



INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

KOSOVO* **EU4 JUSTICE AND HOME AFFAIRS**

Action summary

The action will assist reforms in the justice and the home affairs sectors to strengthen institutions to align with European standards and practices and ensure public safety and security.

In the justice sector the action will invest in Information and Communication Technology and other supplies to strengthen the efficiency and governance of the institutions. In addition the child protection system will be improved with particular focus on the most vulnerable and marginalised children.

The action will support the implementation of a comprehensive reform of the home affairs sector, strengthening overall governance and capacities in the fight against organised crime, corruption and terrorism.

** This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.*

Action Identification	
Action Programme Title	Annual Action Programme for Kosovo for the Year 2020
Action Title	EU4 Justice and Home Affairs
Action ID	IPA 2020 /042 089/ 03/ Kosovo / EU4 Justice and Home Affairs
Sector Information	
IPA II Sector	Rule of Law and Fundamental Rights
DAC Sector	15130 - Legal and judicial development
Budget	
Total cost	EUR 10 300 000.00 (EUR 10 000 000.00 by EU + EUR 300 000.00 by United Nations Children's International Emergency Fund (UNICEF))
EU contribution	EUR 10 000 000.00
Budget line(s)	22.02 01 01
Management and Implementation	
Management mode	Direct and indirect management
<i>Direct management:</i> EU Delegation	European Union Office in Kosovo
<i>Indirect management:</i> Other entrusted entity	UNICEF
Implementation responsibilities	European Union Office in Kosovo
Location	
Zone benefiting from the action	Kosovo
Specific implementation area(s)	Kosovo
Timeline	
Final date for concluding Financing Agreement(s) with IPA II beneficiary	At the latest by 31 December 2021
Final date for concluding contribution/delegation agreements, procurement and grant contracts	3 years following the date of conclusion of the Financing Agreement, with the exception of cases listed under Article 114(2) of the Financial Regulation
Indicative date for operational implementation period	6 years following the conclusion of the Financing Agreement
Final date for implementing the Financing Agreement (date by which this	12 years following the conclusion of the Financing Agreement

programme should be de-committed and closed)			
Policy objectives / Markers (DAC form)			
General policy objective	Not targeted	Significant objective	Main objective
Participation development/good governance	<input type="checkbox"/>	X	<input type="checkbox"/>
Aid to environment	x	<input type="checkbox"/>	<input type="checkbox"/>
Gender equality (including Women In Development)	<input type="checkbox"/>	X	<input type="checkbox"/>
Trade Development	x	<input type="checkbox"/>	<input type="checkbox"/>
Reproductive, Maternal, New born and child health	x	<input type="checkbox"/>	<input type="checkbox"/>
RIO Convention markers	Not targeted	Significant objective	Main objective
Biological diversity	x	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	x	<input type="checkbox"/>	<input type="checkbox"/>
Climate change mitigation	x	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	x	<input type="checkbox"/>	<input type="checkbox"/>

1. Rationale

The action will enhance the alignment of justice and home affairs sectors in line with the best European standards and practices and improve protection of human rights and public safety and security in Kosovo.

PROBLEM AND STAKEHOLDER ANALYSIS

JUSTICE

In November 2016, Kosovo institutions initiated a Functional Review of the Rule of Law Sector with a view to developing a detailed and comprehensive analysis of the Sector and develop a Strategy on Rule of Law by 2019. The process is coordinated by the Ministry of Justice and the deliverables stemming from the Functional Review process are overseen by a high-level Steering Committee, which is comprised of all rule of law sector institutional representatives. Main problems in the justice sector as identified by the functional review include the need to increase efficiency, accountability and integrity of all sector institutions, improve capacities of judges, prosecutors and other legal professionals. The review highlighted also challenges regarding digitalisation and the need to make information and communication technology better accessible and use modern systems to produce statistical data for monitoring of the performance of institutions and staff.

Courts and Prosecution Offices managed their cases until recently largely manually in an uncoherent manner with different practices in different offices throughout Kosovo. This system made it difficult to monitor the overall performance of Courts/ Prosecution Offices, but also to identify based on statistical evidence appropriate solutions to problems like the high number of expiry of cases due to statutory limitations, excessive length of proceedings and also a high backlog of cases in some areas.

To mitigate these problems and increase the efficiency and improve governance in the justice system, the Kosovo Judicial Council and the Kosovo Prosecutorial Council are jointly working on the introduction of an electronic Case Management Information System and the setting up of a centralised criminal records system. The information and communication technology infrastructure in the judiciary needs continuous upgrading to make and keep these systems functional. While there are allocations in the Kosovo budget for information and communication technology infrastructure every year, this does not cover all needs. In particular, there is a need for further support in upgrading the information and communication technology infrastructure in courts and prosecution offices and providing the equipment of a disaster recovery centre for back-up of data as well as specific technology related to capacity building. This will also include supplying the newly to be constructed Justice Academy with information and communication technology, furniture, library books and other required supplies.

The institutional, legal and policy framework on child protection and justice for children in Kosovo has improved in recent years with the adoption of a number of legislative acts and policy frameworks, such as the juvenile justice code and the law on child protection. However, the child protection and integration system remains fragmented both at central and local level and lacks a holistic approach to address multiple and complex needs of children. It equally lacks an efficient mechanism for early prevention of neglect, abuse and exploitation particularly concerning disadvantaged and marginalised children.

Key stakeholders of the action in the justice sector include: Ministry of Justice, Kosovo Judicial and Prosecutorial Councils, the Justice Academy, the Ministry of Labour and Social Welfare, the Ministry of Education, Science and Technology, the Ombudsperson Institution, Municipal Directorates of Education and Centres for Social Work.

HOME AFFAIRS

The Ministry of Internal Affairs and its dependant institutions exhibit a number of weaknesses. Efficiency, coherence and transparency could all be improved. There is a need to review the internal organisation and implement a new organisational structure. Policy making capacities are also quite weak and there is a need to develop, implement and monitor a sector wide strategy for home affairs based on the recommendations

stemming from the Functional Review of the Rule of Law. Moreover, the success of the ongoing police reform that is supported by EU is contingent on further reforms in the home affairs sector. A more comprehensive approach to reforms would improve cooperation and coordination and would ensure better alignment of the policies and practices with EU standards.

Progress was made in the fight against terrorism, especially with regard to creating better conditions for rehabilitation and reintegration of foreign terrorist fighters and their families. The Law on money laundering and terrorism financing is not fully in line with the EU acquis and international standards. There is a need to build further capacities of law enforcement and justice sector professionals in dealing with terrorism and prevention of violent extremism.

There are clear training needs in the Kosovo Forensic Agency and the Kosovo Police Inspectorate. The Kosovo Forensic Agency is accredited internationally and consistently reassessed. Support with capacity building in the form of specific training, mainly on assessment of synthetic drugs as well as related supplies, are necessary to ensure they are constantly accredited as needed. The Kosovo Police Inspectorate needs to be supported in the conduct of inspections at the organisation level. The employees of the Inspectorate need specialised trainings on the use of special investigative measures and techniques and the use of anonymous testimonies and witnesses (whistle-blowers). In addition, they need equipment for using special investigation techniques.

The Civil Registration Agency is responsible for maintaining a reliable civil status registry and monitoring data quality of civil status documents, but its IT systems and infrastructure are not sufficiently reliable. The quality of some of the data it contains, for example the historical data related to all citizens, is not satisfactory due to missing information or inconsistencies. Capacities need to be increased in the area of ID/Passport validity verification, identity recognition and ID document validity, incorporating citizens' addresses into Civil Status register and mobile driving licences and online traffic services.

Key stakeholders for the implementation of the action in the home affairs sector include the Ministry of Internal Affairs and its dependant institutions (Kosovo Forensic Agency, Kosovo Police, Kosovo Police Inspectorate, Civil Registration Agency, Emergency Management Agency and Kosovo Academy for Public Safety).

OUTLINE OF IPA II ASSISTANCE

The action will assist reforms in the justice and the home affairs sectors to strengthen institutions to align with European standards and practices and ensure public safety and security. In the justice sector the action will invest in information and communication technology and other supplies to strengthen the efficiency and governance of the institutions.. In addition, the child protection system will be improved with particular focus on the most vulnerable and marginalised children. The action will support the implementation of a comprehensive reform of the home affairs sector, strengthening capacities in the fight against organised crime, corruption and terrorism.

Identified areas of technical assistance in **Justice** are:

Under IPA 2018, support to the justice sector is planned to assist the implementation of the measures foreseen under the Strategy on Rule of Law (to be adopted in 2019). The objective is to provide comprehensive assistance to all judicial institutions within one action that will be implemented through a grant to Member States to continue the project against economic crime and corruption. The present action will complement the assistance financed under IPA 2018 with investments in information and communication technology and other necessary supplies, with capacity building and with a project to strengthen the child protection system.

Improve the efficiency of the justice sector by upgrading Information and Communication Technology infrastructure and providing necessary supplies for the new Justice Academy – Supporting information and communication technology infrastructure in the courts and prosecution offices will ensure that the Case Management Information System and the Central Criminal Records System and other relevant IT systems are and remain operational and serve the purposes of justice. The Academy will be equipped to fulfil its

mandate of providing training to more beneficiaries as the government is currently constructing a new building close to the Palace of Justice.

Strengthen Child Protection and enhance integration: Support the Ministry of Labour and Social Welfare, the Ministry of Education, Science and Technology, the Ministry of Justice and justice institutions, the Ombudsperson Institution, Municipal Directorates of Education and Centres for Social Work to increase access to and quality of services for disadvantaged boys and girls. The children will benefit from multi-disciplinary approaches responding to socio-economic vulnerabilities, violence, neglect, abuse and inequitable access to justice.

Identified areas of technical assistance in Home Affairs are:

Strengthening the capacities and improve performance of the Ministry of Internal Affairs and its dependant institutions to align more closely with the EU acquis and increase public safety and security. This action component will a) assist the Ministry in enhancing its organisational structure and strengthen its supervisory and coordinative abilities, b) assist the Ministry in the implementation of the law on protection of critical infrastructure mainly through support in developing the Operator Security Plan, c) assist Kosovo Police and other relevant institutions in improving their investigation capacities and professional performance through specialised on-the-job training and exchange programmes and d) support capacity building of the Civil Registration Agency by offering tailor-made trainings for its staff in areas of identity recognition and ID document validity, data protection and document security.

RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

The **Indicative Strategy Paper 2014-2020** references the weak institutions of judiciary despite a progressive increase in their capacity; It mentions “*reforms in the rule of law and fundamental rights sector are a key strategic priority for assistance to Kosovo because of their political link with the Stabilisation and Association Agreement and Kosovo's European path and relevance to a favorable environment for economic growth. Given their importance for the alignment with the EU acquis, judicial reform and the fight against corruption and organised crime will continue to be considered strategic priorities*”.

The Action is in line with the objectives of the Indicative Strategy Paper, which foresee that “*IPA II will contribute to the creation of an accountable, independent and efficient judicial system, which is aligned to EU legislation and best practice, and enhance the capacities to prevent, investigate, prosecute and convict cases of organised crime and corruption. It will also support effective implementation of the legal framework for the protection of human rights [...]*” According to the Indicative Strategy Paper “*IPA II will continue to provide assistance for the alignment of the legal system with EU standards through capacity-building, advising and monitoring of judicial institutions. EU assistance will also support judicial education and training in all official Kosovo languages.*”

Furthermore, one of the main objectives of the **Stabilisation and Association Agreement** between Kosovo and the EU is supporting the efforts of Kosovo to strengthen democracy and the rule of law. Respect for the democratic principles and human rights is included as the first principle in the Agreement as these form the basis of the policies of the EU and of Kosovo and constitute an essential elements of this Agreement. It also contains an explicit commitment to “effectively prevent, investigate, prosecute and adjudicate organised crime, corruption and terrorism” and reinforce “Kosovo’s structures for combating and preventing criminal activities particularly organised crime, corruption and other forms of serious crime with a cross-border/boundary dimension”.

This action will address the challenges that were addressed in **the Commission Annual Report for Kosovo 2019**.

Also the **European Reform Agenda** targets Good Governance and the Rule of Law as one of the biggest challenges for Kosovo and sets medium-term priorities in this area and includes immediate and medium-term priorities relevant to the proposed action of strengthening the fight against organised crime and corruption.

To address problems in the rule of law sector, Kosovo institutions initiated in November 2016 the **Functional Review of the Rule of Law Sector**. The comprehensive Rule of Law Sector Strategy, planned to

be adopted by end of 2019, will also be an important reference for all components financed under this Action (including in the home affairs sector).

By strengthening efficiency and building capacities in the rule of law institutions, the Action is in line with the Strategy for the Western Balkans ("**A credible enlargement perspective for an enhanced EU engagement with the Western Balkans**"), adopted by the European Commission in February 2018 and its flagship initiatives related to the rule of law. According to the initiative to strengthen the rule of law the action will build on existing tools, such as strategies, action plans and the implementation of the legislation to eradicate corruption and ensure the independence, quality and efficiency of the judicial system.

By addressing critical vulnerabilities affecting children, this action will contribute to the implementation of the following beneficiary strategies:

- Kosovo 's Child Rights Strategy 2019-2023
- The Sector Strategy and Action Plan 2018-2022 of the Ministry of Labour and Social Welfare
- Kosovo's Education Strategic Plan 2017-2021

The action will also contribute to the achievement of relevant Sustainable Development Goals and is in line with the UN Convention on the Rights of the Child.

According to Kosovo's **Medium Term Expenditure Framework 2017-2019**, key objectives for the provision of public security include the prevention and combating of crime, radicalism, violent extremism, and terrorism.

The Action is also in line with the Joint Action Plan on Counter-Terrorism for the Western Balkans, signed by the EU and Western Balkans Partners in October 2018.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

JUSTICE

Fragmentation of the assistance has been a challenge to the beneficiary institutions as well as the agencies and partners that implemented the different programmes. In order to overcome this, the proposed action has been designed jointly by representatives from key stakeholders targeted, namely the Kosovo Judicial Council and the Kosovo Prosecutorial Council and the Kosovo Academy of Justice. This should ensure from the very start a more comprehensive and coordinated approach to support the justice sector.

The recent final report of the "**Evaluation of EU Support to Judicial Reform in Kosovo**" conducted in June 2018, highlights many important lessons from previous interventions in the justice sector. It highlighted the need for better coordination and found in some institutions a certain fatigue with donor funded technical assistance projects. As follow up the EU Office increased its efforts in donor coordination also for planned assistance. The report explicitly recommends improving donor coordination on the Case Management Information System for the judiciary to ensure that it is delivered at a faster pace. The report advises that future interventions should also include other crucial topics such as legal-awareness, access to justice, backlog reduction, quality management and free legal aid, setting targets aimed at introducing positive changes in the legal culture. Finally, the report also advises for future programming to channel the planned assistance through a more integrated projects using contracting modalities that provide flexibility but also guarantee a high absorption capacity in Kosovo, possibly using ties between service and supply activities under one single contract. These recommendations have been taken into consideration when designing the justice sector programme under the 2018 programming to which this Action represents a complementary investment.

An external evaluation commissioned by the European Commission on the Juvenile Justice Reform programme in Kosovo confirmed the value of the support provided by the EU and UNICEF to the development of a juvenile justice system in Kosovo. The evaluation noted the level of expertise mobilised by UNICEF and recommended that a follow up of the programme continues to take account of specific needs in the social context of Kosovo. The action will complement similar EU-funded Actions and create synergies and avoid duplication of activities, especially at municipal level. Moreover, the Action will build on the experiences of the programmes on social inclusion and access to education in Kosovo.

The Action will link systematically non-governmental organizations and children from Roma, Ashkali and Egyptian communities supported by EU with mechanisms to prevent school dropouts of vulnerable children from these communities in the same target areas and beyond - e.g. by forming Prevention and Response Teams towards Abandonment and Non-Registration. Under the EU supported project on protection of child rights in Kosovo implemented by the Coalition of non-governmental organisations for protection of children, Municipal Strategies and Action Plans on Child Rights in targeted municipalities have been developed. This action will provide support to the implementation of these strategies and action plans in coordination with relevant institutions at central and municipal level.

In support to the Ombudsperson's mandate on the monitoring of human rights in Kosovo, including the rights of children, and in line with provisions of the child protection law, this action will use information and communication technologies and technical assistance to develop partnerships with the public and private sector for the operationalisation of a child helpline. The Action will provide social workers trained by previously funded EU projects with the necessary certifications in collaboration with academia, Ministry of Labour and Social Welfare, Ministry of Education, Science and Technology and Kosovo Accreditation Agency, as well as opportunities to deliver quality services for children and vulnerable populations.

HOME AFFAIRS

According to an assessment by the EU Court of Auditors, in 2012, "EU assistance in the field of Rule of Law has not been effective enough and, in general, the progress in the Rule of Law sector has been slow, especially in terms of fighting corruption and organized crime, mainly in the north of Kosovo" (**EU Court of Auditors Special Report, 2012**). Upon completion of the EU (EULEX) mission presence and the handover of the executive mandate to the local authorities in the field of Rule of Law in Kosovo from 2016 onwards, Kosovo institutions consider that the EU assistance should focus on areas where Kosovo institutions have taken over responsibilities from EULEX in Kosovo. The Action will follow up to these recommendations and through a sector programme for Home Affairs provide for a more comprehensive and integrated approach for the assistance.

Donor fragmentation is a major problem in Kosovo in this sector as well and a robust system of donor coordination is needed. Attempts have been made to build a monitoring and coordinating system for foreign assistance, such as the EU-funded Aid Management Platform that is available online.

The action will build on previous EU-funded Actions and continue to move ahead with the objectives of previous actions like the twinning project "Strengthen Kosovo institutions in effective management of migration". This project helped the beneficiary to advance on issues related to asylum and migration, but also highlighted further issues to be addressed. The action will start while the EU/Kosovo Police Reform project is still ongoing. It will therefore engage in intense coordination and cooperation while taking on board its lessons learned and build on its achievements.

The 2016 Report of Transparency International Fighting corruption in the Western Balkans and Turkey: Priorities for Reform mentions in its findings about Kosovo: "Regardless of the legal and institutional set-up in place, anti-corruption, judicial and law enforcement bodies need to work closely together to be effective. Failure to cooperate can lead to political isolation, which makes such bodies both more susceptible to manipulation and less able to perform their functions." This highlights the need for reforms to improve further collaboration between the different actors in the home affairs sub-sector.

2. INTERVENTION LOGIC - LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE(S) / (IMPACT(S))	INDICATOR's NAME	OBJECTIVELY VERIFIABLE INDICATORS ¹			SOURCES & MEANS OF VERIFICATION	
		BASELINES (INCL. VALUE & REFERENCE YEAR ²)	MILESTONES (2022)	TARGETS (2025 ³)		
To enhance the alignment of justice and home affairs sectors in line with the best European standards and practices and improve protection of human rights and public safety and security in Kosovo.	Worldwide Governance Indicators (WGI): Rule of Law and Control of Corruption Indexes Transparency International Corruption Perception Index (CPI) Number of girls and boys benefitting from programs and services in the area of out of school children.	WGI 2017: Rule of Law -0.42 WGI Control of Corruption 2017: -0.50 TI/CPI 2018: 37/100 100 Out of school children (2018)	WGI: Rule of Law > -0.38 WGI Control of Corruption 2016: > -0.42 TI/CPI 2022: > 37/100 > than in 2018	WGI: Rule of Law > -0.35 WGI Control of Corruption 2016: > -0.39 TI/CPI 2025: > 40/100 600 Out of School Children	Worldwide Governance Indicator reports Transparency International reports UNICEF reports, Social Services Database of Ministry of Labour and Social Welfare	
SPECIFIC OBJECTIVE(S) / OUTCOME(S)	OBJECTIVELY VERIFIABLE INDICATORS (*)				SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Specific Objective 1: To strengthen efficiency and accountability in the judiciary by ensuring functioning IT systems and a properly equipped Justice Academy.</p> <p>Specific Objective 2: To increase the number of boys</p>	% of cases resolved through Case Management Information System	0, (2017)	100 %	100 %	Kosovo Judicial Council/Kosovo Prosecutorial Council reports	

<p>and girls benefiting from multi-disciplinary approaches and services responding to socio-economic vulnerabilities, violence, neglect, abuse and inequitable access to justice.</p> <p>Specific Objective 3: To strengthen capacities and improve performance of the Ministry of Internal Affairs and its dependant institutions to align more closely with the EU <i>acquis</i> and increase public safety and security.</p>	<p>Number of girls and boys benefitting from programs and services in the areas of justice for children, children with disability and violence against children.</p> <p>Number of laws and sub-legal acts adopted by the Ministry of Internal Affairs to harmonise its legal and regulatory framework with EU legislation and European Standards.</p>	<p>930 children in contact with the law (2018)</p> <p>500 children with disabilities (2018)</p> <p>N/A Data on children reached with schools free of violence programmes (2018)</p> <p>0</p>	<p>> than in 2018</p> <p>5</p>	<p>2530 children in contact with the law)</p> <p>3700 children with disability</p> <p>Additional 1000 Children reached with schools free of violence programmes</p> <p>10</p>	<p>UNICEF reports, non-governmental organisation's reports, Partners reports, Case Management Information System Annual Report, Justice for Children indicators of Office of Good Governance, human rights, equal opportunities and non-discrimination at the Prime Minister's Office, Social Services Database of Ministry of Labour and Social Welfare</p> <p>Official Gazette, Reports by Ministry of Internal Affairs</p>	
<p>OUTPUTS</p>	<p>OBJECTIVELY VERIFIABLE INDICATORS (*)</p>				<p>SOURCES OF VERIFICATION</p>	<p>ASSUMPTIONS</p>
<p>Output 1 (influencing Specific Objective 1): Judicial and prosecutorial systems have management capacities and equipment to use their Information and Communication Technology systems and security level of judicial and prosecutorial Information and Communication Technology systems increased.</p> <p>Output 2 (influencing Specific Objective 2): Protection needs of disadvantaged boys and girls are addressed through interventions in the areas of justice for children, out of school children, children</p>	<p>Disaster recovery centre for judicial and prosecutorial system set-up and operational</p> <p>Number of boys and girls that benefit from child protection and other</p>	<p>0 (2018)</p> <p>1430</p>	<p>Needs Assessment completed.</p> <p>2000</p>	<p>1 Discovery centre set up and functioning</p> <p>7230</p>	<p>Signed statement of acceptance of the works and equipment.</p> <p>UNICEF reports</p>	<p>Willingness of key institutions to cooperate and to implement recommendations developed.</p> <p>The draft child protection law is promulgated. Kosovo institutions allocated adequate human and financial resources to implement its child rights strategy and other relevant sectoral strategies</p> <p>Continuous high-level commitment from the Kosovo institutions to maintain the pace of the reform</p>

<p>with disability and any form of neglect or violence against children.</p> <p>Output 3 (influencing Specific Objective 3): The organisational, analytical, policymaking and legislative capacities of the Ministry of Internal Affairs are improved and the legislative framework in the area of home affairs with view of bringing it closer to EU standards and best practices is further developed.</p>	<p>services</p> <p>Percentage of citizens registered on correct (legal) address</p>	<p>0 (2020)</p>	<p>50%</p>	<p>95 %</p>	<p>Reports from the Civil Registration Agency</p>	<p>Continuous policy dialogue and budget analysis on needs to sustain achieved results will be key to ensure proper funds allocations.</p> <p>Kosovo institutions support the action through all the decision making needed for its implementation as well as through facilitating its implementation.</p> <p>The remaining area in need of clearance by the start of 2021 is accurate.</p>
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DESCRIPTION OF ACTIVITIES

Summary: The Action will be implemented through the following 5 main components:

JUSTICE

Component 1: Strengthening Judiciary Efficiency and Accountability

Component 2: Protection and integration of disadvantaged children

HOME AFFAIRS

Component 3: EU Support to Home Affairs

JUSTICE

Component 1: Strengthening Judiciary Efficiency and Accountability

Main activity pertaining to Specific Objective 1: To strengthen efficiency and accountability in the judiciary by ensuring functioning IT systems and a properly equipped Justice Academy.

Upgrade Information and Communication Technology Infrastructure by providing adequate hardware equipment and supply necessary for the operation of Case Management Information System, Centralised Criminal Records System and other systems in the judicial sector. Relevant supplies for courts and prosecution offices for the users of the information system, criminal records system and other systems. Replacement is mandatory for those PCs that are old enough so that their technical specifications do not allow for the operation of information system and criminal record system. Provision of supplies will be on the condition that information system is operational and used in all Courts and Prosecution Offices in Kosovo. A needs assessment will be conducted to establish the exact needs for the systems.

Provide required capacity building for relevant staff to maintain computer systems and networks for all the Information and Communication Technology Department in charge for the operation of information system, criminal records system and other systems in the judicial sector. Trainings for the staff of the respective IT departments for daily operation of the systems, maintenance; for drafting and implementing policies and procedures in the field of Information and Communication Technology. Capacity building will be closely coordinated with the Justice Academy.

Equip a disaster recovery centre as back up for the existing data centre of the Kosovo Judicial Council/ Kosovo Prosecutorial Council ensuring the transfer and security of data contained in the information system and other systems. This can include also upgrading Information and Communication Technology systems in the existing data centre. A detailed needs assessment for setting up the disaster recover data centre, including provision of technical specifications for required supplies will be developed. It is planned to set up the recovery centre in one of the existing data centres of one of the rule of law institutions. The centre will continuously copy all the information contained in the information system and criminal record system and serve as a back-up in situations of disasters or malfunctions of the existing centre.

Furnish the new premises of the Kosovo Justice Academy with the necessary supplies for its offices, classrooms, kitchen and recreational areas and upgrade the library of the Academy. The Academy already has some existing furnishing and equipment and a library established with EU support. These existing resources will be transferred to the new premises. However, considering the new premises will be larger additional supplies will be necessary to complete the Academy.

Component 2: Protection and integration of disadvantaged children

Main activity pertaining to Specific Objective 2: To increase the number of boys and girls benefiting from multi-disciplinary approaches and services responding to socio-economic vulnerabilities, violence, neglect, abuse and inequitable access to justice.

Protection and integration needs of vulnerable children identified by previous analysis such as the child protection index (children working in the street, children with disabilities, and children victims of drug abuse) will be addressed by the following set of actions:

Justice for children. 100 children in the Education and Correctional Facilities will receive education services and life skills capacity building in line with the provisions of the new Juvenile Justice Code. 1 000 children under the age of criminal responsibility will be provided with identification and prevention services. 500 children diverted from judicial proceedings will receive counselling and protection services, as part of alternatives to detention.

Supporting prevention of school dropouts and reintegration of children out of school. Expand prevention, response and treatment of drop outs and non-enrolment in compulsory and secondary education for 500 boys and girls, with a focus on children with disabilities, repatriated/returnee children, children from Roma, Ashkali, Egyptian communities and children working to contribute to their household income. Provide boys and girls in street situations with opportunities to reintegrate the education system and build skills. The action will link systematically non-governmental organisations and children from Roma, Ashkali and Egyptian communities supported by EU with Prevention and Response Teams towards Abandonment and Non-Registration in compulsory education to prevent school drop outs of vulnerable children.

Increasing access and improving quality of services for children with disabilities. Home visiting programme and other outreach activities will allow early identification and referral of up to 750 children with disabilities and provide support to families. Coverage of community-based rehabilitation programme will be extended to 2100 children providing bio-psychosocial services and promoting reintegration into regular schools. In addition, the action will strengthen the inclusiveness of services for all categories of children with disabilities.

The action will expand foster care schemes for children with disabilities and children without parental care in street situations, bringing the number of foster care families from 43 to 100, that can foster up to 200 children. It will also provide opportunities for 150 children in seven resource centres for rehabilitation, socialisation and reintegration in regular schools. To achieve this objective, the action will ensure that social workers trained by previously funded EU projects receive necessary certifications in collaboration with the University of Pristina, Ministry of Labour and Social Welfare, Ministry of Education, Science and Technology and Kosovo Accreditation Agency. The action will also support the implementation of Municipal Strategies and Action Plans on Child Rights developed under the EU supported project on protection of child rights in Kosovo implemented by Coalition of NGOs for Child Protection (KOMF).

Addressing neglect and violence against children. The action will support the operationalisation of a child helpline in coordination with Kosovo's Ombudsperson Institution, in order to identify and coordinate the protection and care in any case where a child is suspected or identified as abused, neglected, mistreated or trafficked, as foreseen by the child protection law. Support will be provided to 100 schools in five municipalities for the creation of a safe environment for children's learning and development. Services will be offered to up to 1000 abused children and children in street situations in selected municipalities through child protection houses, in line with the law on child protection and good practices at European level.

HOME AFFAIRS

Component 3: EU Support to Home Affairs

Main activities pertaining to Specific Objective 3: To strengthen capacities and improve performance of the Ministry of Internal Affairs and its dependant institutions to align more closely with the EU acquis and increase public safety and security.

Assist the Ministry of internal Affairs in enhancing its legislative drafting and implementation capacities with a view of ensuring compliance and harmonisation with the EU legislation, human rights and fundamental principles. This activity will provide on-the-job trainings and technical assistance for the Legal Department and Department for European Integration and Policy Coordination as well as Department for Citizenship, Asylum and Migration, and Department for Public Safety on harmonising internal legislation. In addition, the project will assist the Legal Department in screening legislation.

Assist the Ministry in further alignment of criminal legislation to EU standards and best practices and in the elaboration and adoption of international instruments for police – cooperation in criminal matters, counter-terrorism, migration and border management, including cooperation with The International Criminal Police Organization (INTERPOL), European Police Office (Europol), European Border and Coast Guard Agency (FRONTEX). Legal Department, Department for European Integration and Policy Coordination, and Kosovo Police will be mentored, trained and provided with technical assistance in the field of international police cooperation, integrated border management and Joint Investigation Teams, in particular related to obligations deriving from international instruments and improving bilateral and multilateral cooperation.

Assist the Ministry of internal Affairs in enhancing its organisational and managerial structure and strengthening in particular its policy setting, strategic planning, analytical and research capacities. This activity aims at supporting the General Secretary and relevant departments of the Ministry by providing technical assistance and expertise on strategic and policy development, analytical reporting and statistics. The project will conduct an evaluation of the Ministry's functional organisation to assess the policy setting, monitoring process and inter-institutional collaboration mechanisms. The Action will build the capacities of Ministry's relevant departments and assist them in developing an overall Strategy for the Home Affairs sub-sector, while also taking into account the Western Balkans Strategy of the EU and its priorities related to the fight against organised crime and terrorism including cybercrime, corruption and money laundering.

Assist the Ministry of internal Affairs in its human resources development as well as budget planning and management. In particular, the action will provide on the job trainings and technical assistance to the Department of Finances and General Services, specifically to Human Resources Division and Budget and Finances Division in areas of human resource management and development, budget planning, budget execution and monitoring and related aspects.

Support in increasing transparency and accountability, as well as integrity of the Ministry and its institutions' officials by implementation of a zero tolerance policy regarding corruption and misuse of funds inside the Ministry and internal control mechanisms. It will assist the Ministry in drafting and implementing an Integrity Plan for the Ministry, as well as designing internal procedures on transparency, integrity and accountability.

Align the criteria and procedures for determining the Kosovo and European critical infrastructure, support in developing Operator Security Plan for critical infrastructure and build the capacities of owners/operators of critical infrastructure in implementation of the plan and coordination of protection measures. An assessment of the existing criteria and procedures for determining the Kosovo and European critical infrastructure will be carried and align the criteria with best European standards. For the Ministry of Internal Affairs, a system will be developed that will enable the responsible structure to carry out periodic inspections, assessments and monitoring of the implementation of operating security plans. For the operators of critical infrastructure tailor-made capacity building activities, mainly in the form of on-the-job trainings, workshops and mentoring will take place to address the challenges of the implementation of operating security plans and coordination of protection measures.

Support the establishment of a mechanism for sharing information and strengthening public-private partnership in view of protecting critical infrastructure. The Action will also pay attention to the public-private partnership and will support with the establishment of a mechanism for sharing information and strengthening public-private partnership in view of protecting critical infrastructure.

Support the Ministry of Internal Affairs and its dependent institutions through technical assistance and capacity building in the implementation and monitoring of the new Kosovo Cyber

Security Strategy. A new Kosovo Cyber Security Strategy is expected to be in force by the time this Action will start and therefore, the Action will support the Ministry of Internal Affairs and its dependent institutions in its implementation and monitoring. In particular it will provide technical assistance to the IT department within the Ministry in the form of specialised and on-the-job trainings in the field of Cyber Security.

Investigation capacities and performance of Kosovo Police and relevant enforcement institutions in the areas of organised crime, corruption, terrorism, border management and migration are increased.

Assist Kosovo Police and Prosecution in developing and implementing a joint strategic document in the fight against organised crime, corruption and terrorism and enhance the cooperation of joint investigation tools and assistance in joint investigations. A joint strategic document will formalise and strengthen the police-prosecution cooperation and exchange of information. Building on previous assistance, the Action shall assess and enhance cooperation mechanism by addressing obstacles, being those legal or operational.

Assist Kosovo Police at all its departments and other institutions in the implementation of all the strategies that fall under the responsibility of the Kosovo Police. The strategies in force which require direct engagement of various departments of the Kosovo Police are related to integrated border management, border security, migration, organised and environmental crime, narcotics, cyber security, small arms and light weapons, trafficking in human beings, terrorism and related areas including returned foreign terrorist fighters. Support will also be provided to build an evidence-based approach and harmonise the review mechanisms for assessing progress against action plans.

Provide capacity-building activities to increase professional skills of Kosovo Police and Kosovo Police Inspectorate through specialised and on-the-job trainings and exchange programmes. Support will focus on areas related to use of special investigative measures and techniques, intelligence analysis, in conducting online investigations in the fields of organised crime, including cybercrime corruption, environmental crime, and terrorism, including financing of terrorism, financial investigation and confiscation of assets, as well as in the area of asylum, readmission, and reception of foreigners. Since the Inspectorate investigates criminal activity conducted by police forces it is necessary that separate special trainings are organised for the staff of the inspectorate without any presence from the police staff.

Improve the performance and investigation capacities of the Kosovo Police and the Kosovo Police Inspectorate through the delivery of equipment. Another activity that will help achieve result three is the delivery of necessary equipment to Kosovo Police with particular attention to the road traffic police. The equipment will be used for the special investigation techniques as well as for increasing the performance and investigation capacities of the police. To ensure the best use of the funds a thorough needs assessment will be conducted.

Quality of its data and delivery of services of the Civil Registration Agency is increased.

Connect unique address of the Kosovo Address System to each citizen as registered in the Civil Status register. This connection will provide Law Enforcement Agencies, with a legal connection between person and location that is currently not available. The legal connection assists the law enforcement agencies with detection activities and will improve the functioning of judicial system functioning and reduction of backlog in handling court cases.

Support the Civil Registration Agency in capacity building by offering tailor-made trainings for its staff in areas of identity recognition and ID document validity, data protection and document security. The Agency will also receive support in capacity building by offering tailor-made trainings for its staff in areas of identity recognition and ID document validity, data protection and document security, as well as trainings on facial recognition and identification of falsified documents for municipal officers at municipal application offices.

Establish ID/Passport validity service through online mobile application and support mobile driving licence (mDL) verification as part of online traffic services. The Agency will be supported to develop and implement these new mobile online applications. These applications will provide users real-time information on validity of identity document and ease the enforcement of the laws.

Risk	Level	Mitigation measures
<p>Functional review</p> <p>Failure to finalise the functional review of the justice sector in a proper inclusive and participatory process or failure to assess relevant elements, for example provide a proper gender analysis will delay establishment of a better coordinated reform management. Better coordination however is considered an important enabling factor for the successful implementation of IPA assistance.</p>	Medium	Continuous high-level commitment from the Kosovo institutions to its European path and continuous negotiations with members of the intern-institutional working group in charge of the functional review
<p>Sector strategy</p> <p>The development of a sector Strategy is delayed or the implementation and monitoring of the Sector Strategy is not properly managed. This will also depend on the finalisation of the functional review.</p> <p>Despite the existence of approved sectorial strategies, lack of coordination between sectors and central and local level can hinder implementation.</p>	Medium Medium	<p>Continuous policy dialogue with all main stakeholders, especially the Ministry of Justice.</p> <p>Capacity building support, knowledge and experience sharing to support cross-sectoral coordination</p>
<p>Political will</p> <p>Part of this action focuses on Information and Communication Technology developments in the justice sector which require the continuous support of government or local authorities.</p> <p>Competing priorities within the government agenda can affect prioritization of child-related action</p>	Medium Medium	<p>Continuous policy dialogue with central and local authorities</p> <p>Continuous advocacy and policy dialogue to mainstream child rights within the government agenda</p>
<p>Institutional Capacity</p> <p>Due to staff shortages at the beneficiary institutions the absorption of the assistance could be limited.</p>		Continuous dialogue with central and local authorities

<p>Ownership</p> <p>Previous experience of EU and other donors operating in the Justice sector has proved that it is difficult to create ownership in Kosovo, which impacts negatively on commitment and sustainability</p>	<p>Medium</p>	<p>The action has been designed in close consultation with a wide range of stakeholders to both identify what support would be most likely to be ‘owned’ and has focused support on the key functions of relevant institutions. The action includes mainly technical assistance to attempt to build capacity within institutions and increase ownership, commitment and participation of the senior staff from the targeted Institutions.</p>
<p>Funding</p> <p>Action requires co-funding support from Kosovo and/or other forms of support with financial impact on Kosovo budget.</p> <p>Lack of sufficient funding to support implementation of sector strategies on child rights and social welfare could hinder the implementation of the action</p>	<p>Low</p> <p>Medium</p>	<p>Continuous policy dialogue and budget analysis on needs to sustain achieved results will be key to ensure proper funds allocations to ensure the funding the action plan and key stakeholders.</p> <p>Joint advocacy to influence budgetary planning and allocations related to this action</p>
<p>Extreme weather conditions reduces operational effectiveness</p>	<p>Medium</p>	<p>Winter weather is anticipated during planning and the maximum number of work days are scheduled for the spring, summer and autumn months. Specific lower altitude tasks are identified for the winter months.</p>
<p>Conflict/instability in northern Kosovo</p>	<p>Medium</p>	<p>Keep close contact with local authorities, updated security plans and have in place alternative tasks in areas where the tension is expected to be lower.</p>
<p>Loss, damage of equipment disrupts implementation</p>	<p>Medium</p>	<p>Comprehensive stock keeping and asset tracking measures in place; sufficient budget allocated for equipment maintenance</p>

CONDITIONS FOR IMPLEMENTATION

The main assumptions for the implementation of the Action are:

- Coordination and cooperation between the involved parties in the launching and implementation of the Action;
- Maintaining and improving the cooperation between the political and technical level;
- Maintaining political support to the Action;
- Kosovo will have to take ownership of results and activities in order to assure sustainability and proper continuation of successful actions.

Specific conditions for activities related to Justice:

- For investment in supplies related to Case Management Information System, the system must be deployed with all modules in all Kosovo Courts and Prosecution Offices and used for all new cases;
- Budget allocation for investment for Information and Communication Technology in the justice sector from the Kosovo budget is at least equivalent to the amounts invested by EU (estimated 0.3 million Euro annually);

- Integration of Child Protection System at local and central level according to the provisions of the new Child Protection Law.

Specific condition for activities related to Home Affairs:

- The legal framework concerning the critical infrastructure for the development of the security plans for all operators is in place;
- Budget allocation from the Kosovo budget for investment in maintenance and consumables for equipment purchased under the home affairs action is sufficient (estimated EUR 150 000 annually);
- The Civil Registry Data Quality and connection with the unique address system must be ensured prior to development of the mobile applications.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

JUSTICE

The implementation of the action under component 1) will be monitored through monthly meetings with the contractors. Relevant supervisors will be employed to support the contracting authority and beneficiary in ensuring that Services, Supplies and Works are delivered on time and in line with agreements and in proper quality. In addition monitoring of related activities will be integrated in the quarterly Steering Committee meetings that are organised under the Justice Sector Programme that is organised under Action Document 2018.

For component 2) the UNICEF project team will have the responsibility to run the project activities on a day-to-day basis under the supervision of the EU Office Task Manager. A Project Steering Committee meeting quarterly will be responsible for the overall direction of the project and comprise of representatives from the beneficiary institutions, the project team and the EU Office.

HOME AFFAIRS

The Ministry of Internal Affairs is the main stakeholder and the beneficiary of the implementation of component 3. Other stakeholders include institutions that are dependent on the Ministry of Internal Affairs with the Kosovo Police being the most important of them. The Civil Registration Agency, the Emergency Management Agency and the Police Inspectorate are also among the beneficiaries.

The implementation of Component 4) will be guided through quarterly Steering Committee meetings with the participation of the relevant stakeholders from the Home Affairs sub-sector and other relevant sector institutions, Management Team and the representatives of the EU Office. The Steering Committee will provide guidance and will play an active role in cooperation and coordination of activities. Relevant other programmes in the sector will be invited as observers to the Steering Committee. Participation of civil society will be considered. Relevant supervisors will be employed to support the contracting authority and beneficiary in ensuring that Services, Supplies and Works are delivered on time and in line with agreements and in proper quality.

Participation of the donor community that are implementing assistance in the home affairs sub-sector will be invited to attend with a view to ensure better coordination of the intervention activities.

METHOD(S) OF IMPLEMENTATION AND TYPE(S) OF FINANCING (SEE ANNEX IMPLEMENTATION – BUDGET)

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING AND EVALUATION

In line with the IPA II Implementing Regulation 447/2014, an IPA II beneficiary who has been entrusted budget implementation tasks of IPA II assistance shall be responsible for conducting evaluations of the programmes it manages.

Having regard to the importance of the action, a mid-term evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

The evaluations will be carried out following the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) guidelines on linking planning/programming, monitoring and evaluation⁴. A Reference Group comprising the key stakeholders of this action will be set up for every evaluation to steer the evaluation process and ensure the required quality level of the evaluation outputs as well as the proper follow up of the recommendations of the evaluation.

It will be carried out for learning purposes, in particular with respect to coherence with other ongoing EU funded projects and future programming of IPA assistance.

The Commission may, during implementation, decide to undertake other evaluations for duly justified reasons either on its own decision or on the initiative of the partner.

The Commission shall inform the implementing partner at least two months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the IPA II beneficiary and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the IPA II beneficiary, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

In addition, the Action might be subject to external monitoring in line with the European Commission rules and procedures set in the Financing Agreement.

Quarterly Steering Committees will be set up to monitor the progress. Regular monthly meetings with the EU Office and the Management Team of the Action will allow close monitoring of the implementation and ensure early response to challenges that may arise.

As a member of the Steering Committee that will be set up to oversee the implementation of the action, UNICEF will liaise closely with the EU Office in Kosovo and Ministry of Justice, Ministry of Labour and Social Welfare, Ministry of Education Science and Technology, , Prime Minister's Office and other relevant institutions to monitor its implementation. UNICEF will also facilitate joint field visits to assess progress and address evolving challenges. UNICEF Kosovo's Monitoring and Evaluation Section will support this process along the project duration. An action-survey will be conducted to ensure that quantitative and qualitative data on children targeted by this Action are collected and made available for evidence based policies and programmes.

External monitoring through Result Oriented Monitoring missions will assess progress of delivery of specific action results and towards achievement of action objectives.

Action monitoring and evaluation will be based on a periodic assessment of progress in delivering specified action results and achieving action objectives.

5. SECTOR APPROACH ASSESSMENT

4 https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near_guidelines.zip

Kosovo is making considerable efforts to strengthen the rule of law. Institutions have been established and a large number of strategic documents have been developed. However, the fragmentation of these strategies and policy initiatives has made it difficult to efficiently manage and monitor the sector reforms overall. The need for more coherent policy formulation but also management of the sector reforms is more than evident. Furthermore, the mechanisms for coordination and monitoring of the implementation of these policies need to be further reinforced, especially in view of obligations stemming from the Stabilisation Association Agreement. Having in mind separation of powers, thus the independent role of the judiciary, but at the same time the coordinating role of the Ministry of Justice and Ministry of Internal Affairs respectively, tools and mechanisms for the coordination among Kosovo institutions in the Rule of Law sector, need to be substantially strengthened.

The Functional Review of the Rule of Law sector has been launched by the Kosovo institutions with the aim to provide for an overall sector strategy and better coherence among the existing policies. The Ministry of Internal Affairs aims to develop a comprehensive sub-sector strategy for Home Affairs in 2020. These strategies should become the base to develop sectorial implementation action plans and monitoring frameworks. With the launch of the Functional Review of the Rule of Law Sector, the involved institutions have committed to implement reforms in a more efficient and coordinated process more in line with the sector approach requirements.

The Constitution, primary and secondary legislation provide advanced mechanisms for protection of human rights and even though Kosovo is not a member of United Nations, Council of Europe and related international bodies, provisions of the main international instruments are integrated in the legislative framework.

There is a mid-term budget allocated to the sector institutions however without a real sector planning perspective for reasons outlined above.

The Ministry of Justice and the Ministry of Internal Affairs are both in charge of leading donor coordination for the justice and home affairs sectors respectively in close collaboration with Office of the Prime Minister. The existing donor coordination structure comprises further of the annual High Level Forum, the Sector Working Group Rule of Law and Fundamental Rights and Sub-Sector Working Groups on Justice, Home Affairs and Fundamental Rights. To date the authorities have not been able to properly functionalise this system of donor coordination and more efforts are required in this area.

In recent years, Kosovo has made some progress to protect children from violence, abuse and exploitation. The legislative framework is largely in line with international norms, including those for children's rights. Most laws, policies and strategies for children are now to a large extent aligned with international standards. However, the child protection system still remains fragmented and largely unable to systematically respond to the urgent needs of disadvantaged children and to ensure that every child is safeguarded against all forms of violence, abuse, neglect, exploitation and discrimination. The situation faced by disadvantaged boys and girls that are neglected, abused and exploited, is a manifestation of the inability of the child protection system to provide adequate services and support.

Delivering services for children is the priority of measures foreseen by this action and the underlying assumption is that strengthening the child protection system will provide a comprehensive and sustainable approach to prevent and respond to child protection issues. The current action will reinforce the delivery of services required across all social sectors – especially social welfare, education and justice – to reach those in need, provide immediate responses and prevent protection related risks.

6. CROSS-CUTTING ISSUES

GENDER MAINSTREAMING

Sector reforms in the justice and home affairs sectors in Kosovo need to achieve a better gender balance within the sector institutions, as is found for example by the assessments that have been conducted since

2016 based on the methodology of the Council of Europe Commission for the Efficiency of Justice⁵. These bi-annual assessments have highlighted that even in regional comparison there are less female than male judges and prosecutors in general and especially also in leading management positions in Kosovo. At the same time the justice sector institution to date have not been able to efficiently deal with crimes that are in particular affecting women, for example domestic violence. On the institutional side such issues are being addressed under the justice sector programme that the EU is financing under IPA 2018 and that will be implemented through a grant with Member States.

An important tool for the sector to respond to this imbalance will be the use of statistics to monitor the situation in order to define appropriate policy measures. The current Action with the investments in Information Communication and Technology will make an important contribution to strengthening the statistical and analytical capacities. Only with solid and aggregated statistics the judiciary will be really able to monitor for example the sentencing in domestic violence cases in all Courts, which has been identified previously as incoherent and a matter of concern.

The Law on Gender Equality under Article 3 and 5 foresees that a gender perspective and gender responsive budgeting should be reflected in all processes, planning, approval, implementation, monitoring and evaluation of legislation, policies or programmes and budgets. Collection and submission of sex disaggregated data is a requirement for all institutions including bodies at legislative level, executive, judicial and other public institutions.

The human rights' training that is being developed jointly with the Council of Europe will certainly include gender relevant topics like human rights standards regarding domestic violence. Also the programme strengthening the child protection system will in particular support women who are usually the main caregivers for children and together with their children victims of marginalisation and social exclusion. As per the EU Gender Action Plan phase II, women's rights organizations will be key allies for the work of the component that is implemented by UNICEF, considering their expertise and existing relations with vulnerable groups.

Despite de jure equality for men and women, de facto discrimination against women continues in Kosovo⁶, with only 12% of women of working age in formal employment⁷. Women are negatively affected in equal access to employment due to traditional gender roles enforced by society, with authorities lacking in capacity to develop and implement more gender responsive labour market policies and services.. All collected data is disaggregated by sex and age, and where necessary by ethnicity and religion.

EQUAL OPPORTUNITIES

The action should ensure equal opportunities of all participants selected for the implementation of the action or benefiting from the investments and the other activities. Also other categories such as race, ethnicity, class, religion, education, economic status, sexual orientation, health, language, and geographical location, will be taken into account wherever possible. Equal participation and contribution of women and men in the consultative processes and in decision-making will be ensured. In this regard, equal participation of women and men should be reflected in the composition of teams, committees and other relevant structures.

In order to ensure equal opportunities for all job announcements circulated by this action should be accessible and selection procedures should aim to be inclusive for all applicants. They should use gender neutral language and a sentence strongly encouraging women and minorities to apply.

MINORITIES AND VULNERABLE GROUPS

The interventions will be guided by Sustainable Development Goal 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". All the materials/documents produced as part of this action will need to

5 <https://rm.coe.int/in-depth-assessment-report-of-the-judicial-system/16807828e6>

6 UNKT, The United Nations Common Development Plan 2016-2020, 2015

7 <http://ask.rks-gov.net/en/kosovo-agency-of-statistics/add-news/labor-force-survey-in-kosovo-q2-2018>

be delivered in Albanian and Serbian Language. This is particularly important regarding the training materials.

The proposed action will, as far as is practicable, take the required steps to ensure that the internal policies, structure or operating procedures of the beneficiary will conform to policies protecting women and men from minorities and vulnerable groups, so they can fully exercise their rights granted by the Constitution and recognized by law.

Special attention will be paid to the effective adoption of EU directives regarding procedural rights of victims and minors, and their gender-specific needs. With regard to juvenile justice, support will be provided for alignment of the legal and policy frameworks pertaining to juvenile justice with international norms and standards and the correct application of international juvenile justice standards.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER STAKEHOLDERS)

Civil society representatives have for long been advocates of human rights in Kosovo by monitoring Kosovo institutions' activities, reporting violations, campaigning for change, and providing legal assistance directly to citizens in need, particularly to women, and women and men of vulnerable, poor and marginalised groups such as Roma and other minorities or members of the LGBTI communities. Collaboration with women's networks, as well as lawyers' associations, and LGBTI groups as well as Roma civil society organisations will be crucial for understanding the realities of gender justice issues as well as the situation of Roma, in particular on the ground, for building legitimacy for the reform process. Women's rights groups and Roma non-governmental organisations networks can play an important role in raising awareness among women and men regarding their rights under the existing legal framework, as well as in monitoring and advocating for reforms.

Meetings will be held with representatives of civil society and other stakeholders regarding the interventions in the legal education regarding the human rights in their respective areas of concern. Coordination will be secured with EU-funded actions implemented by civil society organizations in the justice sector. Periodical meetings will be held with representatives of civil society and Ministry of Internal Affairs' structures regarding the reforms in the security sector, where the need of improving the quality of the service and bringing it closer to the contemporary best practices of European police forces is stressed.

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

The European Union has a longstanding commitment to address environmental concerns in its assistance programmes (as part of a wider commitment to sustainable development). The Action will not have a direct impact in the environment but during implementation special attentions will be given to environmental considerations. Technical procurement and installation works will be consistent with Environmental implications as set out in relevant Regulations consistent with the Kosovo Law on Environmental Protection. The actions will be delivered in the most environmentally friendly way possible, including the recycling of paper and the reduction of paper-based activities to the absolute minimum, including through distribution of materials through the Internet and alternative ways.

Climate action relevant budget allocation: cannot be quantified

7. SUSTAINABILITY

As highlighted above in the lessons learned, one of the most significant challenges to sustainability of support in the rule of law sector relate to the ownership and sustainability of the interventions and also to the political will to implement the reforms and follow up in a timely manner with the adoption of certain key legislation and other decision making. Engagement in a structured and regular political and policy dialogue with main institutional stakeholders will be important. Close coordination with other EU and other international actors will require due attention and follow up. It is important to ensure that main actors will retain trained personnel - from the technical assistance - in key positions allowing them to improve and transfer knowledge gained from this action to other structures within the targeted institutions.

Officials and other relevant stakeholders should be made aware of budget and resource impact of the proposed Action and provide sufficient budget and staff to ensure the effective use of capacities and maintenance of equipment supplied. Such efforts will be more sustainable if sector management is conducted in a more coordinated and better planned process, as envisioned with the functional review and setting up of a sector reform strategy. Furthermore, the beneficiaries should be aware of all the obligations to be filled arising from the equipment funded by the EU, and dedicate all the necessary resources, sufficient budgetary and staff resources to ensure the smooth implementation of the project and maintenance of the equipment.

The sustainability of the results will also be supported by closely following-up on Kosovo's implementation of needed and relevant reforms in the economic crime area. The ongoing technical assistance to build up the capacity of the relevant institutions and to improve sector coordination will contribute to increased sustainability of the results of this action.

8. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action. The implementation of the communication activities shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the EU communication and visibility requirements in force. All stakeholders and implementing partners shall ensure the visibility of EU financial assistance provided through IPA II throughout all the phases of the programme cycle.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions and will promote transparency and accountability on the use of funds.

Visibility and communication actions shall be complementary to other activities implemented by DG NEAR and the EU Office in the field. The European Commission and the EU Office should be fully informed of the planning and implementation of the specific visibility and communication activities.

A consolidated communication and visibility plan for the Action will be developed, based on an agreed communication narrative and master messages, customised for the different target audiences (stakeholders, business community, civil society, general public etc.). The communication and visibility plan should include a specific reference to ensuring EU visibility in the communication campaigns and in the infrastructure foreseen as part of this programme.

Effectiveness of communication activities will be measured inter alia through public surveys in the IPA II beneficiaries. The surveys will cover awareness about the action and its objectives as well as the fact that it is funded by the EU. As a minimum one survey should be carried out before the start of the implementation of the communication and visibility plan and one after its completion.