



This action is funded by the European Union

ANNEX 2

of the Commission Implementing Decision on the Annual Action Programme 2015 in favour of Myanmar/Burma to be financed from the general budget of the European Union

Action Document for the Support to the Reform of the Myanmar Police

INFORMATION FOR POTENTIAL GRANT APPLICANTS

WORK PROGRAMME FOR GRANTS

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following section concerning calls for proposals: 5.3.2 – Grants – call for proposals 'Support to the Police Reform in Myanmar/Burma' (direct management).

1. Title/basic act/ CRIS number	Support to the Reform of the Myanmar Police DCI-ASIE/2015/038-056 Financed under the Development Cooperation Instrument			
2. Zone benefiting from the action/location	Myanmar/Burma			
3. Programming document	Multiannual Indicative Programme (2014-2020) for Myanmar/Burma			
4. Sector of concentration/ thematic area	Governance / Rule of Law / State capacity-building			
5. Amounts concerned	Total estimated cost: EUR 30 000 000 Total amount of EU budget contribution: EUR 30 000 000			
6. Aid modality(ies) and implementation modality(ies)	Project modality Indirect management with an EU Member State agency (the International and Ibero-American Foundation for Administration and Public Policies, Spain - FIIAPP)			
7. DAC code(s)	152 – Conflict prevention and resolution, peace and security 15210 – Security system management and reform			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	In Development)			
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Global Public Goods and Challenges (GPGC) thematic flagships	N/A			

SUMMARY

The overall objective of the action is to contribute to a more preventive, balanced and professional approach by law enforcement agencies based on international best practices and respect of human rights and fundamental freedoms, which corresponds to one of the objectives under the governance sector of the Multiannual Indicative Programme (2014-2020).

The specific objectives of the action are:

- i) Improving the overall institutional capacity of the Myanmar Police Force (MPF);
- ii) Making the MPF a more service-oriented police force;
- iii) Improving the political, legal and public accountability of the MPF.

The action builds on the achievements of, and takes into account the lessons learnt from, the project ‘Support to reform of the MPF in the areas of community policing and crowd management’, funded under the Instrument contributing to Stability and Peace (IcSP), which ended in mid-September 2015 (henceforth called ‘recent EU police project’).

The action is demand-driven as it responds to requests for continued EU support received from both the government and the chair of the Rule of Law Committee of the Lower House of the Parliament, Daw Aung San Suu Kyi.

As a crosscutting issue, the action will focus on gender sensitive approaches. The action includes capacity development, technical cooperation and visibility activities. All activities will be eligible for Overseas Development Assistance (ODA) reporting.

The action is foreseen to be implemented through a financing agreement with the partner country and indirect management with an EU Member State agency, FIIAPP.

The governance structure of the action includes at least a Project Steering Committee (PSC) responsible for decision making and a Project Management Unit (PMU) that will coordinate the overall management of the action.

1 CONTENT

1.1 Sector/Country/Regional context/Thematic area

As outlined in the Multiannual Indicative Programme 2014-2020 (MIP), Myanmar/Burma finds itself in the middle of a fragile political and socio-economic transition, and a process to secure sustainable peace with its numerous ethnic armed groups. At the heart of this transition, the need for reform in the governance sector and state capacity building is substantial.

In addition, the country faces intermittent violent incidents, including between community groups of different religions, possibly exacerbated by recent legislation, such as the ‘Laws on protection of race and religion’. Another pressing issue relates to land grabbing, which has on several occasions led to violent incidents, such as around the Letpadaung copper mine in Sagaing region. Gender Based Violence (GBV) is widespread and coupled with a culture of impunity of perpetrators, often including military and police officers. There are a number of other major challenges, such as widespread drug abuse and related crime, smuggling and human trafficking.

The EU, along with other major development partners, is providing support to Myanmar/Burma’s multi-dimensional transition in a spirit of cooperation and partnership. It is a priority for the EU to contribute to strengthen state institutions towards a more people-centred form of governance, improving public service delivery to meet people's needs, and enhancing the involvement of civil society. Law enforcement agencies, including the MPF, need to be modernised and their functioning and practices brought into line with international standards.

1.1.1 Public Policy Assessment and EU Policy Framework

Key components of the government's reform agenda are outlined in the 2012-15 Framework for Economic and Social Reforms (FESR). It specifically outlines ‘Governance and Transparency’ and ‘Effective and Efficient Government’ as two out of ten critical reform areas. Specific references are made to police reform under a foreseen Security Sector Reform (SSR) and to improved quality of the police service in regards to strengthening the rule of law.

In the 1990s, the MPF had developed a 30-year plan (2001-2031) which lays out the long-term vision for the modernisation and expansion of the police force, and outlines its priorities. In 2014, it was formally replaced by a 20-year plan (2011-2031). The new plan provides an indication of the MPF's ambition and strong political will to undertake meaningful transition towards a modern and efficient police service in collaboration with the international community. It lacks however concrete strategies to attain this goal. The MPF leadership recognises that this plan might not be a perfect basis for MPF reform, but stresses that any revision would have to pass many bureaucratic steps which could take several years.

Given the urgent need for a strategic framework to guide the reform process, the MPF proposed to elaborate such a framework by using in particular the report ‘An Overview of Policing in Myanmar and Recommendations for Reform’ completed in November 2014 by the United Nations Office on Drugs and Crime (UNODC). This report, which has been endorsed by the MPF and the Ministry of Home Affairs (MoHA), provides an overview of the history of policing in Myanmar/Burma and the status of the MPF, including all specialized units. The report furthermore highlights numerous challenges and contains a non-exhaustive list of recommendations, to inform targeted assistance in support of the reform and transition process within the MPF. The main recommendations are:

1. Upgrade legal frameworks, strategies and policy guidelines (including legislation, master plan, mandates coordination, Standing Operating Procedures, planning to meet international and regional commitments);

2. Increase oversight and accountability mechanisms by establishing new mechanisms and publishing cases of disciplinary measures;
3. Introduce community policing by revising the MPF mission statement, developing a manual on police practices, creating a distinct uniform, introducing and adopting community policing concepts, and improving press relations and public information services;
4. Strengthen MPF training by upgrading training schools and curricula, introducing human rights training as a core subject, and offering training in criminal evidence gathering and investigation, as well as incentives to train;
5. Strengthen MPF recruitment modalities and conditions of service;
6. Provide the necessary resources and equipment for strengthening data collection and management capacities, quality of training and effective communication.

The EU shares the analysis and recommendations of the report. The recommendations were taken into account during the formulation of the action and will be reflected in its implementation.

The National Strategic Plan for the Advancement of Women (NSPAW) 2013-2022 calls to boost the capacity of the police force and judicial officers to actively respond to and prevent all forms of violence against women and girls. NSPAW is to be implemented through a 5-year operational plan and action plans, but so far progress on both implementation and awareness-raising about NSPAW has been very slow.

The ‘Comprehensive Framework for the European Union's policy and support to Myanmar/Burma’, adopted by the Foreign Affairs Council on 22 July 2013, sets out the framework for EU policy and support to the ongoing reforms. The EU goals are to support political, social and economic development, fostering respect for human rights and assisting the Government in rebuilding its place in the international community. The EU will contribute to peace building and addressing inter-communal violence by giving priority to ‘supporting the development of an accountable and responsible police service trusted by all communities, which has the capacity to respond effectively to future instances of public insecurity’.

Based on the strategic objectives outlined in the Comprehensive Framework, and in line with the government's own development objectives, the MIP specifies ‘Governance / Rule of law / State capacity building’ as one of the focal sectors. Specifically, EU development assistance should contribute to enable a people-centred form of governance where ‘law enforcement agencies, including the MPF, need to be modernised and their functioning and practices brought in line with international standards’¹.

All activities under this action will be eligible for ODA reporting and fully in line with standing EU sanctions as specified in Council Decision 2015/666/CFSP of 28 April 2015 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma.

1.1.2 Stakeholder analysis

The government, and in particular MoHA, is central to the success of interventions aiming at the long term strengthening and reform of the MPF. A request by President U Thein Sein was the starting point of the initial EU assistance to the MPF which has received continued support from the President's office. On 11 September 2015, U Soe Thane, Union Minister of the Ministry of

¹ Multiannual Indicative Programme (2014-2020) for Myanmar/Burma, page 8.

the President's Office (3), wrote to the EU in which he invited the EU to continue and, where possible, expand the broad support to the reform of the Myanmar Police in the next years.

The MPF, together with the General Administration Department (GAD)², the Prison Service, the Fire Service Department and the Bureau of Special Investigation, fall under the responsibility of MoHA. MoHA has shown strong interest, particularly in crowd management and community policing, and has formally requested the EU to replicate throughout the country the support provided in these areas under the recent EU police project. The EU has approached local authorities (Chief Ministers of the States and Regions and their staff) to enhance their understanding and buy-in to a more comprehensive EU support for police reform. Continued engagement of the afore-mentioned authorities, the GAD (the backbone of public administration and also playing a security role) and other relevant ministries and institutions such as the Attorney General Office and the Chief Justice will be crucial. GAD will be involved primarily at the township level as township administrators are responsible to coordinate administrative functions at subnational level and play an important (albeit sometimes unofficial) role in the criminal justice chain. At the same time the project will endeavour to hold awareness raising sessions for high-ranking GAD officials on the national, state/regional and district level and explore ways in which the GAD could best become involved in the project implementation.

The MPF at all levels is a key stakeholder. The MPF leadership is keen to learn from international experience and has demonstrated full ownership of the action which continues to address the MPF's needs.

Other key stakeholders in the criminal justice chain, especially at the local level, include: township police investigation officers, township law officers (prosecutors), township judges, township administrators and ward administrators. They need to be involved since they work closely together throughout the criminal investigation and prosecution stages. Procedures for gathering evidence, conducting interrogations and hearing witnesses urgently need strengthening in terms of good practice and standardization to improve legal accountability of the police.

The Myanmar Armed Forces (Tatmadaw) have, for decades, been responsible not only for national security against external threats, but also for enforcing the law, maintaining order and crushing civil unrest and uprisings domestically. Traditionally the military has also overseen domestic security. Despite the recent path of reform the Tatmadaw wields enormous political and economic influence. Moreover, many ministries and other state institutions are dominated by ex-military officers. Although separate institutional entities, relations between the Tatmadaw and the MPF are blurred, since the Constitution provides that the Minister of Home Affairs has to be a serving military officer appointed by the Commander-in-Chief of the Tatmadaw, de facto giving him authority over the MPF. However, the Minister is also a member of the Cabinet, which serves the President, who has spearheaded attempts to reform and reorganize the MPF. Further blurring of reporting lines are regular transfers of military officers to the MPF, usually combined with a promotion of two ranks. There is a risk that such transfers will take place on an even bigger scale given the intention to almost double the size of the MPF in the next few years. Criminal offences involving soldiers are investigated internally by the Tatmadaw and subject to military justice. Because there is still a strong power imbalance between the MPF and the Tatmadaw, it is essential that the process towards independence of the MPF continues.

The Parliament (both houses) has expressed interest in the recent EU police project, and Members of Parliament as well as parliamentary staff have participated in a number of project workshops on the legal framework and parliamentary oversight. The Chair of the Committee for

² 'Administering the State in Myanmar. An Overview of the General Administration Department', Myanmar Development Resources Institute and The Asia Foundation, October 2014.

Rule of Law, Peace and Tranquillity of the Lower House, Daw Aung San Suu Kyi, in particular, has expressed support for continued EU police training and for it to be extended more widely throughout the police force. Continuous support from the Parliament under this action is very important in order to make progress in improving the legal framework and parliamentary oversight. There have been two assessments of the Parliament, one by the Inter-Parliamentary Union (IPU), which looks exclusively at parliamentary structures and rules, and a report by the International Crisis Group (ICG) which focuses more on the progress achieved so far and less on the challenges still lying ahead. The experts of the recent EU police project found that knowledge and capacities of the Parliament require additional strengthening.

For many years the relationship between Civil Society Organisations (CSOs) and the MPF has been tense and most CSOs have been reluctant to engage. However, thanks to increased openness of the MPF there is now greater prospect for constructive engagement with CSOs, even though substantial trust-building on both sides is needed. The action can support CSOs to work on important issues such as promoting MPF oversight.

Similarly, relationships between the media and the MPF have been strained for a long time. However many journalists are now eager to engage with the MPF, as they see that such a relationship enables them to report more accurately. Nevertheless, there is still a need for capacity development of journalists on professional police and court reporting based on a conflict sensitive approach including the danger of rumours and hate speech.

Final beneficiaries of the action are the local populations in the areas where the action will be implemented, whose confidence in the MPF and justice system in general is currently very low.

1.1.3 Priority areas for support/problem analysis

The MPF has for decades been evolving in the shadow of the Tatmadaw as the domestic law enforcement agency, but in complete absence of a suitable legal framework and other guiding documents, and any accountability mechanisms of international standards.

The current legal framework for the police service is largely outdated and incoherent. For example, the Code of Criminal Procedures of 1898 and the Police Act of 1945 have been subject to several changes and amendments resulting in some overlapping legal provisions. Furthermore, the legal framework, in many cases, does not provide the necessary by-laws, regulations and guidelines to support the reform of the MPF into a modern and efficient police service that can operate according to international norms and standards.

Thirteen laws (and linked by-laws) have been identified by the recent EU police project as in need of reform: the Constitution, the Penal Code, the Code of Criminal Procedures, the Peaceful Assembly and Procession Act, the Public Order Act, the Unlawful Associations Act, the MPF Maintenance of Discipline Law, the Attorney General Law and the Bar Council Act. Some of this legislation has already been reviewed or is being reviewed.

In addition, three new documents have been drafted together with the MPF under the recent EU police project, but still need to be approved by the Minister of Home Affairs. They are: 1) The Police Vision, which outlines the mission and vision of the MPF and an associated reform agenda describing the necessary steps to achieve its key principles; 2) The Police Code of Ethics, aiming to outline the key ethical principles underlying the work of the MPF; 3) A Crowd Management Manual & Accompanying Standing Operating Procedures which outline the key principles guiding the MPF's approach to crowd management. In addition to the Crowd Management Manual, a series of operational directives are being developed.

The action will build on the work done so far, overseeing the implementation of the new documents, following up on the recommendations and scrutinizing the key remaining laws as

well as proposing new legislation where necessary, such as possibly the establishment of a National Police Commission. Most importantly, the action will in the initial phase support the MPF to draft a framework of reform using in particular the UNODC report mentioned above.

Currently, the general capacity of the Parliament in terms of institutional and human resources is very low and parliamentary procedures, especially with regards to the functioning of committees, are outdated or at an early stage of development. The very rapid pace with which new laws have been enacted raises questions about the quality and effectiveness of parliamentary legislative processes. Therefore building general capacity of the relevant committees in this area is needed.

At a lower level, by-laws and various police-internal guiding documents, such as the Police Manual, need to be reviewed. Technical assistance will be needed in all issues of police management in general and human resources management in particular. This could include recruitment criteria and procedures, and should be reflected in the reform framework.

Another key issue for police reform in Myanmar/Burma is the accountability of the MPF. Concepts of political, legal, public and internal accountability of a modern police service for the people have only recently received some interest from the government and concerned institutions as a result of the ongoing reforms.

Political accountability of the MPF normally lies with the Parliament. However, there is no oversight mechanism for the Parliament to hold MPF leadership responsible for its actions. In addition, Members of Parliament (MPs) as well as secretariat staff lack the tools and resources to fully define and carry out their functions and therefore have practically no knowledge of mechanisms to oversee the work of the MPF. Therefore, working towards parliamentary oversight of the MPF will be strongly supported, including approving and monitoring important public procurement procedures, approving the overall MPF budget, and conducting specialized hearings in cooperation with the police. Building capacity of MPs and parliamentary staffers and establishing interaction between the MPF and the Parliament is essential in order to raise awareness on the need for accountability and parliamentary control. This will necessitate a long-term approach to capacity development and awareness-raising, including with other relevant actors outside Parliament.

Legal accountability of the police to other criminal justice actors at township level is another key element in strengthening MPF capacity and increasing the confidence of the communities. Currently, there is a fundamental lack of capacity and knowledge of the police on basic criminal investigation skills and techniques that respect international human rights standards. This lack of capacity often leads to torture, bribery and unlawful pre-trial detention. Competencies among the key actors (township police investigation officers, township or district law officers - prosecutors³, township judges, ward administrators etc.), as well as procedures, are set-out in different laws and are not always clearly defined. Often the township administrator plays a disproportionate role in the process without a clear legal basis.

There is a need to improve cooperation between the different actors. Even if this will require formal approval from all branches of power, the existing willingness at township level could allow for the organisation of training sessions for police investigation officers with the involvement of former prosecutors and judges. Effective cooperation and development of basic skills of all these actors will empower judges and prosecutors to closely scrutinize and improve the quality of police work, while at the same time improving the situation of those in police custody by improving the quality of legal dossiers and speeding up the processing of criminal

³ An assessment of the Prosecution Service of Myanmar, UNODC, March 2014.

cases. Last but not least, more effective investigation at the township level will directly improve overall trust in the police service.

There is currently a culture of impunity or ad-hoc procedures for punishment prevailing inside the MPF. Therefore, internal accountability of the MPF needs to be fully established. The action will explore supporting the establishment of an office for internal oversight and/or an independent complaints body related to the police.

Due to weaknesses in skills and procedures of the MPF as well as the absence of meaningful interaction with civil society and diverse ethnic and religious communities, there has been a substantial lack of citizens' trust in the MPF. Traditionally the majority of the population sees the police as inefficient and not accountable to the people. There is an urgent need for the MPF to modernize itself into a police service that 'serves' the people and establish public accountability through the creation of liaison mechanisms for regular dialogue and communication with the media and civil society.

The lack of trust in the police is reflected in the extremely low rates of crime reporting in the country, with around 6,000 cases reported in 2013 in a country with a population of more than 51 million. Gender Based Violence crimes have particularly low reporting rates. The MPF, except in the pilot areas of the recent EU police project, has limited contact with the local population, and practically no contact with civil society or the media. This has started to change thanks to the recent EU police project in the townships where the concept of community-based policing was introduced. To sustain the momentum of reform it is necessary to further enhance the understanding of MPF officers of the concept of community-based policing through increased exposure to international best practices.

The MPF has regularly been used by the regime to repress civic movements and disband demonstrations. Disproportionate use of force when managing crowds has repeatedly led to serious human rights abuses, prompting violent community reactions. On the other hand there have been incidents where the police stood by while grave human rights violations were committed, for example when inter-communal violence occurred in Meikhtila in 2013 or in Mandalay in 2014. The inability of the MPF to adequately respond to the occurrences of violent ethnic and inter-communal conflict continues to pose a considerable risk for the stability of the country and the political transformation process. Given the MPF's tendency, when managing crowds, to disperse protesters by violent means, there is a need for continued training and mentoring of Public Security Units (currently 37 battalions stationed all over the country) as well as local police forces (who act as first responders) on the principles of de-escalation and the use of force only as a last resort. It is essential to involve the politically responsible authorities (MoHA, GAD at all levels, Regional Chief Ministers) who give the orders to the MPF. The challenge is to extend, geographically, the approach taken by the recent EU police project and ensure its sustainability. This requires a shift to a new approach to trainings including Training of Trainers (ToT), mentoring and monitoring in many more locations.

In order to sustainably improve the performance of the MPF, it is necessary to reform the basic training for officers and non-commissioned officers and ensure that gender issues are integrated in all courses (such as gender sensitivity, women human rights framework, gender equality, gender based violence etc.). Curricula and training methods in police training institutions are outdated and need to be upgraded, particularly in the areas of community policing, crowd management, and liaison with civil society and the media. Training institutions lack basic equipment to support adult training techniques. There is a great opportunity to support MPF training institutions since the government plans to significantly increase the size of the police force (from around 70,000 to around 150,000 members) within the next few years. The new recruits can be exposed to a new mind-set and be trained in techniques meeting international

standards from the outset. This would represent a sizable opportunity to launch a female recruitment campaign and encourage qualified female candidates to apply.

However, sustainability will ultimately depend on the political will of the Myanmar/Burma institutions, in particular of MoHA, GAD and MPF.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
1. Any groups / individuals / partners outside the MPF (such as the Tatmadaw / Ministry of Defence, regional Chief Ministers / GAD) try to counteract parts of the reform of the MPF.	M	Continue to secure political buy-in and ownership, including from the Office of the President, the Ministry of Home Affairs, and the Regional Chief Ministers.
2. Some of the governmental (General Attorney's Office, Supreme Court, GAD etc.), judicial or parliamentary institutions refuse to let their members participate in joint trainings.	M	The EU will engage at high level to avoid this. If that is not successful, the trainings would have to go ahead without the participants of those particular institutions. Alternatively EU could involve retired representatives, who in addition are often more outspoken.
3. Any change in government might result in major changes in the relevant Ministries and possibly MPF leadership with less buy-in / ownership.	L	The EU and the action will continue to engage with all major political stakeholders to ensure their buy-in.
4. Inappropriate behaviour by the police or violent incidents lead to public distrust towards the police and criticism of the EU.	H	The EU is holding consultations with MoHA on accompanying measures to limit the risk of escalation of crowd management situations. To limit reputational risks, the EU will pursue a proactive public information policy. A communication strategy to inform on the EU's role and engagement with the MPF will be prepared at the inception of the action. In case of systematic abuse by the MPF, the action may have to be suspended in part or in its entirety.
5. The geographic expansion increases the risk that the content of the police trainings might not always translate into the intended behavioural changes on the ground.	M	The action will develop extensive mentoring and monitoring to ensure that the key messages are passed on correctly throughout the trainings and then put into practice. The action will give high attention to including mid-level and senior leadership in awareness raising and capacity development activities. In case of negative incidents the EU will ask for an inquiry and engage with other relevant institutional actors.
6. The government plans to almost double the size of the police force in the next few years. However, due to the lack of modern systems of personnel selection there is a risk that the MPF will continue to lack diversity (ethnicity and gender) and that many officers will be transferred from the military without proper training, thus (re)introducing military thinking into the MPF.	M	The action will be able to provide, if needed, basic advice on recruitment and will, if feasible, support ad hoc female recruitment campaigns. It will provide curricula for basic trainings of officers and men, including on gender issues and provide mentoring and oversight of these trainings. This complex issue could also be addressed by other organisations such as UNODC. The EU will closely coordinate with other actors.

7. Insufficient government budget allocation to cover the MPF operational costs, low salaries and virtually no time off lead to low morale, limited presence on the ground in the communities and corrupt practices.	M	Provide policy advice and technical assistance on the relevant issues, which might also be taken up by the EU in political consultations with the government. Other development partners are expected to provide funding for certain types of equipment. Inclusion of awareness-raising on the impact of corrupt practices on service delivery and the perception of the police by the communities.
8. In case of a successful peace process with the various Ethnic Armed Organisations (EAOs), integration of their administration and police services into federal structures might prove problematic.	M	The expansion of the activities under this action into areas formally controlled by EAOs or the inclusion of officers from their police services into trainings will only be considered after a comprehensive feasibility study and detailed risk assessment.
Assumptions		
<p>The current democratic transformation and peace process will continue in such a way that the country remains relatively stable and open to international assistance.</p> <p>The government (in particular the Office of the President and MoHA) will continue to cooperate and provide political support to facilitate the reform of the MPF.</p> <p>The outcome of the 8 November 2015 elections is not likely to trigger fundamental changes to the action, given that the leader of the main opposition party expressed support for this action.</p> <p>The MPF will continue to cooperate and engage with the EU with the same high motivation for reform and openness.</p> <p>Continued effective coordination with other development partners active in the field of security sector reform and rule of law.</p>		

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

The main positive feedback from the MPF has been the practical approach that the EU and its implementing partners have applied when providing training. Where many development partners provide support through studies and theoretical capacity development, the hands-on, practical approach to training under the recent EU police project has been very welcomed by the MPF with tangible behavioural changes at all levels as a result.

The MPF needs a lot more policy advice and technical assistance on a wide range of issues, from drafting guiding documents for police work to management issues. Thanks to the trust that has been built during the recent EU police project, the EU is in the best position to credibly provide such assistance. An important factor is the opening-up of minds and the cross-fertilisation of ideas and solutions from other countries. However, the need to allow sufficient time for reforms to happen on the ground has to be taken into account.

Another very positive impact of the recent EU police project is the constructive engagement of township police officers with local communities where community policing activities have been implemented. The feedback from qualitative and quantitative community surveys (including with Muslims, youth groups and the police) shows a substantial shift in attitude and interaction of the MPF with their communities. The recent IcSP project trained 286 officers in the four pilot areas. In addition the project trained 47 MPF trainers and 6 training development officers. The introduction of a training of trainers approach proved very successful. From April 2014 the local MPF trainers delivered community policing training to 1331 police officers with monitoring and

mentoring by European trainers. Low-cost means of transportation (e.g. bicycles) has proven indispensable for the effective delivery of community policing.

The positive impact of the community policing approach should be enhanced by a better and accelerated handling of criminal investigations, which should result in a reduced average time an accused has to stay in police custody and pre-trial detention. This can only be achieved through enhanced cooperation between all actors taking part in the criminal justice chain.

Thanks to the firm commitment of the MPF and according to their wishes, the recent EU police project managed to train more police officers in best international practice and respect of human rights in crowd management than originally envisaged: 6631 police officers, including 300 female. The training of trainers approach was successfully introduced and should be continued: 260 regional and local trainers have started to cascade the training to all Public Security Units as well as the first responder units of the regional police. However, constant monitoring and mentoring by international experts will be necessary to ensure the quality of the training.

Appropriate methods provided under the crowd management training have been applied at several demonstrations which contributed to peaceful outcomes through successful negotiations between the MPF and demonstrators. For the first time ever, women have been deployed for crowd management purposes after receiving training through the recent EU police project. However, incidents such as the violent crack-down on student protests can jeopardize the success of the project. Therefore a number of measures have been devised and will be implemented by the project or where necessary at least proposed to MPF in order to mitigate the occurrence of such incidents and the negative repercussions on the EU's reputation.

For the first time there are established liaison mechanisms between the MPF, and respectively representatives from civil society and the media, whereas at the onset of the recent EU police project, the MPF was reluctant to even sit in the same room as CSO representatives. On the other hand, there is still some resistance to close engagement among some regional Chief Ministers.

A significant part of the success of the trainings provided under the recent EU police project is due to the introduction of innovative teaching techniques, such as small classes, interactive training, group work, etc. It is foreseen to be continued under this action and that the central and regional police training institutions, in particular the Police Training Institute for basic officer's training, the very recently established Police Academy in Mandalay dedicated to higher officer's training, and - if feasible - also the 'training depots' for Non-Commissioned Officers, are adequately equipped and personnel is trained on how to use the equipment/material effectively.

It is important to keep government, including the Minister for Home Affairs and the Chief of Police, fully informed and engaged in the action. It is essential to conduct trainings adapted for the middle and senior management level of the MPF in order to ensure their understanding and support. Similarly, buy-in and ownership of authorities at the local level (e.g. Chief Ministers and GAD staff) is crucial, especially as the action intends to be rolled out in at least 7 Regions/States.

To increase sustainability of the trainings provided in crowd management and community policing, it is of paramount importance that the relevant topics are integrated into the training curriculums of the police training institutions. The action will ensure that new recruits and officers are trained according to international best practices and with modern learning methods.

As the action will spread over the country, it will need to rely more on local trainers in order to ensure a swift dissemination of new concepts. A ToT approach will be adopted and pay specific attention from the outset that training teams include both males and females and that gender discrimination and negative gender stereotypes are strongly countered. Quality control of the training will be ensured through the frequent presence of EU police experts at the trainings.

The action includes further collaboration between the MPF and the Parliament. However, the passing of new laws and the establishment of full parliamentary oversight of the police requires a long-term engagement.

It has become clear that it is essential to increase the accountability of the MPF (i.e. internal, political, legal, public accountability) to achieve a sustainable police reform.

A key lesson learned from the recent EU police project is the importance of ensuring regular communication and permanent flow of information between the project team, the EU and all stakeholders. The project office in Yangon has been instrumental in ensuring a close liaison. It is therefore recommended to maintain a similar presence under this action and to establish a Project Management Unit (PMU) in Yangon. However, the implementation of the recent EU police project highlighted the importance of establishing also a presence in Nay Pyi Taw where the MPF headquarters, the Parliament and other stakeholders are based. Such liaison office would considerably facilitate contacts and working relations as well as logistical activities linked to the organisation of training and other activities. Possibilities to embed this liaison office in the MPF headquarters will be further explored.

The final evaluation of the recent EU police project will guide the implementation of the action by capitalising on the lessons learnt and achievements.

3.2 Complementarity, synergy and donor coordination

Positive complementarity/synergies exist between the action and other EU-funded initiatives that are under implementation or in the pipeline. The DCI-funded rule of law project ‘My Justice’ (EUR 20 million) is being implemented by the British Council since August 2015. It promotes access to justice through a bottom-up, people-centred approach. ‘My Justice’ is complementary to this action as it includes activities that promote interactions and involvement of police officers, such as at the ‘Community Safety Fora’, where members of local communities meet to discuss legal issues pertinent to the community, and the trainings of paralegals to support local communities to access justice. As part of the activities on community policing, the new police action will include training of police officers to participate in these community fora and in problem identification and solving. Under ‘My Justice’, paralegal services will also extend to the local police stations and the courts in the particular area to provide advice and information to people in conflict with the law. Linkages will be better defined during the inception phase.

The DCI-funded project ‘Strengthening Policy Development to meet MDGs’ has been providing technical assistance to various line ministries, including MoHA and notably GAD, to strengthen institutional and individual capacities. Similar support will be provided under the ‘Institutional Strengthening and Policy Dialogue Facility’ which started in the last quarter of 2015. This facility will provide technical assistance to strengthen public institutions and non-state actors, and develop capacities for policymaking, planning and implementation to respond to citizens’ needs and contribute to general socio-economic development. MoHA is amongst its beneficiaries and therefore close coordination and synergies with this action will be ensured.

Another DCI-funded project complementary to this action is ‘STEP Democracy – Support To Electoral Processes and Democracy’, which started in 2015 and is implemented by the International Institute for Democracy and Electoral Assistance (I-IDEA). This project aims to support inclusive and peaceful electoral processes, and, among others, targets the MPF and GAD to facilitate coordination with the Union Election Commission in the identification of risks to the integrity of elections, and of prevention and mitigation strategies.

In the run-up to the 2015 elections, several actors (United Kingdom - UK, United Nations Development Programme - UNDP, I-IDEA and United States Institute of Peace - USIP) supported activities related to electoral security that involved the MPF. The UK intends to

support the MPF by providing continued funding for selected activities of the recent EU police project (in particular community policing, relationship with civil society and media, continued work with MPF on guiding documents). The UK-funded activities are expected to start latest by end October 2015. The UK is considering co-financing of this action to ensure a common approach.

The democratic governance component of the UNDP country programme provides support to rule of law and access to justice with a focus on institutional strengthening at the central level of the justice sector and capacity development of all justice actors. Despite a clear willingness at the lower levels, UNDP has experienced significant resistance at the top levels of several institutions, such as the Attorney General's Office and MoHA to engage with other institutions. Links with UNDP have been established to ensure complementarity and avoid overlaps.

The International Committee of the Red Cross (ICRC) has been organising workshops and study visits abroad for the MPF. The recent EU police project is well coordinated with ICRC through e.g. joint workshops organised for MPF leadership on international human rights law and international policing standards.

UNODC has conducted some training of the MPF on issues such as cyber-crime, violence against children within the context of criminal justice, drug forensics criminal investigation, wildlife crimes and HIV/AIDS. Joint trainings of MPF by UNODC and UNDP will, depending on their funding, continue in the field of basic forensics and criminal investigation skills. Overall, UNODC is expected to focus more on aspects of organised crime, criminal investigation and corruption. Continued coordination with UNODC throughout the implementation of the action will take place.

Similarly, the Australian Federal Police (AFP) will continue to provide limited support to the MPF in the area of drug related crimes, including IT equipment and systems as well as forensic trainings and study visits. The US is planning a small programme on criminal investigation, forensics and on drug enforcement. A number of small police training initiatives are ongoing under rule of law or access to justice programmes (such as the Office of the UN High Commissioner for Human Rights (OHCHR), USIP, or the Hanns Seidel Foundation). All these programmes will be complementary to the action.

The United Nations Population Fund (UNFPA) plans to deliver gender training in the Police Training Institute and intends to explore possibilities to work with MoHA. Complementarity or cooperation with the action will be ensured.

The EU coordinates with all these actors both through bilateral meetings and the participation in dedicated Coordination Body and Sector Working Groups. The Foreign Law Enforcement Community (FLEC) is a coordination body of foreign law enforcement agencies and organisations with police assistance programmes in Myanmar/Burma. The group meets on a regular basis and exchanges information including on future planning. The hosting/chairing of FLEC meetings is revolving among the participants. The EU co-leads with UNDP the Public Administration and Reform Process Cross-Sectors Working Group (PARP SWG) chaired by the President's Office and, as alternate chair, GAD. The PARP SWG focuses on civil service/public administration reform area, and addresses civil service reform, restructuring of administration, decentralisation, and any other institutional/policy changes and initiatives, capacity building and development. The EU is a member of the Sub-Working Group on Rule of Law and Access to Justice, chaired by UNDP and the United States Agency for International Development (USAID), which meets on a monthly basis to coordinate rule of law activities. Additionally, regular coordination meetings take place bilaterally with UN agencies (UNODC, UNDP, UNFPA, the International Labour Organisation – ILO), the British Council, as well as the UK, USA, and others on a case by case basis.

3.3 Cross-cutting issues

In line with the Comprehensive Approach to the EU implementation of the UN resolutions on women, peace and security⁴, the action will ensure via its design and activities women's participation as much as feasible. Currently women represent only 4% of the workforce in the MPF (with geographical disparities). This is extremely low in comparison with international recommendations (around 30%). In addition, there are no women in top positions (highest rank: Lieutenant Colonel) and women's representation within the police is not homogenous. In fact, according to the UNODC report, 10 of the 15 Divisions have less than 4% female recruits, and the average is 1 to 2% with the highest rate in the Tourism Division (37%) and the Anti-trafficking Division (15%). Increased female representation at all levels will be encouraged throughout the action, as an increased gender balance can change the perception of the police by the population. While the presence of female officers is important for representing society as a whole, it has specific importance in criminal cases involving violence against children and women, and in sexual violence cases, but also in conflict resolution and during demonstrations, where the capacity to defuse tension through negotiations is crucial. Moreover, the presence of female officers in the border police is paramount in case of searching of females at border crossings, airports, and when identifying victims of human trafficking. The recruitment of qualified personnel of both sexes shall be an integral part of the action goal. All technical assistance and workshops will have a strong gender perspective. In addition, training on preliminary counselling for both male and female officers will be conducted in order to properly assist GBV and Human Trafficking victims.

Training for the police and increased involvement of Parliament to exercise oversight could be used as an entry point to promote Myanmar's ratification of Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

The action is not expected to have any negative impact on the environment.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results

The overall objective of the action is to contribute to a more preventive, balanced and professional approach by law enforcement agencies based on international best practices and respect of human rights.

The specific objective is to contribute to an effective, efficient and accountable police service trusted by the different communities, applying international best practices and respect for human rights and fundamental freedoms.

Expected Results:

Result 1: Improved overall institutional capacity of MPF, including modernized procedures, modernized management and training curricula and facilities.

Result 2: A more service oriented police, including gender sensitive service delivery by criminal investigation, community policing and crowd management in full respect of human rights.

⁴ 'Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions (UNSCR) 1325 and 1820 on women, peace and security', Council of the European Union, 1 December 2008, Brussels.

Result 3: Improved accountability of the MPF, including an improved legal framework, mechanisms for accountability and outreach to civil society and media.

Result 4: An efficient structure is in place and ensures effective management, coordination and monitoring of activities.

4.2 Main activities (indicative)

Result 1:

- Capacity development and technical assistance on a reform strategy and tactical guidelines, manuals, handbooks of the MPF;
- Demand driven policy advice and technical support to strengthen human resource development and police management;
- Technical support to strengthen internal accountability;
- Upgrading of existing training institutions and curricula, and supporting the establishment of a Police Academy for training higher officers.

Result 2:

- Capacity development of the MPF through training of local trainers and exposure visits in key areas, such as community policing, crowd management, criminal investigation and gender sensitive police behaviour;
- Monitoring and mentoring of trainings given by local trainers and of the engagement of MPF with local communities;
- Tailor-made trainings for police commanders, including for planning of operations in line with international standards;
- Awareness raising among politically responsible authorities and other key stakeholders, including local communities;
- Equipment supply where needed, such as bicycles.

Result 3:

- Capacity development and policy advice to MPs and parliamentary staffers, as well as, where possible, MoHA on a suitable modern legal framework for the MPF;
- Capacity development and technical assistance to MPs and other stakeholders to improve political oversight and accountability of the MPF;
- Capacity development to strengthen coordination between MPF and other criminal justice actors at township level (e.g. township law officers, prosecutors, judges, legal aid providers), thereby promoting legal accountability;
- Provision of trainings to MPF, civil society and media in view of creating liaison mechanisms to promote public accountability;
- Exposure activities, such as study tours and workshops, to exchange experiences and lessons learned on best practices of police oversight and accountability;
- Support to CSOs to promote accountability where appropriate.

Result 4:

- The establishment of the PMU liaison office in Nay Pyi Taw to ensure effective liaison and coordination;
- The development of a performance monitoring and reporting system to track progress and results.

4.3 Intervention logic

Building on the achievements and the momentum gained during the recent EU police project, the action will aim at a more comprehensive support for deeper and wider police reform.

The institutional capacities of the MPF are underdeveloped. Therefore the action foresees capacity development and, as far as required demand driven policy/expert advice on a wide range of issues, which will be refined together with the MPF as implementation progresses and trust is built. In particular, further assistance will be provided in drafting new documents, starting with the preparation of a framework of reform primarily based on the mentioned UNODC report, which would help to prioritise activities under this action. Many basic issues of police and human resource management need to be addressed, including recruitment, career development, payroll system, planning capabilities, compiling reliable statistics, etc. Furthermore, the establishment of internal accountability mechanisms will be important to change the mind-set of police officers when exercising their functions. Policy dialogue will play a major role in this context.

The training curricula of the Police Training Institute and other training institutions of the MPF have to be revised and de-militarised. A precondition for successful training is the application of modern learning techniques, and the MPF has expressed strong interest in capacity development in this field. This might require the provision of limited basic equipment for the training facilities.

A key pillar of police reform in Myanmar/Burma is to improve the connection between the police and the population. Community policing has proven to be instrumental in achieving this in pilot areas in Yangon, and the MPF, MoHA as well as civil society and the population at large are very much in favour of extending community policing all over the country. It is envisaged that the action will be able to spread the concept to approximately half of the country, starting from urban centres, while the exact areas will be determined depending on the political will of the local authorities and police commanders.

Extending the training further will depend on training local trainers, who will have to be closely monitored and mentored. This will require an almost permanent presence in every region.

The management of all kinds of crowds (including prevention of inter-communal/religious violence, political demonstrations, sport events, water festival celebrations, pop concerts, etc.) is one of the most visible tasks of the MPF. In the recent EU police project only a fraction of the police has been trained in this regard. This training will primarily have to rely on capacity development of local trainers, but will also include trainings for high-ranking officers and awareness raising for politically responsible authorities. Community policing and crowd management capacity development exercises will be conducted by seconded/contracted serving or retired EU Member States' police officers.

At the same time, in order to provide a favourable environment for sustainable police reform, the action will endeavour to improve the accountability of the MPF in different aspects. Political accountability will be enhanced by supporting oversight of the police by the Parliament and possibly other external institutions. Legal accountability will be improved through better coordination between MPF and other criminal justice and legal aid actors at township level, which should result in more effective investigations and subsequently in a higher reporting rate of crimes. Public accountability, in particular towards civil society and the media, will be enhanced through the establishment of liaison mechanisms and capacity development for the MPF, civil society and media and how to constructively engage with each other.

Finally, the action will continue the work primarily with the Parliament to provide the MPF with a more adequate legal framework, but the efficiency of this engagement will very much depend on the composition of the Parliament after the recent elections and will in any case take a long time. Whenever possible, MoHA will be involved in this process.

One of the lessons learnt from the recent EU police project is that, given the long isolation of Myanmar/Burma, the exposure of police officers and other stakeholders to international best practices and sharing of experience from other countries is a key element to a successful transformation of the police service. English language skills have been identified as key to facilitate this exposure.

The action will operate in a fast-changing environment that is characterized by the risk of violence in the context of potentially escalating inter-religious, communal and political conflicts as well as an on-going but fragile peace process. In addition, the outcome of the 2015 elections is uncertain and its impact unpredictable. Therefore the action should be implemented in a flexible manner. While remaining within its overall framework and main results, it is indeed possible that its priorities and subsequent activities might need to be adapted to take account of the changing context and the new opportunities and challenges that might arise. A Steering Committee will make sure that the action responds effectively to the needs of its counterparts and the conditions of this fluid operational context by regularly monitoring progress, taking into account lessons learned and proposing potential changes to activities where necessary.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country⁵ referred to in 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 60 months from the date of entry into force of the financing agreement. 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

5.3.1 Indirect management with a Member State agency

This action may be implemented in indirect management with the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP) in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012. This implementation entails:

- The mobilisation of the necessary expertise, as well as setting up of the local office facility, procurement of equipment and assets and logistical/administrative support for the implementation of the activities;

⁵ If it will prove impossible to sign a financing agreement, this action will be implemented without financing agreement. In such case, the indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption of the Commission Implementing Decision.

- Liaising with development partners active in the security and justice sector in Myanmar/Burma as well as with government counterparts (relevant ministries and departments) and relevant stakeholders;
- Commissioning audits and expenditure verification activities;
- Maintaining fiduciary oversight of contract implementation, ensuring that funds are being used in the manner specified in the contract;
- Ensure appropriate communication and visibility tools and activities are implemented;
- Ensure regular reporting, monitoring and communication, with the EU and relevant stakeholders.

This implementation is justified because:

- FIIAPP has consolidated experience in managing EU Delegation Agreements, and in implementing EU funded actions of notable size in the sector of justice and police/home affairs, including in Asia. FIIAPP has an extensive experience with community policing and is used to work in close cooperation with other European and international teams. It would thus be able to draw expertise from other experienced and specialised organisations and institutions.
- Indirect management with this Member State agency (FIIAPP) allows the high operational involvement of the EU and will favour the involvement of other EU partners, while ensuring at the same time the adequate level of visibility to the EU;
- Finally, as an EU Member State agency experienced in providing institutional support and advice to government, FIIAPP is in a privileged position to conduct and coordinate effective policy dialogue on sensitive issues. For example, FIIAPP implemented EU-China Police trainings on topics like criminal investigation or organised crime, and a Support Programme to Security Sector in Honduras.

The entrusted entity would carry out the budget-implementation tasks which include: launching calls for tenders; definition of eligibility, selection and award criteria; evaluation of tenders; award of contracts; concluding, monitoring and managing contracts, carrying out payments, and recovering moneys due. Under this action, it is not foreseen that FIIAPP will sign grant contracts with third parties.

5.3.2 Change from indirect to direct management mode due to exceptional circumstances

If, due to exceptional circumstances, it would not be possible to implement this action in indirect management (as described in 5.3.1), this action may be implemented in direct management through a grant (call for proposals) as described below:

Grant: call for proposals 'Support to the Police Reform in Myanmar/Burma' (direct management)

(a) Objectives of the grant, fields of intervention and expected results

The objectives and expected results of the grant will be to contribute to an effective, efficient and accountable police service trusted by the different communities, applying international best practices and respect for human rights and fundamental freedoms as described in sections 4.1 and 4.2.

(b) Eligibility conditions

In order to be eligible for a grant, the applicant must:

- be a legal person,

- be non-profit-making;
- be a specific type of organisation such as: public sector operator, local authority, international (inter-governmental) organisation as defined by Article 43 of the Rules of application of the EU Financial Regulation;
- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

Participation shall be open to the above mentioned entities who are established in an eligible country for funding under the DCI Regulation, as stipulated in Article 9 of the Common Implementing Regulation (CIR).

Subject to information to be published in the call for proposals, the indicative amount of the EU contribution per grant is EUR 29 750 000. The grant may be awarded to a sole beneficiary and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 60 months.

(c) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for grants under this call is 95% of the eligible costs of the action.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative timing to launch the call

First quarter of 2016.

5.4 Indicative budget

	EU contribution (amount in EUR)	Indicative other contribution (amount in EUR)
5.3 Indirect management with FIIAPP	29 750 000	Not known at this stage
5.7 Evaluation and 5.8 Audit	250 000	N.A.
Total	30 000 000	

5.5 Organisational set-up and responsibilities

A Project Steering Committee (PSC) will be set up for strategic planning and direction of the action in line with national, regional and local priorities. The PSC will monitor progress and endorse updated work plans. It will meet every 6 months and comprise representatives of MoHA (including the MPF), the EU, FIIAPP and other relevant implementing partners and stakeholders as appropriate.

A Project Management Unit (PMU) will be established to implement the day-to-day management, monitoring and coordination of the action, including the planning, definition, and revision of its various activities. The PMU should be based in Yangon (its relocation to Nay Pyi Taw might be considered at a later stage). The action will provide the PMU with essential office equipment, and might establish a liaison office in Nay Pyi Taw, which could, if feasible, be co-located within MPF headquarters. The PMU will provide secretariat functions to the PSC.

Other Working and Advisory Groups will be established as necessary.

5.6 Performance monitoring and reporting

The results-based monitoring and evaluation (M&E) framework will be refined during the inception period. This will allow monitoring of effectiveness and impact, and how well the different project activities support and link with one another. The framework includes a full set of outputs and outcome indicators, and an activity-based budget linked directly to expected results and specific objectives. The framework will be agreed by the PSC during the start-up.

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 log frame 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 monitoring visits to the action 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).

5.7 Evaluation

Having regard to the importance and nature of the action, a mid-term evaluation will be carried out for this action via independent consultants contracted by the implementing partner and financed under a specific provision under the budget of the Delegation Agreement. It will be carried out for learning purposes, in particular with respect to obtaining an in-depth understanding of project/programme performance in order to fine tune project implementation arrangements and implementing approach.

A final evaluation will be carried out for this action contracted by the Commission. It will be carried out for accountability and learning purposes at various levels (including for policy revision).

The Commission shall inform the implementing partner at least 3 months in advance of the dates foreseen for the evaluation mission. 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 premises and activities of the action.

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 action.

Indicatively, one contract for the final evaluation services shall be concluded under a Framework contract just after the end of the implementation period of this Action⁶.

5.8 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.

Indicatively, one contract for audit services shall be concluded under a framework contract just after the end of the implementation period, upon reception by the EU of the final financial report⁷.

5.9 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 5.4 above (a specific Communication and Visibility budget will be earmarked under the funds allocated to the implementing partner.

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.

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. This plan will define measures to inform on the EU's communication and engagement with the MPF, as well as visibility measures. It shall include a proactive public information policy to limit the reputational risks for the EU in case of inappropriate behaviour by the police or violent incidents. Due to the sensitive nature of the action, visibility might have to be restricted on an exceptional basis.

⁶ Where no financing agreement will be concluded, the financing of the evaluation shall be covered by another measure constituting a financing decision.

⁷ Where no financing agreement will be concluded, the financing of the audit shall be covered by another measure constituting a financing decision.

APPENDIX - INDICATIVE LOGFRAME MATRIX⁸

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 without an amendment to the financing decision. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for listing the activities as well as new columns for intermediary targets (milestones) when it is relevant and for reporting purpose on the achievement of results as measured by indicators.

	Intervention logic	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	To contribute to a more preventive, balanced and professional approach by law enforcement agencies based on international best practices and respect of human rights.	Average Rule of Law score**	-1.17 score (2014)	Improved score (2020)	Worldwide Governance Index - WGI	
Specific objective: Outcome	To contribute to an effective, efficient, and accountable police service trusted by the different communities, applying international best practices and respect for human rights and fundamental freedoms.	<ol style="list-style-type: none"> 1. Reliability of Police Services 2. Average Voice and Accountability score** 	<ol style="list-style-type: none"> 1. Score 2.5 out of 7; Ranked 126 out of 134 (2014-2015) 2. -1.39 score (2014) 	<ol style="list-style-type: none"> 1. Improved score (2020) 2. Improved score (2020) 	<ol style="list-style-type: none"> 1. World Economic Forum Global Competitiveness Report - GSC. 2. Worldwide Governance Index - WGI 	MoHA and the MPF continue to cooperate and engage with the EU in the provision of technical assistance and support.
Expected Results	Result 1: Improved overall institutional capacity of MPF, including modernized procedures, modernized management and training curricula and facilities.	<ol style="list-style-type: none"> 1. Adoption and implementation of a framework for MPF reform 2. Adoption of MPF guidelines, manuals and handbooks, as well as of regulations on internal accountability 3. MPF human resource policy & procedures established and used for recruitment and promotion 4. % of trained high ranking police 	<ol style="list-style-type: none"> 1. Existing 20-year MPF plan 2. Documents available at the end of 2015 3. Existing policy and procedures in 2015 4. % at the end of recent EU police project 	<ol style="list-style-type: none"> 1. Implementation of a framework for MPF reform 2. Implementation of new measures (2020) 3. Implementation of new policy and procedures (2020) 4. To be defined 	<ol style="list-style-type: none"> 1. Policy, guidelines and plans developed by the project 2. Documents developed and measures implemented 3. Annual reviews, procedures and MPF statistics 4. Pre/post training 	<ul style="list-style-type: none"> • MoHA and MPF remain committed to draft a framework for MPF reform, as well as internal policies, regulations and procedures. • MoHA approves and enforces

⁸ Indicators aligned with the relevant programming document are marked with '*' and indicators aligned to the EU International Cooperation and Development Results Framework with '**'.

		<p>officers demonstrating improved management skills, incl. gender sensitive policing</p> <p>5. % increase in recruitment of female officers including at senior level</p>	<p>5.4% of total MPF, and 2% at senior level (2014)</p>	<p>based on the baseline.</p> <p>5. To be defined at the inception phase.</p>	<p>evaluations</p> <p>5. MPF statistics</p> <p><i>Additional means:</i></p> <ul style="list-style-type: none"> • Final report of recent EU police project • Project reports 	<p>implementation of the framework for MPF reform and its related documents.</p> <ul style="list-style-type: none"> • MPF remains interested in capacity development and technical assistance to strengthen managerial and technical skills.
	<p>Result 2: A more service oriented police, including gender sensitive service delivery by criminal investigation, community policing and crowd management in full respect of human rights</p>	<ol style="list-style-type: none"> 1. Number of townships in which MPF operates according to community policing models* 2. % of population in target areas who trust security providers* 3. % of trained police officers who demonstrate improved skills and knowledge acquired in international standards (sex disaggregated)* 4. Training curricula developed and programmes established are linked to strengthened management and technical capacity to ensure that new approaches are implemented 	<ol style="list-style-type: none"> 1. Number at the end of the recent EU police project 2. Not available; survey to be conducted 3. Number available at the end of the recent EU police project 4. Not available; needs assessment to be conducted at the start of the project 	<ol style="list-style-type: none"> 1. About half of the townships in the country (2020) 2. To be defined based on the baseline 3. To be defined based on the baseline 4. To be defined based on the baseline 	<ol style="list-style-type: none"> 1. Final reports of recent EU police project and of this action 2. Pre/post surveys; meeting minutes of Community Safety Fora 3. Pre/post training evaluations 4. Needs assessments and project evaluations <p><i>Additional means:</i></p> <ul style="list-style-type: none"> • Project monitoring report and evaluations • Annual reviews and statistics of MPF • Myanmar Official Bulletin 	<ul style="list-style-type: none"> • MPF and other beneficiaries apply the skills developed. • All concerned stakeholders (incl. MPF, local authorities and communities) engage in project activities.

	<p>Result 3: Improved accountability of the MPF, including a better legal framework, mechanisms for accountability and outreach to civil society and media</p>	<ol style="list-style-type: none"> 1. Development and adoption of new/modernised laws for the police* 2. % increased parliamentary debate of security issues and strengthened procedures for parliamentary oversight 3. % increase in interaction between MPF/MoHA and Parliamentarians* 4. Number of established liaison mechanisms that bring together police and civil society* 5. Number of established mechanisms that brings together police and media* 	<ol style="list-style-type: none"> 1. Current legal framework in 2015 2. Number of parliamentary debates in 2015 3. Number of interactions in 2015 4. 1 (2015) 5. 1 (2015) 	<ol style="list-style-type: none"> 1. Adoption of new legal framework (2020) 2. To be defined based on the baseline 3. To be defined based on the baseline 4. Liaison mechanisms operational in 50% of States/Regions (2020) 5. Liaison mechanisms operational in 50% of States/Regions (2020) 	<ol style="list-style-type: none"> 1. Officially published laws and regulations 2. Parliamentary proceedings 3. List of meetings & minutes 4. Final project report; project evaluations 5. Final project report; project evaluations <p><i>Additional means:</i></p> <ul style="list-style-type: none"> • Media reports • Civil society reports • Project reports, studies, assessments 	<ul style="list-style-type: none"> • Parliament and MoHA commit to legal reforms. • MoHA and MPF commit to improve MPF accountability and engage with all concerned stakeholders. • Criminal Justice actors, the Parliament, Media and CSOs engage with MoHA and MPF.
	<p>Result 4: An efficient structure is in place and ensures effective management, coordination and monitoring of activities.</p>	<ol style="list-style-type: none"> 1. Timely reporting on project activities and results 2. Efficient coordination among all stakeholders 3. Widespread information and communication on action 	<p>Not applicable</p>	<p>Throughout the duration of the action</p>	<ol style="list-style-type: none"> 1. Efficient monitoring system in place, and reports submitted 2. Minutes of coordination meetings 3. Visibility events; newsletter and media articles produced and disseminated 4. Project evaluations 	<ul style="list-style-type: none"> • A field office in Yangon and a liaison office in Nay Pyi Taw ensure efficient project coordination, management and communication.