

2012 Annual Programme

Support to the fight against organised crime and corruption: 05-2012/2

1 IDENTIFICATION

Project Title	Strengthening criminal investigation capacities against organised crime and corruption
CRIS Decision number	2012/022-940
Project no.	05
MIPD Sector Code	2. Justice and Home Affairs
ELARG Statistical code	01.24
DAC Sector code	15113
Total cost (VAT excluded)¹	€2.0 million
EU contribution	€2.0 million
Management mode	Centralised
EU Delegation in charge	European Union Office in Kosovo*
Implementation management	European Union Office in Kosovo
Implementing modality	Twinning, Supplies
Project implementation type	C01
Zone benefiting from the action(s)	Kosovo

¹ 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

2 RATIONALE

2.1 PROJECT CONTEXT: ISSUES TO BE TACKLED AND NEEDS ADDRESSED

The General Affairs and External Relations Council in its conclusions of 28 January 2008 welcomed the intention of the European Commission to launch a visa dialogue with all Western Balkan countries and expressed its readiness to further discuss this issue, based on the Commission's Communication on the Western Balkans, with a view to define detailed roadmaps setting clear benchmarks to be met by all the countries in the region in order to gradually advance towards visa liberalisation. On 7 December 2009, the Council underscored that Kosovo should also benefit from the perspective of eventual visa liberalisation once all conditions are met.

The Government of Kosovo unilaterally developed a strategic framework that anticipates some of the necessary criteria, using roadmaps and models set by the European Commission for other countries of Western Balkans, in particular adopted Roadmaps and Action Plans for visa liberalisation with the European Union. Work is in progress on the anticipated criteria, especially in the field of readmission arrangements, the reintegration of repatriated persons, asylum policies, document security, integrated border management, preventing and fighting organised crime etc. In the absence of a visa facilitation and readmission agreement between the EU and Kosovo, Kosovo needed to fulfil conditions in the fields of readmission and reintegration.

On 5 December 2011, the Council reaffirmed that Kosovo would benefit from the perspective of visa liberalisation once all conditions have been met. Based on the Government's achievements in implementing certain criteria in the fields of readmission and reintegration, and based on assessments conducted by the European Commission, lastly reflected in Progress Report 2011 for Kosovo, the Commission officially launched the visa dialogue with Kosovo on 19 January 2012. The official roadmap for visa liberalisation was handed over to the Kosovo government on 14 June 2012. The issues that need to be addressed will likely include the following: readmission and reintegration; document security; border/boundary, asylum and migration management; public order and security; and fundamental rights related to the freedom of movement.

The rule of law sector in Kosovo needs expertise from EU Member States to further strengthen capacities to implement policies deriving from the Roadmap for visa liberalisation with EU.

The proposed project will assist the relevant Kosovo authorities in implementing specific conditions set out in strategic documents of the Kosovo Government that relate to Block III (Public order and security) with specific benchmarks. It will in particular improve the management, operational and administrative capacities in the fight against serious crime.

This project will help to develop well-integrated administrative capacity within the law enforcement agencies and other relevant bodies, to achieve the necessary standards and an efficient internal organization. In the long term, the results and the process will support the road towards negotiations for EU accession.

2.2 LINK WITH MIPD AND SECTOR STRATEGIES

The MIPD 2011-2013 foresees assistance to be provided to the Kosovo law enforcement agencies especially with the view to fighting organized crime, consisting of training and equipment. The project will support the implementation of the already adopted strategies in the area of home affairs, such as the Strategy and Action Plan on Integrated Border Management, Kosovo Police Strategy 2010 - 2015, Strategy and Action Plan Against Organized Crime, Strategy for Prevention of Terrorism, Strategy Against Drugs, Community Police Strategy, Migration Strategy, Reintegration Strategy and Action Plan, Strategy and Action Plan for Fighting Trafficking of Human Beings.

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

Relevant 2012 European Partnership Priorities:

- EPP 96.1: Improve bilateral cooperation and integration in relevant regional and international.
- EPP 99.1 Further improvement of the legal framework and policies on combating economic and financial crimes.
- EPP 99.2 Establishment and promotion of institutional and technical capacity to implement the legal framework and policies for combating economic and financial crimes.
- EPP 102.1 Capacity Development of KP to implement the Strategy for Police Intelligence-led (ILP).
- EPP 103.1 Completing the framework of institutional policy and beneficiary security, public safety and reduction of crime fighting.
- EPP 104.2 Further development of the capacity of law enforcement agencies and judiciary on combating organized crime.

2.4 PROBLEM ANALYSIS

Conditions for visa liberalisation are of broader nature, covering four blocks. One of the main priorities of the rule of law sector is to meet the requirements that are expected to figure in the visa roadmap, especially achieving concrete results in combating organised crime, smuggling, trafficking and fighting corruption. Kosovo institutions have to further increase their administrative capacities and expertise to tackle negative trends such as illegal migration, increased asylum-seekers in EU member states and increase their effectiveness in combating organized crime and corruption.

In the meantime, the EULEX mission is conducting the strategic review of its mandate aiming to improve delivery in the field of its mandate, which includes the police, justice and customs. By the time of starting the project implementation, EULEX will be working according to its revised mandate which will be valid until June 2014.

There are a number of factors that currently inhibit the performance of the Criminal Justice System (CJS) in respect of crime investigations. Successive EULEX Programme Reports point to poor and inadequate working relationships between the Public Prosecutors' Office (PPO) and the KP Crime pillar. There is an impoverished information flow and a lack of proper coordination of tasks between these key players in crime investigation. At a more fundamental level, there is evidence that the current system makes it impossible for the requirements of the Criminal Procedure Code (CPC) to be met in respect of all reported crimes: in essence, there is an insufficient number of public prosecutors to cope with the ever-increasing number of reported crimes. There is also evidence which suggests that the limited number of public prosecutors fail to properly prioritize the more serious reported crimes.

Experience in EU member states indicates that strategies are required when the volume of reported crime overtakes a system designed for much lower numbers of cases. What is required is a comprehensive reform based on a policy that seeks to properly investigate all reported crimes, whilst making the best use of available resources, and giving special priority to serious crime cases. The reform measures should be given with a carefully designed policy statement by the relevant Ministers, followed by corresponding changes to the relevant primary and secondary legislation. As necessary, these measures should include further and clear delegation of crime investigation powers in the CPC to KP investigators. In addition, there should be a reliable and robust system of managing reported crimes, ensuring that all cases are investigated within a reasonable period and, most importantly, that the most serious cases are given priority.

Although the use of KP intelligence is resulting in more proactive operations, the bulk of CJS workload remains reactive and too often preoccupied with non-serious crime. What the CJS still lacks is an institutionalised system for the deployment of proactive crime operations that target corrupt officials, cross-border crime groups, drug trafficking groups and other categories of serious crime groups. Such a platform would consist of proactive investigation teams, fully trained and equipped to exploit the provisions of the CPC in regard to covert surveillance and evidence gathering. Each team would be led by a public prosecutor on a full-time basis, planning and implementing surveillance operations and actively managing the gathering and preservation of evidence.

Whilst the required legislation for such proactive crime teams has been in place since 2003 there has been little effort to exploit the vast potential that the law creates. The Criminal Procedure Code (CPC) includes wide-ranging powers for public prosecutors to actively target persons and groups that are suspected of being involved in criminal activities. These powers include various forms of covert surveillance and covert evidence gathering. In order to fully exploit the potential of these provisions there is a need to procure the necessary equipment and train staff in their use. Whilst KP officers, acting under the direction of prosecutors, have made use of these provisions of the CPC in certain cases, the CJS has not yet created a coherent and comprehensive vision of what proactive crime teams could achieve.

Experience in EU member states shows that a strategy to tackle serious crime and corruption must be pursued through use of highly trained, properly equipped, dedicated and sustainable teams of police and prosecutors working closely together. This requires the presence of sufficient political will and commitment, providing adequate human and financial resources. Moreover, it requires a separation of investigatory and prosecutorial functions preserving the public anonymity of all the members of the proactive crime teams.

Interrogations are part of professional investigations. In order to exercise effective interrogations, the Kosovo Police requires adequately equipped interrogations in a number of police stations.

Under IPA 2010 the EU is funding the upgrading of the Kosovo Police Information System. In order to use this collection of data, KP officers need to be trained to analyze the information and draw operational conclusion in order to function efficiently.

Any type of interference could hamper investigations and weaken the institution. A strong disciplinary regime addressing any issues of misconduct needs to be implemented. This includes both, the internal KP Professional Standards Unit as well as the Kosovo Police Inspectorate within the Ministry of Internal Affairs (PIK). The strengthening of these offices and hence the further enforcement of measures would raise the credibility and accountability of the Kosovo Police and therefore strengthen police investigations.

2.5 LINKED ACTIVITIES AND DONOR COORDINATION

This project shall support the implementation of efforts of the Kosovo institutions to fulfill requirements of the political dialogue with the EU regarding visa liberalisation. It will be closely linked to other IPA projects in the rule of law area:

- Support to Integrated Border Management Infrastructure,
- Twinning for the Kosovo Border and Boundary Police (IPA 2007),
- Equipment for the Kosovo Border and Boundary Police I (IPA 2007),
- Equipment for the Kosovo Border and Boundary Police II (IPA 2008),
- Support to Anti-corruption institutions (IPA 2007),
- Improvement of the Penitentiary System (High security prison) (IPA 2008),
- Upgrade of the Infrastructure in the Rule of Law Sector (Palace of Justice Building) (IPA 2008),
- Support to Civil Registration Agency (CRA) and Unified Address System (IPA 2009),
- Improved Education in the Public Safety and Security Sector (IPA 2009),
- Support the implementation of Intelligence-Led Policing (ILP) in Kosovo Police (IPA 2010),
- Support to the Kosovo Judicial Council and the Kosovo Prosecutorial Council (IPA 2010),
- Fight against economic crime (IPA 2010),
- Further Support to the Development of Integrated Border Management and Fight against Drug Trafficking (IPA 2011),

- Support to the Agency for Managing of Sequestrated and Confiscated Assets (AMSCA) (IPA 2011),
- Support to Kosovo institutions in combating financial and economic crime (IPA 2011),
- Strengthening International Legal Cooperation (IPA 2011).

While **EULEX** has a mandate to ensure the maintenance and promotion of the rule of law, public order and security including, as necessary, through reversing or annulling operational decisions taken by the competent Kosovo authorities; and to ensure that cases of war crimes, terrorism, organised crime, corruption, inter-ethnic crimes, financial/economic crimes and other serious crimes are properly investigated, prosecuted, adjudicated and enforced, according to the applicable law, including, where appropriate, by international investigators, prosecutors and judges jointly with Kosovo investigators, prosecutors and judges or independently, eventually these tasks will be undertaken independently by the Kosovo officials. It shall be noted that the project team of the planned assistance project will need to closely coordinate activities with EULEX. The project implementation period may go beyond the current mandate of EULEX and hence the project may also assist the transfer of responsibilities from EULEX to the local institutions.

The US funded **International Criminal Investigative Training Assistance (ICITAP)** Programme supports the Kosovo Ministry of Internal Affairs and the Kosovo Police and Border Police through the dispatching of advisors. ICITAP is financing a number of IT programmes and is furthermore providing training of police and prosecutors in areas such as anti-trafficking and financial crime investigations.

One of the initial tasks of the **OSCE Mission** was to establish a police school that would train a multi-ethnic Kosovo police service. As the police school's excellence and training capacity grew, it also started providing training to other public safety institutions, such as customs, corrections and fire and rescue services. Even after the transfer into an executive agency under the Ministry of Internal Affairs, OSCE still provides support in developing joint training programmes for all the public safety institutions to improve their co-ordinated performance according to the international best practices. It also provides specialized training to police and customs officers on combating organized crimes such as money laundering, trafficking in human beings and smuggling of drugs, vehicles and other goods. Also, OSCE engages in raising public safety awareness through a number of outreach activities ranging from school lectures and police open days to public information campaigns promoting the work and role of the police and fire and rescue services. In addition, OSCE supports Kosovo institutions in the review of relevant strategies, such as Kosovo's strategy for fighting organised crime.

Regular coordination meetings shall be organised with representatives of these actors to assure coordination and agreement on this rule of law project.

2.6 Lessons learned

Results of the previous EU funded projects were very helpful for the MIA and relevant Ministries on rule of law sector providing significant assistance in the process of reaching the EU standards. Results of these projects have facilitated Kosovo's efforts to fulfil the

preconditions for starting the visa dialogue. Coordination with relevant stakeholders including EULEX is crucial for an effective implementation of assistance.

3 DESCRIPTION

3.1 OVERALL OBJECTIVE OF THE PROJECT

The overall objective of this project is to support the Kosovo institutions in the prevention and combating of organised crime and corruption.

3.2 SPECIFIC OBJECTIVE(S) OF THE PROJECT

The project aims to strengthen criminal investigation capacities on central and local level in order to effectively fight organised crime and corruption.

3.3 RESULTS

1. Increased coordination and cooperation between law enforcement agencies, in particular between the police and the prosecutors, to enhance the prevention, detection, investigation and prosecution of serious crimes;
2. Capacities of the Kosovo Police and (special) prosecutors to investigate and prosecute organised crime, cybercrime, fighting economic and financial crime and corruption improved;
3. Track record of successful investigations and prosecution of serious crimes developed;
4. Internal oversight mechanism of the Kosovo Police strengthened and corruptive behaviour and misconduct decreased;
5. Regional and international cooperation strengthened, including joint investigation teams and joint operations.

3.4 MAIN ACTIVITIES

The assistance shall include the following activities but is not limited to it:

- 1.1 Enhance the strategy to improve the coordination between KP and prosecutors and other institutions involved in preventing and fighting organised crime and corruption
- 2.1 Carry out a needs analysis and implement a comprehensive and staged training programme in the field of cybercrime, fighting economic and financial crime – with the focus on police investigation and evidence service
- 2.2 Assist in procuring and equipping suitable premises that offer minimum security and anonymity requirements
- 3.1 Advise and support through specialised trainings on the quality data collection and analysis for the investigations unit and prosecutors, particularly to tackle high level corruption and organised crime cases
- 3.2 Provide and exchange expertise and best practices from the MS methodology addressing the corruption and organised crime.

- 4.1 Review and update procedures for the adequate handling of cases of misconduct and corruption within KP and support the Professional Standards Unit and the Police Inspectorate in enforcing disciplinary measures.
- 4.2 Assist in the enhancement of operational cooperation with the law enforcement authorities of Members States and third countries, notably by furthering joint investigations and operations, specifically and prosecutors and Kosovo Police
- 3.3 Support in exploring further cooperation with international law enforcement agencies and with regional initiatives

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

The EU has committed assistance to strengthening police work through various projects, both related to technical assistance and supplies. This project is a continuation of this support in order to strengthen the rule of law in Kosovo. The fight against organized crime and corruption is a political priority for Kosovo as expressed in respective strategies. In addition, these issues feature prominently in all political dialogue. In particular, progress in these fields will be a requirement of the visa liberalization dialogue as will be set out in the roadmap. In addition, the SAA Feasibility Study for Kosovo will assess the situation on fighting organized crime and corruption.

A lot of criminal offences are cross-border related. By enhancing joint operations with neighbouring services, cross border cooperation will be strengthened.

3.6 SUSTAINABILITY

The training programme will ensure that all the course materials are translated and that a sustainable platform is acquired through a ‘train-the-trainer’ strategy. Trainings will need to be linked with the training curricula of the Kosovo Academy for Public Safety Education.

3.7 ASSUMPTIONS AND PRE-CONDITIONS²

- Commitment of the rule of law sector institutions and agencies, such as the Kosovo Police and Kosovo Prosecutorial Council.
- Coordination between the agencies and respective department involved within the agencies.
- Full commitment of all stakeholders and beneficiaries during the implementations of the project.

² 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 co-funding by the beneficiary must be made available on time and the works contract must be managed by the beneficiary in coordination with the project activities.
- Maintenance for the supplies to be procured must be budgeted by the beneficiary.

4 IMPLEMENTATION ISSUES

Activity 1.1: One twinning contract (€1.8 million) will be awarded following the appropriate tendering/consultation procedure for twinning contracts. The period of implementation shall be 30 months.

Activity 1.2: At least one supply contract will be awarded following the appropriate tendering procedure for the supply contract. A total of €0.2 million are allocated for this contract. The technical specifications for this contract will be drafted within the contract 1.1 and in close cooperation with the twinning contract and beneficiary institutions. The period of implementation shall be 12 months.

4.1 INDICATIVE BUDGET

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

PROJECT TITLE			TOTAL EXPENDITURE	SOURCES OF FUNDING								
				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)
Activity 1												
contract 1.1 (Twinning)	X	–	1.8	1.8	100							–
contract 1.2 (Supply)	–	X	0.2	0.2	100							–
TOTAL IB			1.8	1.8								
TOTAL INV			0.2	0.2	100							
TOTAL PROJECT			2.0	2.0	100							

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)

Dates indicated in the schedule cannot go beyond the contracting and execution deadlines in the financing proposal

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
Contract 1.1	Q2 2013	Q4 2013	Q2 2016
Contract 1.2	Q2 2014	Q4 2014	Q4 2015

4.3 CROSS CUTTING ISSUES

4.3.1 *Equal Opportunities and non discrimination*

The project will ensure that men and women will have equal access to all project deliverables in full compliance with the legislation in place.

4.3.2 *Environment and climate change*

The project is expected to have a neutral environmental impact. The infrastructure component will be consistent with environmental implications as set out in relevant Regulations consistent with the Law on Environmental Protection. This project intends to promote also environmental improvements through energy savings by implementing energy efficiency measures in building, including the use of alternative sources of energy.

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*

This project will aim to contribute to the establishment of multi-ethnic representation in the institutions benefiting from the project, which will address the ethnic groups fairly and equitably under the law, as well as other marginalized groups.

4.3.4 *Civil Society/Stakeholders involvement*

In advance, MEI has organized a meeting with the civil society in order to give them the opportunity to have a say on this and other PIFs. As a result their contribution has been taken fully into account and this kind of approach will be maintained also during the implementation of this project.

ANNEXES

1. Log frame

- 2. Description of Institutional Framework**
- 3. Reference list of relevant laws and regulations only where relevant**
- 4. Details per EU funded contract(*) where applicable:**
- 5. Project visibility activities**

ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche	Preventing and combating organised crime and corruption	05-2012/2	
Support to Kosovo institutions in preventing and combating organised crime and corruption.	Contracting period expires: Three years after the signing of financing agreement.	Execution period expires: Two years after the signing of contract.	
	Total budget	€2 million	
	IPA budget:	€2 million	
Overall objective	Objectively verifiable indicators	Sources of Verification	
The overall objective of this project is to support the Kosovo institutions in the prevention and combating of organised crime and corruption.			
Specific objective	Objectively verifiable indicators	Sources of Verification	Assumptions
The project shall facilitate the strengthening of criminal investigation capacities on central and local level in order to effectively fight organised crime and corruption.	Number of investigations carried out on organised crime and corruption. Number of court cases on organised crime and corruption. Number of persons convicted of organised crime and corruption.	Reports of the competent authority Statistical report publications. Kosovo Police & Kosovo Prosecution records. Regular performance progress reports. Monitoring reports.	Adequate political commitment Efficient cooperation between beneficiary and partner implementations.
Results	Objectively verifiable indicators		Assumptions
Increased coordination and cooperation between law enforcement agencies, in particular between the police and the prosecutors, to enhance the prevention, detection, investigation and prosecution of serious crimes; Capacities of the Kosovo Police and (special) prosecutors to investigate and prosecute organised crime, cybercrime, fighting economic and financial crime and corruption improved; Track record of successful investigations and prosecution of serious crimes to be developed; Internal oversight mechanism of the Kosovo Police strengthened and corruptive behaviour and misconduct decreased;	Numbers of recommendations and strategic documents drafted and adopted. Number of investigations carried out on organised crime, cybercrime, economic and financial crime, corruption. Number of court cases against organised crime, cybercrime, economic and financial crime, corruption. Number of seminars and workshops organised . Number of corruption cases within KP investigated	Annual Progress Reports Project reports. Reports of the competent authority Statistical report publications. Kosovo Police & Kosovo Prosecution records. Regular performance progress reports. Monitoring reports. Annual reports providing accurate data and statistic reports in the area of the cooperation.	Full cooperation and involvement of all stakeholders.

<p>Regional and international cooperation strengthened, including joint investigation teams and joint operations.</p>	<p>and prosecuted.</p> <p>Number of joint investigation teams and joint operations in which Kosovo agencies participate.</p> <p>Increased Information exchange and cooperation activities with Member States.</p>		
Activities to achieve results	Means / contracts	Costs	Assumptions
<p>Enhance the strategy to improve the coordination between KP and prosecutors and other institutions involved in preventing and fighting organised crime and corruption.</p> <p>Carry out a needs analysis and implement a comprehensive and staged training programme in the field of cybercrime, fighting economic and financial crime – with the focus on police investigation and evidence service.</p> <p>Assist in procuring and equipping suitable premises that offer minimum security and anonymity requirements.</p> <p>Advise and support through specialised trainings on the quality data collection and analysis for the investigations unit and prosecutors, particularly to tackle high level corruption and organised crime cases.</p> <p>Provide and exchange expertise and best practices from the MS methodology addressing the corruption and organised crime.</p> <p>Review and update procedures for the adequate handling of cases of misconduct and corruption within KP and support the Professional Standards Unit and the Police Inspectorate in enforcing disciplinary measures.</p> <p>Assist in the enhancement of operational cooperation with the law enforcement authorities of Members States and third countries, notably by furthering joint investigations and operations, specifically and prosecutors and Kosovo Police.</p> <p>Support in exploring further cooperation with international law enforcement agencies and with regional initiatives.</p>	<ul style="list-style-type: none"> - One Twinning contract. - At least one supplies contract. 	<p>Twinning: €1.8 million.</p> <p>Supply: €0.2 million.</p>	<p>Good interagency and intra agency cooperation.</p> <p>Efficient cooperation between beneficiaries and project implementations partner.</p> <p>Commitment of Kosovo Police and Prosecution council services in implementing project activities.</p>

ANNEX 2: Description of Institutional Framework

The Ministry of Internal Affairs (MIA) is a large multi-sector ministry. Its importance is underlined by the fact that its role and tasks are defined not simply at the level of laws, but also in a number of Articles of the Constitution of Kosovo. Since its establishment in 2005, MIA has already acquired all the competences in its remit, also completing the legal and policy framework in fields under its remit: citizenship, civil registration (including vehicle registration), personal documents, public law and order, public safety (including road and civil aviation safety, explosives and small arms and light weapons), migration, asylum, foreigners, as well as control and protection of state borders, police and anti-organized crime.

Moreover, the functional review, conducted between August 2008 and January 2009, has recommended that the organizational structure of this Ministry be structured in three levels: political, policy and supervision, and implementation. Based on this new structure recommended, the Minister of Internal Affairs has adopted the Administrative Instruction No. 16/2010-MIA on Internal Organization and Structuring of MIA, The new organizational structure adopted thereby reflects these three levels. While the Coordination and European Integration, and Public Information Offices are part of the Minister's Office, the policy and supervision level consists of six departments:

- Legal Department.
- Policy Development and Monitoring Development.
- Department of Public Safety.
- Department of Citizenship, Asylum and Migration.
- Department of Central Administration, and
- Public Procurement, and Budget and Finance Departments.

The implementation level consists of six executive agencies:

- Kosovo Police.
- Police Inspectorate of Kosovo.
- Kosovo Centre of Public Safety, Education and Development (based in Vushtrri).
- Civil Registry Agency, and
- Emergency Management Agency.

In 2009, the Ministry has developed and adopted its Strategic Development Plan 2009 – 2013. This plan sets out the following four strategic objectives: maintaining public safety and order, protection of state borders and territory by ensuring control over movement and stay of foreigners and foreign nationals entering the territory illegally, ensuring safety of citizens in cases of emergency, and provision of high-quality services to Kosovo citizens.

As far as the sectoral policy framework under the remit of MIA is concerned, it has developed and is implementing strategies and action plans on: migration, IBM, integrated emergency management and response, control and collection of small arms and light weapons, as well as those for preventing and combating ordinary crime and organized crime (crime prevention, against organized crime, against drugs, against terrorism, and against trafficking in human beings). Most of them cover the timeframe 2009 – 2012, and therefore shall be revised in the course of 2012.

Kosovo Police

Functioning since 1999, Kosovo Police is currently comprised of its Operations, Investigations, Border, Operations Support, Administration Pillars and a Forensic Laboratory at its MHQ level. Activities are coordinated in two levels of organization: Central level and Local level (including Regional level). Police MHQ comprises of departments, directorates, units and support sections. The local level comprises regions, stations and sub-stations. Kosovo Police has recently completed an extensive review of their backbone structure which was approved by the Minister of the Interior. A Working Group was established on 6 December 2010 and was chaired by the Deputy Director General Resource Management with Advisors from EULEX involved from the beginning of the review process. The supporting infrastructure has still to be determined in terms of both Human Resource allocation and a sustainable Logistics Management Framework determined in accordance with Kosovo Police Strategic Plan 2011-2015.

In accordance with its Strategic Plan 2011-2015, the strategic goals of Kosovo Police comprise in fight and prevention of organized crime, strengthening of public safety and confidence (including traffic safety measures), fight against cross-border crime, performance driven development of the organization, strengthening of its technological capacities, strengthening of cooperation with international organizations, (*inter alia*, through membership in international organizations) as well as beneficiary law enforcement agencies.

In the area of fight against organized crime, KP plans to achieve its goals through a variety of measures, such as completion of the legal framework (mainly secondary legislation), internalization of the intelligence-led policing practice, institution-building with the view to its informants and cybercrime as well as through organizing awareness raising events.

With the view to strengthening public order and safety, the police plans to increase its patrolling but also organize a number of activities with the aim of controlling the traffic and educating the communities on traffic safety.

With regards to fight against cross-border crime, the KP envisages an accelerated implementation of activities as planned in the Integrated Border Management, while in relation to developing the organization in a performance driven fashion it plans a thorough needs assessment exercise, to be followed by a sound Human Resources management policy in place as well as merit based recruitment and promotion.

In relation to strengthening its technological capacities, KP plans a number of measures, such as the extension of its radio communication and overall IT capacities, enhanced encryption capabilities as well as installation of CCTV in the police

stations. With regards to increasing cooperation with international organizations, application procedures are foreseen to be initiated, while in relation to heightened cooperation with Kosovo law enforcement institutions, KP foresees a number of relevant SOPs and MoUs for such cooperation.

The achievement of these goals could be facilitated by the increase of salaries for KP employees as foreseen by the Kosovo draft Budget Law 2011.

Kosovo Prosecutorial Council

The Kosovo Prosecutorial Council (KPC) is an independent institution established by the Constitution, Article 110, and the Law on the Kosovo Prosecutorial Council (Law No.03/L –224). The KPC is responsible for recruiting and selecting prosecutors to recommend for appointment to the President of Kosovo, transfer of prosecutors, and for the administration of the prosecution offices and the budget for the state prosecution service. Until the establishment of the KPC, the KJC was responsible for the recruitment, and selection of candidates to recommend for appointment as prosecutors to the President. Nevertheless, as a newly established institution the KPC will have to define its structure, policies and administration. Furthermore, the KJC and KPC will have to coordinate services that are run in common, whereas others will be established in a separate manner. These two institutions will have to establish internal procedural and organizational rules. Therefore, good practice, transparency and accuracy of the KJC/KPC's action is to be ensured through the definition of standard operating procedures. Currently the KPC is not fully functioning, up to a certain extent due to political reasons. A draft organizational diagram (organigramme) for KPC including relevant job descriptions has been designed. An MoU yet to be signed with the KJC will regulate the smooth transfer of authority, assets and personnel from one Council to the other, covering the critical transitional period till the KPC is fully established and functional.

ANNEX 3: Reference list of relevant laws and regulations only where relevant

- Kosovo Criminal Code.
- Kosovo Criminal Procedural Code.
- Law on Police.
- Law on KPC.

ANNEX 4: Details per EU funded contract(*) where applicable:

Contract 1.1: The Project Fiche for the twinning contract will be circulated as per EU procedures related to the tendering and contracting of twinning contracts. The period of implementation shall be 30 months.

Contract 1.2: The technical specifications for this contract will be prepared by experts engaged under Contract 1.1 in close collaboration with the beneficiary institution. Contract 1.1 will be also responsible for the supervision of the installation of the equipment supplied under the Contract 1.2 and its usage. The tendering of the Contract

1.2 will be done in compliance with EU tendering procedures for supply contracts. The period of implementation of this supply contract shall be 12 months.

ANNEX 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.