/09 of 10 March 2009.

Home leave

Home leave is calculated for every six months of duty, resulting in 5 trips at a maximum cost of €800 per trip. The total amounts to **€8,000**.

Risk allowance

No risk allowance will be paid for days with a presence in provisional headquarters in Ashkelon, Israel, as the SITCEN risk assessment is at the level of MEDIUM.

Hardship allowance

As the Commission Delegation in Tel Aviv does not pay a living conditions allowance of 30% or more, no hardship allowance will be paid.

Local Staff

10 local staff positions are included in the budget. Salary scales and remuneration package are in accordance with Commission Communication C(2009)9502 of 30 November 2009 on “Specific Rules of Special Advisers entrusted with the implementation of operational CFSP actions and contracted international staff”.

Salaries are determined based on the local staff salary grid of the Commission’s Delegation in Tel Aviv for staff working inside Israel and on the grid of ECTAO for staff working inside Gaza. Approximately 35% of the net salary needs to be added to cover taxes, social security and overtime (for drivers only). According to local legislation staff are entitled to a 13th month salary for every 12 months of employment and to the contribution from the employer to a pension fund (calculations on the contribution depend on the number of years of employment).

Local staff			QTY	Unit Cost	Total
Administrative / Procurement officer	1 position x 12 months = 12 months + 13th month salary	13	2,650	34,450	
Mission Transport & Logistics Officer	1 position x 12 months = 12 months + 13th month salary	13	2,200	28,600	
Finance and Accounting Officer	1 position x 12 months = 12 months + 13th month salary	13	2,000	26,000	
Driver / Fleet management Technician	2 positions x 12 months = 24 months + 13th month salary	26	1,400	36,400	
Interpreter / Human Resources Officer	1 position x 12 months = 12 months + 13th month salary	13	2,550	33,150	
Legal Officer	1 position x 12 months = 12 months + 13th month salary	13	2,000	26,000	
Language Assistants	1 position x 12 months = 12 months + 13th month salary 2 positions x 12 months = 12 months (part time) + 13th month	26	1,750	45,500	
Severance	by law due having served at least 9 months - pm				
Labour cost agency		12	100	1,200	
Social Security + Income Taxes	Approx.35% of net salary	0,35	184,600	64,610	
Pension funds	12% of net salary (2 staff)	0,120	63,050	7,566	
Pension funds	6% of net salary (rest of employees)	0,06	95,550	5,733	
Subtotal				309,209	

Insurances

The budget includes a provision of € 10,500 for financial liability insurance for the Head of Mission. The high-risk insurance for the Head of Mission has been calculated on the basis of 181 €/month, while in the case of international staff of € 165/month per person.

Insurances		QTY	Unit Cost	Total
	Financial liability insurance	1	10,500	10,500
	High risk insurance for HoM	12	181	2,172
	High risk insurance for international staff	137	165	22,605
Subtotal				35,277

TOTAL MAXIMUM PERSONNEL COSTS: € 1,187,575

5.1.2 Mission expenditure

All travel, accommodation & subsistence expenditure directly related to the implementation of the mandate is covered by the budget of the mandate. The mission expenditure includes transportation, per diems and accommodation and is payable for missions from the place of employment, which is Ashkelon (Provisional HQ).

The rates are based on the Guide to Missions for Officials and Other Servants of the European Commission.

Mission expenditure		QTY	Unit cost	Total
Travel costs				
Air travel Operational missions, briefings and trainings TLV – BRU / TLV – EU MS / TLV – ROW	25 return tickets, as follows: TLV – BRU – TLV = 22 missions TLV – EUMS – TLV = 2 missions TLV – Rest of World – TLV = 1 mission	25	1,000	25,000
Other travel costs	lump sum	1	2,000	2,000
Subtotal				27,000
Allowances				
Allowances on missions: TLV – BRU / TLV – EU MS / TLV – Israel/WB/Gaza – ROW	28 missions x 4 days (average allowance price 100 EUR) TLV – BRU – TLV = 22 missions x 4 days TLV – EUMS – TLV = 2 missions x 4 days TLV – ROW – TLV = 1 mission x 4 days Israel / West Bank /Gaza = 3 missions x 2 days	106	100	10,600
Subtotal				10,600
Accommodation				
Accommodation on missions: TLV – BRU / TLV – EU MS / TLV – Israel/WB/Gaza – ROW	28 missions x 3 nights (average hotel price 140 EUR): TLV – BRU – TLV = 22 missions x 3 nights TLV – EUMS – TLV = 2 missions x 3 nights TLV – ROW – TLV = 1 mission x 3 nights Israel / West Bank / Gaza = 3 missions x 1 night	78	140	10,920
Subtotal				10,920

TOTAL MAXIMUM MISSION COSTS: € 48,520

5.1.3 Running expenditure

Calculations are based on information received from the Mission. This section includes costs for transportation, IT and maintenance, communications, office rent and services (possible HQ small repairation works and the rent of a storage container), office supplies (mainly stationary), training, medical services, press and information, freight, financial and audit, security (security services) and other miscellaneous costs.

Running expenditure		Qty	Unit cost	Total
Transportation				
Fuel	13 armoured cars + 8 soft skin cars	12	1,000	12,000
Maintenance armoured cars	13 armoured cars	12	500	6,000
Maintenance soft skin cars	8 soft skins	12	500	6,000
Insurance armoured cars	13 armoured cars	12	8,000	96,000
Insurance soft skin cars	8 soft skins	12	2,000	24,000
Installation Pazomat devices	lump sum	1	1,200	1,200
Vehicles registration	Annual fee	1	450	450
Parking, tolls and washing tickets		12	100	1,200
Israeli driving license	Conversion into Israeli driving license	13	15	195
Upgrade of existing vehicles	To be financed by MS (approx € 180,000)	-	-	-
Subtotal				147,045
Information and Technology				
Domain registration and web services	lump sum	1	550	550
Consumables (cartridges, spares, etc.)		1	5,000	5,000
IT material (cables, batteries etc.)		12	50	600
Maintenance of IT equipment & network		12	170	2,040
Subtotal				8,190

Communications					
	Mobile phone calls		12	2,000	24,000
	Sat phones calls		12	85	1,020
	Land lines services		12	2,000	24,000
	Maintenance of communication equipment		12	60	720
Subtotal					49,740
Offices: rent and services					
	HQ rent + maintenance + cleaning		12	22,000	264,000
	HQ works		12	100	1,200
	Rent storage container in HQ courtyard		12	100	1,200
	Gaza office rent + cleaning		12	900	10,800
Subtotal					277,200
Office supplies					
	HQ supplies	Water, coffee, etc.	12	250	3,000
	Stationary		12	350	4,200
	Mail and expedition	lump sum	1	300	300
	P.O. Box rent	lump sum	1	50	50
Subtotal					7,550
Legal services					
	Purchase of law books + Databases access	lump sum	1	2,000	2,000
Subtotal					2,000
Training					
	Training	lump sum	1	5,000	5,000
Subtotal					5,000
Medical services					
	Medical services	Service contract	1	15,000	15,000
Subtotal					15,000
Press, publicity and information					
	Media campaigns, workshops, conferences	lump sum	1	4,000	4,000
	Media subscriptions		12	450	5,400
Subtotal					13,400

Financial costs and audit					
	Audit		1	20,000	20,000
	Bank charges		12	300	3,600
				Subtotal	23,600
Miscellaneous					
	Advertisements for tenders and calls for contributions	lump sum	1	4,000	4,000
	Flags, maps, berets, armbands, badges, business cards, etc.		12	300	3,600
				Subtotal	7,600
Freight					
	Freight	Carriage and other expenditure	1	2,000	2,000
	Custom fees	lump sum	1	2,000	2,000
				Subtotal	4,000
Security					
	Security services	month	12	5,500	66,000
	Security sweeping for offices and residencies	To be funded by MS (10.000 €)			
	Security guarding if HQ moves to Gaza				
				Subtotal	66,000

TOTAL MAXIMUM RUNNING COSTS: € 626,325

5.1.4 Capital expenditures

The forecast for capital expenditure for this 12 months extension includes limited funds due to the reduction in the staff and the fact that equipment for the needs of the mission has been procured during the past mandates. This section includes provisions for the purchase of security equipment still to be bought using the Member State funding.

Capital expenditure		QTY	Unit cost	Total
Communication equipment				
Phone conference equipment		1	850	850
GPS navigators		25	250	6,250
Software	lump sum	1	12,000	12,000
Subtotal				19,100
All offices equipment				
General equipment (miscellaneous, eg shredders etc)	lump sum	1	3,000	3,000
Subtotal				3,000
Security equipment				
Installation of additional access controller	to be financed by MS (approx €1,000)			
Reinforcement measures for HQ premises (iron sliding doors)	to be financed by MS (approx €3,500)			
Other security equipment recommended by the CSO (metal detector, scanner, portable explosive detector)	to be financed by MS (approx € 65,000)			

TOTAL MAXIMUM CAPITAL EXPENDITURE: € 22,100

5.1.5 Representation

Representation costs: € 7,000 are covered by the budget of the Mission. Of these € 4,600 are foreseen to be used for ceremonial activities.

5.1.6 Contingencies

The contingency reserve is set at approximately 3% (€ 58,480) of the overall budget and will be used only with a prior written approval of the Commission.

6. ITEMISED BREAKDOWN OF COSTS (indicative)

BUDGET HEADING	Budget in € 25/11/09 – 24/05/10 (6 months)	%*	Budget in € 25/05/2010 – 24/05/2011	%*
1. Personnel Costs	733,648	65.5%	1,187,575	61%
2. Mission expenditure	26,140	2.3%	48,520	2.5%
3. Running expenditure	269,470	24%	626,325	32%
4. Capital expenditure	37,770	3.4%	22,100	1.1%
5. Representation	7,000	0.6%	7,000	0.4%
Sub-Total (1 to 5)	1,074,028		1,891,520	
Contingencies	45,972	4.2%	58,480	3%
Total	1,120,000	100%	1,950,000	100%

(* rounding)

The authorising officer responsible is hereby authorised to vary each of the above amounts related to the budget according to exact operational requirements and possibilities and in keeping with sound financial management, while not exceeding the overall amount of the financing decision.

7. SCHEDULE OF PAYMENTS (IN EUROS)

Line	Value	Year n	Year n+1	Year n+2	Year n+3	Subsequent years
19.03.01		1,796,944	153,056			
	Total	1,796,944	153,056			
