

**2011 Annual Programme**  
**Border Management, Readmission and Reintegration : 01-2011/1**

**1. Basic information**

- 1.1 CRIS number:** 2011/022-939  
**1.2 Title:** Border Management, Readmission and Reintegration  
**1.3 ELARG statistical code:** 01.24  
**1.4 Location:** Kosovo\*

**Implementing arrangements**

- 1.5 Contracting authority:** European Commission Liaison Office to Kosovo  
**1.6 Implementing agency:** European Commission Liaison Office to Kosovo  
**1.7 Beneficiary:**

<b>Project activity</b>	<b>Beneficiary (institutions, target group etc)</b>	<b>Contact point responsible for project coordination</b>
1. Strengthening integrated border management and the fight against drug trafficking	Ministry of Internal Affairs/Kosovo Police	Xhelal Shaqiri, IPA Coordinator, Ministry of Internal Affairs
2. Strengthening Readmission and Sustainable Reintegration in Kosovo	Ministry for Internal Affairs (MIA)-DCAM and other relevant ministries involved in reintegration issues	Xhelal Shaqiri, IPA Coordinator, Ministry of Internal Affairs

**Financing**

- 1.8 Overall cost (VAT excluded):** EUR 3.7 million  
**1.9 EU contribution:** EUR 3.7 million  
**1.10 Final date for contracting:** 3 years after signing the financing agreement  
**1.11 Final date for execution of contracts:** 2 years following the final date for contracting  
**1.12 Final date for disbursements:** 1 year after the final date for execution of contracts

**2. Overall Objective and Project Purpose**

**2.1 Overall Objective:**

Support Kosovo authorities to strengthen the rule of law by further supporting integrated border management and the implementation of readmission and reintegration framework and by aligning with and implementing the EU *acquis*.

**2.2 Project purpose:**

1. To further support the implementation of the IBM strategy and its Action Plan and the fight against drug trafficking.

\* Under UNSCR 1244/1999.

2. To facilitate an integrated and comprehensive approach for sustainable reintegration of returnees in Kosovo through (i) strengthening of administrative and institutional capacities of relevant institutions and (ii) ensuring the provision of comprehensive socio-economic measures to beneficiary families.

### **2.3 Link with Accession Partnership / National Programmes for the Adoption of the Acquis/ European Partnership/ Stabilisation Association Agreement**

Within the framework of the Stabilisation and Association Process, Kosovo has demonstrated enhanced efforts to tackle challenges in the Rule of Law sector. These efforts have been further given impetus by the prospective visa liberalisation process. Moreover, the 2008 Kosovo Study has allowed for the former SAP Tracking Mechanism (STM) to be advanced to the Stabilisation and Association Process Dialogue (SAPD), as of 2010. It provides a high level forum for policy and technical dialogue, complemented by technical sectoral subcommittees.

The European Partnership calls for:

- Enhancing the efficiency of the control of the flow of persons at the borders/boundary and enhance the effectiveness and transparency of the department of border and boundary police.
- Strengthening the cooperation between border/boundary management agencies and with neighbouring countries.

### **2.4 Link with MIPD**

Rule of law has been defined as one of the three major sectors to be supported through Multi-annual Indicative Planning Document (MIPD) 2011-2013. The project follows the sector objectives, which are driven by a prospective visa liberalization approach, in particular through addressing requirements in the following areas: a) strengthening administrative capacities for implementation of readmission and reintegration legal and policy framework; b) further capacity building support to reforming the judiciary; c) support to fighting overall organized crime with a focus on enhancing local capacities to tackle money laundering; d) further enhancing local capacities with the view to mutual legal assistance, as well as e) further support to addressing Kosovo's needs in the area of integrated border management.

### **2.5 Link with National Development Plan (where applicable)**

The Medium Term Expenditure Framework (MTEF) 2011 – 2013 sets out an analysis of the macroeconomic environment of Kosovo, and outlines strategic policy priorities of the Government. It also presents a summary of the essential fiscal envelope or baseline against which the range of Government policy priorities will be assessed for funding.

In the Rule of Law sector, MTEF stresses enforcement of the laws on Kosovo Judicial Council and that on courts. It also underlines enforcement of the Law on Management of Confiscated and Sequestered Assets, including setting up the institutional framework and enhancing the capacities, amongst priorities for the forthcoming period. On the Kosovo Judicial Institute, it states implementation of the both Beginners and Continuous Training Programmes. Concerning home affairs, it prioritizes provision of quality services for citizens, integrated border management, preventing and combating financial crime (including financial intelligence) and other forms of organized crime, migration and public security, mainly focusing on the dimension of enhancing human and technical capacities of respective institutions.

### **2.6 Link with national/sectoral investment plans (where applicable)**

#### Further Strengthening integrated border management and the fight against drug trafficking

The project is directly linked to Kosovo's Integrated Border Management Strategy.

#### Further Strengthening Readmission and Sustainable Reintegration in Kosovo

The project is linked to the National Strategy on Migration (especially parts of the readmission component) and Strategy on Reintegration of Readmitted Persons. Moreover, readmission is regulated by the Law on Readmission and a number of bilateral agreements with sending countries (most of them from the EU).

### **3. Description of project**

#### 3.1 Background and justification:

#### **Activity 1. Strengthening integrated border management and the fight against drug trafficking**

Kosovo has 15 border crossing points with the neighbouring countries of Albania, Former Yugoslav Republic of Macedonia, Montenegro and Serbia, 13 of which are permanent. Kosovo borders are located in rural areas and are surrounded by mountains. Although progress has been made to improve the security of borders, not all border crossing points are fully secure. In particular, smuggling of goods, and especially of drugs, is still happening too frequently across the borders. In fact, Kosovo is located along one of the main Balkan routes for heroin smuggling towards European market, though the level of drug seizures in Kosovo remains very low, as well as the number of arrests and convictions in drug related crimes.

To tackle the fight against organized crime Kosovo adopted an Integrated Border Management (IBM) strategy as well as an Action Plan in 2009. The main institutions in charge of development, enforcement and implementation of the IBM in Kosovo are: Kosovo Police (Border Police), Ministry of Economy and Finance (Kosovo Customs), and the Ministry of Agriculture (Kosovo Veterinary and Food Agency). Further to this, the Law on Integrated Border Management was adopted.

For the purpose of coordination and cooperation of IBM, Kosovo Government has created a coordinating structure (Executive Board) with decision making power, which consists of representatives of MEF, MAFRD, MTC, MH and MoFA and is chaired by the Ministry of Internal Affairs. The Board has a coordinating role and is a supervisory and decision making authority.

The key areas of the IBM concept are cooperation and coordination and are supported by three pillars: i) Intra-service Cooperation ii) Inter-agency Cooperation iii) International Cooperation. It promotes facilitation of free and secure movement of persons and commercial goods and it establishes an efficient and effective system of integrated border management where the common goal of open borders can be achieved in a controlled, safe and secure manner.

The intra-agency cooperation and coordination are key elements to the successful implementation of IBM Strategy and Action Plan. Therefore, it is deemed as a priority to strengthen the capacities of IBM Agencies and ensure that the Joint Operations Center (JOC) is fully and properly used in practice by the IBM agencies.

At present, Kosovo has a National Strategy and Action Plan Against Drugs which expires in 2012. In order to meet the broad policy priorities set and enforce the respective legal and policy framework to combat drug trafficking, Kosovo has signed cooperation agreements with several countries. Moreover, the Kosovo Police has SOPs related to investigation of drug trafficking, specifically covering ‘confidential fund’, management and training of informants, etc. Following its restructuring and enhancement of human capacities, Kosovo Police adopted and is implementing its Intelligence-Led Policing (ILP) Strategy and Action Plan. Therefore, this project seeks to take stock of the level of development of MIA’s policy-making capacities and KP’s intelligence capacities by mid-2012, and channel these capacities in combating drug trafficking, as one of the more complex areas of organized crime in and around Kosovo.

One of the key factors for fighting drug trafficking as one of the most complex types of organized crimes is continuous development and enforcement of institutional capacities to improve and enforce the respective legal and policy framework, streamlining institutional responsibilities as well as inter-institutional cooperation and human and technical capacities enabling this. Kosovo needs further support on the fight against drug trafficking to strengthen the capacities of the Agencies involved to enable collection, exchange and analysing of information related to investigation of drug trafficking, streamlining responsibilities of respective institutions.

## **Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo**

The Kosovo Assembly adopted the Law on Readmission on 25 June 2010 which entered into force on 10 July 2010. In May 2010, the Kosovo Government endorsed the revised National Strategy related to the reintegration of repatriated persons to Kosovo following which a comprehensive national action plan was elaborated. An EU funded twinning Project on Readmission and Asylum supported the above mentioned process.

On an annual basis approximately 5.300 repatriated persons are coming back to Kosovo and need to reintegrate into the Kosovo society in a sustainable manner. For the reintegration of repatriated persons, the Kosovo Government has allocated €500.000 from the 2010 budget and €3.6 million from the 2011 budget (at the time of writing, the budget was approved by the Government and is pending approval by the Parliament). An inter-ministerial Executive Board has been established and is operational for which the Ministry of Internal Affairs is in the lead.

Despite efforts, currently Kosovo has still an insufficient infrastructure and administrative capacities for an efficient and effective management of the influx of forced returns and the necessary reintegration process in a successful and sustainable manner. There is no proper coordination of activities and functioning cooperation from the MIA and other relevant ministries down to the municipalities responsible for the reintegration of returnees.

During 2010, some EC missions to Kosovo on re-integration have highlighted that Kosovo central level has started implementing the Reintegration Strategy and Action Plan. Moreover, at the central level, administrative capacities, coordination and setting up of the overall policy framework for reintegration of repatriated persons has considerably improved since an assessment mission in June 2010. While the municipal level has demonstrated basic awareness of the policy framework and of its tools, practical implementation at the municipal level needs to be enhanced: municipalities need to start using the central budget in order to improve possibilities for employment, housing and other required services. The information flow between central and local level has to be improved and the new tools and regulations need to be used in practice at all levels.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)**

#### **Activity 1. Further Support to the development of integrated border management and fight against drug trafficking**

The project will build on previous project interventions supporting proper border management and strengthening the necessary inter-agency cooperation (IPA 2008 Twinning and Border Management System projects). It will further focus on fighting drug trafficking and hence support the cutting of drug trafficking routes also through strengthening cooperation with neighbouring countries. With regard to information exchange, the project should build on the outputs of the Intelligence Led Policing project.

#### **Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo**

This project builds on previous assistance to Kosovo authorities in dealing with increased numbers of returnees and addressing the needs of the latter. Through a comprehensive approach including issues of education and income generation, it will support a sustainable reintegration of returnees in difficult situations upon their return. Also, the capacities of relevant authorities both on central and especially on municipal level need to be enhanced. The project should make use of existing NGO capacities through strong cooperation and/or inclusion in project activities and should link closely with activities of other international organisations or Member States. In this regard, strong links to a Council of Europe project focusing on education also for the RAE community must be ensured.

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

#### **Activity 1. Strengthening integrated border management and the fight against drug trafficking**

Expected results:

1. Border management and enforcement capacities of IBM Agencies strengthened.
2. The anti-drugs legislative, policy and investigative capacities and mechanisms of information collection, exchange and analysis to investigate drug trafficking strengthened.

Measurable indicators:

1. Multi- and bilateral SOP/MoUs are established and implemented defining the scope, structure and methods of cooperation for each organizational level (strategic, operational, and tactical).
2. Shorter waiting times at border crossing points for legitimate border traffic (persons, goods).
3. Increase in detection of incidents and opened investigations.
4. At least 5 common standards and procedures endorsed by IBM Board and implemented.
5. Frequency and composition of inter-agency meetings at the operational and strategic level.
6. Regular exchange of information/intelligence and statistics among border police and customs services is common practice (as described in the SOP/MoUs).
7. Recommendations for concrete improvements to BCP level operations endorsed by IBM Board.
8. A risk management model(s) developed for Kosovo's IBM Agencies.
9. Staff in management and in relevant risk analysis units are trained.
10. A Border Emergency Contingency Plan is adopted for all BCPs.
11. 20% increase of intercepted persons/goods at border/boundary.
12. Reduction in drugs related crime and a reduction in illegal use; dealing and trafficking.
13. An indicators-based Strategy and Action Plan on Anti-Drugs in place.
14. A system of regular policy planning, monitoring and evaluation in place and the respective staff trained.
15. Policy guidelines for undercover investigation in place.
16. Operational plans of joint actions in place.
17. Drug detection equipment procured.
18. Recommendations issued on collection, exchange and analysis of intelligence information related to drug trafficking and addressed.

#### **Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo**

Expected results:

1. Increased capacity and efficiency of central government authorities for co-ordination and monitoring of readmission and reintegration related issues.
2. Increased capacity at municipal level to manage and monitor reintegration related activities.
3. Readmission and sustainable reintegration of returnees strengthened by facilitating their access to national services and if needed by provision of basic assistance upon needs assessments.

Measurable indicators:

1. Relevant legislation, administrative instructions, bi-lateral agreements, regulations are adopted, entered into force and implemented.
2. Training needs assessment conducted.
3. Regular meetings of the Inter-Ministerial Executive Board, working in line with information sharing policy.
4. Monitoring tools created related to sustainable reintegration on central and local level
5. At least 35% of repatriated persons provided with access to basic municipal services (health, education, social employment services)

### **3.4 Activities:**

#### **Activity 1. Strengthening integrated border management and the fight against drug trafficking**

This activity shall be implemented via one twinning and at least one supply contract. In the framework of the twinning contract the cooperation and coordination of the agencies involved in Integrated Border Management will be strengthened. Further Standard Operating Procedures will need to be drafted and implemented at all levels with the aim of creating efficient border management including short waiting periods at the borders. The twinning will assist the agencies in establishing a regular and precise flow of information among all relevant stakeholders and risk management models will be developed. Further to this, capacities of the Kosovo Police to fight drug trafficking need to be enhanced. The legal and policy framework needs to be reviewed as well specialized trainings should be delivered.

Under the supply contract equipment for the detection of drugs shall be procured.

The project will be implemented over a period of 30 months.

#### **Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo**

This activity shall be implemented via a Twinning Contract. Member State experts will continue increasing capacities at both the central and municipal level to deal with readmission and reintegration issues. The relevant legislative and policy will need to be completed. In particular, the reintegration services should be made functional and efficient through further and continuous trainings and monitoring. In close partnership with the beneficiaries the experts will have to define further the system of accessible and relevant services offered to returnees.

The project will be implemented over a period of 24 months.

### **3.5 Conditionality and sequencing:**

Generally, project implementation is hampered by either insufficient qualified 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 department. Often timelines for the adoption of legal instruments are not respected, leading to delays in implementation and causing difficulties in project implementation. Although there has been focus on establishing the legal frameworks in Kosovo still the capacity to enforce the laws has received insufficient attention. An additional constraint is the lack of cooperation among different competent institutions to coordinate responsibilities, enforcement of legislation and efforts in the fields. Full commitment of the national authorities is required to work towards the achievements of the project objectives.

The project includes the following conditionalities:

#### **Activity 1. Strengthening integrated border management and the fight against drug trafficking**

- Key policy decisions made
- Strong project management at senior level in place.
- Government provides financial and political support to the beneficiary institutions including for capital investment.
- Beneficiaries' commitment to the project and allocation of sufficient and appropriate staff.
- Continued interest in the establishment of an efficient, effective and transparent system of border management and fight against drug trafficking.
- The beneficiary administrations demonstrate a proper sense of ownership for the process of integrated border management.
- Political will to cooperate with neighbouring countries.

## **Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo**

- Kosovo authorities allocate sufficient trained and professional staff and experts at central, regional and local level.
- Close cooperation among the different authorities involved in the comprehensive reintegration process.
- Swift and quality approval process of laws and sub-legal acts.
- Low turnover of national trainers from the pool.
- Nomination of sufficient and adequate municipal officials involved in reintegration issues and processes.
- Continuous highest political interest in the establishment of an efficient, effective and transparent reintegration system.
- General socio-economic and political stability.
- Concerted nationwide approach to balance reintegration measures.
- Readiness of municipal authorities to facilitate the provision of basic municipal services.

In the event that the above mentioned conditions are not met, the European Commission Liaison Office to Kosovo reserves itself the right to suspend or cancel the Project.

### **3.6 Linked activities**

Key stakeholders and important players in the sector of the rule of law include:

**The European Union Rule of Law Mission in Kosovo (EULEX)** is the largest civilian mission ever launched under the Common Security and Defence Policy (CSDP). The central aim is to assist and support the Kosovo authorities in the rule of law area, specifically in the police, judiciary and customs areas. The mission is not in Kosovo to govern or rule. It is a technical mission which will monitor, mentor and advise whilst retaining a number of limited executive powers. EULEX works under the general framework of United Nations Security Resolution 1244 and has a unified chain of command to Brussels.

The CSDP mission will assist the Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability. It will further develop and strengthen an independent and multi-ethnic justice system and a multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices. The mission, in full co-operation with the European Commission Assistance Programmes, will implement its mandate through monitoring, mentoring and advising, while retaining certain executive responsibilities.

**International Criminal Investigative Training Assistance Program (ICITAP)** under the US Department of Justice's plan for continuing support includes providing experts to the Ministry of Internal Affairs and the Kosovo Police. Technical assistance is offered to Integrated Border Management, Anti-trafficking in Human Beings, Financial Crime Investigations, policing across ethnic lines and to the Kosovo Centre for Public Safety Education. A major program aimed at providing an IT network for the Kosovo Police is under preparation. ICITAP are also providing trainings to the Police and Prosecutors.

**Organization for Security and Cooperation in Europe OSCE** represents the largest international civilian presence in Kosovo charged with the promotion of human rights and good governance. The Mission is responsible for institution- and democracy-building, and the promotion of human rights and the rule of law.

To help Kosovo's judicial institutions better protect human rights and improve the quality of their services, the Mission monitors and reports on proceedings in the administrative, civil and criminal justice systems. The reports focus on their compliance with Kosovo law and international human rights standards and suggest concrete remedial actions for observed shortcomings. The Mission also organizes workshops with judges to analyse reports and discuss recommendations for remedial actions. Similarly, the Mission proactively monitors the work of the police service. The legal system reports and the police conduct reports jointly provide a comprehensive overview of human rights compliance from arrest to adjudication.

OSCE is also active in the area of reintegration of forced returns, through i.e. supporting conduction assessment on capacities of municipalities or drafting information leaflets for returnees.

**The United Nations Development Programme UNDP** approach to the reform of security and rule of law, traditionally focused on police, judiciary and emergency preparedness, has been broadening in the recent years. Working in co-operation with the Kosovo Judicial Institute, UNDP has developed a programme to support the judicial education in Kosovo (Dutch financed). In an attempt to bring a more unified approach to the law, the project is providing commentaries on existing laws that will help judges in their work. On the job training and dedicated training courses are also planned to improve Kosovo’s judicial service.

Complementing these activities, additional UNDP programmes target Rule of Law in Kosovo. The Access to Justice Programme provides legal aid, information and awareness at community level. It also supports the establishment of new court structures and the monitoring capacities of civil society actors. The Rule of Law institutional capacity building Programme aims to provide support to capacity building of judicial and policing institutions as well as support professionalism and reform of overall practices in the justice sector. It focuses on Ministry of Justice, Kosovo Judicial Institution, Kosovo Judicial Council and Kosovo Chamber of Advocates. Support to Security Sector Development Programme deploys capacity-building advisors to provide policy advice and management support to government stakeholders, including on law drafting.

Another linked activity is the ongoing **Multi-Beneficiary IPA 2007** “Regional support to the update, implementation and monitoring of the Integrated Border Management (IBM) strategies and related Action Plans and development of regional and cross border initiatives” (2008/208-777). Its objectives are to ensure a regionally harmonised implementation of the national IBM strategies and the associated Action Plans (AP), to further enhance regional co-operation through the sharing of best practices and lessons learned in implementing the IBM model, the establishment of common standards and procedures, the improvement of operational cooperation, and the intensification of communication and information exchange, to support cross-border inter-agency cooperation and to further support the development of compatible information systems.

Also the ongoing **Multi-Beneficiary IPA 2008** “Police Cooperation: Fight against organised crime, in particular illicit drug trafficking, and the prevention of terrorism” DET ILECUs II (CN 2009/222-617) is linked with its following objectives: to improve and promote both strategic and operational regional and international cooperation capacities within the region and between the region and the EU, to improve cross-border intelligence collection systems and exchange, criminal intelligence capacities, to enhance and further develop more effective strategies and instruments on the trail, freezing and confiscation of terrorist assets and organised crime-related proceeds and to strengthen and consolidate International Law Enforcement Coordination Units (ILECUs).

The IPA 2011 programme builds on previous EC assistance to the Rule of Law sector, particularly the following projects funded under the Instrument for Pre-Accession:

Name of project	Start End	Activities/Results
Asylum/Migration/ Re-admission.	2009-2011	This Twinning project aims at enhancing both the policy making skills in the Department for Citizenship, Asylum and Migration under MIA as well as the practical handling of readmission/asylum cases (link to the housing facility under IPA 2007).
Supply for the Border and Boundary Police	2009-2011	An EU compliant Border Management Information System is being set up that interconnects all Border Crossing Points and Regional Command Centres via a central system.



		Central, regional command and BCP databases have identical structures allowing seamless migration of data between databases, significant reduction of replication failures and enhanced scalability. Purchase of equipment (passport readers, vehicles, night-vision devices) are procured to establish the authenticity of travel and other documents, detect metallic objects (weapons) carried on the person, identify suspected explosive or narcotic substances, examine vehicles, conduct observation and surveillance on the Green Border and establish a patrol's position on the Green Border (via GPS).
Strengthening the Kosovo Border and Boundary Police	2008-2010	This twinning project supported the Kosovo Border and Boundary Police with the aim to implement integrated border management (IBM) policies, enhance the efficiency of the flow of persons and goods through the borders, advance adherence to EU human rights standards, fight cross-border crime and enforce laws related to the management of Kosovo's borders.
Support to the Anti-Corruption Agency	2008-2009	This project aimed at the development and enforcement of anti-corruption policies and a legal framework in line with EU standards, strengthening inter-agency cooperation together with increased public awareness, to effectively and systematically combat corruption in Kosovo's institutions.
Civil Registration and Unified Address System	2010 - 2013	This project support the Civil Registration Agency in the development of its functions and implementation of working processes with the aim to have all Kosovo citizens living in and outside Kosovo registered in the Registry Books and to develop one central register system to ensure the issuance of correct civil registration related documents. It further assists Kosovo authorities in developing and implementing a unified address system for Kosovo with the goal to have an unambiguous address for all persons living in Kosovo.
Improved education in the Public Safety and Security Sectors	2010 - 2012	This twinning project aims at improving the basic and advanced training for police, customs, fire fighters and penitentiary staff and will support the accreditation of the Kosovo Centre for Public Safety and Education, including setting up of a higher education institution in line with the requirements of the Bologna process.
Support to legal translators/interpreters and legal linguists	2010-2012	The purpose of this project is to increase the efficiency and credibility of the administration, the justice system and the law enforcement authorities in Kosovo, by increasing the proficiency of legal translation/interpretation through the development of curricula and standards for translators/interpreters.
Improvement of the penitentiary system in Kosovo	2011-2014	The overall objective of this project is to strengthen Rule of Law in Kosovo through a increasing the detention capacities of the Kosovo Correctional Service that will enable the Kosovo authorities to cope with a potential increase of the convictions in courts due to the readmission of an increased number of persons with a criminal

		background from the EU Member States, thus minimising the risk for public security.
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### **3.7 Lessons learned**

Although the overall impact realised through previous assistance is satisfactory, a number of challenges remain: the important donor assistance delivered to some of the beneficiaries in the past could, due to insufficient absorption capacities, not always be used to the best potential extent. The simultaneous presence of several donors (in particular non-EU donors) with sometimes different agendas did not always lead to the necessary synergies. Also, the delivering of Technical Assistance through consultants, rather than civil servants, contributed to focussing on achieving short-term results rather than on sustainable capacity building.

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

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA EU CONTRIBUTION		BENEFICIARY 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)
<b>ACTIVITIES</b>												
Activity 1 – Further Support to IBM and fight against drug trafficking			2.5	2.5	100							
contract 1.1 Twinning	X		2.0	2.0	100							
contract 1.2 Supply		X	0.5	0.5	100							
Activity 2 – Strengthening Readmission and Sustainable Return			1.2	1.2	100							
contract 2 - Twinning	X		1.2	1.2	100							
TOTAL IB			3.2	3.2	100							
TOTAL INV			0.5	0.5	100							
<b>TOTAL PROJECT</b>			<b>3.7</b>	<b>3.7</b>	<b>100</b>							

NOTE: 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))

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

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 - Twinning	Q1 2012	Q3 2012	Q4 2014
Contract 1.2 - Supply	Q2 2013	Q3 2013	Q4 2014
Contract 2 - Twinning	Q4 2011	Q3 2012	Q3 2014

## 6. Cross cutting issues (where applicable)

Human rights and in particular minority rights and participation, as well as gender issues will be mainstreamed within all activities and project deliverables. Planning and policy development in the Rule of Law sector planning must encompass the protection of human rights, the fight against corruption, trafficking in human beings, and discrimination.

### 6.1 Equal Opportunity

The project will ensure that men and women will have equal access to all project deliverables. The Law on Gender Equality in Kosovo nr. 2004/2 provides for the equal participation for both females and males “in legislative, executive, judicial bodies of all levels and in public institutions.” According to the Article 3.2 of this Law, the equal gender participation of both females and males is achieved in cases where the participation of the particular gender in the institutions, bodies or at the level of authority is 40%.

### 6.2 Environment

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

### 6.3 Minorities

Failure to integrate Kosovo’s minorities can lead to further violations of human rights. Therefore, this project will aim to contribute to the establishment of multi-ethnic representation in the institutions benefiting from the project, which will address the ethnic groups fairly and equitably under the law, as well as other marginalized groups.

## **ANNEXES**

- 1- Log frame in Standard Format
- 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3- Description of Institutional Framework
- 4 - Reference to laws, regulations and strategic documents
- 5- Details per EU funded contract (\*) where applicable

**ANNEX I: Logical framework matrix in standard format**

<b>LOGFRAME PLANNING MATRIX FOR Project Fiche</b>		<b>Programme name and number:</b>	2011
<b>Border Management, Readmission and Reintegration</b>		<b>Contracting period expires:</b> Ref to section 1.10	<b>Disbursement period expires:</b> Ref to section 1.12
		Total budget: EUR 3.7 Million	IPA budget: EUR 3.7 Million
<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	
Support Kosovo authorities to strengthen the rule of law by further supporting integrated border management and the implementation of readmission and reintegration framework and by aligning with and implementing the EU acquis.	Ability of the institutions to comply to the European Partnership and the EP Action Plan	EC Progress Reports	
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<ol style="list-style-type: none"> <li>1. To further support the implementation of the IBM strategy and its Action Plan and the fight against drug trafficking.</li> <li>2. To facilitate an integrated and comprehensive approach for sustainable reintegration of returnees in Kosovo through (i) strengthening of administrative and institutional capacities of relevant institutions and (ii) ensuring the provision of comprehensive socio-economic measures to beneficiary families.</li> </ol>		<ul style="list-style-type: none"> <li>• Publications of Ministries including MOJ, MIA, MEI and agencies including Kosovo Police.</li> <li>• Non-Governmental and Parliament sources.</li> <li>• Donors' relevant reports including OSCE, Council of Europe and UNHCR.</li> <li>• Respective statistics (MOJ, KJC, MIA statistics...).</li> <li>• Regular EU assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Political will to establish and strengthen the institutions.</li> <li>• Envisaged legislation adopted and enacted. Necessary legislation reviewed, amended and introduced, including secondary legislation and SOP.</li> <li>• Adequate budget allocated to supported institutions.</li> <li>• Full commitment of the beneficiaries to work towards the achievements of the project objectives.</li> <li>• .Adequate cooperation between all stakeholders.</li> </ul>

		missions and reports. <ul style="list-style-type: none"> <li>• MS reports.</li> <li>• EC Progress Report.</li> <li>• EULEX reports.</li> <li>• Project reports.</li> </ul>	<ul style="list-style-type: none"> <li>• Envisaged Cooperation Memoranda between stakeholders signed.</li> <li>• High level of retention of trained/qualified personnel ensured.</li> <li>• Co-financing has been made available.</li> </ul>
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>

<p><b>Activity 1. Strengthening integrated border management and the fight against drug trafficking</b></p> <p>a. Border management and enforcement capacities of IBM Agencies strengthened.</p> <p>b. The anti-drugs legislative, policy and investigative capacities and mechanisms of information collection, exchange and analysis to investigate drug trafficking strengthened.</p>	<ul style="list-style-type: none"> <li>• Multi- and bilateral SOP/MoUs are established and implemented.</li> <li>• Shorter waiting times at border crossing points for legitimate border traffic (persons, goods).</li> <li>• Increase in detection of incidents and opened investigations.</li> <li>• Regular exchange of information/intelligence and statistics among border police and customs services is common practice.</li> <li>• Recommendations for concrete improvements to BCP level operations endorsed by IBM Board.</li> <li>• A risk management model(s) developed for Kosovo's IBM Agencies.</li> <li>• Staff in management and in relevant risk analysis units are trained.</li> </ul>	<ul style="list-style-type: none"> <li>• Project Implementation report</li> <li>• EULEX reports</li> <li>• EC reports</li> <li>• MIA and Customs statistics</li> <li>• Curricula</li> <li>• Training records</li> <li>• Personnel records</li> </ul>	<ul style="list-style-type: none"> <li>• Adequate cooperation between all stakeholders</li> <li>• Strong commitment of all stakeholders</li> <li>• Involvement of KIPA, KCPSD in the development and implementation of the training scheme.</li> <li>• Participation of staff in trainings.</li> <li>• Prioritization of policy development and implementation on IBM.</li> <li>• Continued interest in the establishment of an efficient, effective and transparent system of border management and fight against drug trafficking.</li> <li>• The beneficiary administrations demonstrate a proper sense of ownership for the process of integrated border management and the fight against drug trafficking</li> <li>• Political will to cooperate with neighbouring countries</li> </ul>
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<p><b>Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo</b></p> <p>a. Increased capacity and efficiency of central government authorities for coordination and monitoring of readmission and reintegration related issues.</p> <p>b. Increased capacity at municipal level to manage and monitor reintegration related activities.</p> <p>c. Readmission and sustainable reintegration of returnees strengthened by facilitating their access to national services and if needed by provision of basic assistance upon needs assessments.</p>	<ul style="list-style-type: none"> <li>• A Border Emergency Contingency Plan is adopted for all BCPs.</li> <li>• 20% increase of intercepted persons/goods at border/boundary.</li> <li>• Reduction in drugs related crime and a reduction in illegal use, dealing and trafficking.</li> <li>• An indicators-based Strategy and Action Plan on Anti-Drugs in place.</li> <li>• Operational plans of joint actions in place.</li> <li>• Relevant legislation, administrative instructions, bi-lateral agreements, regulations are adopted, entered into force and implemented.</li> <li>• Training needs assessment conducted.</li> <li>• Regular meetings of the Inter-Ministerial Executive Board,</li> </ul>	<ul style="list-style-type: none"> <li>• Official Gazette</li> <li>• MIA reports</li> <li>• Project reports</li> <li>• EU assessment missions and reports</li> <li>• Ministries' reports</li> <li>• Training courses evaluation reports</li> <li>• Executive Board meetings reports</li> <li>• Reports from municipalities</li> <li>• Reports of relevant international stakeholders and NGOs</li> <li>• Needs assessments and gaps analysis</li> </ul>	<ul style="list-style-type: none"> <li>• Kosovo authorities allocate sufficient trained and professional staff and experts at central, regional and local level.</li> <li>• Close cooperation among the different authorities involved in the comprehensive reintegration process.</li> <li>• Swift and quality approval process of laws and sub-legal acts.</li> <li>• Low turnover of national trainers from the pool.</li> <li>• Nomination of sufficient and adequate municipal officials involved in reintegration issues and processes.</li> <li>• Continuous highest political interest in the establishment of an efficient, effective and</li> </ul>
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	<p>working in line with information sharing policy.</p> <ul style="list-style-type: none"> <li>• Monitoring tools created related to sustainable reintegration on central and local level</li> <li>• At least 35% of repatriated persons provided with access to basic municipal services (health, education, social employment services)</li> </ul>		<p>transparent reintegration system.</p> <ul style="list-style-type: none"> <li>• General socio-economic and political stability.</li> <li>• Concerted nationwide approach to balance reintegration measures.</li> <li>• Readiness of municipal authorities to facilitate the provision of basic municipal services.</li> </ul>
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>

<p>1. Strengthening integrated border management and the fight against drug trafficking</p>	<p>1. One Twinning contract and at least one supply contract.</p>	<p><b>EUR 2.0 million</b> <b>+ EUR 0.5 million</b></p>	<p>Beneficiaries commit to the project with regard to budget allocations and staff</p>
<p>2. Strengthening Readmission and Sustainable Reintegration in Kosovo</p>	<p>2. One twinning contract.</p>	<p><b>EUR 1.2 million</b></p>	<p>Key legislation in place</p> <p>Organisational structure of beneficiary has been decided upon</p> <p>Co-financing ensured</p> <p>Continued political support</p> <p>Participation of staff in the implementation of the project</p> <p>Staff trained kept in service</p> <p>All necessary permissions are provided by the relevant authorities</p> <p>Coordination and cooperation mechanism in place</p> <p>Sufficient understanding between parties as to their respective roles and the extent of their authority</p> <p>Ownership of beneficiaries</p>

**ANNEX II: amounts (in EUR million) Contracted and disbursed by quarter for the project**

<b>Contracted</b>	<b>2011</b>	<b>2012</b>				<b>2013</b>				<b>2014</b>				<b>2015</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>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Contract 1.1 : Twinning				2.0													
Contract 1.2 : Supply								0.5									
Contract 2 : Twinning				1.2													
<b>Cumulated</b>				<b>3.2</b>	<b>3.2</b>	<b>3.2</b>	<b>3.2</b>	<b>3.7</b>									
<b>Disbursed</b>	<b>2011</b>	<b>2012</b>				<b>2013</b>				<b>2014</b>				<b>2015</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>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Contract 1.1 : Twinning				1.0				1.0									
Contract 1.2 : Supply								0.5									
Contract 2 : Twinning				0.5				0.5			0.2						
<b>Cumulated</b>				<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>1.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.5</b>	<b>3.7</b>	<b>3.7</b>					

## **ANNEX III : Description of Institutional Framework**

### **Ministry of Internal Affairs**

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

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

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

The implementation level consists of six executive agencies:

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

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

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

### **Kosovo Police**

Functioning since 1999, Kosovo Police is currently comprised of its Operations, Investigations, Border, Operations Support, Administration Pillars and a Forensic Laboratory at its MHQ level. Activities are coordinated in two levels of organization: Central level and Local level (including Regional level). Police MHQ comprises of departments, directorates, units and support sections. The local level comprises regions, stations and sub-stations.

Kosovo Police has recently completed an extensive review of their backbone structure which was approved by the Minister of the Interior. A Working Group was established on 6 December 2010 and was chaired by the Deputy Director General Resource Management with Advisors from EULEX involved from the beginning of the review process. The supporting infrastructure has still to be determined in terms of both Human Resource allocation and a sustainable Logistics Management Framework determined in accordance with Kosovo Police Strategic Plan 2011-2015.

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

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

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

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

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

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

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

## **ANNEX IV : Reference to laws, regulations and strategic documents:**

Link with AP/NPAA / EP/ SAA

Along with the rest of the region, Kosovo<sup>7</sup> is embracing the European agenda, underpinned by the EU policy for the Western Balkans, the Stabilisation and Association Process (SAP). Almost all instruments under the Stabilisation and Association Process (SAP) are open to Kosovo. The SAP Tracking Mechanism (STM) provides a high level forum for policy and technical dialogue, complemented by technical sectoral workshops.

European Partnership calls for:

- Strengthen cooperation among border management agencies with neighbouring countries
- Apply for membership into the World Customs Organisation
- Apply for membership into the Southeast European Cooperative Initiative (SECI) Centre
- Improve bilateral cooperation and integration in relevant regional and international organisations in the area of border issues and IBM
- Construct shelters and accommodation premises for persons seeking for asylum
- Improve further the legal and policy frameworks in the area of asylum and migration
- Advance and build institutional and technical capacities for the implementation of the legal and policy framework in the area of migration and asylum
- Approve a law on migration in compliance with European standards. Work on a strategy and action plan to address, in particular, re-admission and re-integration of returnees from abroad
- Improve further the legal and policy frameworks in the area of repatriation and re-integration of repatriated persons
- Advance and build institutional and technical capacities for the implementation of the legal and policy framework in the area repatriation and re-integration of repatriated persons
- Improve further the capacity of the Directorate on Borders, Asylum and Migration within the Ministry of Internal Affairs. Strengthen further the operational capacity of the Border Police Service within the Kosovo Police
- Strengthen administrative structures and responsible mechanisms within the Ministry of Communities and Returns. Clarify the division of competencies with regards to returns between the Ministry of Local Government Administration and the Ministry for Communities and Returns at central and local levels. Develop and implement further a joint strategy on sustainable integration of returnees and existing minority communities
- Improve conditions for voluntary returns and re-integration
- Improving the effectiveness of investigation of crime. Adopt and implement legislation to establish the KPS and strengthening its investigative and internal control capacities. Strengthening its leadership.

### **Link with MIPD**

Rule of law has been defined as one of the three major sectors to be supported through Multi-annual Indicative Planning Document (MIPD) 2011-2013. The project follows the sector objectives, which are driven by a prospective visa liberalization approach, in particular through addressing requirements in the following areas: a) strengthening administrative capacities for implementation of readmission and reintegration legal and policy framework; b) further capacity building support to reforming the judiciary; c) support to fighting overall organized crime with a focus on enhancing local capacities to tackle money

laundering; d) further enhancing local capacities with the view to mutual legal assistance, as well as e) further support to addressing Kosovo's needs in the area of integrated border management.

### **Link with National Development Plan (where applicable)**

The Medium Term Expenditure Framework (MTEF) 2011 – 2013 sets out an analysis of the macroeconomic environment of Kosovo, and outlines strategic policy priorities of the Government. It also presents a summary of the essential fiscal envelope or baseline against which the range of Government policy priorities will be assessed for funding.

In the Rule of Law sector, MTEF stresses enforcement of the laws on Kosovo Judicial Council and that on courts. It also underlines enforcement of the Law on Management of Confiscated and Sequestered Assets, including setting up the institutional framework and enhancing the capacities, amongst priorities for the forthcoming period. On the Kosovo Judicial Institute, it states implementation of the both Beginners and Continuous Training Programmes. Concerning home affairs, it prioritizes provision of quality services for citizens, integrated border management, preventing and combating financial crime (including financial intelligence) and other forms of organized crime, migration and public security, mainly focusing on the dimension of enhancing human and technical capacities of respective institutions.

### **MTEF sector objectives in the field of law and order and the rule of law (Section 4.4):**

1. Implementing legislation aimed at combating and preventing crime and securing the life and property of citizens.
2. Observing and investigating serious criminal acts and the possibilities for combating information technology crimes.
3. Improving human capacity, in particular in terms of combating money laundering, investigating narcotics and the ability to combat corruption, organised crime and terrorism. Deploying the intelligence system at all levels, achieving the capacity necessary for legal eavesdropping of telecommunications.
4. Enhanced capacity to fight cross-border crimes.
5. Control over borders ensured.
6. Intelligence based policing implemented at all levels.



## **ANNEX V : Details per EU funded contract (\*) where applicable:**

Contracting arrangements:

Activity 1. Strengthening integrated border management and the fight against drug trafficking  
One twinning and at least one supply contract.

Activity 2. Strengthening Readmission and Sustainable Reintegration in Kosovo  
One twinning contract.

### **Project management and administration**

The European Commission Liaison Office in Pristina will manage the procurement, implementation, quality control, reporting and coordination with EULEX and other donors. A Project Steering Committee will be responsible for the overall direction of the project and comprise of representatives from the beneficiary institutions and the Commission Office. 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 the Court of Auditors - in line with the standard European Commission procedures