

AMENDMENT TO PROJECT FICHE 1 (01.34) "BUILDING THE CAPACITY OF KOSOVO'S INSTITUTIONS TO DEVELOP EU COMPATIBLE LEGISLATION AND POLICY"

**MODIFIED 2007 Project Fiche Kosovo (UNSCR 1244/99)  
IPA centralised programme**

**1. Basic information**

**1.1 CRIS Number:** 2007/019-298

**1.2 Title:** Building the capacity of Kosovo's institutions to develop EU compatible legislation and policy

**1.3 Sector:** 01.34

**1.4 Location:** Kosovo

Implementing arrangements:

**1.5 Contracting Authority:**

Activity 1: The European Commission Directorate General Enlargement, Directorate D, Institution Building Unit

Activity 2: The European Commission Liaison Office to Kosovo

Activity 3: The European Commission Liaison Office to Kosovo

**1.6 Implementing Agency:** (as above)

**1.7 Beneficiaries**

The project is designed as a flexible demand-driven assistance facility for Kosovo's institutions, targeting legislation, policy development and further education for civil servants across Kosovo's institutions. The main institutions expected to benefit from the project include:

- The Office of the Prime Minister (OPM), particularly: the Agency for European Integration (AEI); Office of Legal Support Services (OLSS); and the Office for Good Governance.
- The Assembly of Kosovo, line ministries, municipalities and public bodies/agencies including the public regulatory bodies. Special provisions will be made to support the Ministry of Justice and the Ministry of Internal Affairs to draft legislation.
- Independent institutions such as the Ombudsperson's Office and the Kosovo Judicial Council.

The focal point for the project will be the Chief Executive Officer of the AEI. The project office is expected to be based in the AEI

In addition, this project aims at the establishment of EU Information and Cultural Centre, targeting all relevant stakeholders actively involved in the promotion of the EU perspective as well as the general public in Kosovo.

**1.8 Overall cost** EUR 6.472 million

**1.9 EU contribution** EUR 6.450 million

### **1.10 Final date for contracting**

Three years after the signature of the financing agreement between the European Commission and the Kosovo Authorities.

### **1.11 Final date for execution of contracts**

Two years after the final date for contracting.

### **1.12 Final date for disbursements**

One year after the final date for the execution of contracts.

## **2. Overall Objective and Project Purpose**

### **2.1 Overall Objective**

An effective, efficient and transparent public administration at all levels that: drafts and enforces a coherent body of EU compatible legislation; develops policies and strategies compatible with European standards and appropriate EU practices; and implements the provisions of the Status Settlement.

### **2.2 Project purpose**

1. To build the capacity of the civil service to draft, implement and enforce EU compatible legislation, including in the area of human rights.
2. To strengthen the capacity of selected public institutions to meet the obligations arising from the provisions of the Status Settlement and to strengthen Kosovo's European Perspective at all levels of government.
3. Establishment of the EU Information and Cultural Centre in order to increase the awareness on the EU assistance in Kosovo, as well as provide more information on the EU and European standards thereby substantially increasing the legitimacy of current and future governmental reforms.

### **2.3 Link with: European Partnership; Stabilisation and Association process; Proposal for the Kosovo Status Settlement**

This project responds to a number of *European Partnership* priorities, including:

- Strengthen the administrative capacity of all institutions for effective verification on consistency of policies and legislation with EU requirements, in particular by reinforcing the structures dealing with European approximation.
- Ensure fully effective functioning of the Assembly and its committees, the government and municipalities, including full respect of the respective rules of procedure, and the rights and interests of all communities.
- Proceed with a sustainable public administration reform while respecting budgetary constraints.
- Define and consolidate a complete body of law that respect rights and interests of all communities, drawing from all legal sources currently applicable in Kosovo.
- Adopt legislation and establish and respect mechanisms for the protection of human and minority rights in line with Council of Europe recommendations.
- Implement the law on gender equality. Ensure gender mainstreaming of women's rights in all existing policies and legislation.

The Commission's *2006 Regular Report on Kosovo*, published in November 2006, emphasised the need to continue strengthening the legislative system, and strengthening

commitment to implementing EU standards, particularly good governance, democracy and the rule of law, human rights and the protection of minorities. The document highlighted that the implementation of laws is still insufficient and human rights aspects should be strengthened.

This project specifically aims to assist Kosovo to meet the provisions of the *Comprehensive Proposal for the Kosovo Status Settlement*, including:

- Kosovo shall be a multi-ethnic society, governing itself democratically and with full respect for the rule of law and the highest level of internationally recognized human rights and fundamental freedoms.
- Democratic institutions shall be fully responsible and accountable for their actions. This will be crucial to ensure respect for the rule of law and the effective protection of minorities.
- Legal institutions must be further developed, with international assistance and under international supervision.
- Recognizing Kosovo's current weaknesses, the international community's intensive engagement should extend also to institutional capacity-building.
- The Kosovo Assembly, in consultation with the International Civilian Representative, shall be responsible for approving a new constitution and the legislation necessary for the implementation of the Settlement and the establishment of the new Kosovo institutions it calls for.

#### **2.4 Link with the Multi-Annual Indicative Planning Document (2007-09) for Kosovo (MIPD)**

The project fully reflects the MIPD's "Political Requirements" which emphasises the need for:

- Supporting the implementation of the status settlement and related requirements and institution building needs.
- Improving the performance of Kosovo's public administration. Enhancing public administration reforms, capacity building, programme planning and management skills.

The MIPD's priorities under "European Standards" include:

- Supporting the development of sectoral strategies and policies compatible with European standards. Capacity building and Kosovo's gradual approximation of legislation along with implementing measures.

#### **2.5 Link with beneficiary Development Plan**

The Kosovo Development Strategy and Plan (KDSP) has as one of its three pillars 'Building Governance and Capacity' which:

- Includes as one of its key objectives 'a consolidated European Integration process into a Euro-Atlantic framework of internal relationships' and underlines the importance of the European Partnership Action Plan and its implementation.
- Refers to the fact that although 'much has been achieved in the area of Public Administration Reform for establishing the foundations of a sound system' there remains 'significant gaps', which have been made worse because 'various initiatives have not always been followed through with vigour. Laws have not been consolidated and made coherent.

## **2.6 Link with beneficiary/ sectoral investment plans**

The *Public Administration Reform Strategy* (2007-2012) and the draft *Action Plan for Public Administration Reform* were approved by the Government in March 2007. The action plan has identified eight strategic policy areas) in which public administration reform should be focused. This project aims to assist the Kosovo institutions in implementing their reform strategy.

In addition, Kosovo authorities, through the Agency for Coordination Development and European Integration, have approved a Strategy for European Integration. Within the Communication Strategy attached to the strategy, it is stated that: *'the level of basic awareness and understanding of European integration issues and its relevance to current realities is low, both for the general public and for many opinion forming leaders. There is a shared sense that while popular opinion is in favour of European integration, this is often based on a lack of informed discussion and an overly optimistic, unrealistic assessment of the choices to be made on the road towards integration'*.

## **3. Description of project**

### **3.1 Background and justification**

#### EU Compatible Legislation

The Agency for European Integration is responsible for checking the compatibility of draft laws against the *acquis communautaire* and EU standards. The Office of Legal Support Services in the Prime Minister's Office is mandated to oversee the process of the development of legislation that is legally sound and in compliance with constitutional and international requirements. It is also mandated to provide legal advisory service to the OPM. However, Kosovo's legislative institutions continue to lack the skills and processes/procedures for effectively drafting, coordinating and approving laws that are EU compatible, and in line with international standards. In addition, legal staff in the Assembly lack the capacity to effectively present draft laws to the Assembly's plenary and committee sessions.

The *Rules of Procedure of Government* issued in June 2006, prescribes a formal process for linking the drafting of laws to the policy preparation and ensuring proper consultations with relevant stakeholders in the law drafting process. However, the coordination between policy and legislation development is not satisfactory. This leads to the repeated redrafting of laws. Ministries generally lack the skills to develop policies and laws without outside assistance. While Kosovo's legal framework is becoming more complex it is not necessarily becoming more effective.

The implementation and enforcement of laws and regulations are inadequate. The secondary legislation required for the implementation of the primary legislation is often delayed or not in place. Donor assistance typically focuses on drafting laws rather than on their implementation. There are no strict mechanisms to identify and plan the preparation of secondary legislation. Scarce financial resources also curb the implementation of effective enforcement measures. Monitoring the implementation of legislation is insufficient.

In the Assembly, the Public Information Unit has yet to become an effective service provider to all Assembly members. Access of the general public and lawyers to legal acts, in particular to secondary legislation, remains difficult. The quality of legal translation is unsatisfactory, sometimes resulting in incompatibility between different language

versions of the same legal act. No proper institutional training for translators and interpreters is available.

Respect of human rights, minority issues, gender equality and the environmental need to be systematically addressed as part of the legislative process. This is also required under the provisions of the proposed Status Settlement.

#### Policy Advice for EU perspective

Kosovo's institutions have made considerable progress in developing the institutional and technical competencies to fulfil their mandate. Previous EU assistance has contributed significantly to this success. However, progress in the area of Public Administration Reform is uneven. Kosovo's institutions must further develop the institutional capacity to: execute its existing mandate; effectively assume further responsibilities to be transferred from UNMIK; and meet the provisions and challenges of the Status Settlement. Kosovo's institutions must also successfully align policies and legislation and manage reform processes to meet the requirements of the Stabilisation and Association process (SAP) and the priorities of the European Partnership.

The Agency for European Integration (AEI) is an executive government agency under the direct responsibility of the Prime Minister. The AEI is gradually assuming greater responsibilities and leadership of Kosovo's EU perspective. Some of its responsibilities include: coordination and monitoring the implementation of the government's *Action Plan for the Implementation of the European Partnership*; preparing and following-up progress related to the regular *Stabilisation and Association process Tracking Mechanism* (STM) meetings; and coordinating (and eventually managing) EU assistance for Kosovo. To support its role, the AEI is building a network of AEI contact points in government institutions at central and local levels, the Assembly, and in civil society. The AEI, line ministries and regulators require future support to meet the demanding challenges of advancing Kosovo's EU perspective.

The government is gradually strengthening its leadership in donor coordination. There is improved government-donor coordination at the sector level. A Donor Coordination Centre (DCC) has been established within the Office of the Prime Minister (OPM). The DCC aims to improve the government's coordination systems and structures in order to achieve the best impact and cost-effectiveness from international assistance to Kosovo, in line with Kosovo's strategic goals. However, Kosovo still lacks an integrated and harmonised approach to donor coordination. There is still some duplication between the coordination actions of various ministries, particularly among the OPM, the Ministry of Economy and Finance, the Ministry of Public Services and the Ministry of Local Government Administration. In addition, the DCC remains understaffed.

#### Scholarships

There is a need to continue to develop civil service expertise, both general and specialised, in EU affairs. EC assistance has been supporting scholarships for Master programmes in EU universities for students and civil servants who are then contractually obliged to return to the civil service for at least three years. Based on the success of the existing EC funded scholarship scheme, the AEI has requested a continuation of this scholarship.

#### EU Information and Cultural Centre

European Integration is a process that targets not only government institutions and structure but is a part of day-to-day life of the general public. One clear need and interest

of the public in Kosovo and all relevant stakeholders is that its European perspective is rightly communicated and made accessible for wider audience including different groups of society. Indeed, this need is streamlined within Kosovo society and is not yet sufficiently addressed by the projects included under the IPA Annual Programmes.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact**

Building on and consolidating previous phases of EC assistance, this project aims to deliver significant positive impact through strengthening the institution capacity of Kosovo's institutions, particularly at the Assembly and ministerial levels, to develop and implement EU compatible legislation and policies. Specifically, the project will build the capacity of the civil service to fulfil its responsibilities through such actions as: improving understanding of the *acquis*; building skills in legal drafting; improving systems to monitor legislation; and enabling civil servants to obtain relevant Masters Degrees. The government's ability to retain qualified and trained civil servants will be critical to the sustainability of the project. Improving the legislative process will contribute to strengthening the democracy and rule of law. In parallel, through establishment and functioning of the EU Information and Cultural Centre, EC will ensure that its EU perspective is properly communicated to wider public and the information is made more accessible for all interested stakeholders.

Through delivering expert advice and policy support, the project will assist the government to effectively assume new responsibility transferred from UNMIK, to meet the provisions of the Status Settlement and to advance Kosovo's EU agenda

### **3.3 Results and measurable indicators**

#### *Expected Results:*

- Improved drafting skills of primary and secondary legislation as well as other relevant legal acts and familiarity with the *acquis*, EU standards and appropriate EU practices in the Assembly and ministries.
- Institutions supported in drafting selected EU compatible laws.
- Policy advice delivered to ministries and the Assembly on EU perspective matters, including implementation of the European Partnership and meeting the provisions of the Status Settlement.
- Civil servants have masters degrees for EU universities in EU affairs and technical courses
- EU perspective is better understood by general public

#### *Measurable indicators:*

- Number of staff trained from the Assembly, line ministries and civil society; number of *acquis* areas covered by the training.
- Number of laws assisted through the project.
- Number and profile of experts recruited by the project to deliver policy advice and institution building support.
- At least 20 (and possibly up to 40) recent graduates and civil servants complete masters degrees in EU universities in EU affairs and technical courses.

- At least 20 awareness raising activities, including conferences and cultural events organised in the EU Information and Cultural Centre with aim of promoting the relevance of EU perspective in Kosovo

### 3.4 Activities

#### **Activity 1: Capacity building in legal drafting and expert support to draft and implement specific laws and regulations and policy advice**

- Provision of training and coaching on drafting of legal texts compatible with the *acquis*, EU standards and EU best practices. The training will target the legal staff of the OPM, line ministries, local government and the Assembly of Kosovo.
- Focused training on EU approximation and the *acquis*.
- Legal translator training may also be developed to improve professional language skills in English, German and French to enable better translation of the *acquis* to local official languages.
- The project will explore possibilities to link to the Kosovo Institute of Public Administration, local universities, and law associations to develop training curricula and to deliver training.
- Legal training may also be extended to selected local government staff, universities, and legal representatives of civil society to improve their skills and ensure their participation in development of legal framework.
- The training programme will be determined through a needs assessment to be undertaken at the project inception phase.
- Assist ministries and regulators in drafting specific laws and regulations, particularly in circumstances where there is: a need to ensure EU compatibility and close alignment with the *acquis*; support the provisions of the Status Settlement (e.g. draft the legal framework for new post-status institutions); support is required by the Ministry of Internal Affairs and the Ministry of Justice, especially to provide complementary support of the ESDP Rule of Law mission to Kosovo.
- Developing mechanisms as part of legislative development process for the Assembly and line ministries to dialogue and exchange with civil society organisations on such areas as European perspective issues; links to municipalities; inclusion of minorities; advancing gender equality.
- Developing legal screening and monitoring mechanisms, including eliminating potential contradictions and duplications in the legislative framework and allow for the annulment of outdated regulations.
- Reviewing, and possibly revising, the Official Gazette to become a user-friendly, reliable and accurate document, ensuring that all language versions are legally identical, available in print format and electronically. Assistance may also support the development of the official website to ensure that all laws and regulations are available in the official Kosovo languages for the general public.
- The project will also establish a flexible facility to recruit qualified experts (or teams of experts) to selectively respond to specific demand driven requests from Kosovo's institutions. Likely focus areas for policy advice including: meeting the provision of the Status Agreement; implementation of the European Partnership Action Plan;

strengthening government leadership in donor coordination; supporting the role of the Agency for European Integration (AEI) in managing EU assistance; support to the Office for Good Governance to develop and implement the *Human Rights Strategy*.

### **Activity 2: Scholarships**

The project shall continue the 4<sup>th</sup> round of Young Cell Scheme and organise and implement the 5<sup>th</sup> and possibly the 6<sup>th</sup> round of the scholarship programme. This would include transparent selection procedures of the candidates, preparatory training, and their placements in EU universities follow-up administration.

### **Activity 3: Establishment of the EU Information and Cultural Centre**

The EU Information & Cultural Centre will become the natural place where people would come to, meet and discuss as well as seek information on the EU (European enterprises, education opportunities: EU funded such as Erasmus Mundus, or scholarships from EUMS). The centre has to be located in functional, accessible & user friendly premises in accordance with European standards, and should offer an improved environment for enhanced ECLO communication activities. It should also assist to bring about the 'continuous and growing increase of citizens' interest about the EU accession process and enable primarily ECLO, but also other EU related missions in Kosovo, to better communicate about EU related matters to the public.

Beyond the ECLO & other EU related offices, the Kosovo authorities as well (especially strengthening ECLO's main counterpart the ACDEI) will also benefit from the EU Centre, but more importantly Kosovo inhabitants as it will make the EU perspective more tangible to them.

### ***Contracting arrangements***

#### *Activity 1- Legislation and policy advice*

This activity will be implemented through the Technical Assistance Information Exchange (TAIEX) instrument.

The Commission has concluded a delegation agreement with a delegated entity provider for the provision of the logistical means (travel, accommodation, conference and meeting organisation and provision of access to information sources), as well as the procurement of services and the related payments services that are required for the implementation of the activity. This implementation approach has proved to be efficient and effective. It allows for speed and fast-response to incoming requests and evolving needs.

The present delegation agreement was concluded in May 2005 and covers a total period of 36 months ending in June 2008. The Commission has launched a new call for tender in May 2007, aiming at the provision of services, with a planned starting date by April 2008 and a planned contract duration of 36 months (renewable for maximum the same time period). The Commission will fix the conditions and the amounts of payments involved in the implementation.

The total budget for this activity will be contracted under the new delegation agreement and under centralised direct management during the first half of 2008 (following Article 57 (1) of the Financial Regulation as amended, 2<sup>nd</sup> alternative).

The Commission will implement programme in accordance with the requirements of the Financial Regulation, in particular following the implementation procedure stated in Article 53 point (a) in conjunction with Article 57(1) of the Council Regulation, as further detailed in its Implementing Rules<sup>1</sup>.

---

<sup>1</sup> For the FR: Council Regulation (EC; Euratom) 1605/2002 of 25 June 2002; (OJ L 248, 16.09.2002, p.1). Regulation amended by Regulation (EC, Euratom) N° 1995/2006 of 13 December 2006 (OJ L 390, 30.12.2006,



Activities contracted under this facility should have a minimum duration of 21 working days.

*Activity 2: Scholarships*

One service contract is envisaged.

*Activity 3: Establishment of EU Information and Cultural Centre*

One operating grant contract is envisaged.

***Project management and administration***

Activity 1 will be managed by Directorate D of DG Enlargement in the European Commission Headquarters (Institution Building Unit). The European Commission Liaison Office to Kosovo will be responsible for Activity 2 and 3.

The Agency for European Integration (AEI) will coordinate and participate in the process of pre-selection of requests for assistance under this project. A Steering Committee will regularly monitor the implementation of the project.

Monitoring will be performed centrally by the Commission. The project may be evaluated at the interim or ex-post stages under the supervision of Commission's Evaluation Unit. The project may be audited by Court of Auditors - in line with the standard European Commission procedures.

**3.5 Conditionality and sequencing**

The project includes the following conditionalities:

- Appointing the relevant staff by the beneficiaries to participate in all project activities as per work plan.
- The Agency for European Integration is properly staffed to be able to absorb the assistance, and meet its responsibilities as the main focal point for this project.
- The Government is firmly committed to the scholarship programme, ensuring the completion of the recruitment process for the envisaged scholars before the start of the scholarship programme and ready to absorb all the returning scholars within the public administration.

In the event that conditionalities are not met, suspension or cancellation of the project or specific activities will be considered.

**3.6 Linked activities**

The project will be closely coordinated with donors working in the area of Public Administration Reform, particularly:

- UK/DFID, including its capacity-building project to the OPM
- USAID, which provides extensive legal and policy advice to the Assembly and line ministries
- UNDP which manages a capacity building programme for civil servants
- OSCE which plays a critical role in monitoring human rights.

---

p.1). *For the IR*: Commission Regulation (EC, Euratom) 2342/2002 of 23 December 2002 (OJ L 357, 31.12.2002, p.1). Regulation as last amended by Regulation (EC, Euratom) N°1248/2006 of 7 August 2006, OJ L 227, 19.08.2006, p.3).

The project will also link to and complement TAIEX assistance to Kosovo, particularly in the area of legislation.

The project builds-on the significant EC assistance for public administration reform in Kosovo. In particular, the 2007 project will follow-up, consolidate and draw lessons learned from the following on-going projects:

Name of project (Amount EUR million)	Start End	Activities/Results
Agency for European Integration (EUR 2.5 million)	May 2007 May 2009	<ul style="list-style-type: none"> <li>• TA to the Agency for European Integration, through building of administrative and management capacities.</li> <li>• Strengthen the European perspective by implementation of the new EU Partnership Agreement; its Action Plan, STM, aid coordination, the new IPA programming;</li> <li>• Development of a coherent legislative system in which laws are in compliance with the EU Partnership Action Plan and the <i>acquis communautaire</i>;</li> <li>• Continue the young cells scheme; increasing the knowledge and skills in EU Affairs, developing the competence to draft, monitor and assess legislation;</li> <li>• Organise info campaign to raise public awareness about the EU perspective of Kosovo</li> </ul>
Capacity Building of the PISG to draft EU compatible legislation (EUR 3.0 million)	Sept 2006 Sept 2008	<ul style="list-style-type: none"> <li>• Further strengthening the institutional capacity of the PISG, in particular the Legal Office and Translation Unit in the PMO and legal departments in the line ministries as well as government agencies in their fields of competence to draft, monitor and assess new and existing legislation, and to orient it at good governance principles, in particular transparency and cross cutting issues such as gender, minorities, environment;</li> <li>• Accelerating and improving the preparation, adoption, implementation and enforcement of EU-compatible laws in line with cross cutting issues.</li> <li>• Increasing the knowledge and skills in European law and EU Affairs, and the implementation thereof, by civil servants and suitable partners in civil society.</li> </ul>
Capacity building for EU perspective (EUR 3.5 million)	June 2006 June 2008	The project provides senior level short and medium term experts - in line with requests from Kosovo's institutions - on policy matters linked to the EU perspective. The project is managed by UNDP. Experts recruited under this project are currently assisting the Agency for European Integration and the Donor Coordination Centre (amongst other ministries and public bodies).
Assembly of Kosovo (EUR 1.5 million)	Jan 2006 Jan 2008	<ul style="list-style-type: none"> <li>• Assisting the Assembly to develop into a democratic and professional body. To strengthen the capacities and technical skills of the Secretariat and its departments</li> <li>• To support the members of the Assembly and their services to participate in the legislative processes;</li> <li>• To assist the processing of legislation by means of technical assistance and with particular emphasis on harmonisation with EU-aquis;</li> <li>• To promote increased inter-action between the Assembly and the civil society of Kosovo.</li> </ul>

### 3.7 Lessons learned

Although impact realised through the previous assistance overall is satisfactory, a number of challenges remain:

- *Legal Reform in the sector:* Initial timelines for the adoption of legal instruments are not always honoured, leading to delays in implementation and causing difficulties in project implementation. Agreed legal instruments are commonly subject to significant changes prior to promulgation. The delays in the adoption of laws and regulations continue to have significant impact on the planning and practical delivery of reform projects.
- *Enforcement:* There has been large focus on establishing the legal frameworks in Kosovo. The capacity to enforce the law, however, has received insufficient attention. While legal reform has been advanced, law enforcement and implementation has not followed. This creates a widening gap between the formal legal situation and ‘on-the-ground’ practice. The capacity to develop enforceable EU standards will be directly addressed by this project.
- *Staffing levels:* Often project implementation is hampered by either insufficient staff and resources allocated to (newly established) institutions or insufficient operational funds available in the government budget to allow for appropriate implementation of the mandate of the concerned organisation. In particular, the AEI needs to increase the numbers and skills of its staff to effectively fulfil its expanding responsibilities.
- *Monitoring the legislative process:* Monitoring the implementation of legislation and conducting impact assessments are essential elements for evaluating, and amending the legal framework.
- *Coordination within the government:* Effective donor coordination by the government requires more effective leadership and harmonisation of coordination actions across all ministries.
- *Coordination with international actors:* the Council of Europe experience and expertise in the Human Rights sector and more precisely in the Western Balkans have to be taken into account when implementing this project, especially for the recruitment of the relevant experts.
- *Balance between different measures:* The provision of technical assistance for capacity building remains a very high priority. However, TA will not be effective if the working environment of the counterparts is not up to standards. The beneficiary organisations should do their best to provide the necessary material support along with the offered technical advisory support to realise the expected impact of the projects.
- *Cross-cutting issues:* There is more need to institute formal checks that cross cutting themes are respected in all dimensions of policy and legislation to enhance relevance and impact.

#### 4. Indicative Budget (amounts in EUR million)

Activity:	TOTAL COST	SOURCES OF FUNDING										
		EU CONTRIBUTION				PUBLIC BENEFICIARY CONTRIBUTION					PRIVATE	
		Total	% *	IB	INV	Total	% *	Central	Regional	IFIs	Total	% *
Legislation & policy advice	5.0	5.0	100	5.0	0							
Scholarships	1.0	1.0	100	1.0	0							
EU Info Centre	0.472	0.450	95.3	0.450	0						0.022	4.7
<b>TOTAL</b>	<b>6.472</b>	<b>6.450</b>	<b>99.7</b>	<b>6.450</b>	<b>0</b>						<b>0.022</b>	<b>0.3</b>

\* expressed in % of the Total Cost

#### 5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering/negotiating	Signature of contract	Project Completion
Legislation & policy advice	Q2 2007	Q2 2008	Q2 2011
Scholarships	Q3 2007	Q2 2008	Q2 2010
EU Information & Cultural Centre	Q3 2009	Q4 2009	Q4 2011

Q = quarter

#### 6. Cross cutting issues

##### 6.1 Equal Opportunity (gender mainstreaming)

The project will actively liaise with gender officers in the ministries and municipalities and the Office of Gender Equality in the OPM in order to get their participation in planned activities.

The project aims to assist the development of process to ensure that gender equality is taken into consideration in the development of legislation.

##### 6.2 Environment

The project itself is expected to have a neutral impact on environment. However, environmental considerations should be duly reflected in all legislative processes. The application of European requirements to Kosovo includes measures on controlling pollution and enhancing environmental protection.

##### 6.3 Minorities

Adequate minority representation must be achieved in the Civil Service and in all aspects of central/local administration, with proper integration in all project activities. Active steps will be needed to encourage adequate minority representation in training and coaching activities.

## **ANNEXES**

ANNEX I: Log frame in Standard Format

ANNEX II: Amounts contracted and Disbursed per Quarter over the full duration of Programme

## ANNEX 1: Logical framework matrix in standard format

Title: Building the capacity of Kosovo's institutions to develop EU compatible legislation and policy		Programme name and number		Building EU compatibility and expertise in Kosovo's institutions			
Sector: Institution Building		Contracting period expires three years after the signature of the financing agreement between the European Commission and the Kosovo Authorities.		Disbursement period expires: One year after the final date for the execution of contracts.			
				Total budget : <b>EUR 6.472 Million</b>			
				IPA budget: <b>EUR 6.450 Million</b>			
<b>Overall objective</b>		<b>Objectively verifiable indicators</b>		<b>Sources of Verification</b>			
An effective, efficient and transparent public administration at all levels that: drafts and enforces a coherent body of EU compatible legislation; develops policies and strategies compatible with European standards and appropriate EU practices; and implements the provisions of the Status Settlement.		<ul style="list-style-type: none"> <li>➤ EU perspective structures are in place and operational</li> <li>➤ EU conformity checks show improvement, shorter introduction periods</li> <li>➤ More laws and regulations are prepared by local civil servants</li> <li>➤ The laws and regulations are better understood and respected</li> <li>➤ Increased number of projects proposals/initiatives from both government and non-government sector that promote EU perspective in Kosovo</li> </ul>		<ul style="list-style-type: none"> <li>➤ Project implementation reports, indicators</li> <li>➤ Independent monitoring exercises</li> <li>➤ Improved organisational set-up in recipient organisations</li> <li>➤ Timely implementation of the legislative plan of PISG</li> <li>➤ The schedule of law enactment gets shorter, meets schedule</li> <li>➤ Implementation procedures respected by staff and institutions</li> <li>➤ New Young Cells Scheme candidates selected and trained</li> <li>➤ EC aid coordination structures established and operational</li> <li>➤ European Partnership Action Plan</li> <li>➤ EC Annual Progress Reports</li> </ul>			
<b>Project purposes</b>		<b>Objectively verifiable indicators</b>		<b>Sources of Verification</b>		<b>Assumptions</b>	
<ol style="list-style-type: none"> <li>1. To build the capacity of the civil service to draft, implement and enforce EU compatible legislation, including in the area of human rights.</li> <li>2. To strengthen the capacity of selected public institutions to meet the obligations arising from the provisions of the Status Settlement and to strengthen Kosovo's European Perspective at all levels of government.</li> <li>3. To establish the EU Info &amp; Cultural Centre in order to better promote the European perspective &amp; increase the awareness on the EU assistance in Kosovo, as well as provide more information on the EU and European standards thereby substantially increasing the legitimacy of current and future governmental reforms.</li> </ol>		<ul style="list-style-type: none"> <li>➤ Number of competent staff increases, needs of reliance on international support decreases</li> <li>➤ Number of laws and regulations are prepared by local civil servants in a standardized way</li> <li>➤ The quality of translations of laws is improving, less misunderstanding</li> <li>➤ New and restructured institutions are in place</li> <li>➤ Law introduction is carried out during shorter period</li> <li>➤ Scale and scope of training/ mentoring</li> <li>➤ Increased awareness and activities related and promoting EU perspective in Kosovo - by government and civil society sector</li> </ul>		<ul style="list-style-type: none"> <li>➤ Project implementation reports, indicators</li> <li>➤ Independent monitoring exercises</li> <li>➤ Improved organisational set-up in recipient organisations</li> <li>➤ Timely implementation of the legislative plan of PISG</li> <li>➤ The schedule of law enactment is fulfilled by the Assembly</li> <li>➤ European Partnership Action Plan</li> <li>➤ EC Annual Progress Reports</li> </ul>		<ul style="list-style-type: none"> <li>➤ Final shape of UNSC resolution, political stability / political will possible</li> <li>➤ Avoidance of violence</li> <li>➤ Speed with which ICO is set up and operational</li> <li>➤ Extent to which minorities will comply with resolution and when agreed</li> <li>➤ Agreed policy positions cleared by Serbia</li> <li>➤ Competencies fully clarified</li> <li>➤ Ability of PISG to respond to new legislative demands and new institutions and procedures</li> <li>➤ Expressed interest of media to promote the EU perspective and its perspective in Kosovo</li> </ul>	
<b>Results</b>		<b>Objectively verifiable indicators</b>		<b>Sources of Verification</b>		<b>Assumptions</b>	
<ul style="list-style-type: none"> <li>➤ Improved drafting skills of primary and secondary legislation as well as other relevant legal acts and familiarity with the <i>acquis</i>, EU standards and appropriate EU practices in the Assembly and ministries.</li> <li>➤ Institutions supported in drafting selected EU compatible laws.</li> <li>➤ Policy advice delivered to ministries and the Assembly on EU perspective matters, including implementation of the European Partnership and meeting the provisions of the Status Settlement.</li> <li>➤ Civil servants have masters degrees for EU universities in EU affairs and technical courses</li> <li>➤ EU Info &amp; Cultural Centre is established and functioning, increasing the knowledge of Kosovo population on the specific benefits &amp; challenges that come with its EU perspective</li> </ul>		<ul style="list-style-type: none"> <li>➤ Number of staff trained from the Assembly, line ministries and civil society; number of <i>acquis</i> areas covered by the training.</li> <li>➤ Number of laws assisted through the project.</li> <li>➤ Number and profile of experts recruited by the project to deliver policy advice and institution building support.</li> <li>➤ At least 20 (and possibly up to 40) recent graduates and civil servants complete masters degrees in EU universities in EU affairs and technical courses.</li> <li>➤ At least ten press conferences and five media/cultural event organised in the EU Info &amp; Cultural Centre by the end of the project</li> </ul>		<ul style="list-style-type: none"> <li>➤ Project implementation reports, indicators</li> <li>➤ Independent monitoring exercises</li> <li>➤ Improved organisational set-up in recipient organisations</li> <li>➤ The turnover of civil service staff measured in key points</li> <li>➤ The absorption capacity and participation in training is measured</li> <li>➤ Timely implementation of the legislative plan of PISG, plans are getting more realistic</li> <li>➤ The schedule of law enactment gets shorter</li> <li>➤ Donor coordination statistics</li> <li>➤ Young Cells Scheme statistics</li> </ul>		<ul style="list-style-type: none"> <li>➤ Extent of PISG inter- Ministerial cooperation improvement</li> <li>➤ Extent of turn over in terms of trained/ qualified personnel at central and municipal level</li> <li>➤ Training programmes developed in time</li> <li>➤ Capacity and training ready for newly recruited staff</li> <li>➤ New procedures for legislation implementable</li> <li>➤ Legislative plan is ready and revised from time to time</li> <li>➤ Extent to which KCB budget may be cut to meet new expenditure demands</li> <li>➤ How to cover the so called 'costs of democracy'</li> <li>➤ Speed with which the new primary legislation is realistically prepared and then implemented</li> <li>➤ Necessary secondary legislation is in place</li> <li>➤ Access to legislative documents operating</li> <li>➤ Donors are committed to improved EC aid coordination</li> <li>➤ Number of suitable applicants for the Young Cells Scheme</li> <li>➤ Expressed interest of media, EU MS and other relevant stakeholders to promote EU related actions through the EU Info &amp; Cultural Centre</li> </ul>	

Activities	Means	Costs	Assumptions
<p><b>Capacity building in legal drafting and expert support to draft and implement specific laws and regulations, and policy advice</b></p> <ul style="list-style-type: none"> <li>➤ Provision of training and coaching on legal drafting, the <i>acquis</i>, EU standards and EU best practices.</li> <li>➤ Focused training on EU approximation and the <i>acquis</i> in a selected number of priority sectors/areas.</li> <li>➤ Legal translator training to improve professional language skills in English, German and French.</li> <li>➤ The project will link to the Kosovo Institute of Public Administration, local universities, and law associations.</li> <li>➤ Legal training extended to selected local government staff, universities, and legal representatives of civil society</li> <li>➤ A needs assessment to be undertaken at the project inception phase in regard to the training mentioned above.</li> <li>➤ Assist ministries and regulators in drafting specific laws and regulations.</li> <li>➤ Developing mechanisms as part of legislative development process for the Assembly and line ministries to dialogue and exchange with civil society organisations.</li> <li>➤ Developing legal screening and monitoring mechanisms.</li> <li>➤ Reviewing, and possibly revising, the Official Gazette.</li> <li>➤ Policy advice and institution building support</li> <li>➤ The project will establish a flexible facility, overseen by a Steering Committee chaired by the Agency for European Integration,</li> <li>➤ Policy advice on meeting the provision of the Status Agreement and Implementation of the European Partnership Action Plan;</li> <li>➤ Strengthening government leadership in donor coordination;</li> <li>➤ Supporting the role of the Agency for European Integration (AEI) in managing EU assistance;</li> <li>➤ Support to the Office for Good Governance to develop and implement the <i>Human Rights Strategy</i></li> </ul> <p><b>Scholarships</b></p> <p>The project shall continue the 4<sup>th</sup> round of Young Cell Scheme and organise and implement the 5<sup>th</sup> and possibly the 6<sup>th</sup> round of the scholarship programme.</p> <p><b>EU Information &amp; Cultural Centre</b></p> <p>The EU Information &amp; Cultural Centre will become the natural place where people would come to, meet and discuss as well as seek information on the EU (European enterprises, education opportunities: EU funded such as Erasmus Mundus, or scholarships from EUMS). The centre has to be located in functional, accessible &amp; user friendly premises in accordance with European standards, and should offer an improved environment for enhanced ECLO communication activities. It should also assist to bring about the 'continuous and growing increase of citizens' interest about the EU accession process and enable primarily ECLO, but also other EU related missions in Kosovo, to better communicate about EU related matters to the public.</p> <p>Beyond the ECLO &amp; other EU related offices the Kosovo authorities (especially strengthening ECLO's main counterpart the ACDEI) will also benefit from the EU Centre, but more importantly Kosovo inhabitants as it will make the EU perspective more tangible to them.</p>	<p>The Commission will implement the programme in accordance with the requirements of the Financial Regulation, in particular the implementation procedure stated in Article 54.2(c) and 56 of the regulation.</p> <p>It will as necessary conclude agreements (in accordance with Articles 35, 38, 39, 40 and 41 of the Implementing rules to the Financial Regulation) with a delegated entity (beneficiary public-sector body) for the implementation of this project.</p> <p>An Agreement<sup>2</sup> is currently concluded with the national agency GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) for the whole of the TAIEX programme. An addendum to this contract will be made to include the budget foreseen in this project fiche.</p> <p>This project will be implemented through operating grant contract, upon launching an open call for proposals.</p>	<p><b>EUR 5.0 million</b></p> <p><b>EUR 1.0 million</b></p> <p><b>Total cost: 0.472</b> <b>EU contribution: 0.450</b></p>	<p>The ownership and organisational structure of the beneficiary institution, where the project will be based is strong enough for implementation</p>

<sup>2</sup> Agreement no. [102-369,102-387,102-372, 102-373, 102-374] between the European Communities and GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit) on delegation of technical, administrative and payment tasks for the implementation of the TAIEX programme.

**Pre conditions:**

- Appointing the relevant staff by the beneficiaries to participate in all project activities as per work plan. The Agency for European Integration is properly staffed to be able to absorb the assistance, and meet its responsibilities as the main focal point for this project.
- The Government is firmly committed to the scholarship programme, ensuring the completion of the recruitment process for the envisaged scholars before the start of the scholarship programme and ready to absorb all the returning scholars within the public administration.
- Willingness of EU partners, authorities, civil society and general public to use the services of the EU Information & Cultural Centre

In the event that conditionalities are not met, suspension or cancellation of the project or specific activities will be considered.



**ANNEX II: Indicative planning of the amounts (in EUR million) contracted and disbursed by quarter for the project (cumulated)**

	2008				2009				2010				2011			
<b>Contracted</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
1. Legislation & policy advice		2			3											
2. Scholarships		1														
3. EU Info& Cultural Centre								0.450								
<b>Cumulated Total</b>		<b>3.0</b>	<b>3.0</b>	<b>3.0</b>	<b>6.0</b>			<b>6.450</b>								
	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
<b>Disbursed</b>																
1. Legislation & policy advice				0.8	0.8	0.8	0.8	0.8	1.0							
2. Scholarships			0.5				0.5									
3. EU Info& Cultural Centre								0.300				0.100				0.05
<b>Cumulated Total</b>			<b>0.5</b>	<b>1.3</b>	<b>2.1</b>	<b>2.9</b>	<b>4.2</b>	<b>5.3</b>	<b>6.3</b>			<b>6.4</b>				<b>6.45</b>