### Action Document for Fighting Critical Infrastructure

| 1. Title/basic act/ CRIS number | Improving Port Security in West and Central Africa  
CRIS number: IFS/2017/040125 financed under IcSP |
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>2. Zone benefiting from the action/location</td>
<td>West and Central Africa, Miscellaneous countries</td>
</tr>
</tbody>
</table>
| 4. Sector of concentration/thematic area | Critical Infrastructure  
DEV. Aid: YES |
| 5. Amounts concerned | Total estimated cost: EUR 8 500 000  
Total amount of EU budget contribution EUR 8 500 000 |
| 6. Aid modality(ies) and implementation modality(ies) | Indirect management with a Member State agency |
| 7a) DAC code(s) | 15210 - Security system management and reform |
| 7b) Main Delivery Channel | 10000 - Public Sector Institutions |

<table>
<thead>
<tr>
<th>General policy objective</th>
<th>Not targeted</th>
<th>Significant objective</th>
<th>Main objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation development/good governance</td>
<td>☐</td>
<td>☐</td>
<td>X</td>
</tr>
<tr>
<td>Aid to environment</td>
<td>☐</td>
<td>X</td>
<td>☐</td>
</tr>
<tr>
<td>Gender equality (including Women In Development)</td>
<td>☐</td>
<td>X</td>
<td>☐</td>
</tr>
<tr>
<td>Trade Development</td>
<td>X</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Reproductive, Maternal, New born and child health</td>
<td>X</td>
<td>☐</td>
<td>☐</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>RIO Convention markers</th>
<th>Not targeted</th>
<th>Significant objective</th>
<th>Main objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological diversity</td>
<td>☐</td>
<td>X</td>
<td>☐</td>
</tr>
<tr>
<td>Combat desertification</td>
<td>X</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Climate change mitigation</td>
<td>X</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Climate change adaptation</td>
<td>X</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

| 9. Global Public Goods and Challenges (GPGC) thematic flagships | Not applicable |
| 10. SDGs | Primarily Sustainable Development Goal (SDG) 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". |
The programme intends to help partner countries in West and Central Africa to adequately address increasing vulnerabilities related to port security. The objectives of the programme are threefold: strengthened compliance with International Ship and Port Facility Security (ISPS)-standards; increased preparedness and resilience to risks through detection and handling of illicit or dangerous goods, substances and activities, and; increased resilience when a crisis event occurs (attack, explosion, spill etc.).

The programme intends to bring together the different national authorities active in the field of port handling and to increase their capacity in, analysis and response, while taking into account the cooperation with the private actors active in the field of port security.

The pilot phase will focus on West and Central Africa. The relevant ports will be selected based on the risks, the importance for the local and regional economy and their willingness to engage with the EU.

1 Context

1.1 Sector/Country/Regional context/Thematic area

West Africa is an important maritime hub equipped with increasingly significant international ports, closely followed by ports in Central Africa. Ports are crucial to the region’s (and continent’s) economy. Ports are also important passageways for trafficking endangered species and products of poaching. It is estimated that 90% of African imports and exports are conducted by sea.

Following the growing interest of private actors and governments in recent decades, the main ports in the region have undergone significant restructuring and modernisation in order to meet new and growing international traffic.

Currently, amongst the most important are Lagos (Nigeria), Abidjan (Cote D’Ivoire), Tema (Ghana), Dakar (Senegal), Cotonou (Benin) and Lomé (Togo), which between them handle an average of 3 million containers annually.

Despite the rise of port traffic and transit, the region’s ports are still perceived as dangerous, even though most economic activity in the region depends on their safety, security and efficiency.

Persistent security risks represent a real setback for key regional economies that rely most exclusively on ports. Significant investments – notably by private actors – have been made in order to develop infrastructure, security and ultimately efficiency, but there is still plenty of room to help the national authorities to adequately address the risks related to the port activity.

This is especially the case when ports are intensively used by traffickers for the transit of illicit commodities and endangered species, as it is easier to conceal unlawful loads in containers transiting through ports rather than airports, where the controls are more rigorous, the infrastructure is usually smaller and the cargo traffic is less intense. Finally, the hazard posed by chemical, biological, radiological and nuclear (CBRN) materials is also something that must be taken into careful consideration.

1.1.1 Public Policy Assessment and EU Policy Framework

In 2004, an International Ship and Port Facility Security (ISPS) Code was established under the umbrella of the International Maritime Organisation (IMO). The ISPS Code addresses
threats against ports, ships, seafarers, cargo and the maritime industry in general and was specifically developed in response to perceived terrorist attacks aiming at the maritime industry.

Although African ports declared their compliance with this set of measures, there are ample indications that ports in Africa could benefit from additional assistance in implementing relevant security measures.

In line with the EU strategy on the Gulf of Guinea\(^1\), and considering the importance of the maritime ports for the national and regional development, there is room for a comprehensive action aiming at enhanced port security. This action could draw from the experience of ongoing initiatives, such as the CBRN-Centres of Excellence, The Gulf of Guinea Inter-Regional Network, and could be complementary to the activities developed in the field of maritime security under the regional programming.

1.1.2 Stakeholder analysis

In order to achieve port modernisation and to transform key ports across the region, such as Cabo Verde, Togo, Cote D’Ivoire, Benin and Senegal, into ‘regional hubs’ able to provide services and connect landlocked countries, countries have opted for Private-Public Partnerships (PPP).

These concessions have stimulated inter-port competition, while private sector investment in port facilities in the region continues to rise. European companies hold important positions in this sector. More in general, these ports are particularly relevant for the EU import and export industry. Although the private partner has an important role to play in providing security with the limits of the port, adequate capacity of the national authorities – be it security forces, environmental, health, customs, etc. – remains equally important.

It will be equally important to work in coordination and complementarity with the international partners that are active in this field, such as IMO and UNODC with the Container control programme. Relevant initiatives of regional organizations such as ECOWAS, ECCAS, the Gulf of Guinea Commission and the African Union should also be taken into account.

1.1.3 Priority areas for support/problem analysis

As defined by the relevant Regulation.

2 Risks and Assumptions

Adequate contacts with delegations, partner countries and port operators will be made up front in order to ensure up-front adherence to the goals and methods of the actions. Activities will be coordinated with the Member States.

3 Lessons learnt, complementarities and cross-cutting issues

When engaging in port security in Africa a common and coordinated approach should be sought. For the Gulf of Guinea a comprehensive EU strategy has been put in place. In the maritime domain, this strategy is based on important efforts through the regional programming and dedicated actions under the IcSP, such as the Gulf of Guinea Inter-Regional Network (GoGIN). The action will also seek complementarity with ongoing actions under UNODC’s Global Container Control Programme.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results

The overall objective is to increase port security by increased preparedness, and monitoring and handling of transiting goods. This action therefore aims at increasing the capacity of partner countries to address port-related vulnerabilities.

The increase in capacity will lead to
- strengthened compliance with ISPS-standards;
- increased preparedness and resilience to risks through detection and handling of illicit or dangerous activity;
- increased resilience when a crisis event occurs (attack, explosion, spill etc.).

Better training for public and private actors dealing with security leads to increased detection of illegal substances and goods, awareness of potential risks and hazards and adequate handling of dangerous and illegal substances when they are found.

Moreover, the programme intends to bring together national authorities from different countries of the Gulf of Guinea in order to share experiences and best practices.

4.2 Main activities

The program intends to set up a pilot group of at least 5 ports in the Gulf of Guinea, covering both West and Central Africa.

It intends to establish a coordination platform through which security and ISPS-related experiences and best practices can be shared. At the same time it intends to complement this coordinated approach with dedicated assistance packages based on the individual needs. The results of the individual activities can be fed into the group process. In a later stage the experience could be mainstreamed throughout this and other regions such as the Indian Ocean.

This programme is relevant for the Agenda 2030. It contributes primarily to the progressive achievement of Goals 16 (institutional strength), 8 (growth) and 9 (industry and infrastructure). This does not imply a commitment by the country or countries benefiting from this programme.

4.3 Intervention logic

Ports in the region are facing all same challenges (terrorism, trafficking of drugs, wildlife, medicines, arms…) but are facing them with different intensity. Therefore an individual assistance program will be established for each port in order to adapt the program to the specific needs and the available capacity. Each national authority will then be invited to share its experience and best practices in a regional port platform that can also include ports not benefitting from individual programs.

The ports included in the pilot phase will be chosen based on a set of pre-defined criteria, such as: amount of goods handled by the port; economic impact for the country and the broader region; security risks of regional/global relevance; amount of traffic towards and from the EU and the willingness of the host country to cooperate.
5 IMPLEMENTATION

5.1 Financing agreement
In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country, referred to in Budget Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

5.2 Indicative implementation period
The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 72 months (48 for implementation of activities) from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission’s authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation modalities for an action under project modality

5.3.1. Indirect management with a Member State agency
In accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012, this action will be implemented in indirect management with Expertise France.

This implementation is justified because of the nature of the activities foreseen (provision of capacity building and technical assistance in a fragile context) but also in order to reinforce the nexus between the internal and the external dimensions of security and to avoid duplication and overlap with similar activities. EU Member States institutions are best placed to cover the wide range of fields of expertise required to perform interventions in the diverse fields of information sharing, capacity building, law enforcement, and regional cooperation while ensuring confidentiality.

The entrusted entity would carry out the following budget-implementation tasks: acting as contracting authority concluding, monitoring and managing contracts, carrying out payments, and recovering moneys due; management of procurement procedures for hiring staff, purchasing goods, hiring consulting services, and any other relevant transactions.

Expertise France, supported by other EU Member States agencies, is best placed to cover the wide range of fields of expertise required to perform interventions in the diverse fields of this action.

5.4 Scope of geographical eligibility for procurement and grants
The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission’s authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.
5.5  **Indicative budget**

<table>
<thead>
<tr>
<th></th>
<th>EU contribution (amount in EUR)</th>
<th>Indicative third party contribution, in currency identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3.1. – Indirect management with MS</td>
<td>8,500,000</td>
<td>0</td>
</tr>
<tr>
<td>Evaluation, 5.10 - Audit</td>
<td>will be covered by another decision</td>
<td>N.A.</td>
</tr>
<tr>
<td>5.10. Communication and visibility</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Contingencies</td>
<td>0</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>8,500,000</td>
<td>0</td>
</tr>
</tbody>
</table>

5.6  **Organisational set-up and responsibilities**

The implementation of this Action will be coordinated and led by an EU Member State. The responsibilities of the implementing partner will include, *inter alia*:

In relation to the inception phase of the Action:
- Undertaking a comprehensive needs-assessment and a stakeholder mapping of the beneficiary ports;
- Defining a working plan of activities jointly with the beneficiary institutions;
- Identifying the most appropriate bodies/experts/institutions for the transfer of their know-how;
- Designing a human rights risk mitigation strategy;
- Formulating the communication and visibility strategy.

In relation to the implementation phase of the Action:
- Undertaking the tasks of each activity by mobilising the appropriate and necessary expertise and promoting EU best practice;
- Organising events of strategic dimension at a sub-regional, regional and transregional level;
- Setting up a system of indicators in order to follow up the activities and measure the results;
- Reinforcing the collaborative links of the beneficiary countries' relative institutions/bodies amongst themselves and with their counterparts in the EU;
- Promoting the dissemination of good practices and the results of the Action;
- Ensuring coordination with other donors.

In order to guarantee the global strategic orientation of the programme, the Contracting Authority together with the implementing partner will establish and co-chair a Steering Committee. This Committee will also be tasked with issuing opinions and recommendations on the working plan submitted by the implementing partner, ensuring the relevance of the indicators measuring the results of the Action as well promoting synergies with actions of bilateral and regional cooperation of the EU and its Member States and coordination with the programmes and projects financed by other donors.

5.7  **Performance monitoring and reporting**

As the project will draw from tailor-made action plans per target port, particular attention will be paid to defining an appropriate monitoring and reporting framework during the contracting phase. This will include the structure of the monitoring and evaluation system and the allocation of the human and financial resources in the budget. It is however assumed that target authorities will ensure sustainability and durability of the action, depending on the
interest raised by the implementing measures. This also pre-supposes that the security situation around the target ports does not deteriorate further.

In order to determine whether the port security and resilience of selected third countries has improved, several independent indexes and reports as mentioned in the Appendix (log frame) will be used. Considering the sensitive issues linked to port security, such as surveillance, and protection of economic activity private actors should be also taken into account in the process of the action's performance monitoring. The Appendix (Logframe) will be adjusted at the preparatory phase of the action in particular to provide up-to-date baseline figures, and it shall evolve during the lifetime of the action to allow for effective performance monitoring.

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner’s responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) or the list of result indicators (for budget support). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.8 Evaluation

Having regard to the nature of the action, an ex-post evaluation will be carried out for this action or its components via independent consultants. It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that this will be the first large-scale, trans-regional action financed by IcSP focusing on port security.

The Commission shall inform the implementing partner at least two weeks in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities. The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project. The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.
The financing of the audit shall be covered by another measure constituting a financing decision.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.
APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

<table>
<thead>
<tr>
<th>Results chain</th>
<th>Indicators</th>
<th>Baselines (incl. reference year)</th>
<th>Targets (incl. reference year)</th>
<th>Sources and means of verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall objective: Impact</td>
<td>Increase in overall port security through the monitoring of transiting goods.</td>
<td>Value of illicit transits detected by port authorities. Number of illicit transits detected by port authorities.</td>
<td>To be determined by the implementing partner in the preparatory phase, reflecting on the target areas situation on the ground.</td>
<td>To be determined together with the implementing partner in the preparatory phase (2018)</td>
<td>Project internal monitoring system</td>
</tr>
<tr>
<td>Specific objective: Increased capacity of partner countries to address port-related vulnerabilities</td>
<td>Number of people that successfully completed standardised training programs. Partner would assess capacity of participants at beginning and end of training (standard procedure).</td>
<td>To be determined together with the implementing partner in the preparatory phase</td>
<td>To be determined together with the implementing partner in the preparatory phase (2018)</td>
<td>Project internal monitoring system</td>
<td>Target authorities and groups will ensure sustainability and durability to the action depending on the interest raised by the implementing measures. The security situation of the target areas does not deteriorate further.</td>
</tr>
<tr>
<td>Outputs</td>
<td>Output 1: Enhanced compliance with the ISPS standards</td>
<td>Compliance with ISPS – certification / on path towards certification.</td>
<td>To be determined together with the implementing partner in the preparatory phase</td>
<td>To be determined together with the implementing partner in the preparatory phase (2018)</td>
<td>Project internal monitoring system</td>
</tr>
<tr>
<td>Output 2: increased preparedness and resilience through detection and handling of illicit or dangerous activity</td>
<td>Number of joint exercises and inspections conducted in the context of the fight against trafficking.</td>
<td>To be determined together with the implementing partner in the preparatory phase</td>
<td>To be determined together with the implementing partner in the preparatory phase (2018)</td>
<td>Project internal monitoring system</td>
<td>Good cooperation amongst authorities and stakeholders. Ability of the implementing partner to mobilise timely the right expertise for the roll out of activities.</td>
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<tr>
<td>Output 3: increased resilience in case of an event (attack/discovery of a dangerous substance/disaster)</td>
<td>Number of emergency/contingency plans in place to face security risks (by type of event: discovery of illegal and dangerous substances - attack). Number of people that successfully completed standardised training programs.</td>
<td>To be determined together with the implementing partner in the preparatory phase</td>
<td>To be determined together with the implementing partner in the preparatory phase (2018)</td>
<td>Project internal monitoring system</td>
<td>Good cooperation amongst authorities and stakeholders. Ability of the implementing partner to mobilise timely the right expertise for the roll out of activities.</td>
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</table>