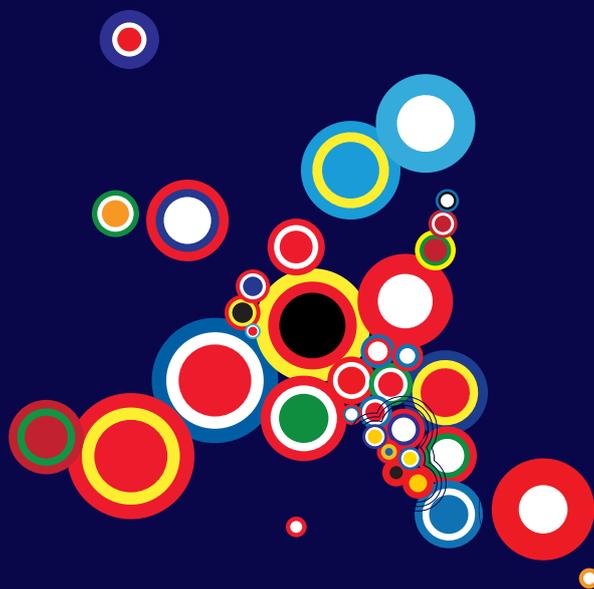




## INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

### Kosovo\*

Strengthening Kosovo institutions in effective management of migration, asylum and fight against trafficking with human beings.



#### Action Summary

The action aims at strengthening Kosovo institutions' capacity and ensuring harmonization with EU standards in migration and asylum management as well as in the fight against trafficking in human beings. The outcome of the Action will be a more coherent and effective management of migratory flows from, to, and through Kosovo, especially towards EU member states. Kosovo will benefit by minimising the negative effects of migration, especially irregular emigration, and increase the positive impact on the national socio-economic development. Furthermore, the Action will ensure a more coherent and effective coordination in the process of identification, protection, referral mechanisms and reintegration of Victims of Trafficking.

\* 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.

<b>Action Identification</b>	
<b>Programme Title</b>	<i>2014 Annual Action Programme for Kosovo</i>
<b>Action Title</b>	<i>Strengthen Kosovo institutions in effective management of migration, asylum and fight against trafficking with human beings.</i>
<b>Action Reference</b>	<i>IPA 2014 /032353 / Kosovo/ Strengthen Kosovo institutions in effective management of migration, asylum and fight against trafficking with human beings.</i>
<b>Sector Information</b>	
<b>IPA II Sectors</b>	Rule of law and fundamental rights
<b>DAC Sector</b>	15130
<b>Budget</b>	
<b>Total cost (VAT excluded)<sup>1</sup></b>	EUR 3.5 million
<b>EU contribution</b>	EUR 3.5 million
<b>Management and Implementation</b>	
<b>Method of implementation</b>	<i>Direct Management</i>
<i>Direct management:</i> <b>EU Delegation in charge</b>	<i>European Union Office in Kosovo</i>
<b>Implementation responsibilities</b>	<i>European Union Office in Kosovo</i>
<b>Location</b>	
<b>Zone benefiting from the action</b>	<i>Kosovo</i>
<b>Specific implementation area(s)</b>	<i>Kosovo</i>
<b>Timeline</b>	
<b>Deadline for conclusion of the Financing Agreement</b>	<i>31 December 2015</i>
<b>Contracting deadline</b>	<i>3 years following the date of conclusion of Financing Agreement</i>
<b>End of operational implementation period</b>	<i>6 years following the date of conclusion of Financing Agreement</i>

## 1. RATIONALE

### PROBLEM AND STAKEHOLDER ANALYSIS

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<sup>1</sup> The total action 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.

Migration management and the fight against trafficking in human beings have been and will remain high in the EU political agenda for Kosovo. Both the Visa Liberalisation Roadmap and the EC Annual Progress Reports for Kosovo refer to the specific requirements that Kosovo institutions need to meet in terms of legislative and institutional framework in order to meet EU standards.

Migration has been an important force in the shaping and reshaping of Kosovar society for decades. The Central Bank reported in 2008 that approximately 800,000 Kosovars live abroad, mostly in Western EU member states. Analytical studies have shown that 22.4% of Kosovo families received remittances during the year 2012, while the share of remittances of Kosovo GDP was 9.3% in 2012<sup>2</sup>. With high unemployment rate, especially among the youth, the push to seek better futures abroad persists. Moreover, when considering that Kosovo has one of the youngest populations in Europe with some 200,000 individuals expected to join in the next five years an already saturated labour market, emigration remains one of the few options for securing a decent livelihood for many, in absence of a regulated migration policy irregular migration is a real risk.

Newly revised legislation and policies in the field of migration and asylum have been approved and are in compliance with the EU *acquis* and international standards, taking into account recommendations from the roadmap on visa liberalization and other EU integration agenda requirements. Nevertheless, Kosovo institutions dealing with migration and asylum face challenges in terms of effective and efficient implementation of such policies, such as the National Strategy on Migration and the Migration Profile. Moreover, since Kosovo authorities have assumed the responsibility for the management of asylum and the Refugee Status Determination (RSD) in 2008, in total 598 requests for asylum were processed and adjudicated. Out of all requests, only one person in 2014 was granted the refugee status, while 5 positive decisions on subsidiary protection were taken. Therefore, procedural guidelines and capacity of eligibility officers need to be further enhanced and updated in line with recent development of international standards and trends related to RSD.

Kosovo shares similar problems with neighbouring countries in relation to asylum and management of migratory flows. There is a need of further strengthening the capacities of border police as they are the first contacts with potential asylum seekers, refugees and migrants including vulnerable individuals, victims of trafficking and potential survivors of sexual and gender-based violence, who may be in need of international protection.

Kosovo established a new visa regime in July 2013. There are 87 states on the list, for which visa obligation are required. The new Law on foreigners introduced new legal grounds for visa in general and in particular for issuing visa on the border crossing points. The procedure is further elaborated by the Administrative Instructions 21/2013 on conditions and procedures for the issuance of the visas at the border crossing points. In terms of security and migratory impact assessment regarding the flow of migrants to the EU, challenges remain unchanged with rather high visa refusal rates, and high asylum seeker numbers in 2013.

In general, the European Union and its Member States have acknowledged Kosovo's progress in implementation of readmission and reintegration policies, whereas overall migration management system needs further consolidation in terms of capacities and implementation of its advanced legislation. In addition, data collection and analysis by Ministry of Internal Affairs and other institutions dealing with migration has to be carried out in a systematic manner. Capacities at local level dealing with reintegration need to be further enhanced likewise the cooperation between both central and local level.

Similar progress and challenges have been acknowledged in the field of trafficking in human beings. Kosovo has developed the legal framework, including the Kosovo Criminal Code of January 2013 and Law No. 04/L-218 on Preventing and Combating Trafficking in Human Beings and Protecting Victims of trafficking of July 2013 and consolidated the institutional set-up. The National Strategy on the fight against trafficking in persons (2011-2014) expires in 2014 while a new Strategy is being drafted which will cover the period of 2015-2019 and will be in line with the EU Strategy towards the eradication of

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<sup>2</sup> Study on Remittance in Kosovo 2013

trafficking in human beings 2012-2016 and Directive 2011/36/EU<sup>3</sup>. This action aims at supporting the effective implementation of afore mentioned policies and laws. The National Anti-trafficking Authority is composed of: the National Anti-Trafficking Coordinator (NATC) (Deputy Minister of Internal Affairs) and its Secretariat with a mandate to coordinate, monitor and report on the implementation of policies against trafficking in human beings as well chairing the Inter-Ministerial Working Group (IMWG). The Ministry of Labour and Social Welfare (MLSW) is mandated to provide social services in Kosovo, including managing the shelters for victims of trafficking.

During 2013, the police directorate for the investigation of trafficking in human beings conducted 180 arrests whereas 60 victims were identified. Prosecution and courts have solved only a limited number of the criminal reports and cases in the same period. Participants of nine criminal groups involved in human trafficking have been arrested. There were 19 information exchanges with other countries. A standard operating procedure (SOP) on victim care has been developed and is being implemented. Awareness raising campaigns were organised in 2013 and are planned for September-October 2014 – the Kosovo's Anti Trafficking Month.

In relation to the service provision for the victims of trafficking, the Ministry of Labour and Social Welfare (MLSW) is currently implementing a licensing process for the providers of social services, based on Administrative Instructions 04/2012<sup>4</sup>, 13/2013<sup>5</sup>, 17/2013<sup>6</sup>. The licensing of social workers and other professionals is towards its finalisation phase. The licensing of the organisations that are to provide social services will start in Q3 of 2014 with the aim of its finalisation by the end of the year. The organisations that are currently and that will in future manage the shelters are to undergo this process as well. This licensing is closely linked to the applying minimum standards of social services that are developed by the MLSW through the EU technical assistance support. This Action will ensure that these standards are applied by the licensed NGOs during their social service provision.

Despite positive progress, challenges still remain. Kosovo remains a place of origin and transit for victims of trafficking for the purpose of sexual exploitation with an increase in the number of underage victims<sup>7</sup>. Child trafficking and child exploitation for the purpose of begging also remain high<sup>8</sup>. A comprehensive, multi-disciplinary and victim oriented approach to trafficking needs to be strengthened, and identification of victims needs to be further improved. Currently most victims of trafficking (VoTs) are identified mainly by the relevant police specialised investigations unit and only few potential victims are identified by the Help Line and Task Forces at the local level. However other institutions such as school and medical staff and others seem to have limited knowledge and confidence in referring presumed VoTs to police. Sustainable funding for shelters and reintegration of victims is essential. Victims need to have unhindered access to assistance, support and protection, including the reintegration of victims upon return<sup>9</sup>. Cooperation with civil society as well as efforts towards effective prevention measures need to be stepped up. To summarise, while progress is evident, it is of paramount importance to build upon the achievements and not neglect the identified weaknesses in the implementation of the National Strategy and Action Plan which would enable further efficiency, effectiveness and accountability in the fight against trafficking in human beings

Therefore, this action aims at increasing the strategic capability of law enforcement, judiciary, central and municipal government institutions and civil society to identify nationally the threat, risk and harm of trafficking in human beings trends. Moreover, the action will strengthen the capacities of institutions mandated to prevent, protect, investigate and prosecute the trafficking crime and its

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<sup>3</sup> Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

<sup>4</sup> Administrative Instruction 04/2012 for Providers Licensing for Social and Family Services

<sup>5</sup> Administrative Instruction 13/2013 for Providers Licensing for Social and Family Services, basic and medium level

<sup>6</sup> Administrative Instruction 17/2013 for Legal Subjects/Organisations which provide Social and Family Services

<sup>7</sup> Second Report on Progress by Kosovo in fulfilling the requirements of the visa liberalisation roadmap, accompanying the report from the Commission to the European Parliament and the Council

<sup>8</sup> EC 2013 Kosovo Progress Report

<sup>9</sup> EC 2013 Kosovo Progress Report

perpetrators. Finally, the action will strive for establishing and strengthening sustainable service provision and reintegration process for victims of trafficking.

## **RELEVANCE WITH THE IPA II STRATEGY PAPER (OR MULTI-COUNTRY STRATEGY PAPER) AND OTHER KEY REFERENCES**

The proposed action will help meet several priorities for assistance stated in the **Indicative Strategy Paper for Kosovo 2014-2020 (Strategy Paper)** : IPA assistance may be required in other areas such as civil registration, IBM, migration and asylum. Furthermore, the **Strategy Paper** makes reference to the needs in the area of fight against trafficking in human beings in terms of enhancing its capacity to prevent, investigate, prosecute and convict cases of organised crime, including in fighting trafficking in human beings.

The Action, through the proposed activities will also aim at addressing the recommendation in the **Multi-Country Strategy Paper** that states that Enlargement countries will need to increase their efforts to fight organised crime and cybercrime, combat fraud, curb corruption, prevent goods counterfeiting and money laundering, dismantle criminal organisations involved in irregular migration, trafficking and smuggling of drugs, arms and human beings, including sexual exploitation of children.

**The EC Progress Report 2013 for Kosovo** has identified some shortcoming related to migration, asylum and reintegration of repatriated persons. It also refers to data showing an increased number of Kosovar asylum-seekers to EU Member States, insufficient functionality of migration databases and their interoperability, lack of cooperation between different stakeholders and implementation of procedures dealing with asylum-seekers in Kosovo, in addition to further enhancement of services by municipal authorities for repatriated persons. It specifically states that Coordination needs to be significantly improved between ministries, but also between central and local levels. Further efforts are necessary to ensure that databases/case management systems for migration and reintegration are reliable and functional. The Action envisages further capacity building both in the area of law enforcement, judiciary and the provision of social services in order to address the gaps and needs identified above. In addition, **EC Kosovo Progress Report 2013** states that Kosovo authorities need to pay particular attention to access to justice for victims of human trafficking, women and children and that Kosovo needs to provide concrete evidence of results in fighting organised crime, especially on prevention of and fighting against trafficking in human beings. The Action foresees support to the shelters and in general service providers for the victims of trafficking and this will directly address further findings of the **EC Kosovo Progress report 2013** in relation to the non-sustainable government funding of shelters, needs for improvement of overall victim care system, unhindered access to justice and other services for victims as well as low level of reintegrated victims.

**The Visa Liberalization Roadmap** between the EU and Kosovo has highlighted measures that Kosovo needs to undertake within its Block 2 and Block 3 related to migration and asylum, and trafficking in human beings including its legal and strategic framework as well as consolidation of coordination mechanisms and capacities of implementing institutions.

More broadly, the action also contributes to the regional **South East Europe 2020 Strategy (SEE 2020)** strategies Inclusive Growth pillar which has as a key strategy action to build regional capacity for harmonized monitoring of migration and mobility with a view to a gradual lifting of labour market restrictions in the region.

In addition, the Action will closely consider the principles of the **EU Strategy on the Eradication of Trafficking in Human Beings**, more specifically when trafficking in human beings touches upon the migration issues, addressing the following: "The overarching framework of the EU external migration policy — the Global Approach to Migration and Mobility- highlights the importance of cooperating with third countries of origin, transit and destination and identifies as one of its four pillars the prevention and reduction of irregular migration and trafficking in human beings. This line is also followed in the 2009 Action Oriented Paper on strengthening the EU external dimension against trafficking in human beings". This is also linked with the **Kosovo National Strategy on Migration 2013 – 2018** where it is stated that the main challenge in combating of trafficking in human beings remains capacity building, identification of victims, protection and integration of them and protection

of children, especially those who are re-trafficking victims. Furthermore, the **Kosovo National Strategy on Migration** foresees the development of a national Migration Profile which was adopted for the first time in November of 2013 by the Kosovo Government supported by IOM and other international organizations such as UNHCR. The action will support relevant institutions in effective use of such Profile. The Strategy and Action Plan for Reintegration of Repatriated Persons is another government policy which is crucial to the visa liberalisation criteria and will be directly impacted by the proposed action.

As trafficking in human beings is part of the fight against organised crime, hence it is substantial part of the **Kosovo Strategy against Organized Crime 2012 – 2017**, where one of the main objectives of the strategy is to develop cooperation and coordination between national and international stakeholders to prevent and fight the organized crime. By supporting and strengthening a multidisciplinary approach within the overall fight against trafficking in human beings, this Action will directly contribute towards the achievement of this strategic objective as well.

This action will be closely coordinated with other ongoing EU assistance projects in the field of fight against organized crime and built on the achievements of previous EU projects. This action's activities will be implemented in line with the results and activities of WINPROII (EU Witness Protection regional project), when witness protection for victims of trafficking is concerned. The same approach will be applied with EU projects supporting migration field. In addition, the action will synergise with other donor-funded actions in the same area, such as, among others, ICITAP (International Criminal Investigation Training Assistance Program) support to Kosovo Police and UNDP support to NATC in this field.

## **SECTOR APPROACH ASSESSMENT**

Strengthening of the Rule of Law in Kosovo is considered vital to strengthen democratic governance, with the aim of assisting Kosovo's institutions to become more efficient, transparent, gender responsive and accountable. A well-functioning justice system was identified as a fundamental component of rule of law, making a justice component a prioritized area of international cooperation.

Rule of Law and access to justice are among the main political conditions for Kosovo to be embraced in the European agenda underpinned by the EU policy for the Western Balkans, namely the Stabilisation and Association Process (SAP), and almost all instruments under the SAP are open to Kosovo. This process calls for ensuring that courts and prosecution offices are effective, independent, accountable and impartial, and free from political influence. In line with the EU agenda, the strengthening of an independent and effective justice system in Kosovo, which protects and promotes human rights standards, for ensuring better access to justice for all citizens remain among the main challenges to be tackled with determination by all stakeholders.

The **Rule of Law Assistance Strategy 2016 – 2019** identifies the need for further assistance in the field of migration and trafficking in human beings. In terms of migration, the Strategy states that “despite a series of laws and strategic documents in place which are directly and indirectly related to this field, in practice the government of Kosovo continues to face this issue which needs to be addressed seriously in order to fulfil obligations deriving from the process of European Integration.”

In addition, the **Rule of Law Assistance Strategy 2016 – 2019** states that “... the Government of Kosovo, together with the support of donors, will continue to increase professional and technical capacities in the field of prevention and fight against organized crime and other phenomena affecting our society”. The Rule of Law Assistance Strategy 2016 – 2019 foresees two phases of the support towards fight against trafficking in human beings and this Action is phase I of this support whereas phase two is planned under IPA 2016. This will enable more strategic support with sustainable results in this respective field.

Lastly the **Mapping of Sector Strategies Report for Kosovo** concludes that the current Kosovo Anti Trafficking Strategy 2011-2014 has concrete monitoring and evaluation mechanisms. This action will further strengthen these mechanisms and their implementation for the new Strategy for 2015-2019 period. In addition, the Report also recommends that MIA should explore with the MoJ all potential synergies and complementarities regarding a common approach towards the JHA sector strategy.

## **LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE**

For the area of organised crime, including trafficking in human beings and marginally migration, the Thematic Evaluation of Rule of Law Judicial Reform and Fight against Corruption and Organised Crime in the Western Balkans<sup>10</sup> assesses the human and technical capacity of the government institutions as insufficient. In terms of previous assistance, more was invested in equipment, buildings and establishment of the relevant legislative framework. Further and specialised capacity building programmes are needed. In terms of law enforcement and prosecution, investigative capacities are to be increased.

The field of migration, asylum and reintegration was targeted previously through several IPA I assistance projects. The IPA 2008 Twinning Project focused on Asylum/Migration/Re-admission enhanced policy making skills of the MIAs' Department for Citizenship, Asylum and Migration (DCAM) as well as the practical handling of readmission/asylum cases. In addition, the ongoing twinning on "Strengthening Readmission and Sustainable Reintegration in Kosovo" aims to improve the capacities of central government and municipal authorities for co-ordination and monitoring of the readmission and reintegration process, improve the regulatory and administrative framework, improve the data management system on reintegration, and develop the capacities of relevant authorities to facilitate sustainable reintegration of repatriated persons.

This action will build on the so far achieved results. The capacity building approach of the previous actions and the strengthened administrative and institutional capacities in the implementation of the enhanced system for readmission and sustainable reintegration has contributed to the fulfilment of requirements foreseen in the visa liberalisation roadmap and to further advance Kosovo on the EU agenda. Nevertheless, Visa Liberalisation process has still identified some shortcomings in the area of migration and asylum, specifically related to capacity building, migration profile and effective data management and unification/interconnection of different databases. Once central and local capacities to readmit and re-integrate readmitted person will be strengthened, it will be necessary to ensure that Kosovo authorities will establish a more efficient and effective overall management of migration which, in the end, will ensure effectiveness and sustainability to the readmission-reintegration process.

The field of anti- trafficking in human beings was targeted by one technical assistance project within the IPA 2010 Annual programme for Kosovo. This project has supported the government institutions for the drafting and adoption of the new law on preventing and combating trafficking in human beings and protecting victims of trafficking, which was adopted in July 2013. The Standard Operating Procedures were revised and made obligatory for all relevant institutions. The Reintegration Strategy for the Victims of Trafficking was also developed as in annexed to the current Anti Trafficking Strategy. The NATC capacities were increased in terms of coordination, especially during the Anti-trafficking Month in Kosovo (September-October each year) where an Anti-Trafficking Communication strategy brought all relevant institutions and the civil society together in one joint awareness campaign, coordinated by NATC.

During 2013 the NATC has developed monitoring and evaluation system of the National Strategy and its Action Plan. Recommendations stemming from the final monitoring and evaluation report, among others refer to the need of increased awareness especially for marginalized and vulnerable communities, to focus more on the prevention part of the fight against trafficking in human beings, mobilise the civil society and the community in the prevention, identification of trafficked cases and in the support which the community can provide to the reintegration of victims of trafficking etc.

Kosovo Police has been supported by ICITAP on different investigation techniques and equipment needed for fight against trafficking. Six special interview rooms in regional police stations have been established. However, these mechanisms and tools are not used to their utmost capacity. Therefore, further capacity building and specialised training is needed in this regard.

Judges and prosecutors have been so far scarcely targeted with specialized training. Therefore, the action will develop and implement series of specialized and targeted trainings for this group of stakeholders.

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<sup>10</sup> Thematic Evaluation of Rule of Law, Judicial Reform and Fight against Corruption and Organised Crime in the Western Balkans – Lot 3, Main Report, December 2012, February 2013 respectively

These supporting activities have indeed made an impact at rather central level institutions by improving the relevant legal and procedural framework. It is the municipal level, where shelters operate that needs further support. This will be able through the sub-granting scheme envisaged in this Action as a direct support to the shelters. In parallel the Action will work with central and municipal level institutions in order to ensure a sustainable solution for the shelters and their service provision in the benefit of victims of trafficking. In addition, previous assistance has developed monitoring tools for monitoring the implementation of the National Strategy against trafficking in human beings. As the new Strategy is being drafted for 2014-2019 period, this Action will focus on ensuring the effective implementation of these monitoring tools.

## 2. INTERVENTION LOGIC

### LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	
To increase the efficiency and the effectiveness in the Migration Management and fight against trafficking in human beings, in line with EU <i>acquis</i> best practices and Kosovo's overall development priorities	<p>National mechanism for migration management in line with EU standards</p> <p>Decreased number of victims of trafficking in human beings in Kosovo</p>	<p>EC Annual Progress Report for Kosovo</p> <p>Quarterly and Annual reports on implementation of the Strategy against Trafficking in Human Beings 2014 – 2019</p> <p>Annual US Trafficking in Persons Report</p> <p>Kosovo Police performance reports</p> <p>KPC tracking mechanism reports</p>	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>1. Strengthen existing institutions' capacity and ensure harmonization with EU standards in Management Migration and Asylum</p> <p>2. Kosovo institutions able to effectively coordinate and implement their efforts in overall fight against the trafficking in human beings</p>	<p>Increased number of asylum seekers' claims addressed in timely and quality manner as per EU and UNHCR standards.</p> <p>Increased number of Kosovo citizens and migrants aware about the risks of irregular migration and the potential benefits of regular migration raised among all stakeholders</p> <p>Increased number of convicted cases</p> <p>Increased number of referred cases by all relevant stakeholders, including institutions and civil society</p>	<p>EU Progress Report Migration Profile 2018</p> <p>Results of pre and post survey conducted under activity 5.2</p> <p>Project interim reports</p> <p>UNHCR reports</p> <p>Annual US Trafficking in Persons Report</p> <p>EC Annual Progress Report</p>	<ul style="list-style-type: none"> <li>- Political will to strengthen the Rule of Law sector</li> <li>- Continued political stability in Kosovo allows implementation of proposed activities</li> <li>- Continuous commitment and cooperation of all stakeholders</li> <li>- Sufficient resources (both human and material resources)</li> </ul>

		<p>for Kosovo</p> <p>Quarterly and Annual reports on implementation of the Strategy against Trafficking in Human Beings 2014 – 2019</p> <p>Kosovo Police performance reports</p> <p>KPC tracking mechanism reports</p>	<p><b>Component II</b></p> <p>The Kosovo Anti Trafficking in human beings strategy for 2014-2019 to be adopted</p> <p>Licensing of the NGOs that manage the shelters to be completed</p> <p>Annual budget for the shelters allocated by the ministry of Labor and Social Welfare</p>
<b>RESULTS</b>	<b>OBJECTIVELY VERIFIABLE INDICATORS (OVI)</b>	<b>SOURCES OF VERIFICATION</b>	<b>ASSUMPTIONS</b>
<p><b>Component I</b></p> <p><b>Result 1:</b></p> <p>Migration is mainstreamed into governmental strategies, policies and legal framework, and, especially the National Strategy on Migration related Action Plan, are fully implemented, updated, and enhanced in line with EU Standards and best practices.</p> <p><b>Result 2:</b></p> <p>Improved institutional capacity to manage regular migration, asylum and prevention of irregular migration</p>	<ul style="list-style-type: none"> <li>- Kosovo Migration Profile is yearly updated as a tool for evidence based policy making as well as Action Plan;</li> <li>- Analyses and recommendations of visa issuing system completed and adopted.</li> <li>- Migration Profile accurate</li> <li>- 80% activities deriving from the Action plan fully implemented by the end of the project</li> <li>- Number of interviews conducted through interview techniques, guidance and procedures in accordance with EU standards</li> <li>- SOPs related to the fundamental rights of asylum seekers has been implemented among Border Police and</li> </ul>	<p>EU Progress Report</p> <p>Migration Profile 2018</p> <p>Results of pre and post survey conducted under activity 5.2</p> <p>UNHCR reports</p> <p>Project interim reports</p> <p>Project activity/training reports</p> <p>Regular reports on Migration</p> <p>Assessment reports published</p> <p>Training materials developed</p> <p>Draft protocols</p> <p>Media coverage of</p>	<p><b>Component I</b></p> <p>Continued commitment on all levels of government to successfully implement reforms needed to strengthen migration management.</p>

<p><b>Result 3:</b> Relevant national authorities capacitated to plan, carry out, and monitor the reintegration of returnees</p> <p><b>Result 4:</b> Public awareness about the risks of irregular migration and the potential benefits of regular migration is raised among stakeholders</p>	<p>other relevant institutions</p> <ul style="list-style-type: none"> <li>- Reduced number of asylum seekers from Kosovo</li> <li>- A minimum of 3 local level mechanisms for promoting diaspora engagement</li> <li>- An effective system of monitor the reintegration of returnees in place and running</li> <li>- 20% increase of repatriated persons provided with access to basic re-integration services (health, education, social employment services)</li> <li>- Increased awareness on the risks of irregular migration and benefits of the regular migration</li> </ul>	<p>migration related events, photos, and sign-in sheets.</p>	
<p><b>Result 5:</b> The strategic capability of law enforcement, judiciary, central and municipal government institutions and civil society to identify nationally the threat, risk and harm of trends of trafficking in human beings is increased</p>	<ul style="list-style-type: none"> <li>-Increased number of victims and witnesses providing information for criminal offense of Trafficking in Human Beings</li> <li>-Deliver awareness training to all potential referral sources (e.g., schools, doctors, task forces, civilian population, support agencies involved in the protection and reintegration of potential Trafficking in Human Beings victims and immigration, border and customs officers).</li> <li>-10 information submissions recorded on Kosovo Police Information System (KPIS)</li> </ul>	<p>Annual US Trafficking in Persons Report EC Annual Progress Report for Kosovo Quarterly and Annual reports on implementation of the Strategy against Trafficking in Human Beings 2014 – 2019 Kosovo Police performance reports KPC tracking mechanism</p>	<p>The Kosovo Anti Trafficking in human beings strategy for 2014-2019 to be adopted</p> <p>Licensing of the NGOs that manage the shelters to be completed</p> <p>Annual budget for the shelters allocated by the ministry of Labor and Social Welfare</p>

<p><b>Result 6:</b> Capacities of institutions mandated to prevent, protect, investigate and prosecute criminal activities of trafficking in human beings is strengthened.</p> <p><b>Result 7:</b> Service provision and reintegration process for victims of trafficking is sustainable and strengthened</p>	<p>for each operational officer in Kosovo Police, Customs &amp; Excise and Immigration per year.</p> <p>-Achieve an annual 50% increase from the previous year in the number of victims and witnesses providing information for the criminal offence of Trafficking in Human Beings to Kosovo Police.</p> <p>-Achieve an annual 25% increase from the previous year in the number of victims and witnesses providing information that results in the prosecution filing an indictment for the offence of Trafficking in Human Beings.</p> <p>-Achieve an annual 10% increase in the number of victims reintegrated in social life of their communities</p>	<p>reports</p>	<p>Development of necessary legislation enabling compensation scheme for victims of trafficking</p>
<b>ACTIVITIES</b>	<b>MEANS</b>	<b>OVERALL COST</b>	<b>ASSUMPTIONS</b>
<p><b>Activities to achieve Result 1:</b> Migration is mainstreamed into governmental strategies, policies and legal framework, and, especially the National Strategy on Migration related Action Plan, are fully implemented, updated, and enhanced in line with EU standards and best practices</p> <p>1.1. Carry out an needs assessment and identify weaknesses’ analysis of the migration management mechanisms, sectorial policies, primary and secondary legislation in Kosovo</p> <p>1.2. Support relevant institutions in implementing the National Strategy on Migration and its Action Plan through, among others, efficient</p>	<p>Twinning Contract</p>	<p>EUR 2.5 million</p>	<ul style="list-style-type: none"> <li>- Active participation of involved agencies and institutions</li> <li>- Political will to strengthen the Rule of Law sector</li> <li>- Continuous commitment and cooperation of all stakeholders</li> </ul>

<p>monitoring and performance measurement tools</p> <ol style="list-style-type: none"> <li>1.3. Provide technical assistance and support to the preparation of protocols and agreements needed for smooth information and data exchange</li> <li>1.4. Provide support to ensure IT system related to Migration management is enhanced</li> <li>1.5. Develop training curriculum for staff involved on migration issues and conduct ToT for staff of competent institutions</li> <li>1.6. Support to the Centre for foreigners regarding the proper procedures for registration and care of residents.</li> <li>1.7. Draft Guidelines, SOPs and procedures on interview techniques and country of origin information research</li> </ol> <p><b>Activities to achieve Result 2:</b> Improved institutional capacity to manage regular migration and prevention of irregular migration</p> <ol style="list-style-type: none"> <li>2.1 Analyse migration patterns and assess the existing policies and systems for supporting the regular channels of migration and preparing migrants before departure, including circular migration schemes, assisting with protection of migrants' rights while abroad, including provide recommendations for improvement</li> <li>2.2 Provide technical assistance and support to MIA, including the National Centre for Border Management (NCBM), for the preparation of an Action Plan for the improvement of the current border and migration control procedures (i.e. training on detection of fraudulent documents,)</li> <li>2.3 Develop mechanisms for municipalities with high levels of emigration to encourage engagement from their diasporas in order to create economic opportunities</li> <li>2.4 Expand reach and scope of the Migrant Service Centre Networks</li> <li>2.5 Adopt procedures for identification, referral and treatment of irregular migrants</li> <li>2.6 Capacity building through training for relevant institutions involved in asylum, mixed migration, reception conditions, as well as border management (DCAM, Kosovo Border Police, other responsible ministries)</li> <li>2.7 Analyse the current visa issuing system and draft recommendations for possible improvement</li> </ol> <p><b>Activities to achieve Result 3:</b> Relevant national authorities capacitated to plan, carry out, and monitor the reintegration of returnees</p>			
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<p>3.1 Evaluate the National Strategy on Re-integration of Repatriated Persons  3.2 Conduct a needs assessment specific to returnees  3.3 Conduct a training needs assessment of central and local level staff dealing with returnees</p> <p><b>Activities to achieve Result 4:</b> Public awareness about the risks of irregular migration and the potential benefits of regular migration raised among all stakeholders</p> <p>4.1 Conduct pre and post-survey of public awareness and opinion on the risks of irregular migration and the potential benefits of regular migration  4.2 Sub-contract a company to design and run a media campaign with the aim to raise public awareness about the risks of irregular migration and the potential benefits of regular migration</p>			
<p><b>Activities to achieve result 5</b></p> <p>5.1 Support the effective implementation of the National Strategy against Trafficking in Human Beings 2014-2019 through assisting the NATC office, secretariat, and other relevant coordination mechanisms</p> <p>5.2. Raising awareness of relevant stakeholders, including institutions and civil society, on identification, referral, and reporting mechanisms for victims of trafficking</p> <p>5.3. Support the implementation of Law on Preventing and Combating Trafficking In Human Beings And Protecting Victims Of Trafficking and other relevant legislation</p> <p><b>Activities to achieve result 6</b></p> <p>6.1 Provide specialized trainings for Kosovo Police on identifying and investigating cases of trafficking in human beings, including witness protection programs</p> <p>6.2 Provide specialized trainings for judges and prosecutors on prosecuting and convicting, including sequestration and confiscation of assets, on cases of trafficking in human beings</p> <p>6.3 Raising awareness of law enforcement and judiciary on available</p>	<p>Grant contract through a call for proposal</p>	<p>EUR 1.0 million</p>	<p>The Kosovo Anti Trafficking in human beings strategy for 2014-2019 to be adopted</p> <p>Licensing of the NGOs that manage the shelters to be completed</p> <p>Annual budget for the shelters allocated by the ministry of Labor and Social Welfare</p> <p>Development of necessary legislation enabling compensation scheme for victims of trafficking</p>

<p>operational and judicial tools and mechanisms related to the fight against trafficking in human beings</p> <p>6.4 Strengthening an effective coordination mechanism to support victim management process, by targeted capacity building and training activities</p> <p><b>Activities to achieve result 7</b></p> <p>7.1 Provision of technical and financial support to shelters for the victims of trafficking in human beings</p> <p>7.2 Assisting MLSW and other relevant institutions in developing sustainable financial and operational service provision schemes, including effective compensation and witness protection for victims of trafficking</p> <p>7.3 Develop sustainable reintegration and re-socialization programs at municipal level for victims of trafficking</p>			
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## ADDITIONAL DESCRIPTION

Migration management is a government-wide responsibility and requires a high degree of coordination and collaboration to ensure consistency. The proposed action under Component 1, aims to achieve overall coherency and effectiveness of migration management across the line ministries which deal with migration related issues as well as to strengthen cooperation with neighbouring states.

The development of the implementation of the National Migration Strategy and the Migration Profile requires efficient and effective coordination among different ministries, agencies as well as municipalities. This action will aim at supporting the government institutions in establishing the necessary coordination mechanisms that will enable efficient implementation of relevant policies.

As Visa Roadmap reports and other assessments conducted in this field show the need for further capacity building, the action will provide tailored made capacity building programmes and will strive to enhance information exchange both within Kosovo institutions as well as with neighbouring region.

Currently, there are evident challenges in terms of the reintegration of returnees in their municipalities and communities. The challenges are of institutional, procedural and daily life nature. Therefore, the action will aim at supporting the municipal government authorities in increasing their efficiency to plan, carry out, and monitor the reintegration of returnees. The action will also aim at strengthening the coordination and cooperation among municipal and central government authorities in this area.

Recently, Kosovo has adopted the necessary legal framework targeting foreigners. The action will provide support and capacity building to relevant authorities to ensure the safe, secure, and rights based entry and integration of foreigners in Kosovo.

In the field of trafficking in human beings, the action, under Component 2, aims at increasing the capacities of law enforcement, judiciary, central and municipal government institutions and civil society to effectively fight against trafficking in human beings. The action foresees support to NATC office, secretariat and other relevant institutions and coordination mechanisms in order to ensure successful implementation of the national strategy against Trafficking in Human Beings 2014-2019, the Law on Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking, Criminal Procedure Code, and other relevant legislation related to Trafficking in Human Beings.

Furthermore, the action will provide specialized trainings for police, judges, and prosecutors with an aim to effectively prevent, protect, investigate and prosecute the trafficking crime and its perpetrators. Throughout the action, different awareness raising activities will be implemented aiming at increasing the knowledge on available identification, reporting and referral mechanisms.

Lastly, the action foresees technical and financial support for shelters that provide different social services for victims of trafficking. In addition the action will focus on developing sustainable reintegration schemes that will enable victims to reintegrate and resocialize in their communities

For the Action activities to be implemented few pre-conditions should be met:

- *There is relative political stability in Kosovo.* Materialised through the active engagement and participation of the concerned ministries in the proposed activities under the action which will be checked through the minutes of coordinating bodies and working groups.
- *Willingness of relevant ministries in neighbouring countries willing and able to expand cooperation in the field of migration management.* This will materialise through cross border meetings and negotiations and more tangibly and verifiably through signed protocols between intuitions involved.
- The Kosovo Anti Trafficking in human beings strategy for 2014-2019 to be adopted
- Licensing of the NGOs that manage the shelters to be completed
- Annual budget for the shelters allocated by the ministry of Labor and Social Welfare
- Necessary legislation enabling compensation scheme for victims of trafficking developed

Risk Mitigation	
Risk	Mitigation Measures
Progress made in normalisation of relations with neighbours deteriorates and leads to regional unrest.	Activities related to cross border cooperation could be postponed until such time as the political climate stabilises. If tensions persist, activities can be refocused toward cooperation with unaffected neighbours.
Current databases related to migration in use amongst line ministries are incompatible for information sharing.	New technology and software will be developed in a consultative process and rolled out to actors involved to ensure that it meets the needs of all.
Concerned institutions are overloaded by a dramatic and unexpected increase in migratory flows, especially those in need of international protection.	At the start of the action an emergency response plan will be developed with actors participating in the action to ensure effectively coordinated actions and responses.
Lack of political commitment towards fight against trafficking in human beings.	The Action aims at supporting the implementation of the National Strategy against Trafficking in Human Beings. This Strategy is developed and monitored through the coordination of the NATC which is located in the Ministry of Internal Affairs. The Action, through the support to this office, will influence the level of political commitment as well
Support to shelters not a strategic priority for the Ministry of Labour and Social Welfare	The Action will target the shelters with the sub-granting activities, providing financial and technical assistance support. In parallel, the Action will support the relevant MLSW departments in order to identify and implement a sustainable solution towards supporting the shelters for victims of trafficking
Victims of trafficking not accepted in their respective communities	Through different awareness raising activities and through custom-made reintegration program for victims, the action will strive to affect community environment and mind-set in order for the victims to live and work in their communities

### 3. IMPLEMENTATION ARRANGEMENTS

#### ROLES AND RESPONSIBILITIES

For Component 1, the Ministry of Internal Affairs will be the primary beneficiary institution as per the National Strategy on Migration it is the coordinating institution for migration matters. All major decisions related to the overall implementation of the project will be decided and approved by the project steering committee such as training modules and curricula. Other line ministries and non-governmental actors will be invited to take part if and when discussions are related to their mandate such as Ministry of Community and Returns and UNHCR related to identification and referral of asylum seekers, refugee status determination and return of persons found not in need of international protection or Ministry of Foreign Affairs when related to inter-state cooperation. In addition, one of the key beneficiary institutions are the municipalities across Kosovo as key stakeholder in the action result 3 related to reintegration. Related to specific activities, such as development of new policies, technical working groups will be established including all the relevant line ministries as described above in order to work in a participatory way and ensure buy-in and coherence. Where appropriate these working groups will be defined by government decision in order to formalise and institutionalise their working on an ongoing basis even beyond the life of the action.

For Component 2, the main institutional stakeholders benefiting from the Action are:

The National Anti-Trafficking Authority composed of the National Anti-Trafficking Coordinator (Deputy Minister of Internal Affairs) with a mandate to coordinate, monitor and report on the implementation of policies against trafficking in human beings as well chairing the inter-ministerial working group.

The Ministry of Labour and Social Welfare is responsible for provision of social services including the management of the shelters.

Kosovo Police and all other law enforcement agencies are responsible for identifying and investigating cases of trafficking in human beings, including witness protection programs.

Judges and Prosecutors are responsible for prosecution and conviction of the criminal cases related to the trafficking in human beings.

NGOs provide services for the victims and manage the shelters. They will be primary beneficiary of the sub-granting scheme envisaged within the Action.

The EU Office in Kosovo, as a Contracting Authority is responsible for the management of the Action.

#### **IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING**

The Action will be implemented through direct management modality and following of conclusion of two grant contracts: one Twinning contract for an indicative amount of EUR 2.5 million for the implementation of Component 1 for the implementation period of 30 months and one grant contract with an indicative amount of EUR 1.0 million awarded following a restricted call for proposals for the Component 2 for the implementation period of 24 months. Co-financing of 5% for the second contract is to be provided by the organisation awarded the grant contract.

## **4. PERFORMANCE MEASUREMENT**

### **METHODOLOGY FOR MONITORING (AND EVALUATION)**

The action foresees the regular monitoring from the MIA, MLSW and the EU office in Kosovo through direct participation in a project steering committee which will supervise and guide the implementation of activities to be implemented by the implementing agency as described above. Furthermore, regular reporting will be provided by the implementing agency. The action further foresees monitoring from the Results Oriented Monitoring (ROM) teams from the EU.

The implementing agency will be responsible for regular monitoring of the project activities. The implementing agency will be required to conduct an evaluation to assess the overall impact of the action and its ability to provide the needed support. The assessment will be used to provide suggestions for the future implementation of similar programming and draw out lessons learned from the current phase.

## INDICATOR MEASUREMENT

<b>Indicator</b>	<b>Description</b>	<b>Baseline (2013)</b>	<b>Last available (2013)</b>	<b>Milestone 2017</b>	<b>Target 2020</b>	<b>Source of information</b>
Asylum seekers' claims are addressed by relevant institutions	Number of asylum seekers' claims that are addressed in timely and quality manner as per EU and UNHCR standards	0	70%	80%	90%	Migration Profile 2018 UNHCR Reports
Awareness of Kosovo citizens and migrants about the risks of irregular migration and the potential benefits of regular migration	Number of Kosovo citizens and migrants aware about the risks of irregular migration and the potential benefits of regular migration raised among all stakeholders	0	To be obtained in 2016	20% increase	40% increase	Project survey results MIA reports
Number of victims of trafficking in human beings in Kosovo	Number of victims of trafficking in human beings in Kosovo.	60 identified victims	60 identified victims	15% decrease	30 % decrease	NATC reports
Number of convicted cases related to trafficking in human beings	Increased number of convicted cases	No data available	180 arrests	30% increase	50% increase	KP, KJC, KPC and NATC reports
Number of referred cases by all relevant stakeholders, including institutions and civil society	Increased number of referred cases by all relevant stakeholders, including institutions and civil society	18-30 cases	18-30 cases	40% increase	50% increase	NATC reports KP reports

## **5. CROSS-CUTTING ISSUES**

### **ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)**

Currently, five environment-related markers exist to monitor aid for environmental purposes within the OECD DAC statistical system. Markers for climate change adaptation, mitigation, biodiversity, and desertification are referred to as “Rio Markers”, because they are directly relevant to the objectives of the Rio Convention. In relation to the Rio Marker on mitigation, the activities of the action qualify as “significant” in that strengthening the effective management of the migration flows through the country, the government authorities will be better able to manage climate-induced displacement both of residence in Kosovo as well as incoming migrants from neighbouring countries and regions. In relation to trafficking in human beings, it is less significant, but relevant as well. On the other hand, the Rio Marker on adaptation is not targeted. Regarding disaster resilience, increased cooperation with regional neighbours in both migration and trafficking in human beings would facilitate a faster response and recovery from disasters in terms of enabling easier movement across borders and a faster recognition of the need for international protection.

### **ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)**

The action has been designed in close cooperation with relevant international organisations with specific expertise in the field of the intervention. Such organisations will also be playing a critical role in providing technical inputs and guidance to ensure alignment with international standards and best practices. Civil society will be involved in the development of new policies through public hearings and as part of working groups when appropriate. In terms of trafficking in human beings, the action foresees close collaboration with civil society organisations, specifically in the field of social service provision.

### **EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING**

Effective gender mainstreaming will be taken into account at all stages and aspects during the implementation of the project. The action will take care to ensure gender balance both amongst participants in working groups for development of new policies as well as amongst trainees benefitting from the various opportunities for attaining new skills. Furthermore, the specific needs of both women and men will be incorporated into the development of all training modules developed in order to ensure their accessibility to both target audiences.

This action will ensure gender balance on all capacity building activities and foremost will ensure that the protection and reintegration of victims will be handled in equal gender terms and environment. Victims of trafficking will have equal and unhindered access to the assistance and the support provided by the authorities and other organisations. While trafficking in human beings mainly affects women, this Action equally takes into consideration the specific needs that might arise for both male and female victims of trafficking.

### **MINORITIES AND VULNERABLE GROUPS**

Though not targeting minority groups directly, the migration-related components of the action will actively encourage the participation of officials from minority communities to participate in the trainings and workshops to be implemented. This will be particularly relevant for those representatives from the border police and other law enforcement agencies since they generally have good representation of minority communities.

Vulnerable groups like children and minorities such as Roma, Ashkali, and Egyptian (RAE) communities belong to some of the main groups affected by trafficking in human beings and forced begging. This action, among others, aims to raise awareness for the risks and early signs of trafficking among these groups through various activities. In addition, the Action activities including awareness-raising campaigns will be conducted in all languages spoken in Kosovo, beyond the two official languages: Albanian and Serbian.

## **5. SUSTAINABILITY**

The proposed action will ensure sustainability by institutionalising reforms in policies, legislation, and practices amongst the relevant governmental institutions in order to create systemic change. Firstly, all revisions of existing policies and new policies as well as training modules and curricula will be developed in a participatory manner involving all implicated institutions to ensure full buy-in and commitment for all actors. To ensure sustainability to the extent possible national Training Institutions will have to be included to the maximum extent in the delivery of trainings. Second, training modules will be kept with the MIA in order to be able to replicate trainings to new staff or in the case of staff turnover. In addition, new technological systems developed for information and knowledge management will ensure smooth cooperation amongst institutions moving into the future. The cross border cooperation networks established will further ensure continuity as counterparts in neighbouring states will be able to maintain established practices in the event of staff turnover and/or change of leadership. Finally, the action will establish efficient methodologies which will become part of offices day to day routine operations which further enhances the overall sustainability of the action.

In the area of fight against trafficking in human beings, the proposed action will ensure sustainability by institutionalising reforms in policies, legislation, and practices amongst the relevant governmental institutions in order to create systemic change. All revisions of existing policies and new policies as well as training modules will be done in a participatory manner involving all implicated institutions to ensure full buy-in and commitment for all actors.

More specifically, the Action will support the implementation of the National legislative and strategic framework. The monitoring tools of this implementation will be embedded in the Kosovo institutions for further and sustainable use. In parallel with support to shelters through this Action, a sustainable solution for their financing will be identified, developed and implemented by the MLSW through the support of this Action. In addition, the Action will implement awareness raising activities with all relevant stakeholders. A participatory approach will be constantly used, meaning that through appropriate training of teachers, parents, health and social workers, police and other relevant partners, the issues taught will have a direct impact and ensure sustainable results. The identification, reporting and referring tools will be developed and embedded in relevant institutions and communities for further use.

## **6. 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 the responsibility of the final beneficiary, and shall be funded from the amounts allocated to the Action.

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.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the guidelines developed by the EU Office in Kosovo, as well as the provisions outlined in the Communication and Visibility Manual for EU External actions.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process. 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. Visibility actions should also promote transparency and accountability on the use of funds.

It is the responsibility of the beneficiary to keep the EU Office fully informed of the planning and implementation of the specific visibility and communication activities.

The beneficiary shall report on its visibility and communication actions in the report submitted to the IPA monitoring committee and the sectoral monitoring committees.