

## 2012 Annual Programme

### Strengthening the Rule of Law: 04 – 2012 /2

#### 1 IDENTIFICATION

<b>Project Title</b>	Strengthening the rule of law in accordance with EU standards
<b>CRIS Decision number</b>	2012/022-940
<b>Project no.</b>	04
<b>MIPD Sector Code</b>	Justice and Home Affairs
<b>ELARG Statistical code</b>	01.24
<b>DAC Sector code</b>	15130
<b>Total cost (VAT excluded)<sup>1</sup></b>	€6.6 million
<b>EU contribution</b>	€6.6 million
<b>Management mode</b>	Centralised
<b>EU Delegation in charge</b>	European Union Office in Kosovo *
<b>Implementation management</b>	European Union Office in Kosovo
<b>Implementing modality</b>	Two Twinnings, two service contracts, at least five supplies contracts
<b>Project implementation type</b>	C01
<b>Zone benefiting from the action(s)</b>	Kosovo

#### 2 RATIONALE

##### 2.1 PROJECT CONTEXT: ISSUES TO BE TACKLED AND NEEDS ADDRESSED

###### **ACTIVITY 1: Support to Kosovo Institutions in the field of protection of personal data**

Kosovo finds itself in a situation where personal data are barely protected. There is a lack of secondary legislation and a lack of capacities within the relevant institutions to properly address the issue. On 29 April 2010, the Assembly adopted the Law on Protection of Personal Data. This Law foresees the

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<sup>1</sup> The total project cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

establishment of the Agency for Protection of Personal Data (NAPPD), an independent body reporting to the Kosovo Assembly and responsible for supervising the implementation and enforcement of the legislation and policies for protection of personal data.

Pursuant to the Law, the Assembly of Kosovo adopted, on 22 June 2011, the proposal of the Government of Kosovo to appoint five members of the Data Protection Council: the Chief State Supervisor and four Supervisors. The Council is responsible for the management of NAPPD and its internal organization, and has so far been engaged in obtaining office premises, budget planning and initiating the recruitment of professional staff, as well as commencing to draft the subsidiary legislation governing the NAPPD's organisational structure.

This project seeks to complete the legal and regulative framework on implementation and enforcement of the Law and functioning of the NAPPD, increase the capacities of the Agency and other actors with responsibilities in the field of protection of personal data (eg. the data protection focal points of public institutions).

The project also aims to review the relevant legislation touching upon personal data protection to ensure full alignment with the legal framework for protection of personal data.

Finally, the project aims to increase public awareness on the issue of personal data protection, the legal and policy framework as well as their implementation and enforcement.

## **ACTIVITY 2: Strengthening the correctional and probation services in Kosovo**

Kosovo is undergoing a wide range reforms in the Rule of Law area, and correctional and probation services are key areas for the strengthening of overall security and stability. EC Progress Reports highlight the fact that the overall conditions in prisons and detention facilities continue to be an issue of concern. Alternatives to detention need to be used more frequently. The range of community-based program for juvenile offenders continues to be limited and facilities to imprison juveniles are lacking. The Correction Service has no adequate information system that can record and provide reliable information on the prison population. This impedes the production of statistics, on recidivism for instance, and the definition of working social reintegration program.

The EULEX 2011 Monitoring Report highlighted: "The prison population has steadily increased for the last five years. A further rise with a subsequent need of additional prison capacity is expected in the long run as a result of extended and more efficient policing and court activity".

In terms of human rights and their respect within the Kosovo correctional services, the Conditions in Detention Facilities in Kosovo Report (OSCE, in December 2011) highlighted: "Detainees should have the right to make requests or complaints to the prison authorities. Every detainee should also be allowed to make a request or complaint, without censorship as to substance but in proper form, to the central prison administration, the judicial authority, or other proper through approved channels." Institutions are required to establish an effective system of complaints procedures and inspections as a safeguard against ill-treatment. Detainees should have avenues of complaint open to them both within and outside the context of the prison system, including the possibility to have confidential access to an appropriate authority".

In terms of provision of appropriate correctional services, with the focus of health care of prisoners, the Detention Centres 2010 Report by the Kosovo Rehabilitation Centre for Torture Victims (KRCT) stated: "... the lack of priority given to the health care in prisons remains a serious issue to be dealt with. The centralization of the Kosovo Correctional Service is also an issue. Indeed, it is impossible for the management staff to plan and to act according to their needs since the main decisions are made at the KCS HQ in Prishtinë/Prishtina. Corruption and nepotism are still preoccupying, especially in Dubrava Correctional Centre... A general recommendation to the detention and correctional system remains a better use of alternative punishments and probation, as the Kosovo legislation foresees conditional release as an alternative measure for convicted people".

To conclude, the modernisation of the management of correctional and probation services is crucial to ensure the development of a safe, secure and transparent environment for persons detained in prisons.

The aim of the project is to strengthen the effective and efficient management of correctional and probation services in Kosovo. The project aims at capacity building and application of best EU practices in the field of correctional services within the relevant structures in Kosovo, provision of necessary data management systems that will enable efficient planning and programming as well as improvement of reintegration and re-socialisation plans and programs. Through this project, the relevant institutions will be assisted to enhance their performance in line with democratic standards, which is a precondition for stability and security in Kosovo and contributes to increased accountability, transparency, independence and credibility of the judiciary.

### **ACTIVITY 3: Strengthening and modernizing the forensic services at the Department of Forensic Medicine including the Missing Persons Operation in Kosovo**

Forensic medicine in Kosovo is undergoing dramatic reforms. Obsolete management practices, outdated forensic methodologies, a lack of transparency and democratic oversight are being challenged and addressed through a series of programs aimed at creating a Department of Forensic Medicine (DFM) which is result-driven, professional, impartial and scientifically sound in support of the criminal justice system and the population at large.

In 2010 the Department of Forensic Medicine was established following the adoption of the Law No. 03/L-137 (“Law on the Department of Forensic Medicine”) by the Kosovo Assembly. Additionally, the Kosovo Assembly adopted Law No.03/L –187 (“Law on Forensic Medicine”) also in 2010. The purpose of this Law is to regulate the procedures for the performance of forensic examinations under the authority of the DFM.

The Law establishes the DFM as the competent public authority responsible for providing forensic medicine and medical death investigation expertise, including exhumation, autopsy and identification of human remains related to the armed conflict in Kosovo and its immediate aftermath. Institutionally, the DFM lies within the Ministry Justice. The DFM is responsible for managing and maintaining a forensic medicine system based on internationally recognized standards and European best practices to provide forensic medical services, forensic capacity development, and outreach services for the families of missing persons.

Within this regulatory framework, the DFM is foreseen to establish three internal Divisions: Division of Forensic Medicine, Division of Research and Capacity Building and Division for Identification and Outreach Services. In each Division there will be a number of specialized units (“Sections”).

This project aims to support the establishment of these Divisions and their respective units as part of the Ministry of Justice's Strategic development Plan for 2012-2016, which foresees modern forensic medicine services in Kosovo. To achieve this objective, the DFM needs assistance on multiple levels. This includes supply of equipment, technical training and long-term mentoring. In conducting its work, the DFM must apply internationally accepted standards and EU standards on forensic medicine, and put in place effective management systems, including the regular participation in proficiency tests and validation of the analytical methods used, in order to ensure accurate and precise results which assist courts in determining the facts in criminal and civil cases.

### **ACTIVITY 4: Improving the approximation of laws and coherence of the legal framework**

Governmental institutions of Kosovo are still in the process of building and improving their capacities, especially in the area of drafting legislation. At the same time, Kosovo is undergoing drastic reforms in the judiciary sector that require drafting of new primary and secondary legislation.

The need of harmonisation of the legal framework is a result of the complex mix of different legal acts in Kosovo, produced by the former Yugoslav administration before 1999, and successively by UNMIK and the Kosovo Government since then. Such a complex legal framework has a negative impact on the overall judiciary as it has led to legal inconsistencies and uncertainties, and consequently to an inconsistent

application of laws. Thus, it is necessary to reduce the fragmentation of the current legal framework and to improve the capacity to produce legislation that is line with EU acquis and best practices.

The aim of the project is to improve the legal order of Kosovo by improving the coherence of the overall legislative framework and by enhancing the approximation with the EU acquis in the area of justice.

## **ACTIVITY 5: Support to Witness Protection**

The Resolution of the Council of the European Union of 23 November 1995 on the protection of witnesses in the fight against international organised crime (95/C327/042) mandates that Member States are to guarantee proper protection of witnesses against all forms of direct or indirect threat, pressure or intimidation before, during and after trials in the fight against organised crime. People are not willing to testify against the perpetrators of crime due to the fear that they and their families could be endangered. One of the important elements in the fight against crime is therefore to ensure the safety and security of the witnesses and justice collaborators. Witness protection is therefore a most effective tool for law enforcement in combating serious crimes and organised crime.

The regional IPA 2012 Witness Protection programme WINPRO II covers on the one hand horizontal activities such as upgrading legislation, making the Witness Protection Units in the Beneficiaries fully operational and effective, facilitating operational cross-border cooperation and coordination between specialised law enforcement agencies; on the other hand it should cover the equipment cost of setting up and operating of witness protection programmes in each Beneficiary (special equipment and related training).

To enable the institutions to provide the appropriate response in respect of protection, specialised equipment is required. The procurement of such equipment will ensure that the Witness Protection Unit in Kosovo can operate effectively with a degree of autonomy and secrecy required to protect the officers and the people within the programme.

### **2.2 LINK WITH MIPD AND SECTOR STRATEGIES**

Rule of law has been defined as one of the three major sectors to be supported through Multi-annual Indicative Planning Document (MIPD) 2011-2013. As foreseen by this document, the assistance shall be focused primarily on the visa liberalization requirements. These requirements refer to document security; illegal migration, including readmission; public order and security and external relations. Within the public order and security requirements, data protection has been explicitly mentioned as an issue that shall be addressed accordingly<sup>3</sup>. Moreover, the MIPD states the need to focus on strengthening the independence and the accountability of the judiciary; and to support Kosovo's efforts to fight organized crime, corruption, money laundering and trafficking of human beings and drugs.

The activities of this project contribute towards the achievement of the key objectives defined in the Strategic Development Plan 2012 to 2016 of the Ministry of Justice that refers to the enhancement and strengthening of the overall rule of law in Kosovo.

### **2.3 LINK WITH ACCESSION PARTNERSHIP (AP) / EUROPEAN PARTNERSHIP (EP) / STABILISATION AND ASSOCIATION AGREEMENT (SAA) / ANNUAL PROGRESS REPORT**

The adoption of the Law on Data Protection and its implementation was included as one of the priorities of the European Partnership 2008. Also, data protection has been included in all subsequent Progress Reports as a challenge; hence it has also been included in the SAPD as well as the European Partnership Action

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2 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995Y1207%2804%29:EN:HTML>

<sup>3</sup> Instrument for Pre-Accession Assistance (IPA), Multi-annual Indicative Planning Document (MIPD) for Kosovo 2011-2013, p. 15

Plan. More concretely, the 2011 Commission Progress Report states that Kosovo has made little progress on personal data protection.

In terms of correctional services, the Commission's Progress Report for Kosovo highlights the fact that the overall conditions in prisons and detention facilities continue to be an issue of concern. Alternatives to detention need to be used more frequently. The range of community-based program for juvenile offenders continues to be limited and facilities to imprison juveniles are lacking. The Correction Service has no adequate information system that can record and provide reliable information on the prison population. This impedes the production of statistics, on recidivism for instance, and the definition of working social reintegration program. Further to this, the 2011 Progress Report for Kosovo provided that "Correctional Service has no electronic information system that can record and provide reliable date on the prison population. This makes it impossible to plan effective social reintegration programmes. Corruption within the prison system needs to be addressed".

In relation to the forensics, the 2011 Progress Report states that Kosovo still lacks its own capacities and political commitment to investigate war crimes cases with its own judicial and law enforcement authorities. One of the measures to strengthen the capacities in this respect is to strengthen and modernize the forensic services at the DFM including the Missing Persons Operation in Kosovo.

Inconsistency in the legal framework in different areas and sectors is highlighted as a problem throughout the 2011 Progress Report. Moreover, the European Partnership for Kosovo refers to the need of enhancing control mechanisms on EU compatibility of all new legislation.

Regarding witness protection, the 2011 Progress Report points out that the current weak witness protection programme and legislation does not provide the public with the necessary confidence to cooperate with the authorities as witnesses and that Kosovo's capacities to fight organised crime are still at an early stage. Serious efforts are needed to address these challenges, in particular witness protection.

## **2.4 PROBLEM ANALYSIS**

### **ACTIVITY 1: Support to Kosovo Institutions in the field of protection of personal data**

Kosovo's young institutions have very little to no experience and expertise in the field of personal data protection, hence no unified EU-compatible standards have been introduced until the Data Protection Law was adopted two years ago. Particularly the Kosovan law enforcement agencies and other rule of law institutions possess a large quantity of sensitive personal information, with no clear rules and procedures how to maintain and manage them. This is also the case with public institutions in sectors such as education, social and healthcare policies, areas of public finances and taxation, but also a large number of private entities.

The legislation adopted since 1999 has not been assessed in relation to compliance with personal data protection standards. The same goes for virtually all the institutions possessing personal data. Consequently, the latter lack clear procedural rules on how to handle personal data as well as the human and technical capacities and guidance necessary to ensure that such data are handled according to personal data protection legislation and standards. This also holds for all the procedural actions of both public and private entities operating in the policy areas outlined above, which need to ensure that their day-to-day functioning is in full compliance with the personal data protection legislation and standards enshrined in it.

At the institutional level, the Agency for the Protection of Personal Data (NAPPD) needs much support, particularly in terms of expertise, to build its capacities to ensure that it can effectively function as the leading institution in charge of coordinating the necessary legal reforms, as well as the relevant institutional and policy planning efforts required to ensure full implementation and enforcement of data protection legislation and standards. The Agency also needs to be capable to continuously provide advice to both line institutions and private entities in their personal data protection capacity-building and compliance efforts. The Agency also needs to be capable to adjudicate individual cases of non-compliance

and impose compliance upon any entities involved. Finally, the NAPPD is responsible for public awareness campaigns on personal data protection.

## **ACTIVITY 2: Strengthening the correctional and probation services in Kosovo**

Concerning human resources and training needs, prison staff is often motivated but lacking technical skills, as a result of a lack of an effective training scheme. At present, the training of the personnel takes place in the institutions and the Kosovo Agency for Public Safety Education (KAPS) in Vushtrri and some basic trainings are provided in the following fields: Management Level, Civil Personnel, First Aid, Professional for Fireman, Social Worker, Crisis Management, Training for work with psychic prisoners, Advanced Training, Leadership evaluation. The lack of adequately skilled staff impedes the development of positive relations between staff and prisoners and has a negative influence on the quality and level of the activities provided to prisoners and thus on their rehabilitation.

In terms of capacity building, at the senior level, there is a need to increase the overall management skills of correctional/probation services, especially in key areas such as recruitment, performances evaluation, career planning etc. Proper staff evaluation/appraisal is also lacking. Effective complaint mechanisms within prisons are to be ensured and internal investigations and inspections units need to be strengthened to improve overall results, especially in areas such as corruption.

It is anticipated that the Kosovo Correctional Service (KCS) and the Kosovo Probation Service (KPS) will be joined in one Agency in the near future, thus the (re)organisation of the workflow and communication within correctional and probation services are areas where improvements will be extremely necessary. Overall, there is a need to modernise instruments and working methods and to build the capacity of correctional and probation staff in order to contribute to the development of a safe, secure and transparent environment for persons detained in the prisons. This is particularly urgent in view of the fact that EULEX will be significantly downsizing in this area in the coming years.

With regards to the management of data, KCS currently keeps all prisoner files in hard copy. There are only basic scattered databases which store some basic information included in the hard copy file, but this database can not really process the contained information. At the moment there is no central server on which the data is stored and therefore no backup system. There is no network and therefore information cannot be shared within a facility or externally with other KCS facilities; sharing of information is done by email or fax. The absence of an adequate database makes the managing and archiving of prisoner files vulnerable as there is no digital back up. The correct managing of prisoners files (with the use of a database) is of the utmost importance for the Correctional Service as prisoner file management plays a huge role in protection and promotion of human rights. The hardware currently in use within the KCS is not sufficient for a future database, all hardware should be replaced in order to be able to support the flow of information of the new database.

With regards to rehabilitation and re-socialisation programmes both services have very limited capacity for the development and implementation of such programmes. The lack of meaningful activities for prisoners is evident. This inadequacy adversely affects both prisoners and prison staff. It also weakens the possibilities of the Prison Service to have an impact on recidivism through successful correctional work and interaction with the inmates. Thus, there is a need to design effective rehabilitation and re-socialisation programmes aimed at the re- integration of inmates after release: anti-violence training, social skills training, programmes for specific crimes e.g. programmes for prisoners convicted for sexual abuse or domestic violence; as well as programs and services in the community after release from prison.

Prison populations in Kosovo are increasing, placing enormous financial burdens on the government's budget. In the meantime, there is growing recognition that sometimes imprisonment does not achieve some of its most important objectives and may even be harmful – to offenders, to their families and in the long-term, to the community. The majority of prisoners come from economically and socially disadvantaged backgrounds. Poverty, unemployment, lack of housing, broken families, histories of war, psychological problems and mental illness, drug and alcohol abuse, domestic violence are realities that are likely to be found in the personal history of most offenders. Many are in prison for non-violent or minor offences. By using prison as an answer to all offences committed by such individuals, not only is the issue

of safety in the community not addressed in a sustainable manner, but also the cycle of impoverishment, loss of jobs, weakening of employment chances, damage to relationships, worsening of psychological and mental illnesses and continued or increased drug use is perpetuated. Alternatives are not applied due to the lack of confidence of judges and magistrates in the implementation of community sanctions and measures. Measures should be introduced to make alternatives to imprisonment more often used and effective, *inter alia* by increasing the implementation of a wide range of non-custodial sentences as an alternative to prison and widening possibilities for parole (conditional release).

The main stakeholders of this project will be the KCS and the KPS which will merge in one agency under the Ministry of Justice in the near future. Additionally the judges and prosecutors in charge of criminal law will benefit from the results of the project. Secondary beneficiary are prisoners and persons under parole or probation.

### **ACTIVITY 3: Strengthening and modernizing the forensic services at the DFM including the Missing Persons Operation in Kosovo**

Through this project the DFM will be able to establish basic standards in forensic sciences that are in accordance with EU and international standards. The project will permit the DFM to become fully operational at the administrative and scientific levels, complemented by a strategy of sustained growth to an optimum level for the Kosovo context. The effective functionality of the DFM will have a direct and relevant impact on the criminal justice system and the development of the Rule of Law sector in Kosovo. The DFM is responsible for dealing with issues of missing persons, sexual assaults, death caused by gun shot wounds, deaths caused under toxicological substances and other similar cases. There is a need for efficient capacity building as these are very specialised fields for which expertise support and advice is needed.

Currently, the DFM is co-headed by Kosovo and EULEX staff. EULEX forensic experts are mentoring and monitoring the newly establish MOJ exhumations team. It is expected that during 2012 this team will be operational for certain type of cases. EULEX forensic experts are also monitoring and mentoring the development of the DFM outreach unit. Specific focus has been given to the issue of misidentification. The EULEX forensic doctors are also actively mentoring and monitoring the local DFM doctors in forensic autopsies, forensic clinical examination and death scene investigation. It is evident that as a result of the EULEX restructuring/downsizing, further capacity building in this field will be required.

DFM is to cooperate with different structures active in this field such as Kosovo Police, Prosecution Offices, Public Defenders and the Courts. Efficient coordination and collaboration needs to be ensured and the role of the DFM in this field needs to be strengthened.

DFM's work is of very sensitive and technical nature. There is a need for the forensic medicine services to be assessed and monitored by more independent structures. An adequate protection system for the forensic experts is lacking. Appropriate career path development for the staff would certainly contribute towards increased motivation and decrease of professional staff turnover in the department.

### **ACTIVITY 4: Improving the approximation of laws and coherence of the legal framework**

Kosovo's legal system is a complex mix of different legal acts because it is based on three main sources, the former Yugoslav legal system, UNMIK Regulations and the laws adopted by the Kosovo Assembly after the Declaration of Independence. It is a fact that having three different systems has produced inconsistencies: some of the legal provisions are linked but incoherent, thus their application at the court level creates difficulties, inconsistencies and delays.

In order to develop a coherent legal order it is necessary to reduce the fragmentation of the current legal order through an exercise that will eliminate legal inconsistencies which are the heritage of Kosovo's complex legal history as well to improve the law approximation process.

In order to tackle the problem, the Kosovo Government has decided to entrust the MoJ with the responsibility and the lead to conduct a legal cleaning of the legislative framework in the field of justice, entailing the obligation for other ministries to support this process.

Within the judiciary area, the MoJ has the main responsibilities related to ensuring that the new legislation drafted is in line with EU *acquis* and best practices. Unfortunately, obsolete management practices, outdated methodologies and some time the lack of political will to speedily produce new legislation, seem to be an obstacle for the production of sound and thorough legislation, thus investments are needed to ensure that law approximation is effectively improved.

An electronic monitoring tool should facilitate the law harmonisation process with the EU *acquis*.

## **ACTIVITY 5: Support to Witness Protection**

The protection of witnesses giving evidence in criminal proceedings is widely acknowledged as a necessary tool in helping to penetrate and dismantle criminal organisations. Witness protection is particularly important in the fight against organised crime and terrorism as the closed nature of criminal and terrorist groups makes it very difficult to use traditional investigative methods successfully. Moreover organised crime is well equipped technically and extremely mobile. Therefore special witness protection measures are necessary to: (i) avoid that witnesses themselves are threatened and therefore choose not to testify, (ii) ensure that witnesses are able to give testimony in criminal proceedings and (iii) ensure that their lives are protected before, during and after the trial.

Currently, witness protection in Kosovo is being managed by EULEX. With the assistance of the mentioned regional WINPRO project, the Kosovo Police has started establishing a witness protection unit. This Unit needs to build up capacities and needs to be equipped to become operational in September 2012 and fulfil their duties.

Immediate equipment needs to be addressed under this project include secure internal communication, including email, fax as well as secure database management; non-descriptive vehicles, mapping capability system, video-conferencing equipment, electronic equipment for safe house protection, personal protection equipment. The equipment will be specified further according to the needs assessment undertaken by EULEX and the WINPRO project

## **2.5 LINKED ACTIVITIES AND DONOR COORDINATION**

### **ACTIVITY 1:**

TAIEX mid-term assistance was utilized in assisting the drafting of the Law on Data Protection in 2009-10.

A request has been approved for a TAIEX expert mission to support the NAPPD in developing secondary legislation for the implementation of the Law on Protection of Personal data. This mission will also serve as a solid base for the detailed outline of this project's activities, based on the achievements of the TAIEX mission. The mission will begin in April 2012 with the timeframe of 80 days.

### **ACTIVITY 2:**

During the last 3 years, KPS with the support of donors such as the EU Office in Kosovo, UNICEF, and UNDP, have received a series of trainings aimed to increase professional capacity of the staff..

The proposed project will be complementary to the following ongoing and future EU funded initiatives:

- The IPA 2010 project "Improved Education in the Public Safety Education Sector" (twinning);
- The IPA 2010 project on Establishing the Kosovo Forensic Psychiatry Institute;
- The IPA 2009 project on Juvenile Justice Programme implemented by UNICEF;
- The IPA 2008 project on Construction of the High Security Prison.



Finally, this project will be strongly linked to the MMA activities of EULEX Rule of Law Mission in Kosovo.

### **ACTIVITY 3:**

The proposed project will be complementary to the following projects:

#### 1) Missing Persons Operation in Kosovo:

Belgium Grant: Through this grant the DFM has benefitted from different capacity building programs, including the internationally recognized certification for risk management. The project started in 2011 and will last until September 2012. The project is monitored by EULEX. The amount of the grant is around €250,000.00. The results of this action will serve as good basis for this project and its capacity building activities targeting DFM staff.

Memory Project: The aim of the project is to implement a psychosocial approach by creating a public record of the experiences of the families of the missing persons. The end product is a number of filmed interviews accompanied by a searchable Database with all the recorded cases. To date 147 interviews have been collected from all ethnicities in Kosovo. This is a long term program which continues working.

#### 2) EULEX Rule of Law Mission in Kosovo:

EULEX actively stimulates the transfer of knowledge, experience and expertise with local colleagues throughout specific development of the skills and also through monitoring, mentoring and advising process.

EULEX forensic experts are mentoring and monitoring the newly establish MOJ exhumations team. It is expected that during 2012 this team will be operational for certain type of cases;

- EULEX forensic experts monitor and mentor the development of the DFM outreach unit. Specific focus has been given to the issue of misidentification. This required training in dealing with affected families is secondary trauma;
- EULEX forensic doctors are actively mentoring and monitoring the local DFM doctors in forensic autopsies, forensic clinical examination and death scene investigation.
- EULEX Co-Head mentors middle and upper DFM management regarding the administrative issues, data management and management of the forensic laboratory service.
- EULEX Co-Head advises and contributes to strategic planning, institutional strengthening and growth.

### **ACTIVITY 4:**

The proposed project will be complementary to the following ongoing and future initiatives:

- 1) The Twinning Project funded under IPA 2008 “EU Standards for the Ministry of Justice”;
- 2) The Twinning Project to be funded under IPA 2011 "Strengthening the capacities of the Judicial Network and the Ministry of Justice".
- 3) The IPA 2009 project on “Legal translation and interpretation”.

### **ACTIVITY 5:**

The proposed measures complements the regional IPA 2012 Witness Protection programme WINPRO II which aims at further upgrading relevant legislation, strengthening practical implementation of existing key national legislative measures, improving and facilitating operational cross-border cooperation (by eliminating legal and practical obstacles), developing the operational capacity of the Witness Protection

Units, and enhancing the professionalism of relevant authorities through comprehensive training programmes, experiences and expertise. WINPRO II will thus contribute to strengthening the institutional capacity of the Witness Protection Units in the Beneficiaries, making them fully operational, professional, effective, and able to offer protection to witnesses and where appropriate seek relocation out of their country.

## **2.6 Lessons learned**

- All activities of the project have to be closely coordinated with EULEX and other relevant donors in the field and should build on results already achieved.
- With regards to the supply of IT equipments the MoJ will ensure that IT components will be fully complementary and interlinked with relevant existing and future databases.
- The supply of equipment requires the adequate budgeting for maintenance and technically knowledgeable staff.
- Lessons learned until now and by other beneficiaries show that due to insufficient absorption capacities, the assistance has not always been used to the best potential extent. The simultaneous presence of several donors with sometimes different agendas has not always led to the necessary synergies. Also, the delivering of Technical Assistance through consultants, rather than civil servants, contributed to focussing on achieving short-term results rather than on sustainable capacity building.

## **3 DESCRIPTION**

### **3.1 OVERALL OBJECTIVE OF THE PROJECT**

The overall objective of the project is to strengthen the rule of law sector in Kosovo.

### **3.2 SPECIFIC OBJECTIVE(S) OF THE PROJECT**

1. To support the NAPPD in becoming fully functional and in effectively implementing the legislation on the protection of personal data related in cooperation with other relevant institutions
2. To strengthen the effective and efficient management of correctional and probation services in Kosovo
3. To strengthen and modernize the forensic services at the DFM including the Missing Persons Operation by enhancing its technical and administrative capacity
4. To improve the legal framework of Kosovo by improving the coherence of the legislative framework for the justice sector and by enhancing the approximation of laws with the EU *acquis* in the area of justice
5. To strengthen the institutional capacity of the Witness Protection Units for the protection of witnesses and collaborators of justice

### **3.3 RESULTS**

#### **ACTIVITY 1:**

1. Legal and regulative framework for implementation of the Law on Protection of Personal Data completed;
2. Legal and regulative framework relevant for the field of personal data protection in compliance with the Law on Protection of Personal Data itself;
3. Agency for Protection of Personal Data wholly functional and with capacity to implement the whole legal and regulative framework on protection of personal data;

4. Data protection focal points in relevant institutions in place and with capacity to carry out their duties
5. General public aware and informed about the legal and policy framework on protection of personal data.

#### **ACTIVITY 2:**

1. Enhanced capacity of the Kosovo Correctional Service and the Kosovo Probation Service to ensure the delivery of services in line with highest professional standards;
2. Improved and efficient case management of prisoners through the establishment of a proper database;
3. Reduced re-offending by prisoners after release through the establishment of re-socialisation and rehabilitation programmes for KCS and KPS;
4. The use of alternative sentences is promoted and improved.

#### **ACTIVITY 3:**

1. DFM is fully operational at administrative and academic level and provides forensic services and investigative assistance throughout Kosovo in a professional and efficient manner;
2. DFM staff is capable to deliver advanced forensic services;
3. Judges, prosecutors, defence councils, police, NGOs and the general public are better informed about forensic medicine;
4. DFM part of EU forensic networks and community.

#### **ACTIVITY 4:**

1. Kosovo's legal framework for the justice sector is coherent;
2. The approximation of laws with the EU acquis in the area of justice is improved through the modernisation of legal methodologies (establishment of an electronic table of concordance);
3. MoJ staff is able to draft primary and secondary legislation within the competence of the Ministry of Justice in compliance with the relevant EU acquis and best EU practice.

#### **ACTIVITY 5:**

1. The Witness Protection Unit (WPU) within the Kosovo Police will be in a position to run operations securing witnesses.

### **3.4 MAIN ACTIVITIES**

#### **ACTIVITY 1: Support to Kosovo Institutions in the field of protection of personal data**

**Result 1:** Legal and regulative framework for implementation of the Law on Protection of Personal Data completed.

- Complete sub-legal acts for implementation of the Law on protection of personal Data, and of the regulatory framework on functioning of NAPPD.
- Develop relevant operational rules for coordination and cooperation with the line ministries and other institutions (including rules for supervision of work of NAPPD and other relevant institutions).

- Develop procedural rules and guidelines for relevant entities (both public institutions and private entities) on implementation of legislation for protection of personal data.

**Result 2:** Legal and regulative framework relevant for the field of personal data protection in compliance with the Law on Protection of Personal Data itself

- Advise NAPPD on the eventual amending of the existing legislation and other regulatory framework in the sector of justice, freedom and security and other relevant sectors.
- Develop new legal and regulatory framework identified by the CSA (Current Situation Assessment).

**Result 3:** Agency for Protection of Personal Data and other relevant institutions wholly functional and with capacity to implement the whole legal and regulative framework on protection of personal data.

- Develop an overall set of guidelines on responsibilities and functioning of NAPPD (including rules and procedures for implementation of these responsibilities; supervision and its public transparency; its coordination and cooperation with agencies for implementation of the law, judiciary and other relevant institutions etc.)
- Develop a strategic development plan for NAPPD and other relevant institutional capacities for implementation of the legislative and policy framework for protection of personal data (including a capacity-building plan);
- Develop a central data base and a system for monitoring and assessment of implementation of the legislative and policy framework on data protection.
- Provide specialized training for NAPPD and other relevant institutions, focusing on giving advice to public and private subjects on issues related to protection of personal data; decision making on complaints of respective subjects; inspections and audits; informing the public on issues of protection of personal data; and promotion of the basic rights related to protection of personal data

**Result 4:** The staff of relevant implementing institutions and the general public aware and informed about the legal and policy framework on protection of personal data.

- CSA on the information and awareness of public institutions and the wider public on the legislative and policy framework for protection of personal data and their implementation.
- Develop a plan for public awareness on the legislative and policy framework for protection of personal data and their implementation.
- Carry out a public awareness campaign on the legislative and policy framework for protection of personal data and their implementation.

## **ACTIVITY 2: Strengthening the correctional and probation services in Kosovo**

**Result 1:** Enhanced capacity of the KCS and KPS to ensure the delivery of services in line with highest professional standards

- A SWOT analysis of the services carried out by correctional and probation services,
- Analysis of the legal framework concerning correctional and probation services,
- If necessary, harmonise legal framework with EU standards and good practices,
- Improve and modernise internal structure and workflows of correctional and probation services,
- Strengthen the vertical and horizontal communication system of correctional and probation services,
- Review and strengthen procedures for selection and recruitment of prison staff,
- Review the training curricula for the staff of probation and correctional centers in coordination with KAPS and identify additional training needs,

- Provide vocational training to enhance staff capacity to develop and manage correctional/probation services. Training will include topics such as management of serious incidents, contingency plans, anti-corruption, ethics, etc,
- Facilitate the setting up of evaluation systems within the correction and probation services,
- Strengthen the monitoring mechanism within correctional services (Prisoner Oversight Committee),
- Facilitate the establishment of an effective complaint mechanism within correctional services.

**Result 2:** Improved and efficient case management of prisoners through the establishment of a proper database

- Assessment of the current database in use and the migration of previous data in the new system;
- Drafting technical specification for new IT infrastructure needed;
- Designing the software for the database ensuring a userfriendly application and linkages to other databases and ensuring that the two databases of KCS and KPS will be integrated;
- Upgrading the data network and server;
- Supplying of hardware
- Testing the new database in pilot prisons;
- Training of relevant KCS/KPS staff on the use of the database and its maintenance.

**Result 3:** Reduced re-offending by prisoners after release through the establishment of re-socialisation and rehabilitation programmes

- Conducting a comprehensive analysis of the type of offenders accommodated in correctional services;
- Assessing current re-socialisation and rehabilitation programmes within KCS and KPS;
- Providing recommendations for improvement;
- Designing rehabilitation programmes for specific types of crime (e.g. sexual abuse; domestic violence, etc);
- Developing of community-based programs with the purpose of facilitating the rehabilitation and reintegration into society of convicted persons;
- Implementing pilot rehabilitation and re-integration programmes in selected communities.

**Result 4:** The use of alternative sentences is promoted and improved

- Assessment of the current legislation on alternatives to imprisonment and elaboration of suggestions for legislative improvements
- Improving organisational design and management processes relating to the implementation of legislation on non-custodial sanctions and measures;
- In cooperation with KJI, developing training curricula for judges, magistrates, probation service staff and others involved in the administration of alternative sanctions and measures;
- Enhancing technical resource capacity of probation services or other supervision/monitoring systems of non-custodial sanctions and measures;

- Ensuring good communication and co-operation between all parties involved in the administration of non-custodial sanctions and measures;
- Raising public awareness about alternatives to imprisonment and increasing community participation in the implementation of alternative sanctions and measures.

### **ACTIVITY 3: Strengthening and modernizing the forensic services at the DFM including the Missing Persons Operation in Kosovo**

**Result 1:** DFM is fully operational at administrative and academic level and provides forensic services and investigative assistance throughout Kosovo in a professional and efficient manner.

- Establishment and functionalisation of three divisions of the DFM: Division of Forensic Medicine, Division of Research and Capacity Building and Division for Identification and Outreach Services. Division of Research and Capacity Building will work in partnership and coordination with the Pristina University - Faculty of Medicine;
- Support the DFM in signing MoUs with the Ministry of Health, Ministry of Interior and international scientific and academic institutions. Furthermore, support the establishment of inter-agency / inter-ministerial working groups and activities, which define the responsibilities of each institution and enable resource sharing for the joint-interest activities and matters;
- Establishment of quality assurance, assessment and independent monitoring mechanism for the forensic medicine services in Kosovo.
- Design and implement a solid human resources policy and a predictable career path development for specialists engaged in DFM.
- Support the DFM in the production of evidence-based forensic reports necessary for rigorous trial processes and peer reviews;
- Improve trainings in the fields of clinical examination, identification process and psychosocial topics;
- Provide training for specialized staff which can adequately address the specificities of the Missing Persons Operation, such as forensic archaeologists and forensic anthropologists;

**Result 2:** DFM's technical capacities are increased and suitable to deliver advanced forensic services and reports

- Current situation assessment in terms of equipment within the DFM and provision of necessary specification of the equipment that is to be purchased to meet the needs of the Department;
- Purchasing and installation of the equipment;
- Training of relevant DFM staff in the usage of the equipment in order to provide necessary forensic medicine services and reports.

**Result 3:** Better informed judges, prosecutors, defence councils, police, NGOs and the public in terms of forensic medicine

- Public awareness activities designed and implemented in cooperation with all relevant stakeholders;
- Targeted training and informative activities for judges, prosecutors, defence councils and police.

Targeted training and informative activities for civil society organizations, with specific focus on issues related to missing persons.

**Result 4:** DFM part of EU forensic networks and community

- Facilitate the networking activities of the DFM with regional and international forensic institutions and associations

#### **ACTIVITY 4: Improving the approximation of laws and coherence of the legal framework**

**Result 1:** Kosovo's legal framework for the justice sector is coherent;

- Undertake the procurement, installation and testing of a database for the legal cleaning process (including designing the technical specifications for both the hardware and the software, developing a user friendly software, Train the trainers of relevant staff within the MoJ on the use of the database)
- Train (on the job) relevant MoJ officials on the legal cleaning methodology.
- Provide technical support to the MoJ to collect relevant laws within judiciary area;
- Assess collected laws according to the methodology provided by the project for the legal cleaning;
- Analysis of legal inconsistencies;
- Provide strategic advice to simplify Kosovo's overall legislative framework;

**Result 2:** The approximation of laws with the EU acquis in the area of justice is improved through the modernisation of legal methodologies (establishment of an electronic table of concordance);

- Provide recommendations to improve the approximation of laws using best practice examples from recently acceded EU member states;
- Undertake the procurement of a law approximation tool (electronic table of concordance), including the drafting of technical specifications for both hardware and software, designing the software, installation and testing of the supplies.
- Train relevant staff on the use of the electronic table of concordance;
- Develop and implement training curricula and ToT for the relevant administrative staff of legal drafting departments of the involved ministries;
- Assess current monitoring systems for law approximation;
- Implement the monitoring tool in the legal drafting process.

**Result 3:** The MoJ relevant staff is able to draft primary and secondary legislation within the competence of the Ministry of Justice in compliance with the relevant EU acquis and best EU practice.

- Select 10 laws from MoJ legislation;
- Assist the MoJ legal drafting department in identifying the relevant EU acquis;
- Provide best practice models from EU Member States for the legislative priorities;
- Assist the MoJ in drafting of concept/policy papers indicating the changes and amendments needed;
- Assist the MoJ in the drafting of legislation by formulating the relevant provisions;
- Assist the MoJ in preparing the electronic table of concordance;
- Assist the MoJ in performing regulatory impact assessments.

#### **ACTIVITY 5: Support to Witness Protection**

- Based on the needs identified by EULEX and the WINPRO project, undertake the procurement, supply, delivery and commissioning of special technical equipment required to support more effective operations of the WPU

### **3.5 ASSESSMENT OF PROJECT IMPACT, CATALYTIC EFFECT AND CROSS BORDER IMPACT (WHERE APPLICABLE)**

#### **ACTIVITY 1: Support to Kosovo Institutions in the field of protection of personal data**

Kosovo adopted data protection legislation in April 2010 and has established the Agency for Protection of Personal Data. This project will help to improve the current state of data protection, so that systems and procedures will be further developed, relevant staff will be trained, at all levels, and the general public will be made aware of its rights.

Ultimately, this project will improve the state of human rights protection in Kosovo.

#### **ACTIVITY 2: Strengthening the correctional and probation services in Kosovo**

The EU has been contributing to strengthening the rule of law in Kosovo for years. This project is a continuation of this support in order to improve the overall legal system and to increase the capacities of relevant institution and bring them closer to EU standards. The Ministry of Justice is one of the key government institutions that are responsible for the substantive area in the field of rule of law in Kosovo.

Strengthening the effective and efficient management of correctional and probation services in Kosovo will ensure a more effective Rule of law and improve service delivery in those institutions where the state has a special responsibility to guarantee human rights protection (i.e. penitentiary institutions), thus contributing to increased accountability, transparency and the independence and credibility of judiciary.

Moreover, activities of the proposed project are aligned with the Ministry of Justice 2012 – 2016 strategy.

#### **ACTIVITY 3: Strengthening and modernizing the forensic services at the DFM including the Missing Persons Operation in Kosovo**

The EU has been contributing to strengthening the rule of law in Kosovo for years. This project is a continuation of this support in order to improve the overall legal system and to increase the capacities of relevant institution and bring them closer to EU standards. The Ministry of Justice is one of the key government institutions that are responsible for the substantive area in the field of rule of law in Kosovo. It is the Ministry that aims at ensuring efficient provision of necessary services to citizens so justice and its execution are in accordance with basic principles set internationally. Forensic services also fall within the Ministry of Justice responsibilities. As the DFM is a relatively new department and the services it provides are currently assisted by the EULEX experts, it is evident that the strengthening and further building of the capacities in this department is a subject of assistance.

The activities of this proposed project are aligned with the Ministry of Justice 2012 – 2016 strategy and the action plan (endorsed by the Government of Kosovo in February 2012). The strategy outlines the necessity for capacity building and development of the forensic medicine, search and identification of missing persons as a result of the war and war crimes investigation. Moreover, the new Medium Terms Expenditure Framework (MTEF) for 2013 – 2015 foresees the increase of the DFM budget in accordance with further developed capacities and increased responsibilities.

This project will be closely linked with other EU assistance projects, ongoing or planned for the Ministry of Justice: (i) Enhanced law approximation and coherence of the legal order, (ii) International Legal Cooperation and (iii) Legal translators and interpreters.

#### **ACTIVITY 4: Enhanced law approximation and coherence of the legal framework**

The EU has been contributing in strengthening the rule of law in Kosovo for years. This project is a continuation of this support in order to improve the overall legal system and to increase the capacities of relevant institution and bring them closer to EU standards. Ministry of Justice is one of the key government institutions that are responsible for the substantive area in the field of rule of law in Kosovo.

### **3.6 Sustainability**



### **ACTIVITY 1:**

By further supporting this independent agency in developing its capacities, the project will enable this Agency to preserve its services and integrity and to work ad infinitum.

Taking into consideration the visa liberalization dialogue and the importance it pays to the enforcement of the legal framework on protection of personal data, there is all the necessary political will to address this issue properly and to set up long term solutions.

### **ACTIVITY 2:**

Sustainability of the project results will be achieved through the following:

- Budget will be ensured for the maintenance and effective use of the database for prisoners;
- Budget will be ensured to maintain the established re-socialisation and rehabilitation programmes after the end of the project period;
- New effective procedures for the management of the KCS and KPS will be maintained after the termination of this project;
- Staff continuity will be enhanced by providing more training opportunities and career path development for KCS and KPS staff
- Training material developed will be used in future training of staff of KCS and KPS within the Public Safety Academy in Vushtrri/Vucitrn.

### **ACTIVITY 3:**

The DFM will contribute towards the sustainability of the project, but also towards its own sustainability as well, by ensuring the implementation of the following:

- Strict adherence to the newly approved legislation;
- Strategic planning for continuous department development;
- Vastly improved administrative management and adherence to international forensic Standard Operating Procedures;
- Adequate planning and budget allocation;
- Political will and support.

### **ACTIVITY 4:**

Sustainability of the project result will be achieved through different measures:

- The database for coherence of legislation will continue to be used after the end of the project by the staff of the MoJ;
- The legislation drafted will be applied also after the end of the project;
- The staff will be trained according to ToT methodology, thus ensuring that knowledge will be retained and passed on;
- Training material developed will be used in future training of staff of the legal drafting department.

### **ACTIVITY 5:**

The WPU will be made operational and the equipment will assist them to run basic operations. Witness Protection is one precondition for motivating collaborators of justice to engage in testimony. A functioning WPU will be necessary to tackle organized crime.

### **3.7 ASSUMPTIONS AND PRE-CONDITIONS<sup>4</sup>**

#### **ACTIVITY 1:**

In order to start the activities of the project the following preconditions shall be met: there shall be sufficient budget ensured for the Agency for the Protection of Personal Data and this Agency shall be equipped with sufficient and adequate staffing. The NAPPD needs to preserve its independent nature in its operation, to receive political support and accountability by the parliament, as well as willingness on the part of relevant line institutions to comply with data protection standards and to exert any political pressure in the area of protection of personal data. Adequate budget is made available for the maintenance of the equipment.

#### **ACTIVITY 2:**

The main risks in regards to this project implementation can be grouped in the following categories:

- In both services, Kosovo Correctional Services and Kosovo Probation Services, there is limited capacity for the development and implementation of rehabilitation and re-socialisation programmes. The project should target the relevant staff with appropriate training activities in order to enhance the capacities of both services. The appropriate staff should be also made available for the training activities;
- Current management of data is done in manual manner and the electronic systems are rarely used. The installation of the new database may be faced with the issue of non sufficient human capacity or knowledge to use the modern database system. The project has to foresee this in the design of the database but also in the training that will follow the installation of the database.
- Stronger political willingness in order to implement the reform in this sector.

In order to ensure appropriate implementation the following pre-conditions should be met:

- MoJ and more specifically KCS and KPS provides appropriate and sufficient staff to absorb the project activities;
- There is sufficient political will to support further development and improvement of the correctional and probation services in Kosovo;
- Adequate budget is made available for the maintenance of the equipment.

#### **ACTIVITY 3:**

- Over-dependence on EULEX may be especially prominent regarding the Missing Persons issue. This is mainly due to lack of local capacity in specific fields, such as Forensic Anthropology and Human Identification;
- Weak management structure may lead to under-use of available resources;
- Lack of Awareness of the DFM's work and the relevant laws: especially from Kosovo Police, Prosecution Offices, Public Defenders and the Courts;
- Lack of accountability insurance mechanisms: DFM's work is of very sensitive and technical nature. There is a need that the forensic medicine service are assessed and monitored by more independent structures. Adequate protection system is also not in place for the forensic experts;
- No career path and no means of attracting new doctors, nurses, etc. into the field;
- Stronger political willingness: especially to address cases involving the Missing persons.

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<sup>4</sup> Assumptions are external factors that have the potential to influence (or even determine) the success of a project but lie outside the control of the implementation managers. Such factors are sometimes referred to as risks or assumptions but the Commission requires that all risks shall be expressed as assumptions. Pre-conditions are requirements that must be met before the sector support can start.

The project will address the above-stated issues via its activities, specifically those targeting relevant DFM staff with capacity building, but also the activities related to Result 3 with the nature of awareness raising and training of relevant stakeholders in relation on DFM work and responsibilities.

In order to ensure appropriate implementation the following pre-conditions should be met:

- MoJ/DFM provides appropriate and sufficient staff to absorb the project activities;
- There is sufficient political will to support further development and improvement of the forensic medicine services;
- Adequate budget is made available for the maintenance of the equipment.

#### **ACTIVITY 4:**

- Decision of the Kosovo Government to entrust the MoJ with a legal cleaning within judiciary area adopted;
- Assignment of two MOJ staff members for the entire duration of the project to assist in the legal cleaning activities;
- Commitment of the MoJ to apply the monitoring tool for law approximation in a constant and consistent way;
- Ongoing political support of the Government of Kosovo on EU Integration;
- Staff willing to use monitoring system and database in daily practice;
- Supply procurement finalised within the project duration;
- Staff of the legal drafting departments is released from duties to attend training courses.
- Adequate budget is made available for the maintenance of the equipment.

#### **ACTIVITY 5:**

- The WPU will become operational as planned under the Law on Witness Protection.
- The WPU will be operationally and financially autonomous without political interference.
- Sufficient staffing for the WPU and of relevant structures in other institutions needs to be ensured.

## **4 IMPLEMENTATION ISSUES**

#### **ACTIVITY 1:**

Activity 1.1: One service contract of €1.35 million.

Activity 1.2: One supply contract of €0.15 million for IT equipment

#### **ACTIVITY 2:**

Activity 2.1: One twinning contract of €1.74 million.

Activity 2.2: One supply contract of €0.36 million.

#### **ACTIVITY 3:**

Activity 3.1: One service contract of €0.9 million. Within the scope of this contract, technical specification will be prepared for the supply contract (activity 3.2).

Activity 3.2: One supply contract of €0.6 million

#### **ACTIVITY 4:**

Activity 4.1: One twinning contract of €0.8 million.

Activity 4.2: At least one supply contract of €0.2 million. The technical specification for this contract will be drafted through a Framework Contract managed by the EU Office in Kosovo and budgeted under the General Technical Assistance budget, in close cooperation with the twinning contract and beneficiary institutions.

#### **ACTIVITY 5:**

At least one supplies contract (total of €0.5 million )

### **4.1 INDICATIVE BUDGET**

**Indicative Project budget (amounts in €) (for centralised management)**

PROJECT TITLE			SOURCES OF FUNDING									
			TOTAL EXPENDITURE	IPA CONTRIBUTION		BENEFICIARY CONTRIBUTION					PRIVATE CONTRIBUTION	
	IB (1)	INV (1)	€ (a)=(b)+(c)+(d)	€ (b)	% (2)	Total € (c)=(x)+(y)+(z)	% (2)	Central € (x)	Regional/Local € (y)	IFIs € (z)	€ (d)	% (2)
<b>Activity 1</b>			<b>1.5</b>	<b>1.5</b>								
Contract 1.1 (Service)	X		1.35	1.35	100							-
Contract 1.2 (Supply)		X	0.15	0.15	100							
<b>Activity 2</b>			<b>2.1</b>	<b>2.1</b>								
Contract 2.1 (Twinning)	X		1.74	1.74	100							
Contract 2.2 (Supply)		X	0.36	0.36	100							
<b>Activity 3</b>			<b>1.5</b>	<b>1.5</b>								
Contract 3.1 (Service)	X		0.9	0.9	100							
Contract 3.2 (Supply)		X	0.6	0.6	100							
<b>Activity 4</b>			<b>1.2</b>	<b>1.0</b>								
Contract 4.1 (Twinning)	X		0.8	0.8	100							
Contract 4.2 (supply)		X	0.2	0.2	100							
<b>Activity 5</b>			<b>0.5</b>	<b>0.5</b>								
Contract 5.1 (supplies)		X	0.5	0.5	100							
TOTAL IB			4.79	4.79								
TOTAL INV			1.81	1.81								
<b>TOTAL PROJECT</b>			<b>6.6</b>	<b>6.6</b>								

**NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW.** Amounts net of VAT

(1) In the Activity row, use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

## 4.2 INDICATIVE IMPLEMENTATION SCHEDULE (PERIODS BROKEN DOWN BY QUARTER)

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
<b>Activity 1</b>			
Contract 1.1 (Service)	Q1 2013	Q2 2013	Q2 2015
Contract 1.2 (Supply)	Q4 2013	Q1 2014	Q1 2015
<b>Activity 2</b>			
Contract 2.1 (Twinning)	Q2 2013	Q4 2013	Q4 2015
Contract 2.2 (Supply)	Q2 2014	Q3 2014	Q3 2015
<b>Activity 3</b>			
Contract 3.1 (Service)	Q1 2013	Q3 2013	Q3 2015
Contract 3.2 (Supply)	Q3 2014	Q4 2014	Q4 2015
<b>Activity 4</b>			
Contract 4.1 (Twinning)	Q2 2013	Q4 2013	Q4 2015
Contract 4.2 (supply)	Q1 2014	Q2 2014	Q2 2015
<b>Activity 5</b>			
Contract 5.1 (supplies)	Q2 2013	Q3 2013	Q3 2014

## 4.3 CROSS CUTTING ISSUES

### 4.3.1 *Equal Opportunities and non discrimination*

The activities of the project will fully take into consideration gender equality as a cross cutting element in their implementation. Relevant departments within the Ministry of Justice will be targeted with capacity building activities by the project, no matter the staff gender or any other diversification feature.

### 4.3.2 *Environment and climate change*

In the case of equipment supply envisaged within different project activities, the environmental impact and protection will be taken fully into consideration.

Disaster resilience and risk prevention and management should be integrated in the planning, preparation and implementation of projects.

### 4.3.3 *Minorities and vulnerable groups*

The activities of the project will fully take into consideration gender equality as a cross cutting element in their implementation. Relevant departments within the Ministry of Justice will be targeted with capacity building activities by the project, no matter the staff gender or any other diversification feature.

#### **4.3.4 *Civil Society/Stakeholders involvement***

Public awareness activities, specifically in the field of missing persons, directly target civil society organisations. A series of workshops, training and public raising activities are foreseen and will be implemented that will involve active participation of the civil society organisations.

## **ANNEXES**

- 1. Log frame (see below)**
- 2. Description of Institutional Framework**

### **ACTIVITY 1: Support to Kosovo Institutions in the field of protection of personal data**

The Assembly of Kosovo adopted the Law on Protection of Personal Data on 29 April 2010. This Law foresees establishment of the Agency for Protection of Personal Data (NAPPD), an independent body reporting to the Kosovo Assembly and responsible to supervise implementation and enforcement of the legislation and policies for protection of personal data.

Pursuant to the Law, on 22 June 2011, the Assembly of Kosovo adopted the proposal of the Government of Kosovo to appoint five (5) members of the Data Protection Council: the Chief State Supervisor and four (4) Beneficiary Supervisors. Pursuant to the Law, the Council is responsible for the management of NAPPD and its work organization, and has so far been engaged in obtaining office premises, budget planning and initiating recruitment of professional staff, as well as commencing to draft the subsidiary legislation governing the NAPPD's organisational structure.

### **ACTIVITY 2: Strengthening the correctional and probation services in Kosovo**

Competences of the MoJ are based on the Government Regulation no. 2/11 which defines the framework of the ministry. Kosovo Correctional Service functions on the basis of the Law on the Execution of Criminal Sanctions.

Kosovo Probation Services functions on the basis of the Law on the execution of Criminal Sanctions.

### **ACTIVITY 3: Strengthening and modernizing the forensic services at the DFM including the Missing Persons Operation in Kosovo**

The Department of Forensic Medicine (DFM) was established following the adoption of the Law No. 03/L-137 ("Law on the Department of Forensic Medicine") by the Kosovo Assembly. Additionally, the Kosovo Assembly adopted LAW No.03/L –187 (Law on Forensic Medicine) also in 2010. The purpose of this Law is to regulate the procedures for the performance of forensic examinations under the authority of the Department of Forensic.

### **ACTIVITY 4: Enhanced law approximation and coherence of the legal framework**

Competences of the MoJ are based on the Government Regulation no. 2/11 which defines the framework of the ministry.

### **ACTIVITY 5: Support to Witness Protection**

While at the moment EULEX is dealing with witness protection in Kosovo, the Kosovo Police Witness Protection Unit (WPU) has been established to eventually take over responsibilities. Kosovo adopted the Law on Witness Protection in July 2011 which will make the Kosovo Police Witness Protection Unit operational as of September 2012. At this stage, the WPU consists of five Kosovo Police officers and they are undergoing training. The final size of the WP unit in Kosovo is yet undetermined and the actual equipment needs will have to be tailored to suit the tasks in hand.

## **3. Reference list of relevant laws and regulations only where relevant**

- Law No. 03/L - 137 : Law on the Department of Forensic Medicine
- LAW No.03/L –187: Law on Forensic Medicine



- Ministry of Justice's Strategic Development Plan for 2012-2016
  - Government Regulation no. 02/2011 (Article 18)
  - Law on execution of Criminal Sanctions;
  - Kosovo Criminal Code;
  - Kosovo Criminal Procedure Code;
  - Juvenile Justice Code;
  - Several sub-legal acts deriving from the juvenile justice code;
  - Labour Law;
  - Law on Civil Servants;
  - Law on Public Procurement

#### **4. Details per EU funded contract(\*) where applicable:**

##### **ACTIVITY 1:**

###### Contract 1.1 (Service contract – €1.35 million):

The contract will be implemented in a period of 24 months.

Contract 1.2 (Supply contract – €0.15 million): The contract aims at supplying the NAPPD with the database system necessary for the appropriate functioning and data management of the Agency. The technical specification for this equipment will be prepared by Contract 1.1 in close collaboration with the Agency. The equipment supplied within this Contract will remain in the ownership of the NAPDP. The maintenance cost for this equipment will be part of the regular annual budget of the Agency. It should be noted that preliminary list of the equipment that needs to be purchased has been already identified by the beneficiary institution. The project will further define this list, according to the EU tendering procedures for supply contracts. The contract will be implemented in a period of 12 months.

##### **ACTIVITY 2:**

###### Contract 2.1 (Twinning contract – €1.74 million):

The contract will be implemented in a period of 24 months.

Contract 2.2 (Supply contract – €0.36 million): The contract aims at supplying the Kosovo Correctional Services with the necessary database system, in order to improve the data management and to enable appropriate planning and development as well the implementation of the reintegration and re-socialisation programs. The technical specifications for this contract will be drafted through a Framework Contract, managed by the EU Office in Kosovo, in close collaboration with the Contract 1.1 and beneficiary institution. The contract will be implemented in a period of 12 months.

##### **ACTIVITY 3:**

###### Contract 3.1 (Service contract – €0.9 million):

The contract will be implemented in a period of 24 months.

Contract 3.2 (Supply contract – €0.6 million): The contract aims at supplying the Department of Forensic Medicine, mainly its laboratory and toxicology department with the necessary equipment which will enable that the department to provide efficient services in the field of forensic medicine. The technical specifications for this equipment will be prepared by Contract 1.1 in close collaboration with the Department. The equipment supplied within this Contract will remain in the ownership of the Department for Forensic Medicine within the Ministry of Justice. The maintenance cost for this equipment will be part of the regular annual budget of the Ministry of Justice. It should be noted that preliminary list of the equipment that needs to be purchased has been already identified by the beneficiary institution. The project will further define this list, according to the EU tendering procedures for supply contracts. The contract will be implemented in a period of 12 months.

#### **ACTIVITY 4:**

Contract 4.1 (Twinning contract – €0.8 million):

The contract will be implemented in the period of 24 months.

Contract 4.2 (Supply contract – €0.2 million): The contract aims at supplying the Ministry of Justice with two IT tools, one related to the legal cleaning exercise (Result/activity 1) and the other to the electronic Table of Concordance related to Law approximation (Result/activity 2). The contract will be implemented in a period of 12 months.

#### **ACTIVITY 5:**

Contract 5.1 (supplies, €0.5 million): The equipment to be procured will be specified according to a needs assessment undertaken by EULEX and the WINPRO project.

### **5. Project visibility activities**

The European Union Office in Kosovo has developed clear visibility guidelines and ensures that all projects which are implemented in Kosovo are fully in line with these guidelines. Project visibility is also clearly stipulated in all contractual documents whereby the contractors/implementers are obliged to adhere to all EU visibility requirements.

The project envisages a series of visibility activities. Aside from standard conference and press type of activities, the project will involve different types of awareness raising initiatives which will be defined mainly during the inception phase of the project, in close coordination between the Contracting authority, the contractor and the beneficiary.

## ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Project title and number	<b>Strengthening of rule of law sector in Kosovo in accordance to EU standards</b>
		Contracting period expires 3 years after signing the financing agreement	Execution period expires 2 years following the final date for contracting
		Total budget	€6.6 million
		IPA budget:	€6.6 million
<b>Overall objective</b>	<b>Objectively verifiable indicators (OVI)</b>	<b>Sources of Verification</b>	
The overall objective of the project is to strengthen the rule of law sector in Kosovo.	<p>Legal framework for protection of personal data fully in compliance with EU acquis</p> <p>Improved level of the protection of human rights within the enforcement system of Kosovo</p> <p>Improved level of provision of forensic medicine in Kosovo</p> <p>Elimination of legal inconstancies within justice sector</p> <p>Improved? coherence of the legal order of Kosovo by end of the Project</p>	<ul style="list-style-type: none"> <li>• MoJ reports</li> <li>• Court reports</li> <li>• OSCE reports</li> <li>• EC Progress Report</li> <li>• Project reports</li> </ul>	
<b>Specific objective</b>	<b>Objectively verifiable indicators (OVI)</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
To support the NAPPD in becoming fully functional and in effectively implementing the protection of personal data related legislation with other relevant beneficiary institutions	Agency for data protection functioning as an efficient and fully competent institution	<ul style="list-style-type: none"> <li>• Project final report</li> <li>• OSCE monitoring reports</li> <li>• ROM monitoring reports</li> <li>• EC progress report MIA and KP reports</li> </ul>	<p>Full commitment form Rule of Law sector agencies/ministries/departments</p> <p>Ongoing political support of the Government of Kosovo on EU</p>

<p>To strengthen the effective and efficient management of correctional and probation services in Kosovo</p> <p>To strengthen and modernize the forensic services at the DFM including the Missing Persons Operation in Kosovo by enhancing its technical and administrative capacity.</p> <p>To improve the legal framework of Kosovo by improving the coherence of the Justice Sector legislative framework and by enhancing the law approximation with the EU <i>acquis</i> in the area of justice.</p> <p>Strengthen institutional capacity of the Witness Protection Units for the protection of witnesses and collaborators of justice</p>	<p>Improved overall management skills of correctional/probation Services</p> <p>Number of professional staff engagement in KCS/KPS</p> <p>Signed MOU s with academic and scientific institutions in the field of forensic medicine</p> <p>Improved legal order in Justice Sector in Kosovo by end of Project</p> <p>Tools and mechanisms for improving the legal drafting process established by end of Project</p> <p>Number of witnesses under protection</p> <p>Number of operations executed by the WPU</p> <p>Quality of operations executed by the WPU</p>		<p>Integration</p> <p>Adoption of the necessary legislation by the Assembly in due time</p>
<p><b>Results</b></p>	<p><b>Objectively verifiable indicators (OVI)</b></p>	<p><b>Sources of Verification</b></p>	<p><b>Assumptions</b></p>
<p><b>ACTIVITY 1</b></p> <p>1. Legal and regulative framework for implementation of the Law on Protection of Personal Data completed;</p> <p>2. Legal and regulative framework relevant for the field of personal data protection in compliance with the Law on Protection of</p>	<p><b>Activity 1</b></p> <p>Secondary legislation related to the Law on Personal Data protection is drafted and approved.</p> <p>The legal framework involving (Law on Personal Documents, Law on Civil</p>	<p>Project progress reports</p> <p>MoJ reports</p> <p>EC progress report</p>	<p>There shall be sufficient budget ensured for the Agency for the Protection of Personal Data.</p> <p>There shall be sufficient and adequate staff in relevant line institutions to absorb capacity building and other</p>

<p>Personal Data itself;</p> <ol style="list-style-type: none"> <li>3. NAPPD wholly functional and with capacity to implement the whole legal and regulative framework on protection of personal data;</li> <li>4. Data protection focal points in relevant institutions in place and with capacity to carry out their duties</li> <li>5. General public aware and informed about the legal and policy framework on protection of personal data.</li> </ol>	<p>Status, Law on Police, Law on IBM, Law on AKI, Law on Civil Service, Law on Central Bank) reviewed and harmonised with the Law on Personal Data Protection.</p> <p>NAPPD fully functional institution.</p>	<p>WINPRO II project updates</p>	<p>project activities</p> <p>Co-financing amount planned and made available accordingly</p> <p>Relevant government institutions politically and technically supportive on terms of further improvement in the specific project related fields</p> <p>Supply procurement finalised within the project duration</p>
<p><b>ACTIVITY 2</b></p> <ol style="list-style-type: none"> <li>1. Enhanced capacity of the KCS and KPS to ensure the delivery of services in line with highest professional standards;</li> <li>2. Improved and efficient case management of prisoners through the establishment of a proper database;</li> <li>3. Reduced re-offending by prisoners after release through the establishment of re-socialisation and rehabilitation programmes for KCS and KPS;</li> <li>4. The use of alternative sentences is promoted and improved.</li> </ol>	<p><b>Activity 2</b></p> <p>Number of delivered services in line with highest professional standards.</p> <p>Functionality of database, produced results on case management, etc.</p> <p>Percentage of decreased re-offenders after release through re-socialisation and rehabilitation programmes</p> <p>Number of cases from the courts on use of alternative sentences</p>		
<p><b>ACTIVITY 3</b></p> <ol style="list-style-type: none"> <li>1. DFM will provide forensic services and investigative assistance throughout Kosovo in a professional and efficient manner;</li> <li>2. DFM staff capacities increased and capable to deliver advanced forensic services;</li> <li>3. Better informed judges, prosecutors, defence councils, police, NGOs and the</li> </ol>	<p><b>Activity 3</b></p> <p>Improved professional examination standards in the field of forensic medicine in Kosovo</p>		

<p>public in terms of forensic medicine;</p> <p>4. DFM part of EU forensic networks and community.</p> <p><b>ACTIVITY 4</b></p> <p>1. The legal framework is coherent;</p> <p>2. The Justice Sector law approximation (EU acquis compliance) process within judiciary is improved through the modernisation (establishment of a electronic table of concordance) of legal methodologies;</p> <p>3. The MoJ relevant staff is able to draft primary and secondary legislation within the competence of the Ministry of Justice in compliance with the relevant EU acquis and best EU practice.</p> <p><b>ACTIVITY 5</b></p> <p>The WPU is in a position to run operations securing witnesses.</p>	<p>Improved capacity of the examiners</p> <p>Increased number of examinations and reports used in the court cases</p> <p><b>Activity 4</b></p> <p>Database set up by end of project</p> <p>Monitoring tool set up and operational by end of project</p> <p>Kosovo Legislation in compliance with Constitution and other laws</p> <p>Equipment in place and use.</p>		
<b>Activities to achieve results</b>	<b>Means / contracts</b>	<b>Costs</b>	<b>Assumptions</b>

<p><b>ACTIVITY 1</b></p> <ul style="list-style-type: none"> <li>- Complete sub-legal acts for implementation of the Law on protection of personal Data, and of the regulatory framework on functioning of NAPPD.</li> <li>- Develop relevant operational rules for coordination and cooperation with the line ministries and other institutions (including rules for supervision of work of NAPPD and other relevant institutions).</li> <li>- Develop procedural rules and guidelines for relevant entities (both public institutions and private entities) on implementation of legislation for protection of personal data.</li> <li>- Advise NAPPD on the eventual amending of the existing legislation and other regulatory framework in the sector of justice, freedom and security and other relevant sectors.</li> <li>- Develop new legal and regulatory framework identified by the CSA</li> <li>- Develop an overall set of guidelines on responsibilities and functioning of NAPPD</li> <li>- Develop a strategic development plan of NAPPD and other relevant institutional capacities for implementation of the legislative and policy framework for protection of personal data (including a capacity-building plan);</li> <li>- Develop a central data base and a system for monitoring and assessment of implementation of the legislative and policy framework on data protection.</li> <li>-Provide specialized training for NAPPD and other relevant institutions.</li> <li>- CSA on the information and awareness of public institutions and the wider public on the</li> </ul>	<p><b>Activity 1:</b></p> <p>One service &amp; One supply contract</p> <p><b>Activity 2:</b></p> <p>A twining &amp; one supply contract</p> <p><b>Activity 3:</b></p> <p>One service contract, one supply contract</p> <p><b>Activity 4:</b></p> <p>A twinning &amp; one design &amp; supply</p> <p><b>Activity 5:</b></p> <p>At least one supplies contract</p>	<p><b>Activity 1:</b></p> <p>One service – €1.35 million (24 months)</p> <p>One supply – €0.15 million (12 months)</p> <p><b>Activity 2:</b></p> <p>A twining – €1.74 million (24 months)</p> <p>One supply – €0.36 million (12 months)</p> <p><b>Activity 3:</b></p> <p>One service contract: €0.9 million (24 months)</p> <p>One supply contract (for activity 2.2): €0.6 million (12 months)</p> <p><b>Activity 4:</b></p> <p>A twinning: €0.8 million (24 months)</p> <p>One design &amp; supply: €0.2 million (12 months)</p> <p><b>Activity 5:</b></p> <p>€0.5 million</p>	<p>There shall be sufficient budget ensured for the Agency for the Protection of Personal Data.</p> <p>There shall be sufficient and adequate staff in relevant line institutions to absorb capacity building and other project activities</p> <p>Relevant government institutions politically and technically supportive on terms of further improvement in the specific project related fields</p> <p>Supply procurement finalised within the project duration</p>
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legislative and policy framework for protection of personal data and their implementation.

- Develop a plan for public awareness on the legislative and policy framework for protection of personal data and their implementation.
- Carry out a public awareness campaign on the legislative and policy framework for protection of personal data and their implementation.

#### Activity 2

- A SWOT analysis of the services released by correctional and probation services,
- If need be, harmonize legal framework with EU standards and good practices,
- Improve and modernise internal structure and workflows of correctional and probation services,
- Strengthen the vertical and horizontal communication system of correctional and probation services,
- Procedures for selection and recruitment of prison staff reviewed and strengthened,
- Review the training curricula for the staff of probation and correctional centers in coordination with KAPS (training shall include management of serious incidents, contingency plans, anti-corruption and ethics),
- Enhancing capacity to develop and manage correctional/probation services trough provision of vocational trainings,
- Facilitate the setting up of evaluation system within the correction and probation services,
- Strengthen the monitoring mechanism within correctional services (Prisoner Oversight Committee),
- Facilitate the establishment of an effective complaint mechanism within correctional services.

- Assessment of the current database in use and the migration of previous data in the new



system;

- Drafting technical specification for new IT infrastructure needed;
- Designing the software for the database ensuring a user friendly application and linkages to other databases and ensuring that the two databases of KCS and KPS will be integrated
- Upgrading the data network and server;
- Supplying of hardware
- Testing the new database in pilot prisons;
- Training of involved staff of KCS/KPS on the use of the database and its maintenance.
- Conducting a comprehensive analysis of the type of offenders accommodated in correctional services;
- Assessing current re-socialisation and rehabilitation programmes within KCS and KPS;
- Providing recommendations for improvement;
- Designing efficient rehabilitation programmes also for special categories of persons/specific types of crime (e.g. sexual abuse; domestic violence, etc);
- Developing of community-based programs, with the purpose of facilitating the rehabilitation and reintegration into society of convicted persons;
- Designing and implementing pilot rehabilitation and re-integration programmes.
- Assessment of the current legislation on alternatives to imprisonment and elaboration of suggestions for legislative improvements
- Improving organisational design and

management processes relating to the implementation of legislation on non-custodial sanctions and measures;

- In cooperation with KJI, developing training curricula for judges, magistrates, probation service staff and others involved in the administration of alternative sanctions and measures;
- Enhancing technical resource capacity of probation services or other supervision/monitoring systems of non-custodial sanctions and measures;
- Ensuring good communication and co-operation between all parties involved in the administration of non-custodial sanctions and measures;
- Raising public awareness about alternatives to imprisonment and increasing community participation in the implementation of alternative sanctions and measures.

#### Activity 3

Support the DFM in production of scientifically based forensic reports necessary for rigorous trial processes and peer reviews;

- Provision of technical and scientific development assistance coupled with a solid human resources policy and a predictable career path development for specialists engaged in DFM. Advance trainings in field of clinical examination, identification process and psychosocial ones;
- Support the DFM in signing MoUs with the Ministry of Health, Ministry of Interior and international scientific and academic institutions. Furthermore, support the establishment of inter-agency / inter-ministerial working groups and activities, which would define the responsibilities of each institution and would enable resource sharing for the joint-

interest activities and matters;

- The development of specialized staff which can adequately address the specificities of the Missing Persons Operation, such as forensic archaeologists and forensic anthropologists;
- Establishment and functionalisation of three divisions of the DFM: Division of Forensic Medicine, Division of Research and Capacity Building and Division for Identification and Outreach Services. Division of Research and Capacity Building will work in partnership and coordination with the Pristina University - Faculty of Medicine;
- Establishment of quality assurance, assessment and independent monitoring mechanism for the forensic medicine services in Kosovo.
- Current situation assessment in terms of equipment within the DFM and provision of necessary specification of the equipment that is to be purchased to meet the needs of the Department;
- Purchasing and installation of the equipment;
- Training of relevant DFM staff in the usage of the equipment in order to provide necessary forensic medicine services and reports.
- Public awareness activities designed and implemented in cooperation with all relevant stakeholders;
- Targeted training and informative activities for judges, prosecutors, defense councils and police.
- Targeted training and informative activities for civil society organization, with specific focus on missing persons related issues.
- Facilitate the networking activities of the DFM with regional and international forensic institutions and associations

Activity 4

- Undertake the procurement, installation and testing of a database for the legal cleaning process (including designing sign the technical specifications for both the hardware and the software, developing a user friendly software Train the trainers of relevant staff within the MoJ on the use of the database
- Training (on the job) relevant MoJ officials on the legal cleaning methodology.
- Provide technical support to the MoJ to collect relevant laws within judiciary area;
- Assess collected laws according to the methodology provided by the project for the legal cleaning;
- Analysis of legal inconsistencies;
- Provide strategic advices to simplify Kosovo overall legislative framework;
- Undertake the procurement of a law approximation tool (electronic table of concordance), including the drafting of technical specifications for both hardware and software, designing the software, installation and testing of the supplies.
- Training relevant staff on the use of the electronic table of concordance;
- Develop and implement training curricula and ToT for the relevant administrative staff of legal drafting departments of the involved ministries;
- Assess current monitoring systems for law approximation;
- Provide recommendations for improvement using best practice examples from recently acceded EU member states;
- Implement the monitoring tool in the legal drafting process.

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- Identify/select 10 laws from MoJ legislation within 2014 and 2015;
- Provide the relevant EU Acquis to the legal drafting department of the MoJ;
- Provide best practice models from EU Member States for the legislative priorities;
- Assist the MoJ in drafting of concept/policy papers indicating the changes and amendments needed;
- Assist the MoJ in the drafting of legislation by formulating the relevant provisions;
- Assist the MoJ in preparing the electronic table of concordance;
- Assist the MoJ in performing regulatory impact assessments.

Activity 5

- Based on the needs identified by EULEX and the WINPRO project, undertake the procurement, supply, delivery and commissioning of special technical equipment required to support more effective operations of the WPU.