STANDARD SUMMARY PROJECT FICHE

PROJECT NUMBER HU0005-01

1. Basic Information
1.1 Désirée Number:
1.2 Title: Customs Modernisation 2000
1.3 Sector:
1.4 Location: Hungary – Budapest Headquarters and Regional Customs Offices

1. Objectives

2.1 Wider Objective:
The wider objective of the project is the effective adoption of the Acquis concerning especially customs operations, agriculture, and justice and home affairs.

2.2 Immediate Objectives
To achieve the wider objective, the following three immediate objectives will be attained:
• Customs procedural rules and the resulting customs operations approximated to the Common Agricultural Policy (CAP)
• Customs officer training reformed as detailed in chapter 8.2.2 a) of the National Programme
• CIS and SCENT systems established in line with the European Commission’s Customs Information System and other relevant programmes of the Commission.

2.3 Accession Partnership and NPAA priority
The project reflects the short-term AP priorities concerning the fight against organised crime and the strengthening of the capacities to deal with money laundering. It is also consistent with the medium-term priorities of reinforcing the administrative and operational capacity of the customs service and the common agricultural policy management mechanism. - In the NPAA, the project priorities and actions are dealt with in chapters 7.3d, 8.2.1, and 8.2.2.

2.4 Contribution to National Development Plan - Not applicable.
2.5 Cross Border Impact - Not applicable.

3. Description
3.1 Background and justification:
The project is based upon the 1998 Strategic Programme of the Hungarian Customs and Finance Guard. Gaps and needs identified in the Programme have been re-examined against the relevant chapters of the Blueprints. An outline project plan for immediate action resulted that it will be implemented through the twinning arrangement and the equipment supply contract, both of which are described in the following.

3.2 Linked activities:
HCFG has been a recipient of Phare support since 1991. Funding has involved some 8.4 million ECU for the customs computerisation programme, and about 40 million ECU for other direct support measures mainly for the reconstruction and modernisation of important border crossing stations. Support has also been made available for
• Human resources development, and
Drafting laws and regulations consistent with European Union standards.

**Part of the** activities foreseen will carry on the 1997 Twinning project concerning the training of law enforcement bodies (Phare project no. HU97/IB/JH/02). The project is assisting HCFG and other Hungarian law enforcement institutions in familiarising their officers with the relevant *Acquis*. HCFG staff is participating in seminars and study trips concerning trafficking in drugs and vehicles, money laundering, and data processing.

Concerning the Common Agricultural Policy, the planned activities will complement the 1998 veterinary Phare project (HU9806-01) and the Animal Health Control project included in the Phare 2000 Programme.

### 3.3 Results

- Fully functioning Twinning project providing insight and training on the Acquis and on the further development of customs education including customs tasks concerning the Common Agricultural Policy
- Data processing and communication systems for CIS/SCENT installed and fully operational

### 3.4 Activities: HU/2000/IB/FI/01 – Twinning: Approximation of Custom Legislation

#### 3.4.1 – Subproject 1: Customs Legislation and Education in Preparation for Accession

As explained in the National Programme for the Adoption of the Acquis, the legislative work will entail a comparison of the Community Customs Code and its implementing provisions with the existing Hungarian customs procedural rules. The *Pre-Accession Advisor supported by short-term experts* and the competent officers of the Hungarian Customs and Finance Guard will carry out the comparative analysis.

The tasks of the PAA will be to carry out the comparative analysis from the documents prepared by the short-term experts and to take active part in all relevant activities. The stay of the PAA will be in last the entire project, that is from January 2001 to December 2001. The duration of the project will be 12 months.

Based on the action plan, expert advice on amending existing Hungarian legislation and developing new legislation in these fields will be provided by the Twinning Team.

The reform of procedural rules will lead to further changes of customs roles and responsibilities, and this will need to be reflected in the Customs Guard’s organisational structures and functions. The Hungarian Customs and Finance Guard has adopted a new organisational structure, in December 1999. The Twinning Team will prepare proposals for the operation of mobile control units and the control at the traders’ premises. Proposals will be prepared in anticipation of the removal of borders with Member States and for operating in the whole area of the Customs Administration. Finally, HCFG will be prepared for information sharing with other concerned institutions.

The introduction of reformed rules will require a further intensification of customs staff train-
ing and education for the everyday use of the relevant EU Acquis. The Twinning Team will
develop a new training strategy and provide the necessary training of some 30 instructors of
the Customs Guard. Existing training strategies will be improved on the basis of EU practice.
New EU-based curricula and new teaching material will be developed. As a priority, this
will include instructions for the use of new documents and new inspection methods. Gener-
ally, work will concentrate on matters, such as
• Practice of education, training and continuing education systems in EU Customs Admini-
strations
• Practice of selecting and appointing trainers
• Training the trainers on the relevant fields of the EU Acquis
• Preparation of new customs officers for technical work

The Customs School of the Hungarian Customs and Finance Guard where most of the
training will take place will receive training equipment in order to be able to train the whole
staff of the HCFG for the everyday use of the relevant EU Acquis, which means the educa-
tion of about 7000 customs officers. The training will start at least one and a half years be-
fore the time of Accession to allow proper training to all customs officers. This means that
the above teaching material has to be completed by the time of the launching of the courses.

Guaranteed results of the twinning project:

The analysis will lead to the guaranteed results:
• TARIC, trade policy, customs suspensions and quota system in the EU
• Practice of issuing licences – licences for specific activities
• Legal remedy
• Determination of value for customs purposes
• Customs procedures, passenger traffic, and transfer of goods
• Non-customs legislation including immigration, money laundry, security issues and the
  role of the Hungarian Customs and Finance Guard in the application of this legislation.

3.4.2 Subproject 2 - Customs and the Common Agricultural Policy

As explained in chapter 4.2 of the National Programme, the development of the institutional
structure of the Common Agricultural Policy includes a range of new tasks for the Hungarian
Customs and Finance Guard.

The tasks of the PAA will be to take part in the design and delivery of the training courses
for the customs officers and trainers. The stay of the PAA will last the entire period of dura-
tion of the project, that is 12 months.

Commission regulations setting criteria for risk analysis used in physical inspections also
relate to the customs control of agricultural products.

The HCFG has a range of tasks concerning the development of the institutional structure for
the implementation of the CAP. These are regulated by the following legal documents:
Council Regulation 386/90, 4045/89, Commission Regulations 2221/95, 1167/97,
1863/90, 3094/94, 2992/95, 2278/96, 3035/80, 4056/87, 3615/92, 3448/93, 1222/94,
For its additional functions, the HCFG has established operational contacts with the Hungarian Agrar-intervention Centre, which will function as a paying agency in the Common Agricultural Policy system. More specifically, it has been agreed that HCFG will take over tasks related to the post-control phase.

HCFG has to prepare some 200 staff to fulfil all these requirements. Introductory courses for HCFG customs school instructors have been delivered by two experts of the UK customs administration, but further work is required to satisfy the training needs. The Twinning team will design and deliver about four special training courses in the field of the Common Agricultural Policy. The trainees will be customs officers from both inland and from the border stations who will deal with the customs clearance of CAP goods. The staff of the Agricultural Unit of HCFG Headquarters also requires further education in the field of CAP from operational, tactical and strategic points of view. Each course will last about three months. The Team will also train at least two trainers of the Customs School who would then take over training after the completion of the Twinning project.

Guaranteed results of the twinning project:

These include the following:

- Physical checks on agricultural products benefiting from subsidies
- Ex-post control of operators who received support from the EAGGF Guarantee Section
- Control functions deriving from the non Annex II regime
- Paying Agency

3.4.3 Subproject 3: Installation and Operation of Equipment for the Customs Information System and SCENT supporting the Fight against Commercial Fraud

As to the Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on the use of information technology for customs purposes (Customs Information System-CIS), Hungary will harmonise the relevant Hungarian rules of law with the EU rules until the actual date of Accession. Hungary will join CIS to gain full access to the information database, which is used by the EU bodies fighting against fraud. This will be supplemented by a SCENT internal database and data exchange facility.

CIS and SCENT systems are operated by the Office de Lutte Anti-fraude (OLAF). An effective measure of fighting commercial fraud will be the HCFG’s co-operation with OLAF. Co-operation between the EU and Hungary in the field of fight against commercial fraud takes place in the frameworks of Protocol 6. of the European Agreement, and on the basis of bilateral customs co-operation agreements between the Hungarian and the Member
States’ customs administrations. HCFG will maintain contacts to OLAF through a Contact Group, which is placed within the frame of the headquarters at the Post-Control Office.

As a first step in the required institutional development, the Customs Guard has set up a Central Control Command responsible for fight against fraud on 1 January 2000. As a second step, Regional Control Command offices will be set up. The Hungarian Government undertakes to finance the related infrastructural development at a cost of approximately 320,000 Euro. This sum will be expended on the necessary technical - infrastructural - background for the operation of the system: reconstruction of the local network (replacement of LAN cards, connecting elements plugs and cables), network error detecting tools, measuring equipment, instalment kits, general auxiliary accessories, spare parts for service and maintenance.

The headquarters has already delegated one staff member of the Headquarters to the multi-disciplinary working group. Some 300 customs officers will be involved in CIS from the staff of the Central Control Command, the central Investigating Command and two departments of the Headquarters: the Post-Control Office and the Department for Investigation and Contravention.

Short-term expertise as part of the twinning project will be required at an early stage to provide expert advice on the final systems specification and the technical features of the equipment for the central and regional control offices. Based on these recommendations, the central and regional control command offices will be equipped with central database servers, network connections, computers and printers. In addition, technical assistance for implementing the system and operator training will be provided by the suppliers of the equipment.

Taking into consideration the complexity of the project the Pre-Accession Adviser (whom is working on all the 3 components of this fiche) will carry out co-ordinating tasks and ensures the co-operation and flow of information. The PAA is expected to be an experienced customs officer working at the Headquarters of the Customs Administration of one of the Member States, with a comprehensive and at the same time well-founded overview of all the activities carried out by the customs administration of the EU. The short-term experts carry out training and give direct advice on the specific profession related issues.

4. Institutional Framework

The Hungarian Customs and Finance Guard involving the following Departments will carry out the project.

- Customs Administration
- Human Policy
- Investigation and Contravention
- Special Affairs
- Legal Affairs
- Information technology
- Post-Control
- Customs School

The Integration Office will ensure the necessary co-ordination of the Departments.

Due to the ongoing rearrangement of the HCFG’s organisational structure, the names of the
Departments may change or some of the Departments may merge, but the actual profile of the customs operations concerned will not change.

5. Detailed Budget (Million Euro):

<table>
<thead>
<tr>
<th>Component</th>
<th>Phare Support</th>
<th>National Co-financing</th>
<th>IFI</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment (I)</td>
<td>Institution Building (IB)</td>
<td>Total Phare (I+IB)</td>
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<td>Twinning Covenant (Long-term Pre-Accession Adviser)</td>
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<td>Twinning Covenant (Short-term Experts)</td>
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<td>0.95</td>
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<td><strong>0.79</strong></td>
<td><strong>1.74</strong></td>
<td><strong>0.32</strong></td>
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</table>

6. Project leader

6.1 Implementing Agency and project leader

The implementing Agency for this project will be the CFCU headed by Mrs. Judith Rosza.

**PAO:** Judit RÓZSA, Head of the CFCU, Ministry of Finance

Address: József nádor tér 2-4. Telephone: (36-1) 327-2520

1051 Budapest Fax: (36-1) 327-5972

e-mail: jrozsa.cfcu@sdi.hu

All technical aspects will be dealt with by the Hungarian Customs and Finance Guards.

Project leader Mikolt Csap, Director General for EU Accession and International Affairs.

Address: Delej u. 20 Telephone: (361) 303 8977

H-1089 Budapest Fax: (361) 303 8987

e-mail: csap.mikolt@vpop.hu

6.2 Twinning

The contracting authority and financial management of the twinning components will be the responsibility of the CFC, headed by Ms Judit Rózsa.

**PAO:** Judit RÓZSA, Head of the CFCU, Ministry of Finance

Address: József nádor tér 2-4. Telephone: (36-1) 327-2520

1051 Budapest Fax: (36-1) 327-5972

e-mail: jrozsa.cfcu@sdi.hu
The beneficiaries for the projects *HU/2000/IB/FI/01 Twinning Customs Legislation and Education in Preparation for Accession* and *HU/2000/IB/FI/02 Twinning Customs and the Common Agricultural Policy* are the National Headquarters of the Hungarian Customs and Finance Guards, H-1095 Budapest, Mester u. 9 and The Customs School, H-1108 Budapest, Karmat u. 202.

6.3 Non-standard aspects

The DIS Manual will be strictly followed. Twinning arrangements will be carried out as described in this Fiche. Their total value will be 0.74 M EURO.

6.4 Contracts

A Twinning Covenant will be the main contract. Data processing and communication equipment and the related software will be acquired in one tendering and contracting operation.

7. Implementation Schedule

<table>
<thead>
<tr>
<th>Component</th>
<th>Start of Tendering</th>
<th>Start of Project Activity</th>
<th>Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twinning</td>
<td>The selection of the Twinning partner(s) will be organised by the Commission. The Twinning Covenant is foreseen to be signed in <em>December 2000</em>.</td>
<td>The Pre-Accession Adviser starts his activities in <em>January 2001</em>. Short and medium-term twinning experts start in <em>February 2001</em>.</td>
<td><em>December 2001</em></td>
</tr>
<tr>
<td>IT Supply</td>
<td><em>March 2001</em></td>
<td><em>July 2001</em></td>
<td><em>December 2001</em></td>
</tr>
</tbody>
</table>

8. Equal Opportunity

HCFG is an equal opportunity employer. Men and women have the same opportunity for participation in the project.

9. Environment - Not applicable.

10. Rates of Return - Not applicable.

11. Investment Criteria

11.1 Catalytic effect:

The Phare contribution will act as a catalyst for priority Accession driven actions in the customs field. Without Phare support, the actions would take place much later. The support will bring the institutional and administrative capacity of the Hungarian Customs and Finance Guard to the level of customs administrations of the EU Member States.

11.2 Co-financing

The Hungarian Customs and Finance Guard will contribute all required infrastructural facilities to the project in the form of technical - infrastructural - background for the operation of the system: reconstruction of the local network (replacement of LAN cards, connecting elements plugs and cables), network error detecting tools, measuring equipment, instalment
kits, general auxiliary accessories, spare parts for service and maintenance. HCFG will also cover all operational costs related to the participation of Hungarian customs officers.

11.3 **Additionality**

The Phare intervention does not displace other financiers.

11.4 **Project readiness and Size**

All preparatory work has been completed. The equipment tender can be launched after endorsement of the systems specification to be prepared by the short-term expert.

11.5 **Sustainability**

Relevant policies of the Hungarian Customs and Finance Guard ensure that the achievements will facilitate the efficient work complying with the European Union norms and standards after Accession as well.

11.6 **Compliance with state aids provisions**

All actions will be carried out in line with the Phare DIS.

11.7 **Contribution to National Development Plan**

Not applicable.

12. **Conditionality and Sequencing**

The project will start with the conclusion of the Twinning Covenant. *Short-term expert* missions will be sequenced in co-operation between the Customs Guard and the Pre-accession Adviser who will co-ordinate the twinning project.

Phare support will also be conditional upon the availability of feasibility studies including environmental impact assessments and the provision of Hungarian co-financing.

Tendering and contracting concerning the IT equipment for the CIS/SCENT Control Command will be started after preparing the appropriate technical specification for which the short-term expert’s assistance will be sought. Tenders will be launched after endorsement of the technical specification by the Hungarian Customs and Finance Guard and the competent Commission services.
Annexes to Project Fiche

1. Logical framework matrix in standard format
2. Detailed Implementation Chart
3. Cumulative contracting and disbursement schedule
4. Reference to feasibility/pre-feasibility studies
5. List of relevant Laws and Regulations
6. Reference to relevant Government Strategic plans and studies
## LOGFRAME PLANNING MATRIX FOR PROJECT

<table>
<thead>
<tr>
<th>Wider Objectives</th>
<th>Indicators of Achievement</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All structural requirements of the Acquis achieved</td>
<td>Government screening and reports</td>
<td></td>
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<tr>
<td></td>
<td>HCFG operations are at least equal to comparable Member States</td>
<td>Commission reports on Hungary’s Progress towards Accession</td>
<td></td>
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<tr>
<td></td>
<td>Affective adoption of the Customs Acquis as specified in chapters 8.2.1 and 8.2.2 of the National Programme for the Adoption of the Acquis</td>
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</table>

<table>
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<tr>
<th>Immediate Objectives</th>
<th>Indicators of Achievement</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Customs legislation and resulting customs operations approximated to the Acquis</td>
<td>Improved rating in Regular Reports and Joint Assessment in all areas covered by the project.</td>
<td>Regular Report</td>
<td>• Continued commitment to achieve the Acquis in the field of customs</td>
</tr>
<tr>
<td>• Customs officer training reformed as detailed in chapter 8.2.2 a) of the National Programme</td>
<td></td>
<td>Joint Assessment Reports</td>
<td>• Appropriate staffing and staff development schemes for the involved Departments</td>
</tr>
<tr>
<td>• Customs officers fully conversant with control requirements resulting from the Common Agricultural Policy as detailed in chapter 4.2.IV of the National Programme</td>
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<td></td>
<td>• Funds for retaining qualified staff and operating the data processing/communication systems</td>
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<tr>
<td>• CIS/SCENT systems are established in line with the European Commission’s Customs Information System and other relevant Commission programmes.</td>
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</table>

<table>
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<tr>
<th>Outputs</th>
<th>Indicators of Achievement</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risk</th>
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<tbody>
<tr>
<td>• Fully functioning Twinning Arrangement providing advice and training on the Acquis and on the further development of customs education including customs tasks concerning the Common Agricultural Policy</td>
<td>30 Trainers/instructors of the Customs School trained</td>
<td>Joint progress reports by the participating Departments and Twinning partners</td>
<td>• High-quality co-ordination and co-operation between HCFG Departments ensured</td>
</tr>
<tr>
<td>• Data processing and communication systems for CIS/SCENT installed and fully operational</td>
<td>2 Instructors and 200 customs officers trained in CAP operations</td>
<td>Handing over notes</td>
<td>• Staff in sufficient numbers and of the right qualification available for training and skill upgrading</td>
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<td></td>
<td>All other studies, training services and supplies completed and delivered in time and at the right levels of quality and quantity, as planned</td>
<td>Completion reports</td>
<td>• Trained staff can be retained.</td>
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<td>• Control Command buildings completed on time to receive the equipment supplies</td>
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<td>• Funds for the operation and maintenance of the data processing available when required.</td>
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### DETAILED IMPLEMENTATION CHART

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<th>Component</th>
<th>2000</th>
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<td>ASO ND</td>
<td>JFMA MJASO ND</td>
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<tr>
<td>Customs Legislation, Reorganisation and Education in Preparation for Accession (-Short-term experts)</td>
<td>D D D D D T I I I I I I I I I I I I I I I I I I I I I I I I I</td>
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<tr>
<td>Customs and Common Agricultural policy (Short-term experts)</td>
<td>D D D D D T I I I I I I I I I I I I I I I I I I I I I I I I I</td>
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<tr>
<td>Installation and Operation of the CIS and the SCENT and Equipment for the Customs School</td>
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<tr>
<td>-Equipment</td>
<td>D D D D D I I I I I I I I I I I I I I I I I I I I I I I I I I</td>
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<tr>
<td>-Short-term expert</td>
<td>D D D D D I I I I I I I I I I I I I I I I I I I I I I I I I I</td>
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D: Design
T: Tendering and contracting
I: Implementation
### CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE*
(Million Euro)

<table>
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<tr>
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</tbody>
</table>

*) Only for the Phare funded components of the project.

** NB :**
1. All contracting must be done by 30.09.2002
2. All disbursements must be done by 30.09.2003
Reference to Feasibility/Pre-feasibility Studies

HCFG Integration Strategic Plan (1998) prepared by the HCFG Integration Office and subsequent Work Plans related to customs procedures, human resources, training, justice and home affairs, CAP, and financial control.
List of Relevant Laws and Regulations

Hungarian National Programme for the Adoption of the Acquis

Agenda 2000 - Commission Opinion on Hungary’s Accession to the European Union

Declaration of Endorsement of the Pre-Accession Strategy for Customs and Tax Administrations in Hungary. (Endorsed by Commissioner Mario Monti and the Hungarian Ministry of Finance)

Community Customs Code and its Implementing Provisions

EU Action Plan on Organised Crime adopted by the Council on 28 April 1997

Schengen Acquis


Blueprint managed by DG XXI. of the European Commission, including

- Chapter 1 on Legislation
- Chapter 5 on Training
- Chapter 8 on Investigation and Enforcement
- Chapter 9 on Customs Laboratories
- Chapter 13 on Computerisation

Act No. C of 1995 on Customs Law, Customs Procedures and Customs Administration and its Implementing Provisions:


Act No. XXXII of 1997 on border control and the Border Guard

Act No. LXV of 1995 on State and Official Secrets

Act No. XXIV of 1994 on Money Laundering

Government Decree 2212/1998. (X. 30.) (Korm.) on Legal Harmonisation (the implementation of concrete elements of the Acquis)

Government Decree 1079/1998. (VII. 24.) (Korm.) on Legislation on measures combating organised crime

Convention adopted on 26 July 1995 on the use of information technology for customs purposes (CIS)
Structural modernisation is taking place currently at the Hungarian Customs and Finance Guard. The Hungarian Minister of Finance issued a Decree (37/1999. (XII. 28.)) modifying the Ministerial Decree 10/1996. (III. 25.) (Ministry of Finance) about the reorganisation of the middle-level HFCG organisations with authoritative jurisdiction.