

**Project Fiche – IPA National programmes / Component I**

**1 IDENTIFICATION**

<b>Project Title</b>	Support for improvement of the living conditions of forced migrants and closure of Collective Centres
<b>CRIS Decision number</b>	2012/022-967
<b>Project no.</b>	03
<b>MIPD Sector Code</b>	2. Justice and Home Affairs
<b>ELARG Statistical code</b>	01.63
<b>DAC Sector code</b>	43010
<b>Total cost (VAT excluded)<sup>1</sup></b>	EUR 17.15m
<b>EU contribution</b>	EUR 15.2m
<b>Management mode</b>	Centralised
<i>Centralised mngmt:</i> <b>EU Delegation in charge</b> <i>Decentralised mngmt:</i> <b>Responsible Unit or National Authority/Implementing Agency</b>	EU Delegation to the Republic of Serbia
<b>Implementation management</b>	Commissariat for Refugees  Office for Kosovo and Metohija
<b>Implementing modality</b>	Stand alone project
<b>Project implementation type</b>	Project-type interventions
<b>Zone benefiting from the action(s)</b>	Republic of Serbia

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

## 2 RATIONALE

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

Justification for incorporating this project in IPA 2012 relies on figures and problem analyses presented herewith and concerns the continuation of efforts to resolve problems pertaining to the unsatisfactory living conditions imposed on refugees, Internally Displaced Persons (IDPs) and returnees in Serbia. Interventions envisaged within the scope of the project are drawn from experience gained in the past period and on a good track record of their effectiveness for the final beneficiaries in the population of forced migrants. In concrete terms, it shall result in increasing the number of housing solutions for designated numbers of vulnerable migrants, closure of collective centres (CCs) and the successful reintegration of refugees and IDPs as well as an increase in the services being offered to vulnerable persons. The project will thus contribute to improvement in the implementation of national and EU plans and policies in the areas of human rights, the protection of minorities and migration.

The final beneficiaries of this project will be:

- Refugees – persons granted refugee status according to the Law on Refugees (persons that fled to Serbia from ex-Yugoslav republics during 1990s armed conflicts);
- IDPs – internally displaced persons from Kosovo<sup>2</sup>, both in the process of return and integration;
- Returnees – persons returned to the Republic of Serbia according the Readmission Agreement in the process of reintegration

The Republic of Serbia (RS) still provides refuge to some 74,500 refugees and 210,000 IDPs. The worsening socioeconomic situation within the RS has particularly affected vulnerable social groups, most of all refugees and displaced persons who live in a state of perpetual uncertainty as concerns the possibility of their return and are further exposed to the limited support being offered for the integration of refugees and the improvement of living conditions among IDPs in the RS.

With the arrival of numerous returnees expected upon implementation of Readmission Agreements, the RS is obliged to provide sustainable housing solutions to additional returnees. To ensure the full observance of the returnees' human rights and to facilitate their reintegration and social inclusion, it will also be necessary to provide for their basic living conditions. Using a multidimensional approach previously deployed by the Commissariat for Refugees, this project will endeavour to offer durable housing solutions, employment opportunities through Local Action Plans (LAPs), with special attention dedicated to extremely vulnerable individuals (EVIs), since many expected returnees will be from this category of the population and will be at risk of enduring social exclusion. The project will also devote necessary assistance to IDPs that are considering a return to Kosovo.

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<sup>2</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

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

In the **MIPD 2011–2013**, one of the three major priorities (social inclusion and reconciliation) identified for EU support during this period is the integration of vulnerable groups and minorities, including the Roma as well as refugees, IDPs and returnees, in accordance with the Readmission Agreement. Within the Justice and Home Affairs (JHA) sector objectives it is specified that attention will be given to human rights, the protection of minorities and migrants. This project links directly with these objectives by addressing the need to improve the housing conditions of refugees and IDPs that have chosen to stay in the RS and will contribute to enabling a sustainable return to persons who are considering a return to their home of origin which is guaranteed by numerous human rights instruments.

Specific objectives within the Social Development sector include a continued need to prevent the social exclusion of vulnerable groups, in particular Roma, and an improvement of the living conditions of migrants, refugees and internally displaced persons. The progressive closure of CCs, the successful reintegration of refugee and IDP populations and the increase in the services being offered to vulnerable persons are included among the indicators that will be used to measure achievements within this field, while in the case of the JHA Sector, improvements within the migration management mechanisms are expected. The MIPD highlights that fighting poverty and the social exclusion of vulnerable groups, in particular Roma, remains a key challenge.

Within the **National Programme for Integration of the Republic of Serbia into the European Union** (2009), one of the priorities emphasised is to provide refugees with the real choice of either integration or sustainable return.

Similarly, the Strategy for Migration Management (2009) comprehensively analyses the overall situation and the problems inherent in migration and calls for “an improvement of the living conditions of IDPs while they are displaced and reintegration of returnees on the basis of the Readmission Agreement.” In its multidimensional approach to improve the living conditions of migrants, the project directly links to the NPI and this Strategy, as well as the **Strategy of Returnees’ Reintegration based on the Readmission Agreement** (2009) and the **National Strategy for Resolving Problems of Refugees and IDPs**.

The “**Strategy for Sustainable Return to Kosovo and Metohija**” includes measures and activities which would enable the return and settlement to the territory of Kosovo, which is also addressed by this project.

The **Poverty Reduction Strategy** (PRS) has singled out the problems of refugees and IDPs as being among the most in need of urgent attention. In addressing issues related to the provision of housing solutions, the closure of CCs and the implementation of measures to promote employment, the project links to the PRS by supporting the means by which to decrease the number of refugees and IDPs listed among the poor and reduce the amount of time they spend in a state of poverty.

In the **Strategy for the Improvement of the Status of Roma in the Republic of Serbia**, a specific subsection has been dedicated to the improvement of the status of Roma IDPs. With a considerable portion of the migrants being from the Roma population, the project links to this strategy by taking steps to provide durable solutions for this target group.

The project links to Priority 1 in the Rule of Law sector of the **Needs of the Republic of Serbia for International Assistance 2011-2013**. More specifically, the project supports Measure 1.4., the enhancement and implementation of asylum policy and the status of refugees and IDPs. Project activities align with this in their aim to improve the living conditions of refugees and IDPs.

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

The **SAA** in its introductory section reaffirms “the right of return applicable for all refugees and internally displaced persons to the protection of their property and other related human rights.” The RS must provide for adequate standards in the treatment of readmitted persons, asylum seekers, refugees and migrant workers.

In the **European Partnership**, one of the short term priorities is the further implementation of the National Strategy for the Resolution of the Concerns of Refugee and Internally Displaced Persons and the creation of conditions which would allow for the possibility of either sustainable return or integration.

The **EC Analytical Report 2011**<sup>3</sup> qualifies the situation with refugees and IDPs as particularly worrying. It states that the number of CCs has been gradually reduced, but that significant numbers of refugees and IDPs are still accommodated therein in poor conditions. Around 97,000 of the IDPs remain in need of assistance for housing, employment and personal identification documents. With regard to migration policy, it is remarked that implementation of the migration related strategies needs to be made more effective and coherent.

This project directly links to the priorities cited in all of these documents as it aims to ensure the human rights of migrants by helping to improve the living conditions of refugees and IDPs, to encourage the social inclusion of returnees and migrants who choose to stay in the RS and to offer assistance to persons exploring the possibility of a sustainable return.

### **2.4 PROBLEM ANALYSIS**

Despite the fact that from the very outset of the refugee situation in 1992, the RS and the international community have directed all available resources towards the resolution of the problems faced by refugees, as well as the problems faced by the IDPs since 1999, assistance for the resolution of the outstanding problems remains imperative. Over the past few years, sustainable housing solutions have been provided for over 10,000 families, amounting to some 45,000 refugees and IDPs.

As of the outset of 2003 when the planned closure of CCs started, there were 323 CCs in the RS accommodating a total of 22,843 refugees and IDPs. Even though a total of 269 CCs have been closed to date and some 18,742 beneficiaries of the same relocated, there are still 26 CCs in Serbia, housing 542 refugees and 2,094 IDPs (these figures do not include the data on CCs located on the territory of Kosovo). A significant number of the occupants of these CCs are

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<sup>3</sup> The EC Analytical Report 2011 accompanying Commission Opinion on Serbia’s application for membership of EU.

extremely vulnerable individuals (EVIs), a category inclusive of the elderly, infirm, single mothers and the mentally or physically disabled persons. Prolonged residence in CCs leads to serious economic, psychological and social obstacles in occupants' efforts to integrate into the community, also confining them to continued social exclusion. After completion of the project, all formal CCs will be closed.

Studies<sup>4</sup> have shown that the major obstacles to the integration of refugees and the improvement of their standard of living conditions are an inadequate number of available housing solutions and a poor economic standing. Precisely, the analyses of the needs of refugees show that 61% of refugees have not resolved their housing issues; the level of unemployment within this category is 33%; and 29% of refugees have a monthly income of only 48 Euros, putting them in the category of people living below the poverty line.

A targeted survey<sup>5</sup> demonstrates that unemployment among IDPs from Kosovo at 40.7%, 16% of IDP households do not have any source of income, while 39% of households have less than 50 Euros per family member at their disposal per month. Furthermore, 64.2% of Roma IDPs and 25.9% of non Roma IDPs have some form of income on the basis of social protection. Even though more than 1,500 families expressed their wish to return to Kosovo, during 2009 and 2010, only slightly more than 200 people actually returned. In addition to the fact that the return process requires legal, physical and material security, it is also necessary to provide adequate facilities for housing, as well as unimpeded access to income generating opportunities in the places of return.

Despite different projects funded in Kosovo such conditions have not been met yet. Authorities in the Republic of Serbia are duly informed by the EU on the volume and character of support for return and reintegration objectives being provided through the IPA allocation for Kosovo, as no such activity can be funded by the IPA funds allocated to the Republic of Serbia. Thus, the present project for IPA 2012 envisages only the types of support that stimulate returns (information and income-generating activities) and can complement the other more substantial and durable solutions.

Displaced persons belonging to the RAE community (Roma, Ashkhali and Egyptian), represent a particularly vulnerable category of IDPs and they have more difficulties attaining their guaranteed rights, citizen status, healthcare, education, employment and accommodation. The housing needs of these migrants remain great: the RAE population make up 20% of those housed in CCs; 31% of the households of IDP Roma who are in a position of social need live in inadequate housing facilities; and 73.1% of Roma IDPs have at their disposal less than 10 square meters of housing space per member of the household. Also, the population in question is the most prominent group within unhygienic and informal settlements, further demonstrating the necessity to provide alternative housing solutions.

The Returnees Needs Assessment Survey, conducted by IOM within the IPA 2010 project, "Capacity Building of the Institutions involved in Migration Management and Reintegration of the Returnees in the Republic of Serbia," shows that the unemployment rate among returnee respondents is 82%, the only income of 35% of households represents financial

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4 *Refugee Needs Assessment in the Republic of Serbia and Assessment of needs of internally displaced persons in Serbia* completed by the Commissariat for Refugees in cooperation with the UNHCR and IoM between 2008 and 2010.

5 *The condition and the needs of IDPs in collective centres in the RS*, completed by the Commissariat for Refugees in cooperation with the UNDP in December 2009.

assistance provided by Centres of Social Welfare, while 80% of respondents consider job finding assistance to be the most desirable solution for improvement of their economic situation. Since 2008 the Commissariat for Refugees has been encouraging and strengthening the active role of Local Self-Governments (LSGs) to provide housing solutions to returnees and facilitating the implementation of LAPs. Training exercises regarding the development and implementation of LAPs have been organised and were attended by an increasing number of LSG representatives. As envisaged by the Commissariat's initiative, Local Councils for Migration Management and Durable Solutions were established in 134 municipalities, while 116 municipalities have adopted their LAPs so far, including the allocation of specific municipal budget lines for the implementation of the plans in addition to the State budget and the contribution of donors' funds. In total, 128 municipalities have been supported throughout the planning process thus far. Additional trainings for the representatives of Municipal Councils on Migration and Durable Solutions should continue as to date they have proven to be useful, particularly because the integration and social inclusion of migrant populations is generally facilitated by local-level planning and involvement. LAPs, as similar planning documents, usually consist of a problem analysis, needs assessment, analysis of municipal resources, and finally, a set of activities which should lead to durable solutions for refugees, IDPs and, in some municipalities, returnees according to the Readmission Agreement. LAPs have proven to be a useful tool for more efficient planning and utilisation of limited resources for resolving migrant problems for several reasons: primarily, the precise needs of migrants are best known within the local community and involvement of local NGOs and refugee and IDP associations facilitates direct input from final beneficiaries. Moreover, the existing capacities of LSGs are used for the implementation of activities which further tremendously decreases implementation costs and finally, various specific activities can be planned, as opposed to the general planning that takes place at the central level. While the LAPs **mainly envision housing solutions (provision of building materials, village and prefabricated houses), they also include income generating activities, as also some specific activities such as legal counselling and the facilitation of access to different services.** As virtually all donors' assistance is geared toward the closure of CCs, this is the only mechanism for assisting those living outside the CCs that is financed mainly from the state budget.

Given that the RS has provided refuge to more than 700,000 refugees and war affected persons as well as to 220,000 IDPs, most of whom remain in a state of social need and are unable to solve their housing concerns without assistance, there is still a necessity to further support programmes designed to provide durable housing solutions and improved living conditions for those in need. In addition, the RS receives a number of returnees on the basis of the Readmission Agreements which oblige the country to provide the basic living conditions that enable reintegration, it is necessary to provide additional resources for these purposes.

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

Housing solutions and livelihood assistance for refugees and IDPs has been funded by the EU first through the CARDS programmes and then through IPA. Projects funded specifically through IPA have supported the strengthening of the system of migration management in Serbia and provided durable solutions for the most vulnerable refugee and IDP families, support for activities foreseen with the municipal LAPs as well as provision of legal aid. Through IPA projects, approximately 1,287 housing solutions were provided mainly for families accommodated within CCs. Results attained through IPA, in compliance with other

projects, have led to the closure of 32 CCs. In addition, after completing activities under IPA 2009 and 2011, an additional eight CCs will be closed. This project will further contribute to the closure of CCs, together with complementary activities (such as the distribution of building materials, in-kind support, accommodation in social institutions) funded from the national budget or through other donors.

The Swiss Agency for Development and Cooperation in 2010 and 2011 financed a project with the objective to collect data and establish a database of relevant information regarding returnees and their needs. Thus, the potential beneficiaries and their needs were identified which further enabled planning of necessary measures intended towards improvement of the reintegration process. Based on those results, through the IPA 2010 project “Capacity Building of the Institutions involved in Migration Management and Reintegration of the Returnees in the Republic of Serbia”, existing LAPs were revised and expanded with activities aimed at facilitating reintegration of returnees under the Readmission Agreement. Within aforementioned project, assistance in revision of existing LAPs has been provided to 40 municipalities/cities. A total of eight municipalities/cities have adopted revised LAPs while the remaining 32 are still in the process of development or adoption. In this manner, the capacities of the local institution responsible for reintegration of returnees according Readmission Agreements have been significantly improved. This project will additionally contribute to supporting the aforementioned LAPs.

From 2008 to 2011, the Commissariat for Refugees has allocated a total of EUR 7.1m from the national budget toward the implementation of LAPs. Resources for the implementation of LAPs have also been secured through the EU, IOM, UNHCR and OSCE, with the assistance of numerous implementing partners. Within different projects aimed at supporting the activities envisioned by the LAPs, financed from the national budget and the budget of UNHCR, a total of 199 village houses have been purchased, more than 1,800 packages of building materials have been donated and 1,160 beneficiary families have been supported with income generating activities.

The UNHCR and bilateral donors (USA and Germany) have also provided resources to assist in resolving the housing concerns of refugees and IDPs. This support was particularly important for consolidating the necessary statistics on the targeted population and their whereabouts. As this type of information remains a pertinent reference for planning of the assistance, in recent periods it is the EU that ensures support for those purposes. Thus, there are two interventions planned to take place during year 2012 in the form of technical assistance through Framework Contracts financed from IPA. The first one, to be carried out in the first half of 2012, will update the information on the population still residing in CCs. The second one relates even more closely to the present IPA 2012 project as it also addresses a formal pre-condition for implementation of the third result envisaged herewith – and will provide for an assessment of the absorption of the assistance delivered through previous IPA projects for the return to Kosovo, as well as more solid grounds for targeting a realistic number of families to be supported under the IPA 2012 project. The second FwC shall take place during mid-2012 before implementation of the IPA 2012 project is launched.

#### *Coordination with Regional Housing Programme*

Particular attention shall be deployed to ensure complementarities of interventions envisaged under national IPA projects with actions to be implemented within the scope of the “Joint Programme for Priority Durable Solutions for Refugees and Internally Displaced Persons –

Regional Cooperation”. This Regional Programme is agreed between four countries in the region with the aim to comprehensively contribute to a substantive completion of the protracted displacement situation in Bosnia and Herzegovina, Montenegro, Croatia and Serbia due to conflicts in 1991-1995, by providing durable housing solutions for the displaced population and significantly ameliorated access to their rights. In the case of Serbia, the Commissariat for Refugees shall be operationally deeply involved in managing the national component of the Regional Programme which additionally guarantees sound distribution of interventions from various sources of financing.

In order to ensure coordination within a range of activities and amongst donors, the Commissariat for Refugees, as the leading partner competent for all three targeted categories of migrants will coordinate between donors as well as between national institutions. At national level the Governmental Commission for Coordination of the Refugee Integration Process will be authorised for coordination of activities within the Regional Programme. The Commissariat, as a member of this Commission will be responsible for overall coordination with all relevant stakeholders, especially in the process of the closure of CCs, where duplication of activities might present a potential risk. Overlaps outside of the CCs are avoided through the design of this project itself. In addition, the UNHCR as the organisation envisioned to monitor the Regional Programme and as a member of the committees for selection of final beneficiaries within all projects, will support the Commissariat in this undertaking. Regular meetings with the EU Delegation and the UNHCR will take place, as well as with other main donors present in Serbia. In addition, through participation in the donor coordination mechanism established by the Serbian EU Integration Office, all relevant information will be shared.

## **2.6 Lessons learned**

Since September 2008, the Commissariat for Refugees has been encouraging and strengthening the active role and the participation of the LSGs in creating municipal Strategies and Actions Plans for durable solutions of refugees and IDPs, which is supported by the IOM Capacity Building Project funded by the EU. Over the course of 2010, the development of LAPs was supported by the OSCE. This engagement of the aforementioned organisation provided for additional training exercises regarding the development and implementation of LAPs which were attended by an increased number of LSG representatives. As seen by the active participation of the Local Councils for Migration Management and Durable Solutions in adopting LAPs and allocating specific municipal budget lines towards their implementation, trainings for the representatives of Municipal Councils on Migration and Durable Solutions should continue as an on-going measure to help resolve the variety of problems faced by migrant groups. This will be particularly relevant with respect to improving living conditions by addressing integration and social inclusion issues.

Based on the experience gained to date, close coordination is necessary between the EU Delegation, the Commissariat as well as the implementing partners in order to ensure a smooth project implementation and to avoid an overlap in the proposed activities and a duplication of beneficiaries. Regular coordination meetings and the direct involvement of the Commissariat in realisation of the project facilitates the monitoring and timely evaluation of progress, particularly relevant as it relates to ensuring effective implementation of project activities. According to the information gathered through this coordination as well as from field reports submitted by the local trustees, the high number of applications for both income



generation and housing assistance gives strong evidence that hitherto the provision of durable solutions has not been sufficient.

It is important to note that the cooperation with the Office for Kosovo and Metohija in realising the rights of IDPs in their place of residence is of crucial importance for creating the conditions for return as well as for exercising their rights in the place of temporary residence.

The Government of the Republic of Serbia as of 2008 has assumed the responsibility of administering the acceptance and reintegration of returnees in accordance with the Readmission Agreement, adherent to which, the Commissariat for Refugees has provided for the urgent reception and accommodation, as also for the procurement of personal documentation, for returnees. The Commissariat for Refugees has established four centres intended to provide for the urgent accommodation of the most vulnerable category of returnees, has undertaken measures in order to ensure that returnees are fully informed of their legal rights as also of the necessary procedures for the attainment of the same and has developed inter-institutional cooperation amongst the relevant institutions concerning those issues of import to the returnee population. The government has established a Council for the reintegration of returnees and a Team charged with the task of implementing the defined Strategy. The Council itself is comprised of the high representatives of all of the relevant ministries engaged in this process and is chaired by the Deputy Prime Minister of the Government of the Republic of Serbia. These efforts have shown that the readmission of persons returning to Serbia from other countries requires a multi-faceted approach and close inter-institutional cooperation across a variety of sectors. Because of the imperative to establish appropriate conditions for return, it has proved essential that the RS strongly supports readmission initiatives and that the EU is expecting an on-going commitment to this process.

### **3 DESCRIPTION**

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

Adequate living conditions and integration of forced migrants who choose to stay in Serbia while supporting the sustainable return of those wishing to return to Kosovo.

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

1. To support the closure of all remaining CCs and improvement of the living conditions of an additional 450 refugees, IDPs and returnees under the Readmission Agreement.

The achievement of this objective will contribute to one of the three major priorities identified for EU support during this period in the MIPD 2011-2013. Project activities associated with the fulfilment of this objective directly address the living conditions and social inclusion of vulnerable groups including refugees, IDPs and returnees under the Readmission Agreements. Closure of CCs will be finalised.

2. To support sustainable return of IDPs to Kosovo.

The achievement of this objective will contribute to enabling a sustainable return to persons who are considering a return to their home of origin which is guaranteed by numerous human right instruments. In the MIPD 2011-2013, within the Justice and Home Affairs sector of the

objectives, it is specified that attention will be given to human rights, the protection of minorities and migrants.

### **3.3 RESULTS**

**Result 1:** Remaining CCs are closed through the provision of housing solutions

*Measurable indicators:*

- Housing solutions for approximately 2000 beneficiaries of 14 CCs are provided based on the needs assessments for the CC inhabitants

**Result 2:** Implementation of activities related to housing solutions in Serbia such as delivery of building material packages, purchase of village houses and supply and instalment of prefabricated houses for IDPs and returnees in undignified private accommodation, economic self-reliance of all three categories of forced migrants through delivery of small grants for work, craft and agriculture activities and measures leading to better social inclusion of returnees under the Readmission Agreements (language lessons, additional teaching of pupils, psychosocial support) in 12 LAPs supported

*Measurable indicators:*

- 12 municipalities are supported with the financial means intended for implementation of the LAP activities
- 150 refugee, IDP or returnee families in private accommodation supported through implementation of LAPs

**Result 3:** Return of 220 IDP families to Kosovo supported, upon their wish.

*Explanatory note – justification for the targeted number of families to be supported:* The first intervention of this type within an IPA supported programme was approved in the scope of IPA 2009. The roll-out of this intervention is being closely monitored and the results achieved over the previous period (which include also the inception period) of implementation of the IPA 2009 project show that in spite of challenging security situation in the field that lasted almost five months, more than 60% of targeted number of beneficiary families have been supported since. It is realistic to expect that the indicators set will be achieved by the end of the project. An incremental increase in the number of families planned for support within the scope of the project is also prompted by the available statistics concerning the registration and the expression of interest for return. Namely, 1212 families, 325 families and 337 families were registered in years 2009, 2010, and 2011 respectively. After the period of very low return rate, Project IPA 2009 contributed to an upward trend of return. This shows that sustained and dedicated efforts do bring the results.

Evidently increased interest of IDPs for the return, as reflected inter alia through several hundreds already conducted Go&See Visits, proves the need for continuation of assistance through IPA 2012. Moreover, another important input is the decrease of funds from UNHCR, where IPA projects are complementing food and non food support to these families. All these factors including the increased interest for return prove that the action will be more efficient and more needed in the field, thus further supporting the need for Project IPA 2012.

However, it is expected that additional assessment will take place with the assistance of the EU before the implementation of the project proposed herewith is actually launched. It should serve to indicate the pace/dynamics of return and the effects of absorption of the assistance which is currently provided from IPA funds for the same purpose. Through close consultations between the EU Delegation and the relevant Beneficiary, the outcome of this assessment shall be reflected in the tender documents (ToRs for the Service contract and the Call for Proposals for the grant scheme) and might concern changes in the figures (number of families) targeted within this result and its indicators.

The issue of return merits special attention as stated in all UN Secretary General Reports on the United Nations Interim Administration Mission in Kosovo. Latest UN Secretary General Report S/2012/275 in point 63 calls for strengthened political will and focus of all relevant stakeholders in order to improve the return process.

*Measurable indicators:*

- Regular public information campaign conducted;
- Minimum 40 Go and See Visits performed;
- Minimum 220 families received returnee assistance kits;
- Minimum 220 families supported through grants awarded for starting up a small business or agriculture-oriented income generation (based on returnee community assessment needs);
- 3 regional thematic workshops on return and migration organised.
- Cooperation arrangements formalised and working with all concerned stakeholders is ensured

### **3.4 MAIN ACTIVITIES**

#### **Activities related to Result 1:**

1.1 Presentation of the project

1.2 Establish criteria for the selection of beneficiaries, post formal announcements, form a commission for the selection of beneficiaries – the vulnerable refugees and IDPs accommodated in CCs.

1.3 Procure and deliver materials intended for the establishment of prefabricated houses or packages of building materials for the completion of started individual houses (building materials would be decided on a case by case basis when drafting the guidelines in relation to the closure of each CC)

1.4 Purchase of village houses for the most vulnerable refugees and IDPs

1.5 Construction of housing units providing housing within a socially supported environment and/or purchase under the terms of the Law on Refugees.

#### 1.6 Conduct monitoring

Taking into consideration the number of accommodated persons, their psychological status, their dependency on the relatively secure environment of a CC, their inability to take full responsibility for their own existence and the capacity of the Commissariat staff, as well as the fact that closing of CCs can be done only during the summer (because of school enrolment of children), the implementation should be undertaken in a few phases and in close cooperation with relevant Commissariat departments. A three year strategy for closure of remaining CCs, with a specific plan for each CC should be prepared as a condition for EU support and awarded grantees should follow the envisaged plan.

### **Activities related to Result 2:**

2.1 Public announcement, development of selection criteria, selection of municipalities

2.2 Grant Agreement submitted to municipalities

2.3 Monitor the setting-up and work of the Commission for the selection of project beneficiaries (adoption of regulations, advertising and selection of beneficiaries)

2.4 Monitor the implementation of specific objectives of the project in targeted municipalities

2.5 Implement the Grant scheme to support implementation of LAPs for resolving the problems of refugee, IDP and returnee populations

In order to achieve synergy and avoid overlap with other projects, only those measures relating to housing solutions, particularly through the provision of village houses and building materials, for IDPs and returnees under the Readmission Agreement, income generating activities and eventually specific activities aiming to facilitate the reintegration of returnees in regular services will be supported. Guidelines for the Call for Proposals will be developed in close cooperation with the EU Delegation.

### **Activities related to Result 3:**

3.1 Plan and implement outreach campaign;

3.2 Develop return-related selection criteria and identify IDP returnees ;

3.3 Prepare informative visits to relevant areas in Kosovo;

3.4 Conduct returnee community needs assessment;

3.5 Provide assistance pertaining to relocation administrative issues;

3.7 Deliver assistance kits to IDP returnees;

3.8 Design and deliver training programmes;

3.9 Provide grants for starting up a small business or agriculture-oriented income generation based on returnee community assessment needs;

3.10 Assist in providing transportation to return spots.

The activities will be implemented through two contracts:

Grant Scheme with three priorities:

Priority 1: Closure of CCs – 10.6 million euros

Priority 2: Support to the LAPs – 1.2 million euros

Priority 3: Support to the return – 2.4 million euros

Service Contract: 1 million euros

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

#### **Project Impact**

One of the most important and difficult problems faced in managing migrations in Serbia in a proper manner is resolving problems of a huge number of refugees, IDPs and returnees. This project will directly respond to the housing and employment needs of this marginalised group. Positive impact for this group over the longer-term will be evidenced by:

- Closure of CCs;
- Poverty reduction among the targeted population;
- Improvement of social inclusion of marginalised groups;
- Housing solutions for refugees, IDPs and returnees provided;
- Improved psychosocial status and quality of life for the targeted population;
- Economic self-reliance of the targeted group will be strengthened;
- Integration or return of refugees will be encouraged.

The project will have an impact on the wider domestic population and the local community in terms of the provision of a better quality of life. Positive impacts on the budget (through decreased claims for family income support, one-off assistance in cash, etc.) are expected. Generally, the project will contribute to the better exercising of guaranteed basic human rights. Development of self-employment programmes for forced migrants will encourage development of similar programmes at the local level intended for the domestic population

#### **Catalytic Effect**

The Project will have a positive effect on the overall socio-economic progress and greater social cohesion in Serbia since forced migrants populations are especially affected by poverty. In the Poverty Reduction Strategy for Serbia, refugees and IDPs are recognised as one of the poorest and the most vulnerable groups besides children, the elderly, disabled people, Roma, the rural population and uneducated persons. As recommended in the Poverty Reduction Strategy Paper, “A permanent improvement in the economic and social status of the most vulnerable groups will, more importantly, prevent a continuing cycle of poverty within these groups.” By resolving these issues, the project is expected to contribute to breaking the cycle of poverty.

Development and adoption of the LAPs has contributed to the involvement of local governments in addressing the most pressing problems of vulnerable migrants. The Commissariat jointly with other donors provided financial support to the implementation of the activities envisioned by the LAPs which encouraged the further establishment of LAPs within the outstanding municipalities and cities. In this manner, establishment of the additional budget lines and allocation of supplementary financial means from local budgets has been provided.

Moreover, the village houses activity is a good example of best practice that is already being replicated by different actors. It is foreseeable that municipalities which have gained experience through this project and have demonstrated the capacity to implement this activity could potentially provide for the resources to repeat similar processes after completion of this project.

The forced migrants that are provided with housing and income-generation support will be integrated in the local community of their choice where they will establish bonds with neighbours and other members of those communities. This will contribute to the greater social cohesion of these communities and the social inclusion of this population. No less significant is that the project will contribute to a more balanced regional development, particularly in those regions with a high concentration of displaced populations.

### **Cross Border Impact**

Enabling the return to Kosovo or local integration of a considerable number of refugees and IDPs, this project will have a significant positive impact on regional cooperation. The recently held International Conference on Durable Solutions for Refugees and Displaced Persons in the Region has re-emphasised the urgent need for a definitive resolution to this problem. Based on the recommendation of the international community, countries in the region affected with refugee crises are establishing a Regional project aimed at taking a regional approach to resolving refugees’ problems. The project is expected to be launched in the near future. As this project will support reintegration of returnees under the Readmission Agreement, secondary and irregular migration will be prevented, which will help Serbia to fulfil its obligations towards European countries.

### **3.6 SUSTAINABILITY**

This project will directly respond to the housing and employment needs of marginalised refugees, IDPs and returnees. Positive effects for this group over the longer-term will include: Poverty reduction among the targeted population, improvement of social inclusion of

marginalised groups, closure of CCs, provision of durable housing solutions for refugees, IDPs and returnees and strengthened economic self-reliance among the target group.

Positive impact on the government's budget is also expected in terms of a decrease in claims for family income support, one-off cash assistance, etc. By enabling forced migrants to resolve their housing concerns, the project will contribute to improving their quality of life while facilitating their integration into the local community. Supporting the implementation of the activities planned by local authorities provides for their further engagement in the continuation of undertaken activities, thereby contributing to project sustainability. By addressing the fundamental issues that perpetuate poverty among these populations, the project is expected to contribute to breaking the cycle of poverty, thereby improving overall socio-economic progress and greater social cohesion in the RS.

### **3.7 ASSUMPTIONS AND PRE-CONDITIONS<sup>6</sup>**

There is one formal pre-condition related to the project's third result, envisaged to ensure maximal realistic roll-out of activities concerning the return of IDP families to Kosovo. This is actually the undertaking of an assessment financed by a framework contract on the absorption of the previous IPA assistance provided for the same purpose, which will present an additional assurance that the targeted number of beneficiaries is adequate, and that the planned mechanism of interventions incorporates the lessons learnt in the implementation of assistance prior to IPA 2012. Based on the results of the assessment and lessons learnt from ongoing assistance to measure will be redesigned.

Assumptions include a commitment on the part of LSGs to participate in resolving the issues of refugees, IDPs and returnees on the basis of the Readmission Agreement, as well as a continued interest on the part of IDPs to return to their homes of origin.

Furthermore, the assumptions for the successful implementation of this project comprise the following: economic and political stability within the region, cooperation at the local community level, system developed for providing sustainable housing solutions and providing legal assistance, satisfactory level of freedom of movement in the region, continuation of the process of stabilisation and association to the EU, interest and willingness by local level authorities and service providers, improved level of cooperation with decision makers at the local level through their increased participation in the provision of housing solutions and the achievement of an appropriate level of coordination with relevant institutions.

Conditionalities:

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<sup>6</sup> Assumptions are external factors that have the potential to influence (or even determine) the success of a project but lie outside the control of the implementation managers. Such factors are sometimes referred to as risks or assumptions but the Commission requires that all risks shall be expressed as assumptions. Pre-conditions are requirements that must be met before the sector support can start.

- Adoption of a three year strategy for closure of remaining CCs, with a specific plan for each CC prepared;

#### **4 IMPLEMENTATION ISSUES**

The implementation of the project will be in line with PRAG procedures and will be done in close cooperation with the contracting authority. When it comes to ensuring housing solutions (as envisaged under results 1. and 2.) granting of housing units and materials will be carried out following PRAG standard procurement rules, while secondary procurement shall be undertaken as determined per grants contracts. Furthermore, the selection of the final beneficiaries will be carried out in accordance with standard criteria and procedures developed in previous projects of similar scope with UNHCR and Commissariat for Refugees who always participate in the evaluation commissions as well as in the monitoring of the usage of the granted housing units.



## 4.1 INDICATIVE BUDGET

### Indicative Project budget (amounts in EUR) (for centralised management)

PROJECT TITLE			SOURCES OF FUNDING									
			TOTAL EXPENDITURE	IPA CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)	
Activity 1												
contract 1.1												
Service contract	-	-	1.0	1.0		0						
contract 1.2												
Grant scheme	-	-	16.15	14.2		1.3	0.84	0.46		0.65		
TOTAL IB												
TOTAL INV												
<b>TOTAL PROJECT</b>			<b>17.15</b>	<b>15.2</b>	<b>89</b>	<b>1.3</b>	<b>7.5</b>	<b>0.84</b>	<b>0.46</b>	<b>0.65</b>	<b>3.5</b>	

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

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

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

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

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

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
Contract 1.1 Service contract	T+1Q	T+4Q	T+19Q
Contract 1.2 Grant scheme	T+1Q	T+4Q	T+19Q

The Grant Contract will start after establishing the PMU through the Service Contract.

The beneficiary will prepare the Terms of Reference for the Service contract procurement dossiers, respecting the time limitations involved in order to ensure that these are completed as soon as the FA is concluded.

## 4.3 CROSS CUTTING ISSUES

### 4.3.1 *Equal Opportunities and non discrimination*

The project will be implemented in a non-discriminatory manner with equal opportunities observed and firm guarantees that distinctions will not be drawn on the basis of sex, race, ethnicity, religion or other possible grounds in any regard. The project strongly encourages applications from women-headed households and female victims of violence. Gender equity principles will be respected in the implementation of all project activities.

### 4.3.2 *Environment and climate change*

The project anticipates utilization of domestic building materials that are acceptable according to current criteria and standards for environmentally safe practices.

### 4.3.3 *Minorities and vulnerable groups*

The Roma, Ashkali and Egyptian (RAE) community generally belongs to the most vulnerable segment of the IDP population in Serbia. Also, more than 60% of returnees are Roma. The main criteria for the beneficiary selection are: multi-member and multi-generation families, families with minors, families with an irregular income as well as families with new-born children. For this reason, RAE families will account for 10% of the total number of beneficiaries. In accordance with the Strategy for Improving the Situation of Roma in the Republic of Serbia, a special reporting on RAE beneficiaries will be required. The expected outputs of the Project will enable these minority groups to live in a secure environment, to help them become more self-sufficient through income generating activities and to assure that their full scope of rights is preserved and respected.

### 4.3.4 *Civil Society/Stakeholders involvement*

Through the process of inclusive planning, local NGOs have been included in the preparation of LAPs.

In accordance with the consultative process that is implemented annually by SEIO for IPA programming, CSOs are consulted during the programming identification phase. CSOs from a variety of sectors are invited to contribute their views on the identification of programming priorities for the IPA pipeline of the corresponding year and their input is taken into consideration whenever possible.

## ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Project title and number <b>Support for improvement of the living conditions of forced migrants and closure of Collective Centres</b>	
		Contracting period expires: 3 years after the signing of the Financial Agreement	Execution period expires: 5 years after the signing of the Financial Agreement
		Total budget: <b>EUR 17.15 m</b>	
		IPA budget: <b>EUR 15.2 m</b>	
Overall objective	Objectively verifiable indicators (OVI)	Sources of Verification	
Adequate living conditions and integration of forced migrants who choose to stay in Serbia while supporting the sustainable return of those wishing to return to Kosovo	<ul style="list-style-type: none"> <li>▪ Number of migrant families which have resolved their housing concerns</li> <li>▪ Number of returnee families who have achieved sustainable return to Kosovo</li> </ul>	EC Progress Report on Serbia Annual Report of the Commissariat for Refugees Annual Report of the Office for Kosovo and Metohija	
Specific objective	Objectively verifiable indicators (OVI)	Sources of Verification	Assumptions
1. To support the closure of the remaining CCs and improvement of the living conditions of an additional 450 refugees, IDPs and returnees under the Readmission Agreement 2. To support the sustainable return of IDPs to Kosovo	<ul style="list-style-type: none"> <li>▪ All CCs closed</li> <li>▪ Improved living conditions of 450 vulnerable IDPs and returnees in private accommodation</li> <li>▪ Number of families that have achieved sustainable return to Kosovo</li> </ul>	Final Report regarding the implementation of the project Annual Report of the Commissariat for Refugees Annual Report of the Office for Kosovo and Metohija	Economic and political stability within the region Cooperation at the local community level
Results	Objectively verifiable indicators (OVI)	Sources of Verification	Assumptions
<b>Result 1:</b> Remaining CCs are closed through the provision of housing solutions	<ul style="list-style-type: none"> <li>▪ Housing solutions for beneficiaries of 14 CCs are provided based on the needs assessments for the CC inhabitants</li> </ul>	Periodical and final project reports Annual Report of the Commissariat for Refugees Monitoring reports Reports regularly generated from the returnees' data base Needs assessment for return	Adequate coordination with other relevant projects in order to provide various solutions for the closure of CCs Satisfactory level of security and freedom of movement in the region Continuation of the process of stabilization and association to the EU Interest and willingness by local level authorities and service providers High level of cooperation with LSGs in developing LAPs A continued interest on the part of IDPs to return to their homes of origin.
<b>Result 2:</b> Implementation of activities related to housing solutions such as delivery of building material packages, purchase of village houses and supply and instalment of prefabricated houses for IDPs and returnees in undignified private accommodation, economic self-reliance of all three categories of forced migrants through delivery of small grants for work, craft and agriculture activities and measures leading to better social inclusion of returnees under the Readmission Agreements (language lessons, additional teaching of pupils, psychosocial support) in 12 LAPs supported	<ul style="list-style-type: none"> <li>▪ 12 municipalities supported with the financial means intended to implement the LAP activities</li> <li>▪ 150 refugee, IDP and returnee families in private accommodation supported through implementation of LAPs</li> </ul>		
<b>Result 3:</b> Return of 220 IDP families to Kosovo supported, upon their wish	<ul style="list-style-type: none"> <li>▪ Regular public information campaign conducted</li> <li>▪ Minimum 40 Go and See Visits performed</li> <li>▪ Minimum 220 families received returnee assistance kits</li> <li>▪ Minimum 220 families supported through grants awarded for starting up a small business or</li> </ul>		

	<p>agriculture-oriented income generation (based on returnee community assessment needs)</p> <ul style="list-style-type: none"> <li>▪ 3 regional thematic workshops on return and migration organised</li> <li>▪ Cooperation arrangements formalised and working with all concerned stakeholders is ensured</li> </ul>		
<b>Activities to achieve results</b>	<b>Means and Costs</b>	<b>Assumptions</b>	
<p><b>Activities related to Result 1:</b></p> <p>1.1 Presentation of the project</p> <p>1.2 Establish criteria for the selection of beneficiaries, post formal announcements, form a commission for the selection of beneficiaries – the most vulnerable refugees and IDPs</p> <p>1.3 Procure and deliver materials intended for the establishment of prefabricated houses or packages of building materials for the completion of started individual houses (building materials would be decided on a case by case basis when drafting the guidelines in relation to the closure of each CC)</p> <p>1.4 Purchase of village houses for the most vulnerable refugees and IDPs</p> <p>1.5 Construction of housing units providing housing within a socially supported environment and/or purchase under the terms of the Law on Refugees.</p> <p>1.6 Conduct monitoring</p>	<p>Grants contract: EUR 14.2m</p> <p>Service contract for managing the grant scheme: EUR 1.0m</p>	<p>Appropriate level of coordination with the relevant institutions</p> <p>Adequate capacities of LSGs</p> <p>High level of cooperation with LSGs in developing LAPs</p> <p>A continued interest on the part of IDPs to return to their homes of origin</p>	
<p><b>Activities related to Result 2:</b></p> <p>2.1 Public announcement, development of selection criteria, selection of municipalities</p> <p>2.2 Grant Agreement submitted to municipalities</p> <p>2.3 Monitor the setting-up and work of the Commission for the selection of project beneficiaries (adoption of regulations, advertising, and selection of beneficiaries)</p> <p>2.4 Monitor the implementation of specific objectives of the Project in targeted municipalities</p> <p>2.5 Implement the Grant scheme to support implementation of LAPs for resolving the problems of refugee, IDP and returnee populations</p>			
<p><b>Activities related to Result 3:</b></p> <p>3.1 Plan and implement outreach campaign</p> <p>3.2 Develop return-related selection criteria and identify IDP returnees</p> <p>3.3 Prepare informative visits to relevant areas in Kosovo</p> <p>3.4 Conduct returnee community needs assessment</p> <p>3.5 Provide assistance pertaining to relocation administrative issues</p> <p>3.6 Deliver assistance kits to IDP returnees</p> <p>3.8 Design and deliver training programmes</p> <p>3.9 Provide grants for starting up a small business or agriculture-oriented income generation based on returnee community assessment needs</p> <p>3.10 Assist in providing transportation to return spots</p>			

**Precondition: - Results of the assessment on the absorption of the assistance provided in previous IPA programmes to returnees are available .**

**-Adoption of a three year strategy for closure of remaining CCs, with a specific plan for each CC prepared**

## **ANNEX 2 - Description of Institutional Framework**

### **The Commissariat for Refugees**

**The Commissariat for Refugees of the Republic of Serbia** is a special institution established by the Law on Refugees in 1992 (Official Gazette of RS, no. 18/92 , 45/02 – correction and 30/10 - correction).

Pursuant to the provision of Article 6 of the Law on Refugees (Official Gazette of RS, no. 18/92 and 45/02 – correction and 30/10 - correction), the Commissariat performs tasks related to identifying refugee status, caring for refugees, keeping records determined by law, coordinating the humanitarian aid provided by other agencies and organizations in country and abroad, as well as monitoring the equal and timely provision of such aid and providing accommodation for refugees, that is, their relocation within territorial units, provision of favourable conditions for the return of refugees back to the areas they left or to other areas determined by the Commissariat, i.e. until acceptable conditions are permanently provided in some other manner. According to the provisions of international conventions, ratified by Yugoslavia, which determine the status and rights of refugees, the Commissariat initiates requests for support from the UN and other institutions that provide international support, to accommodate the needs of refugees in the territory of the Republic of Serbia.

Conclusion of the Government No. 05: 06-3186/2005, May 2005, assigns task to the Commissariat for Refugees to establish, in the framework of the existing number of employees, a special internal organizational unit, which will deal with issues of care and protection of the rights of internally displaced persons and the number and structure of involved persons in the unit to decide in accordance with the participation of internally displaced persons in the total number of displaced population in the Republic of Serbia.

By the Law on asylum (Official Gazette of the Republic of Serbia, no.109/07) the Commissariat for Refugees is responsible for accommodation and care of the asylum seekers while the process is in progress.

Decision on the Establishment of the Coordinating Body for Monitoring and Management of Migration (Official Gazette of the Republic of Serbia, no.13/09), points the Commissariat for Refugees to provide technical, operational and administrative and technical support for this body.

Commissariat for Refugees is one of the key of the implementation of the reintegration of returnees on the basis of readmission agreements.

Within the projects for capacity building of the Institutions of the Government of Serbia dealing with Refugees and IDPs funded by EU, special attention is given to professional skills development. Therefore, Commissariat has established a team that is continuously trained in Project Cycle Management.

The Commissariat is headed by the Commissioner, appointed by the Government. Commissioner has a Deputy and two Assistants. In the Commissariat there are two

sectors: Sector for Accommodation and Sheltering, Return and Durable Solutions of Refugees and Sector for General and Legal Issues and HR Affairs.

Within the projects for capacity building of the Institutions of the Government of Serbia dealing with Refugees and IDPs funded by EU and managed by EAR, special attention is given to professional skills development. Therefore, Commissariat has established a team that is continuously trained in Project Cycle Management.

### **The Office for Kosovo and Metohija**

The Ministry in charge for Kosovo and Metohija was established by the 2007 Law on Ministries<sup>7</sup>. Its existence was confirmed by the new Law on ministries<sup>8</sup> adopted in 2008. Pursuant to this law, the Ministry executes functions of the state management that refer to the following: functioning of the institutions of the Republic of Serbia on the territory of Kosovo-Metohija; education, health care, social policy, culture, infrastructure, system of local self-government and telecommunications in Serbian populated areas; cooperation with Serbian Orthodox Church; restoration of spiritual and cultural heritage; financial, legal, technical and professional assistance in all areas significant for Serbs as well as other non-Albanian communities; cooperation with the CRS pertaining to IDPs from Kosovo; drafting law proposal regulating the substantial autonomy of Kosovo-Metohija; implementation of the policy of protection of the state territorial integrity cooperation with the civilian and military UN mission (UMNIK and KFOR) on the basis of UNSC resolution 1244; maintaining constant international contact with parties involved in international talks on Kosovo status, as well as all other functions determined by law<sup>9</sup>.

The Ministry was created in the spring of 2007 and it has subsumed the competences of the Coordination Centre for Kosovo (CCK), the governmental institution in charge, until recently, of coordinating the activities of the GoS in Kosovo and Metohija (hereinafter: KiM).

### **The Office for KiM is comprised of the following sectors<sup>10</sup>:**

1. Sector in charge for international cooperation and cooperation with international missions in KiM that is comprised of Department for international cooperation and Department for cooperation with international missions
2. Sector in charge for affairs of the Republic of Serbia on KiM, that is comprised of Department for economy and economic development, Department for culture, media, cultural and natural inheritance and cooperation with Serbian Orthodox Church and Department for justice, human rights and property

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<sup>7</sup> Official Gazette of the Republic of Serbia (RS) No. 43/2007 of 15 May 2007.

<sup>8</sup> Official Gazette of the Republic of Serbia (RS) No. 65/2008 of 5 July 2008.

<sup>9</sup> The Law on Ministries, Article 23.

<sup>10</sup> See the *Rulebook on Internal Organization and Systematization of Positions in the Ministry for Kosovo and Metohija*, approved on 14 November 2008 (the GoS' decision 05 No. 110-4899/2008)



3. Sector for sustainable return and subsistence that is comprised of Department for labour, employment and social support and Department for return and humanitarian aid
4. Sector for management and coordination of services of local self-government comprised of Department for administration and coordination of local self-government and Department for education, health, environment and sport
5. Field units of the Office for KiM comprised of The Ministry office in Kosovska Mitrovica, Group for media and communication – Press centre Kosovska Mitrovica, The Ministry office in Gračanica and Group for media and communication – Press centre Gračanica

Special internal units: Director's cabinet and Secretariat of the Office which is comprised of Department for human recourses, Department for financial-material affairs, Department for IT affairs, Department for harmonization of work of internal units and Department for translation.

### ANNEX 3 - Reference list of relevant laws and regulations

Reference list to Laws	
<i>Constitution of the Republic of Serbia</i> Official Gazette of the Republic of Serbia, No. 98/06	The Constitution of the Republic of Serbia contains that many norms which for taking roots by the basic constitutional values such as human rights human freedom, the rule of law, market economy, social justice, parliamentary, territorial autonomy, and local self-government. In such a way almost all freedoms and rights in the sphere of individual and political rights are elaborated in the Constitution. The Constitution also provides protection of the moveable and immoveable property.
<i>Law on Refugees</i> Official Gazette of the Republic of Serbia, No. 18/92, 45/02 and 30/10	This law regulates conditions for acquisition and termination of refugee status as well as measures for protection during displacement and return
<i>Public Information Law</i> Official Gazette of the Republic of Serbia, No. 43/03 and 61/05	This law regulates the right to freedom of information as well as the rights and obligations of all actors in the process of information provision.
<i>Regulation on Taking Care of Refugees</i> Official Gazette of the Republic of Serbia, No. 20/92, 70/93, 105/93, 8/94, 22/94, 34/95 and 36/04	This by-law regulates different types of care and assistance to refugees, including accommodation and material aid
<i>Regulation on Taking Care of Expelled Persons</i> Official Gazette of the Republic of Serbia, No. 47/95	This by-law regulates different types of care for expelled persons
<i>Law on the Citizenship of the Republic of Serbia</i> Official Gazette of the Republic of Serbia, No. 135/04 and 90/07	This law regulates issues related to Serbian citizenship and the conditions for acquisition of it by refugees
<i>Law on Property owned by the Republic of Serbia</i> Official Gazette of the Republic of Serbia, No. 53/95, 3/96, 54/96,32/97,44/99 and 101/05.	This law regulates management, ownership and use of public resources in Serbia.
<i>Law on Planning and Housing</i> Official Gazette of the Republic of Serbia, No.72/09	This law regulates procedures for issuing building certificates and permits. Articles 161, 162, 163 and 164 are related to the legalization of constructions
<i>Law on Public Procurement</i> Official Gazette of the Republic of Serbia, No.116/08.	This law regulates public procurement for selection of the bidders for construction of the housing units

<p><i>Law on Local Self Government</i> Official Gazette of the Republic of Serbia, No. 9/02, 33/04, 135/04 and 129/07.</p>	<p>This law regulates the jurisdiction of local self-governments that is important for refugees and IDPs as it enables forcible eviction of illegal occupants, issuing construction permits, legalisation of illegal construction, primary health protection, education, agricultural land and free legal aid</p>
<p><i>Law on Financing the Local Self Government</i> Official Gazette of the Republic of Serbia, No. 62/06.</p>	<p>This law regulates issue of financing of local self-governments</p>
<p><i>Family Law</i> Official Gazette of the Republic of Serbia, No. 18/05.</p>	<p>The law regulate family-related property and other rights (e.g. family reunification) relevant to IDPs and Refugees</p>
<p><i>Law on Social Protection and Social Security for Citizens/</i> Official Gazette of the Republic of Serbia, No. 36/91 , 79/91 , 33/93 , 53/93 , 67/93 , 46/94 , 48/94 , 52/96 , 29/01 , 84/04 , 101/05 , 115/05.</p>	<p>The law regulate social security and social protecton relevant to IDPs</p>
<p><i>Law on Financial Support for Families with Children</i> Official Gazette of the Republic of Serbia, No. 16/02 , 115/05</p>	<p>The law regulate support for families with children relevant to IDPs</p>

## **ANNEX 4 - Details per EU funded contract**

### **1. Grants Contract (Call for proposals)**

One call for proposals with three priorities will be implemented:

#### **a) Closure of CCs**

Grant contracts will be awarded to organizations that will be responsible for implementing the housing component, i.e. provision of housing units. Specifically, the outputs will include the construction of apartments, purchase of village houses, provision of prefabricated houses and building material kits for the completion of started individual houses (building materials would be decided on a case by case basis when drafting the guidelines in relation to the closure of each CC)

#### **b) Local Action Plans**

Grant contracts will be awarded to municipalities with adopted LAPs that foresee activities in line with national strategic documents, especially in the field of employment, housing and social inclusion.

Eligible activities will be provision of building materials, village and prefabricated houses, income generating activities and VET, as well as additional services for forced migrants.

Housing solutions should target those IDPs and returnees living in undignified living conditions, while employment activities should target all three categories. In addition, some specific activities for facilitating the integration within the educational, health or social systems could be supported.

Applicants for Grants will have to demonstrate that they have a clear plan for the implementation of the grant and to prove sustainability of action. Cooperation with Local Councils for Migration Management and an active working partnership within the local stakeholder will be essential.

#### **c) Support the sustainable return to Kosovo**

Grant contracts will be awarded to organizations that will be responsible for supporting returnees' relocation, administrative issues, provision of grants for starting up a small business or agriculture-oriented income generation and assistance kits to returnees as well as for planning and implementation of outreach campaign. Specifically, the outputs will include the following:

- Performing 40 Go and See Visits
- Provision of 220 assistance kits to returnees families
- Provide grants to 220 families for starting up a small business or agriculture-oriented income generation based on returnee community assessment needs

- Organisation of 3 regional thematic workshops on return and migration

On the level of this Activity, clear criteria for the Call for Proposals will be developed by the Commissariat for Refugees and Office for Kosovo and Metohija and approved by the European Union Delegation in Serbia. Particularly, when it comes to the third priority on support to sustainable return to Kosovo, as outlined in the Annex 1 above, the accomplishment of a prior assessment on the absorption of the assistance provided in previous IPA programmes to returnees shall be necessary (formal pre-condition to the launching of the procedure for the priority in question). Follow-up, monitoring and evaluation of the activities supported by the grant funds will also be the responsibility of grant awardees, in cooperation with the Commissariat and the Office for Kosovo and Metohija. The amount for the priority on closure of CCs is EUR 10.6m and it is envisaged that each grant will range between EUR 2m and EUR 3m.

The amount for support to the LAPs is EUR 1.2m and it is envisaged that successful grantees (municipalities) will be awarded grants of up to EUR 100,000 maximum.

The amount for supporting the sustainable return to Kosovo is EUR 2.4m and it is envisaged that each grant will range between EUR 1m and EUR 2m.

As complementary to the above explained IPA allocations, the structure of the indicated co-financing for this grant scheme is envisaged as follows: 840,000 EUR shall be provided from the central level institutions, out of which 240,000 EUR in the budget (financial plans) of the Office for Kosovo and Metohija and 600,000 in the budget (financial plans) of the Commissariat for Refugees; 460,000 EUR shall be provided from the awarded municipalities as contribution in payment for connection to infrastructure facilities, issuance of permits and supervision of works, etc.; in relation to the closure of CCs and support to sustainable return to Kosovo, it is envisaged that the implementation of the grant scheme will be undertaken by awarding grant contracts to successful applicant organizations which will be requested to secure their own contributions amounting to at least 5% of the awarded grant. In total, this should be at least 650,000 EUR which is designated in the indicative budget table (section 4.1) as the private contribution. Thus, the overall amount of co-financing for the project is EUR 1.95m.

### **Service contract**

A service contract for Technical Assistance will be awarded for the implementation of the Grant scheme. The team will be contracted to provide assistance to the EUD and beneficiary institutions in implementation and monitoring of project activities. In order to ensure smooth implementation and proper monitoring, the team will be organised in three units responsible for each priority foreseen in Call for Proposals.

The total amount for managing the Grant scheme is EUR 1m.

This team will perform the following:

1. Monitor implementation of all three priorities

2. Provide support to the selected municipality for LAPS ;
3. Support follow-up and provide mid-term and final monitoring of grant activities and funds in each of the selected municipalities in Serbia, and elaborate technical and financial reports;
4. Provide support for information sharing activities, promotion of the grants scheme and for rising awareness of end beneficiaries.
5. Follow-up, monitoring and evaluation of the activities supported by the grant funds will be the responsibility of Commissariat for Refugees. The experts' team under the Service Contract should provide assistance to Commissariat for refugees in monitoring, implementation and organisation in order to comply with the agreed timeline because the closure of CCs is limited only to the summer period on account of the school year and the resulting need for some children to transfer to a new school.

Apart from the Team Leader, a Key Expert for project implementation and monitoring and a Key Expert for procurement are foreseen. Other experts will include junior experts with good field experience in the relevant field for each result's activities.

The calculation of the budget for this Service Contract has been approximated taking into consideration the tasks expected to be performed by the technical assistance and the basic required inputs in terms of man/days.

Indicative budget for Service Contract: 1.000.000 EUR

The implementation of the project will be in line with PRAG procedures and will be done in close cooperation with the contracting authority. When it comes to ensuring housing solutions (as envisaged under priorities a) and b) above), granting of housing units and materials will be carried out following PRAG standard procurement rules, while secondary procurement shall be undertaken as determined per grants contracts. Furthermore, the selection of the final beneficiaries will be carried out in accordance with standard criteria and procedures developed in previous projects of similar scope with UNHCR and Commissariat for Refugees who always participate in the evaluation commissions as well as in the monitoring of the usage of the granted housing units.

## **ANNEX 5 - Project visibility activities**

Bearing in mind that the project is directed towards resolving the existential concerns of the most vulnerable categories of persons, and that the implementation of the project's activities will provide housing units for refugees, IDPs and returnees, opening ceremonies will be organized for each housing unit and media coverage for these opening ceremonies will be provided. The opening ceremonies will be attended by the representatives of the Delegation of the European Union to the Republic of Serbia, implementing partners, representatives of local governments and other relevant stakeholders. In this manner, the promotion of the efforts exerted by the European Union directed at reducing the level of poverty within the Republic of Serbia, as also their promotion of European values will be addressed. All of the visibility materials will be prepared in accordance with the EU visibility Guidelines and will be approved by the Delegation of the European Union to the Republic of Serbia.