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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX 1**

of the Commission Implementing Decision on the financing of the individual measure to strengthen border management capacities in favour of the Western Balkans for 2022

**Action Document**

**MEASURE**

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and annual and multiannual action plans and measures in the sense of Article 9 of IPA III Regulation and Article 23 of NDICI - Global Europe Regulation.

**1. SYNOPSIS**

**1.1. Action Summary Table**

<b>Title</b>	Individual measure to strengthen border management capacities in favour of the Western Balkans for 2022
<b>OPSYS</b>	OPSYS Action: ACT-61312 ABAC commitment level 1: JAD.1031124
<b>Basic Act</b>	Financed under the Instrument for Pre-accession Assistance (IPA III)
<b>Team Europe Initiative</b>	No
<b>Zone benefiting from the action</b>	The action shall be carried out in Bosnia and Herzegovina, Kosovo*, Montenegro and Serbia
<b>Programming document</b>	IPA III Programming Framework
<b>PRIORITY AREAS AND SECTOR INFORMATION</b>	
<b>Window and thematic priority</b>	Window 1: Rule of Law, Fundamental Rights and Democracy Thematic priority 4: Migration and Border Management
<b>Sustainable Development Goals (SDGs)</b>	Main SDG: 16 – Peace, Justice and Strong Institutions
<b>DAC code(s)</b>	15190 - Facilitation of orderly, safe, regular and responsible migration and mobility – 100%

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

<b>Main Delivery Channel @</b>	12000 Recipient Government 41100 International Organisation for Migration			
<b>Markers (from DAC form)</b>	<b>General policy objective @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Nutrition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Internal markers</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>
Connectivity		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Digitalisation		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Migration		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COVID-19		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>BUDGET INFORMATION</b>				
<b>Amounts concerned</b>	Budget line: 15.020101.01 Total estimated cost: EUR 38 741 000 Total amount of EU budget contribution: <b>EUR 38 741 000</b> Budget line: 15.020101.03 Total estimated cost: EUR 500 000 Total amount of EU budget contribution: <b>EUR 500 000</b>  Total amount of EU budget contribution <b>EUR 39 241 000 – year 2022</b>			

<b>MANAGEMENT AND IMPLEMENTATION</b>	
<b>Implementation modalities (type of financing and management mode)</b>	<p>Project Modality</p> <p><b>Bosnia and Herzegovina:</b> Outputs 1.1, 1.2 and 2.1: Indirect management with International Organisation for Migration (IOM)</p> <p><b>Kosovo:</b> Outputs 1.1, 1.2, 1.4 and 2.1: Direct management through Procurement Outputs 3.1 and 3.2: Indirect management with the entity(ies) to be selected in accordance with the criteria set out in section 4.3.2</p> <p><b>Montenegro:</b> Outputs 1.1-1.4 and 2.1: Indirect management with IOM</p> <p><b>Serbia:</b> Outputs 1.1, 2.1, 2.2 and 2.3: Direct management through Procurement</p>
<b>Relevant priorities and flagships from Economic and Investment Plan for the Western Balkans</b>	Not relevant
<b>Final date for concluding contribution / delegation agreements, procurement and grant contracts</b>	At the latest by 31 December 2023
<b>Indicative operational implementation period</b>	72 months following the adoption of the Financing Decision

## 1.2. Summary of the Action

Supporting the capacities of the Western Balkans to effectively manage their borders, safeguard security, reduce cross-border crime and tackle irregular migration are key priorities given both the geographical location of the region vis-à-vis the European Union (EU), as well as the region's European perspective. In support of the 2021 Communication on EU Enlargement Policy<sup>1</sup> and in line with the IPA III Programming Framework,

<sup>1</sup> COM(2021) 644 final 19.10.2021

this Action aims to contribute to further strengthening the capacities of the Western Balkan beneficiaries to implement Integrated Border Management (IBM) that is aligned with EU standards and the Schengen *acquis*.

This Action is designed to respond to the priority needs of the Western Balkan beneficiaries, in particular Bosnia and Herzegovina, Montenegro, Kosovo and Serbia<sup>2</sup>. It focuses particularly on capacities for border surveillance, strengthened inter-agency cooperation, more efficient combating and prevention of migrant smuggling, better detection of trafficking of human beings (THB) and cross-border crime while ensuring full respect of the rule of law and fundamental rights of migrants. An important aspect to enhancing IBM is the establishment and operationalisation of National Coordination Centres.

The Action also contributes to strengthening the operationalisation of migration facilities including reception and detention facilities in Kosovo.

The Action is an important component within the wider enlargement process and EU accession negotiations under Chapter 24 of the EU *acquis* to support the development of effective border management systems. It contributes to the enhancement of EU migration and integrated border management assistance across the areas covered by the New Pact on Migration and Asylum<sup>3</sup>.

Support will dovetail with both ongoing and planned IPA funded activities at both the beneficiary and regional level.

The Action will align with EU and international standards on migration and border management.

## **2. RATIONALE**

### **2.1. Context**

Rule of law is a key benchmark against which progress of IPA III beneficiaries' on their European path is assessed. Migration management, asylum and border management are all important elements of the broader rule of law area, covered by Chapter 24 of the EU *acquis*. The IPA III Programming Framework Window 1 - Thematic Priority 4 - Migration and border management recognises the importance of enhancing IPA III beneficiaries' capacities in the area of migration management, asylum and border management. As such, these are central to the EU's engagement with the Western Balkans.

Efficient migration and border management remains a challenge for the EU and the Western Balkans. The IPA III beneficiaries need to be better equipped to manage irregular migration and fight migrant smuggling, including by aligning with the institutional and legal setup of border management including by aligning with the institutional and legal setup of border management in the EU and by improving the respect of fundamental rights and ensuring free movement of people and goods. This includes responding effectively to the specific needs and protection risks facing refugees and migrants and to be able to face an increase of migratory flows.

The Action is in line with the Strategic Response of Western Balkans IPA III beneficiaries. It is fully in line with the New Pact on Migration and Asylum, which recognises that well-managed EU external borders are an essential component of a comprehensive migration policy. Given their geographical location and future as an integral part of the EU, it is important to equip the Western Balkans with the necessary capacities to implement EU-aligned border procedures that will bring them closer to the EU.

By improving capacities for migration and border management and contributing to the fight against organised crime, the Action directly contributes to increased safety and security in regions close to the EU's borders, in line with the EU enlargement policy. The Action will build on and complement bilateral IPA assistance and regional assistance, in particular the on-going IPA 2021 EU regional support to protection-sensitive migration

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<sup>2</sup> Albania and North Macedonia are not included in this Action as they have programmed bilateral IPA programmes in 2022 that will contribute to enhancing border and migration management capacities.

<sup>3</sup> COM(2020) 609 final 23.09.2020

management systems in the Western Balkans - PHASE III (2022-2025). The Action will also complement the work of Frontex in the region, in particular the implementation of current status agreements and working arrangements. Where relevant, the Action will also coordinate with the 2021-2027 Interreg IPA programmes' PO3 and/or ISO2 projects (in particular when funded through Bulgaria-Serbia Interreg IPA CBC, Hungary-Serbia Interreg IPA CBC, Romania-Serbia Interreg IPA CBC, Croatia-Bosnia and Herzegovina-Montenegro Interreg IPA CBC, Croatia-Serbia Interreg IPA CBC and South Adriatic (Italy-Albania-Montenegro) Interreg IPA CBC) and the priorities set out by the EU Strategy for the Adriatic-Ionian Region (EUSAIR) and the EU Strategy for the Danube Region (EUSDR).

### **Bosnia and Herzegovina**

Since late 2017, Bosnia and Herzegovina (BiH) has seen a significant increase in the number of refugees, asylum seekers and migrants entering BiH at its south-eastern border with Montenegro, and at different border-crossing points with Serbia. Migratory flows are mixed and includes persons with international protection needs.

The need for support to overcome border management challenges is recognised in the BiH IPA III Strategic response which outlines that under IPA III Window 1 Thematic priority 4, migration flows and border management are key priorities in order to maximize efficiency of cross-border migration flows, both regular and irregular, through improving the human and technical capacities of relevant institutions at all levels of government.

The Commission's Recommendations following the 5th Sub-Committee on Justice, Freedom and Security of December 2020 related to asylum and migration management also specified that BiH needs to improve border management and control and the registration and identification of migrants. As such, the Action is highly relevant and responds to concrete priority needs. The Action is directly contributing to the implementation of the Integrated Border Management (IBM) Strategy for the period 2019-2023, which aims to ensure the unimpeded movement of people and goods across the BiH border, whilst preventing all forms of irregular cross-border activity. One of the crucial tasks with regard to the implementation of the IBM Strategy is the development of technical and infrastructural capacities within the context of BiH EU path. As such the Action, which envisages the improvement of EU-aligned border management and fully complies with the objective to further step up strategic and operational cooperation along different pillars including irregular migration, border management and fight against organised crime, will support implementation of the Strategy. The Action is also relevant to the Strategy for the Suppression of Trafficking in Human Beings (2020-2023) which, among other things, aims at improving institutional capacities in accordance with EU and international standards regarding irregular migration, border management, international protection and legal migration.

Consolidated efforts have been made to coordinate donors in Bosnia and Herzegovina in the areas of migration and border management. The European Union continues to provide the greatest assistance and remains a key partner for Bosnia and Herzegovina through the Instrument for Pre-accession Assistance and other assistance programmes, with additional support from international organisations (UN, UNHCR, IOM, etc.) and partners, such as Switzerland, Japan, etc.

The Action will be coordinated with on-going and planned IPA funded programmes. Under IPA 2020 Home Affairs action, for instance, support includes improved border management, IT security and fight against irregular migration and corruption. Such interventions will support the capacity building of competent institutions in the said areas in line with the EU and international standards. Additional support is envisaged for equipping facilities and infrastructure at border points.

### **Kosovo**

The number of migrants and asylum seekers transiting Kosovo has continued to rise especially in 2019. A certain decrease of movements has been registered in 2020 and 2021, partly due to the COVID-19 pandemic travel restrictions, with many migrants stranded and moving around in the region including Kosovo. Despite long term challenges (e.g. lack of biometric equipment to register migrants, presence of smuggling networks,

lack of financial resources), Kosovo has taken a proactive and preventive approach to address the rising mixed migratory flows. In December 2021, Kosovo adopted its revised contingency plan in case of an influx of migrants and has been proactively increasing its capacity to accommodate a larger inflow of people. Kosovo has been temporarily hosting more than 1400 Afghan evacuees since August 2021.

The Action will provide Kosovo institutions in charge of migration and border management with the needed assistance and equipment to improve migration and border management in line with EU best practices and standards. It will also strengthen response capacity to manage migration flows and improve integrated border management. The Action responds to specific objectives as set out in the Kosovo IPA III Strategic response to improve migration management, including border management and border security. It will also help to address the challenge of migrant smuggling, trafficking of human beings and other forms of organised crime.

The priorities and needs addressed by the Action are compliant with the Commission recommendations of the 2021 Kosovo report<sup>4</sup> and the Justice, Freedom and Security subcommittee under the Stabilisation and Association Agreement (SAA). The recommendations have also been included in Kosovo's new Strategy on Migration 2021-2025, adopted in October 2021. The Strategy takes into account obligations deriving from the SAA with the EU as well as recent European and international initiatives such as the new Pact on Migration and Asylum and the Global Compact on Migration. The European Reform Agenda 2 (ERA 2) Action Plan adopted in October 2021 is another strategic document where migration, asylum and border management is included with planned concrete actions. Most of the priorities of the needs assessment are also reflected in the key priority actions for 2021/2023. In February 2022 the Roadmap for cooperation between Kosovo and the European Union Agency for Asylum (EUAA) until February 2024 was officially launched to further align Kosovo with the Common European Asylum System.

The Action will complement on-going and planned IPA funded programs including the Kosovo Police Reform, the future Home affairs programme under IPA 2020 and the IPA 2021 EU regional support to protection-sensitive migration management systems in the Western Balkans - PHASE III (2022-2025). It also follows the recommendations of previous EU assistance, especially the 2016 project "Strengthen Kosovo institutions in effective management of migration".

## **Montenegro**

Although Montenegro is mainly a transit country for migrants seeking to continue their journey to their destination in the EU, the last few years have seen a significant increase in migration movements along the Western Balkans route, so the 2018 uptrend continued in 2019 with 7,978 migrants entering Montenegro, an increase of 60% compared to 4,753 in 2018. Due to the COVID-19 pandemic, the number dropped to 2,904 in 2020 and to 3,336 in 2021. The border with Croatia is an additional reason for the increased number of migrants in Montenegro, which can be expected to further increase in the coming period given the political and humanitarian crises particularly in Ukraine, resulting in large-scale displacement of people seeking international protection in the EU.

This Action is fully in line with the National Strategy on Migration and Reintegration of Returnees in Montenegro for the period 2021-2025, which provides for activities related to migration and the fight against cross-border crime. The Action is furthermore in line with the National Strategy for Sustainable Development until 2030 and the Global Agreement on Migration signed by Montenegro.

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<sup>4</sup> SWD(2021) 292 final/2

As highlighted in the Peer Review mission that took place in January 2021, Montenegro continues to face challenges related to the lack of capacities, human resources and equipment for Integrated Border Management.

The revised IBM Strategy for 2020 – 2024 was adopted by the Government on 16 January 2020. The revised strategy is better aligned with the requirements related to the implementation of the European Integrated Border Management (EIBM) based on the former Regulation (EU) 2016/1624 of the European Border and Coast Guard<sup>5</sup> and the Technical and Operational Strategy for the EIBM adopted by Frontex Management Board in 2019. Moreover, the revised Strategy already acknowledges some elements based on the new Regulation (EU) 2019/1896 on the European Border and Coast Guard<sup>6</sup>. Action plans are updated annually. Monitoring of the action plans is covered by annual implementation reports prepared by the Ministry of the Interior. In May 2021, the Government adopted the Report on the Implementation of the Action Plan for the Implementation of the IBM Strategy in 2020 with the proposed Action Plans for the Implementation of the IBM Strategy and for monitoring the implementation of the Schengen Action Plan (SAP) for 2021.

Montenegro has established an effective system of governance and coordination in the area of IBM. Together with the State Border Commission, the Ministry of the Interior coordinates the activities of the relevant entities that have competence for the implementation of the Strategy. In addition, the Inter-agency working group for monitoring the implementation of the SAP has been established. It also deals with donor coordination and monitoring of project implementation in this area.

The Action is directly contributing to the implementation of the Montenegro IBM Strategy and Schengen Action Plan. It will be complementary and preparatory to a proposed IPA 2022 Sector Budget Support programme to Integrated Border Management aimed at assisting Montenegro in securing the future external EU border, reducing irregular migration and cross border crime. The Sector Budget Support programme will focus on the achievement of the foreseen results in terms of track records and indicators in detection and interception activities, improvement of HR Management; alignment to EUROSUR; and implementation of border patrolling and anti-corruption measures at the border.

## **Serbia**

In 2020, the number of registered migrants and refugees was considerably high, with Serbia registering nearly 40,000 new arrivals. Despite a decrease in detections of irregular border crossings at the beginning of the COVID-19 pandemic, attempts of irregular border crossings increased again. Between January and December 2021, the Border Police detected 27,413 irregular crossings of the state border. Most of irregular migrants and asylum seekers that irregularly cross the state border from North Macedonia and Bulgaria, usually do so by foot passing hardly controlled mountainous terrain, hidden in trucks or by using forged travel documents.

The 2019 Strategy of National Security (NSS) of the Republic of Serbia constitutes the most relevant cross-cutting strategy in the Home Affairs sector. The NSS is hierarchically the highest strategic document defining security challenges, risks, and threats to the national security in all areas of social life. Its goals and objectives are further operationalised in other strategic documents, public policies, and normative legal acts which are to a large extent aligned with the IPA III programming framework. It is fully aligned with the window 1's overall objective and it fully reflects the commitment of Serbia to the rule of law, social justice, democracy, human and minority rights and freedoms and European integration. The national interests formulated in the NSS on preservation of security and stability as well as European integration and membership fully correspond and refer to the IPA III Programming Framework, its general objective and Thematic Priorities 2 - fight against corruption, 3 – fight against organised crime/security and 4- migration and border management. NSS is further complemented by other relevant sectorial strategies such as the Ministry of Interior (MoI) Development

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<sup>5</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R1624>

<sup>6</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R1896>

Strategy 2018-2023, the IBM Strategy and the Strategy on Fight against Irregular Migration. The new IBM Strategy and draft Schengen Action Plan are being developed.

The Action objectives correspond to Thematic Priority 4 – Migration and Border Management as well as Thematic Priority 5 – Fundamental Rights, indicating the need to reduce irregular migration, strengthen cooperation in the region and with EU Member States to fight trafficking in human beings and migrants smuggling as well as to establish appropriate legal and institutional frameworks in line with the evolving EU migration *acquis*, policy and international standards. Moreover, the action will adhere to better implementation of human rights in accordance with the European Convention on Human Rights.

The National Plan for the Adoption of the *Acquis* 2018-2021 (NPAA) outlines that Serbia will align its national legislation with the EU legislation in accordance with respective chapters, particularly chapters 23 and 24. More specifically, chapter 23 under recommendation 3.24.4 indicates that Serbia will align its national legislation, promote the protection of external borders through better operational cooperation with neighbouring countries in order to effectively prevent the crossing of the border using alternative routes as well as adopt necessary investments in infrastructure and training.

The proposed action is relevant to the implementation of the specific policy instruments and strategic documents related to the enlargement process. In this regard, the 2020 European Commission Communication “*Enhancing the Accession Process – A credible EU perspective for the Western Balkans*”<sup>7</sup>, provides that a core objective of the EU’s engagement with the Western Balkans is to prepare candidate countries and potential candidates to meet all the requirements of EU membership which includes supporting fundamental democratic, rule of law and economic reforms and alignment with core European values. In addition, the 2021 European Commission Report on Serbia<sup>8</sup> also provides that significant investment is needed in the area of border control (e.g. second-line checks, border surveillance and equipment for the detection of forged documents) as well in infrastructure at the border crossing points. Finally, the action is also relevant to the implementation of the 2019 Cooperation Agreement concluded by the European Border and Coast Guard Agency (Frontex) and Serbia<sup>9</sup>, assisting Serbia in border management, carrying out joint operations and deploying teams in the region.

## 2.2. Problem Analysis

### AREA OF SUPPORT 1: Strengthening border management (related to Outcomes 1 and 2)

#### Bosnia and Herzegovina

- *Short problem analysis*

From the beginning of the migrant crisis in BiH until the end of 2021, a total of over 26,500 people were detected by the BiH Border Police in irregular crossing or attempt to cross the state border irregularly, while over 43,800 foreign citizens were deterred from attempting to enter BiH irregularly. Although the number of migrants transiting through the Western Balkans in the past two years cannot be compared to the movements seen in period from 2017 to 2021, Bosnia and Herzegovina still needs to strengthen its capacity to manage migration and treat migrants in line with the EU and international standards. The Border Police BiH, Service for Foreigners’ Affairs, State Investigation and Protection Agency and Directorate for Coordination of Police Bodies BiH lack additional human, material and technical capacities to effectively respond to these challenges.

The geographical terrain of the state border is mainly mountainous, with rivers (Drina and Sava). Due to the potential risk of irregular crossings occurring along the border, there is a need to enhance the control and surveillance of the borders in the mountainous region (along the common borders with Montenegro and Croatia), and in the region bounded by rivers (along the common border with Serbia). This necessitates advanced technological equipment by the border police and other relevant authorities. Many migrants do not

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<sup>7</sup> COM(2020) 57 final 5.2.2020

<sup>8</sup> SWD(2021) 288 final 19.10.2021

<sup>9</sup> COUNCIL DECISION (EU) 2019/400 22.1.2019



have identification documents, and usually move in small groups and enter BiH via side roads in order to bypass border crossings. Methods include concealment in cargo, being smuggled by third parties, including in boats across the rivers and in other ways. These are the most critical areas for irregular border crossings as well as smuggling of migrants.

While EU support has been provided over the last few years to boost the capacities of authorities, it is necessary to continue the support through technical and financial assistance to further strengthen BiH structures, capacities and resources in place (both material and human) and to enable authorities to respond to the scope and volume of the migration flows. This support would include further strengthening operational capacity to effectively address irregular migration, migrant smuggling and other cross-border crime.

Priorities and needs include continuous operational activities for the timely collecting and sharing of operational information pertaining to the routes used by migrants, organisers of transfers and smugglers with other law enforcement agencies. This will contribute to the overall goal of prosecuting the perpetrators involved in illegal transfers, the smuggling of foreigners and trafficking of human beings. Additionally, it is necessary to increase human and technical capacities for screening and registration, to ensure persons in need of international protection are identified and referred to the relevant services, especially the most vulnerable. Data and operational information collected at the border serve as the basis for a number of coordinated activities conducted with an aim of controlling the legality of the stay of foreign nationals in BiH. Therefore, support is still needed to strengthen the management of migration, by building the legal frameworks, as well as increasing the institutional and technical capacities of the competent institutions.

- *Description of main stakeholders*

In Bosnia and Herzegovina, migration management is the competency of the State. The Ministry of Security is the main stakeholder in the implementation of this Action. The following ministries, administrative organisations and bodies have responsibilities directly related to implementation of activities in the Action: Service for Foreigners' Affairs of BiH, Border Police of BiH, Directorate for Coordination of Police Bodies BiH, Intelligence Security Agency BiH, Federal Ministry of Interior, Ministry of Internal Affairs of Sarajevo Canton and Ministry of Interior of Una-Sana Canton.

## **Kosovo**

- *Short problem analysis*

Kosovo is landlocked with a green border mostly in mountainous and difficult to access areas. Kosovo has become an increasingly important destination on the Western Balkans migratory route. The Kosovo authorities lack adequate resources (human and technical) to monitor the border/boundary and crossings in line with EU standards. Whilst there was a decrease in migratory flows registered in 2021, there was an increased number of interceptions of irregular migrants and a rise in smuggling of migrants and human trafficking. These interceptions have mostly taken place in urban areas, while Kosovo's green borders cannot be monitored adequately. Recent police operations to fight cross-border crimes, including smuggling and corruption, have shown deficiencies of the current border management capacities. The management of the crossing points and the green border depends on the capabilities of the authorities and the equipment for surveillance. The border authorities have recently received new equipment for registration and identification of migrants and asylum seekers, but have not yet been able to fully integrate them in their systems. The digitalisation of information related to the registration and identification of new arrivals has not yet taken place. Current personnel and equipment resources are limited, but in parallel there are increasing numbers of citizens, business and travellers crossings. To ensure smooth cross-border movements, the authorities need to improve the efficiency at the borders/boundary, while respecting the right and freedoms of the person.

In addition to increasing technical and human capabilities at the Kosovo borders/boundary, conclusions from the Sub-committee meeting on Justice, Freedom and Security held in June 2021, underlines the priority to further strengthen the National Centre for Border Management (NCBM) in order to reach its full potential. The NCBM consists of Kosovo Police, Kosovo Customs, as well as representatives of other agencies of Kosovo and, when necessary, liaison officers from partner countries. The NCBM's mission is to achieve a more efficient coordination, facilitate the exchange of data and information, and in general increase efficiency

of the IBM system. The NCBM serves as a central ‘*Contact Point*’ for the ‘*real-time*’ exchange of information and cooperation between all border authorities, other national coordination centres, and relevant institutions e.g. asylum and immigration authorities. The operation of the NCBM is supported by sound legislation, standard operational procedures and a 5-year development plan, but it has not yet formally taken up the role and responsibilities of the national coordination centre.

In order to further align with the EU *acquis*, the Kosovo authorities need to further strengthen coordination and exchange of information among all the authorities responsible for external border surveillance in the frame of a national coordination centre. The Ministry of Internal Affairs has identified several equipment needs, including the update of current systems that have become outdated or depreciated. Such depreciation of equipment poses a serious challenge to border security, as well as the ability of Kosovo institutions to prevent and combat criminal activities at the border/boundary crossing points and zones.

Through strengthening border management, the Action will further strengthen capacities to identify victims of human trafficking, as well as to detect and tackle migrant smuggling and other forms of organised crime. Strengthened border/boundary control and management will also contribute to higher number of interceptions and better migration data. The Action will improve the surveillance and management of cross border movements at crossing points and green borders, including registration and identification of new arrivals, in line with EU and international standards. The legal use of IBM technology, including special equipment, related CCTV as well as IT, will allow the NCBM together with the border police to collect, process, store and analyse information on citizens, foreigners and especially the arrival and departure of migrants and asylum seekers while detecting and preventing cross-border crime. It will be important to ensure oversight of the legal use of the procured equipment to avoid any kind of abuse or infringement of local and international law.

- *Description of main stakeholders*

The National Centre for Border Management, which is part of Ministry of Internal Affairs, assures a proper border management and the coordination between the institutions of border management, such as Kosovo Police and Customs. Distinction between the mandates and responsibilities of the different institutions is of high importance and requires a high level of coordination.

## **Montenegro**

- *Short problem analysis*

As highlighted in the Peer review mission held in 2021, Montenegro has made some progress in IBM. There is a good awareness of main threats and challenges amongst the border police’s senior management, a clear will to further progress towards EU IBM standards and the fulfilment of the Schengen Action Plan. However, the lack of human resources (up to 40% of required staff are missing, according to the Schengen Action Plan) and the insufficient equipment pose critical challenges. Prevention and reaction capacities are insufficient even in strategic areas, where the borders are the most under pressure. As a multi-million tourist destination and a hub for seasonal labour migration from neighbouring countries, Montenegro handles millions of regular border crossings every year. More than 50% of the human resources of the border police are therefore absorbed by border crossing points, leaving the border surveillance functions understaffed. The geography of Montenegrin borders (lakes, rivers, high mountains and forests) and the insufficient equipment (speedboats, vehicles, cameras, drones) add to this challenge – despite the EU and other donors’ support.

The Schengen Action Plan indicates that equipment for an amount of EUR 266 million needs to be purchased. The cumulative effect of the lack of staff and insufficient equipment makes the borders vulnerable to irregular migration and cross border crimes. As an example, the Skadar lake, which constitutes a 38 kilometre blue border with Albania, and the main entry point of irregular migration into Montenegro, cannot be properly protected: the only patrolling boat on the lake can be used only one hour per day; surveillance cameras cover the lake only partially and do not work at night. The large area surrounding the lake is covered by three pedestrian patrols only. Maritime surveillance is hindered by the insufficient radar surveillance and fleet at disposal (not enough boats and not powerful enough); vessels often arrive too late when a suspect movement is detected. The cooperation between the border police and the Asylum Directorate is good. However, the border police does not have a biometric registration system and takes fingerprints with ink on paper, which

does not allow for data management, search and exchange capacity. The equipment donated by donors is not accompanied with maintenance contracts and becomes quickly out of use, broken or obsolete. The border police has no proper IT tool to monitor the purchase of equipment, to set priorities and establish a purchase plan. Despite the numerous donations received over the last years, no interlocutor was able to indicate the percentage of equipment from the Schengen Action Plan acquired since 2017 or still to be acquired.

This Action will contribute to the achievement of the Operational objective 10 of the national IBM Strategy, which recognises a need for further development of the border checks system, state border surveillance and border infrastructure. The Action will strengthen the capacity of the Montenegro Border Police to protect the EU's external borders and improve functioning of the IBM System in combatting cross-border crime, preventing irregular crossings of the state border and protecting its inviolability, on land, sea and inland waters.

Moreover, through the IPA II regional protection-sensitive migration programme, Frontex developed a Masterplan for Montenegro, which outlines the needs in terms of both software and hardware for the implementation of a biometric IT system for the identification and registration of migrants, aligned with EURODAC. The document was finalised at the end of 2021 and foresees the procurement of equipment. A part of this Action will thus procure the necessary equipment for the installation and operationalising of the system.

Finally, bearing in mind a constant trend of increasing traffic at border crossings and the fact that not all border crossings have met the criteria prescribed by the Regulation on standards and conditions that must be fulfilled by border crossings<sup>10</sup> in terms of orderliness and equipment, and the criteria of the Schengen Catalogue, further activities on construction and equipping of border crossings need to be undertaken in order to enable safe border control in accordance with the prescribed standards and conditions, and in order to simplify the procedures for crossing the state border, especially during the summer tourist season.

- *Description of main stakeholders*

Montenegro has established an effective system of governance and coordination in the area of IBM and the Schengen Action Plan (SAP). The Ministry of the Interior coordinates with the State Border Commission and the relevant entities that have competence in the implementation of the IBM Strategy. In addition, the Inter-agency working group for the monitoring of the implementation of SAP has been established and deals with donor coordination and monitoring of project implementation in this area. Within the Ministry of Interior, both IBM and the SAP are within the competences of the Department for Integrated Border Management.

## **Serbia**

- *Short problem analysis*

It is expected that the numbers of migrants arriving in Serbia will further increase in 2022 and the following years. Also, the number of stranded migrants in the region is likely to rise due to intensified border controls at the EU's external borders. In order to address these challenges, Serbia will need to continue increasing the capabilities for effective border controls, especially border surveillance including identification and registration measures in full respect of fundamental rights and increase efforts to detect and prevent the smuggling of migrants.

This will require further alignment of the legal framework with the EU *acquis* as well as the implementation of technical and institutional preconditions for a more efficient border management such as the procurement of appropriate equipment, strengthening of infrastructure, deployment of sufficient number of employees and other measures to align Serbia's border management system with the European IBM Strategy<sup>11</sup>. The 2021 European Commission Report on Serbia<sup>12</sup> indicates that Serbia continued to contribute to the management of the mixed migration flows towards the EU by playing an active and constructive role, cooperating effectively with its neighbours and EU Member States and effectively implementing the integrated border management

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<sup>10</sup> Official Gazette No. 12 5.3.2010 [http://www.podaci.net/\\_gCGO/propis/Uredba\\_o\\_standardima/U-sumigp04v1012.html](http://www.podaci.net/_gCGO/propis/Uredba_o_standardima/U-sumigp04v1012.html)

<sup>11</sup> COM(2021) 277 final 2.6.2021

<sup>12</sup> SWD(2021) 288 final 19.10.2021

strategy and its action plan. It was also stated that "in the coming period, significant investment is needed in the area of border control, in terms of human, financial and technical resources (second-line checks, border surveillance and equipment for the detection of forged documents) as well as in infrastructure at the border crossing points" and that "training standards for the Border Police need to be further implemented in accordance with relevant curricula and recommendations provided in the Schengen Catalogue on External Borders Control, Removal and Readmission". Continuous activities on further legal harmonisation and implementation of EU requirements are needed.

The Action is aligned and directly relevant to the National Security Strategy as well as for the IBM Strategy, Strategy on Combating Irregular Migration, and Strategy on Prevention and Suppression of Trafficking in Human Beings that are currently subject to revision and extension.

- *Description of main stakeholders*

The main beneficiary will be the Ministry of Interior (Border Police and Ministry of Finance - Customs Administration) whose capacities will be enhanced.

## **AREA OF SUPPORT 2: Strengthening migration management institutions** *(related to Outcome 3)*

### **Kosovo**

- *Short problem analysis*

The Ministry of Internal Affairs (MIA) is responsible for the Vranidoll complex where migrants and asylum seekers as well as detained foreigners are accommodated. The Vranidoll location includes the Detention Centre for Foreigners which opened in 2015, the newly refurbished Temporary Accommodation Reception centre inaugurated in November 2021 and asylum centre. The establishment of the Reception Centre is one of the main outcomes in Kosovo within the regional project "Addressing COVID-19 Challenges within the Migrant and Refugee Response in the Western Balkans". The Centre will improve the identification, registration and protection of migrants and asylum seekers in vulnerable situations. The nearby Vranidoll Asylum Centre was also refurbished in June 2021 within the same project and hosts asylum seekers.

In a 2021 report about the Vranidoll detention centre, the European Committee for the Prevention of Torture urged Kosovo to refrain from detaining children and families at the centre, encouraged renovations to the facility, and noted its "misgivings about the rather oppressive and carceral material environment in the entire Centre"<sup>13</sup>. The number of people in the detention centre has increased compared to the previous years as it hosted detained foreigners, rejected asylum seekers and migrants to be returned to their country of origin. The detention centre has limited capacity and does not meet all the necessary standards, as security incidents and escapes were registered in 2021. With regards to the Reception and Asylum centres, there is further support needed for full operationalisation including of security and capacity aspects. Currently, the complex does not benefit from an integrated security system that covers the full complex. In addition, there is need for further capacity for providing temporary reception and accommodation. Providing proper care and security for the most vulnerable groups of migrants remains a challenge. While fundamental rights are generally upheld, the centres are facing structural issues, mainly relating to improper housing units, a lack of secure areas, a lack of medical facilities and adequate specialised supervisory staffing, especially for psychosocial support. Qualified interpreters are needed to service both the asylum and detention centres and the border police.

Kosovo has been temporarily hosting more than 1,400 Afghan evacuees since August 2021. As more migrants and asylum seekers move through and stay in Kosovo it is important to ensure that the basic needs are met and the fundamental rights of migrants and asylum seekers in Kosovo are upheld. At present, assistance to the migrants and asylum seekers is not yet fully in line with EU standards and best practices and resources by the local authorities have not been adequately allocated. There is also high dependency on external support to provide basic services to the migrants and asylum seekers. These most recent trends are challenging for

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<sup>13</sup> <https://www.globaldetentionproject.org/countries/europe/kosovo>

Kosovo authorities which have little experience with these new trends, scarce human and financial resources and outdated equipment. In addition, policy and legal developments at the EU level further requires the authorities to harmonise its legal framework and improve capacities and efficiency.

The Action will assist the authorities to fully operationalise migration facilities including the newly refurbished Temporary Reception and accommodation Centre in Vranidoll through increasing both capacity and security of the facilities. It will also improve conditions at the Vranidoll Detention Centre for Foreigners to ensure alignment with EU and international standards. The Action will help to improve the conditions for the migrants, asylum seekers and foreigners by ensuring basic needs of the occupants are met, including through provision of different additional services in line with EU standards and best practices related to adequate interpretation services, basic psychosocial, medical, education and other specific services especially for vulnerable groups. Support will be given to develop a sustainable system through on-the-job training to guarantee sustainability of the services provided. If required, the Action would support certain refurbishment works at the Detention Centre or other centres as appropriate to ensure the respect of fundamental rights and alignment with EU standards in all the centres.

- *Description of main stakeholders*

The Ministry of Internal Affairs is responsible for the Detention Centre for foreigners and the Reception Centre for migrants and Asylum Centres in Vranidoll. Vulnerable groups, migrants, asylum seekers as well as victims of human trafficking will be key beneficiaries of this Action.

### **3. DESCRIPTION OF THE ACTION**

#### **3.1. Intervention Logic**

The **Overall Objective (Impact)** is to contribute to effective, efficient and coordinated border management and strengthen the respect of human and fundamental rights of migrants in the targeted Western Balkans beneficiaries.

**The Specific Objective(s) (Outcomes) of this measure are:**

1. Improved capacities of targeted Western Balkan beneficiaries to effectively manage their borders
2. Strengthened capacities of targeted Western Balkan beneficiaries to implement migration policies in line with EU standards
3. Strengthened capabilities of targeted Western Balkan beneficiary to operate migration facilities in line with EU standards

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives (Outcomes) are:

*... contributing to Outcome 1 (or Specific Objective 1):*

- 1.1 The targeted Western Balkan beneficiaries have strengthened technical capacities for border surveillance
- 1.2 The targeted Western Balkan beneficiaries have strengthened technical capacities to implement EU-compliant identification and registration systems
- 1.3 Key Border Crossing Points (BCPs) have enhanced infrastructure
- 1.4 National Coordination Centres (NCCs) are better equipped to function in line with EU standards

*... contributing to Outcome 2 (or Specific Objective 2):*

- 2.1 Border officers have increased capacities to implement effective border control and efficient integrated border management (IBM) systems
- 2.2 Legislative and regulatory frameworks for border management further aligned with EU and Schengen standards

### 2.3 Inter-institutional capacities of the main border management bodies enhanced in line with EU standards

... contributing to Outcome 3 (or Specific Objective 3):

3.1 The targeted Western Balkan beneficiary has strengthened capacities to operationalise reception and detention facilities in full respect of human and fundamental rights

3.2 Migrants, refugees and asylum seekers have adequate access to basic services

The underlying **intervention logic** for this action is that:

If the outcomes are produced and assumptions hold true, the intervention shall contribute to effective, efficient and coordinated border management and strengthen the respect of human and fundamental rights of migrants in the targeted Western Balkans beneficiaries (Impact).

If the targeted Western Balkan beneficiaries are provided with and supported to implement necessary border surveillance equipment and systems for identification and registration of migrants, including necessary capacity building and technical assistance, they will have increased capacities to effectively manage their borders. Moreover, if National Coordination Centres (NCCs) and border crossing points (BCPs) are properly equipped to function in line with EU standards, the beneficiaries' capacities to manage borders will be strengthened (Outcome 1).

If the border authorities of the targeted Western Balkan beneficiaries receive the necessary training, they will be capacitated to implement effective border control and migration policies that are aligned with EU standards. If the relevant legislative and regulatory frameworks are further aligned with EU standards, and the inter-institutional capacities of the border management bodies are enhanced, the Western Balkan beneficiaries will further strengthen their capacity to implement EU-aligned migration policies and strategies (Outcome 2).

If the staff operating migration centres receive relevant training and support to provide basic services, and if facilities are properly equipped, the targeted Western Balkan beneficiaries will have increased capacities to operate the facilities in line with EU standards and strengthen respect of human and fundamental rights (Outcome 3).

### 3.2. Indicative Activities

**Output 1.1: The targeted Western Balkan beneficiaries have strengthened technical capacities for border surveillance (Bosnia and Herzegovina, Montenegro, Serbia and Kosovo)**

*Main indicative activities:*

- *Conduct assessment of existing infrastructure in line with EU standards*
- *Preparation of tender documentation*
- *Procurement, delivery and installation of border surveillance equipment, including aerial, land and maritime equipment as relevant*
- *Procurement of specialised border surveillance vehicles, including off-road vehicles, vans and other specialised vehicles or trailers*
- *Procurement of specialised equipment for detection of persons*
- *Construction of facilities, installation works and adaptations*
- *Technical assistance to support surveillance and border security and ensure interoperability*
- *Capacity buildings and trainings*

**Output 1.2: The targeted Western Balkan beneficiaries have strengthened technical capacities to implement EU-compliant identification and registration systems (Bosnia and Herzegovina, Montenegro and Kosovo)**



**Main indicative activities:**

- *Procurement of IT and communication infrastructure for identification and registration of migrants based on Frontex Masterplan*
- *Supply special equipment, and other technical equipment for control systems for migrants' identification and registration in line with the EU standards, including software solutions, related IT support and communication equipment*
- *Capacity building and trainings*

**Output 1.3: Key Border Crossing Points (BCPs) have enhanced infrastructure (Montenegro)**

**Main indicative activities:**

- *Conduct analysis of the infrastructural needs of BCPs*
- *Placing of fibre optic connection to key BCPs*

**Output 1.4: National Coordination Centres (NCCs) are better equipped to function in line with EU standards (Montenegro and Kosovo)**

**Main indicative activities:**

- *Design and construction of NCC building*
- *Procurement of furniture and requisite equipment*
- *Supply, delivery and integration of specialised equipment for functioning of NCCs*
- *Capacity building and trainings*

**Output 2.1: Border officers have increased capacities to implement effective border control and efficient integrated border management (IBM) systems (Bosnia and Herzegovina, Montenegro, Serbia and Kosovo)**

**Main indicative activities:**

- *Trainings for border police officials on the use of border surveillance equipment*
- *Capacity building of deployed guest border officers and the re-deployed national border officers*
- *Supply of specialised equipment including protective equipment, uniforms, tactical and medical equipment*
- *Development of training materials*
- *Update and implement training initiatives including train-the-trainer systems*
- *Developing, reviewing and updating curricula for border police personnel and other IBM services*
- *Capacity building support to implementation of legal frameworks related to data protection*
- *Analysis of existing and development of relevant manuals/SOPs*
- *Alignment of existing or adoption of new manuals/SOPs*

**Output 2.2: Legislative and regulatory frameworks for border management further aligned with EU and Schengen standards (Serbia)**

**Main indicative activities:**

- *Conduct gap and needs analysis on legal and regulatory provisions on movement of people and border management*
- *Review and draft regulatory measures, enforcement regulations and methodologies in relation to legal provisions for border management and movement of people*

- *Legislation gap analysis in the field of veterinary and phytosanitary border inspection services in relation to the existing EU rules and procedures related to cross-border movement of agricultural goods and products*
- *Drafting of regulatory measures*
- *Capacity strengthening measures for the implementation of the EU aligned legislation on cross-border movement of people, goods and products*
- *Analysis of legal acts that regulate the exchange of data and information for support of IBM in accordance with EU best practice*
- *Amendment of existing or adoption of new legal acts regulating the exchange of data and information to support IBM in accordance with the performed analysis*
- *Improving existing systems and developing new solutions for data and information exchange*
- *Analysis of existing legal frameworks regarding risk analysis and data exchange between all IBM institutions*
- *Revision of legislative frameworks regarding risk analysis and data exchange between all IBM institutions*
- *Preparation a list of data that each institution needs to be exchanged*

**Output 2.3: Inter-institutional capacities of the main border management bodies enhanced in line with EU standards (Serbia)**

***Main indicative activities:***

- *Strengthening integrated border controls and enforcement capacities of the IBM agencies*
- *Defining standards and developing technical and functional specifications of the system for data and information exchange of all IBM institutions in accordance with user requirements*
- *Preparation of analysis for the improvement of infrastructure capacities for all IBM agencies*
- *Development of a plan based on the performed analysis for the reconstruction/construction of border crossings in accordance with the priorities*
- *Preparation of necessary methodology and plans for border surveillance improvements*
- *Organise working visits of relevant IBM bodies to EU Member States*

**Output 3.1: The targeted Western Balkan beneficiary has strengthened capacities to operationalise reception and detention facilities in full respect of human and fundamental rights (Kosovo)**

***Main indicative activities:***

- *Development, supply and installation of integrated security system at Vrandioll complex including equipment*
- *Refurbishment of existing migration facility infrastructure in line with EU and international standards*
- *Alignment of detention facilities for foreigners with EU standards*
- *Capacity building of staff*

**Output 3.2: Migrants, refugees and asylum seekers have adequate access to basic services (Kosovo)**

***Main indicative activities:***

- *Provision of basic services to occupants at the Vranidoll complex including education, healthcare, interpretation, psychosocial and medical support*
- *Capacity building of the staff at the Vranidoll complex to provide services related to protection, education and health in line with EU standards and best practices*



### 3.3. Mainstreaming

#### Environmental Protection, Climate Change and Biodiversity

This Action does not pursue specific objectives as regards the environment and climate change. Environmental protection and climate change shall however be actively mainstreamed throughout this Action. In procuring equipment it will be ensured, as far as possible, that environmental friendly equipment, that causes as little harm and discrepancy to the environment and nature where it will be used, will be prioritised. It will also be assured that the new equipment is more energy efficient, produces less waste material and uses less resources to operate. Regarding outputs 3.1 and 3.2, the environmental footprint of the support provided to the operationalisation of migration facilities and basic services will be considered. Efforts will be made to assure e.g. proper waste management, use of low energy and water equipment as well as good food management.

#### Gender equality and empowerment of women and girls

As per OECD Gender DAC codes identified in section 1.1, this action is labelled as G0. This implies that this Action does not pursue specific objectives as regards gender equality and empowerment of women and girls.

In the migration context, women and children are particularly vulnerable. This will be fully considered throughout the support provided through this action. The strengthening of border management, including identification and registration of migrants, will improve capacities of border officials to detect and identify victims of trafficking in human beings (THB) and ensure these vulnerable groups, who are often women and children, are referred to the relevant services and have their protection needs met.

Through the improvement of conditions and operationalisation of migration facilities, (Outputs 3.1-3.2) gender related issues shall be actively mainstreamed. It shall be assured that migrants and asylum seekers are not discriminated against based on sex and women and girls will receive proper protection and support.

The Action is designed and will be implemented according to beneficiary-specific and international gender equality standards.

#### Human Rights

The Action will ensure that human rights are respected at all times, and activities follow a human rights-based approach. The Action will improve the capacities of border officials to safeguard the basic rights of migrants, including vulnerable groups through increasing capacities to manage borders in line with EU and international Standards. The Action aims to further equip the targeted IPA III beneficiaries with the tools to detect cross-border crime, including trafficking in human beings and smuggling of migrants and improve mechanisms for identification of victims. As such, the action is specifically designed so as to strengthen systems that guarantee human rights. In addition, improvement of border management and security will also improve the right of all citizens, especially related to freedom of movement and safety.

Through the improvement of conditions and operationalisation of migration facilities (outputs 3.1-3.2) it will be ensured that the human rights and fundamental freedoms of the migrants, asylum seekers and foreigners in the centres are strictly upheld. It will also be ensured that the migrants and asylum seekers receive the information they need to be able to apply for asylum or other protection entitled to them under international law. The capacity-building and support offered through this Action will further equip the institutions to manage the centres in a way that is grounded in a respect for human rights of the occupants, in accordance with EU and international standards

### 3.4. Risks and Lessons Learned

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
Planning, processes and systems	Risk 1: Equipment procured will not be properly	Medium	High	All procurement activities should be accompanied by necessary capacity-building, as well as service contracts to

	maintained following end of the Action			ensure proper maintenance of equipment.
People and the organisation	Risk 2: Lack of institutional knowledge management and capacity skills, exacerbated by high turnover of personnel	<b>Medium</b>	<b>High</b>	Develop with beneficiary clear capacity building plan,
External environment	Risk 3: Increase in migration flows	<b>Medium</b>	<b>Medium</b>	Maintain a flexible approach to be able to adapt to the evolving needs and sustained close contact and coordination with officials.
Planning, processes and systems	Risk 4: Insufficient coordination among institutions and other projects or donors	<b>Medium</b>	<b>Medium</b>	A good communication will be upheld with other EU projects in this area of support to ensure coordination and avoid overlapping. Donor coordination at beneficiary-level will be encouraged with a wide range of stakeholders.
Legality and regularity aspects	Risk 5: Misuse of equipment, in particular with regards to collection of personal data	<b>Medium</b>	<b>Medium</b>	An adequate system for the processing of personal data must be in place to assure data collection is done in accordance with the right to integrity and other relevant legal acts on personal data.
People and the organisation	Risk 5: Fundamental rights of migrants seeking international protection are not fully respected	<b>Medium</b>	<b>High</b>	The Action will at all times support the targeted Western Balkan beneficiaries to maintain the highest standards of treatment of migrants in line with international and EU standards. Necessary capacity-building will ensure sustainability of results.

## Lessons Learned:

### Bosnia and Herzegovina

In the field of migration and border management, BiH has been supported through several assistance funds, from bilateral donors, EU and development banks. BiH is implementing the second Special measure on supporting Bosnia and Herzegovina in managing migration for 2019 funded by the EU to the amount of EUR 23 million. The Special measure aims to support BiH in improving the capacity for identification, registration and referral of third-country nationals crossing the border, providing adequate and protection-sensitive accommodation and basic services for refugees, asylum seekers and migrants, as well as strengthening capacity for border control and surveillance.

Prior to the increased arrivals to Bosnia and Herzegovina in the first half of 2018, the EU had already invested, since 2007, 24.6 million EUR to support migration and border management, mainly through technical assistance, procurement of equipment -including video surveillance of border crossings -, construction of a reception facility for irregular migrants in East Sarajevo and the Asylum Centre in Delijaš, Trnovo, border police infrastructure rehabilitation and capacity building. At the end of 2017, additional funds were allocated

to improve the border control information system and the border crossing infrastructure and upgrade of the Migration Information System related to the biometric data of foreigners.

The European Commission 2021 Report on Bosnia and Herzegovina<sup>14</sup> states that the Ministry of Security has stepped up efforts to improve migration management. However, its competent agencies (Sector for Immigration and Readmission; Service for Foreigners' Affairs) remains significantly understaffed and partly underequipped.

### **Montenegro**

The importance of a clear institutional structure to take forward effective IBM implementation has been demonstrated in Montenegro. Previously, two separate units dealt with the implementation of the Integrated Border Management Strategy and the Schengen Action Plan. Moreover, there were in total 3 working groups established to monitor the results achieved in IBM and SAP and the Project Implementation Unit was not actively involved in their work. This resulted in misunderstandings and sometimes lack of coordination. With new internal organisation of the Ministry of Interior, the monitoring of the implementation of IBM and SAP is within the competence of the IBM Department. New interagency working group for monitoring of the implementation of SAP is established with the active involvement of PIU. Other than monitoring of implementation, this working group will closely monitor implementation of the envisage Sector Budget support under IPA III. This will ensure that the whole process is led in a centralised manner and by experts.

In addition, to further address weaknesses in internal procurement systems and in addition to supervision defined by the Law on public procurement, the new Law on Internal Affairs envisages a new Unit which will perform, among other duties, control functions regarding public procurement within the Ministry. Together with the Department for Internal Audit, control will be ensured over the legality of tendering procedures.

### **Kosovo**

The commitment and engagement of the local institutions is essential to assure sustainability and ownership within the area of migration. Also, coordination between different Kosovo institutions, other projects and other donors are important to assure the implementation of the Action and reduce the risk of overlapping. Needs and priorities differ substantially among women, men, girls, and boys, and unaccompanied minors that are placed in the centres in Vranidoll. It is important that the improvement of the conditions and the operationalisation of these centres take this into regard and are based on these different needs. In this regard, having skilled, motivated and stable staff will contribute to the successful implementation of the Action. Given the high dependence on external support and expertise, the Action should ensure continuous expert guidance and oversight in order to achieve project objectives.

### **Serbia**

Over the past few years, the EU has been the biggest donor of assistance for border management in Serbia. In the past, the technical capacities of the Serbian Border Police have been increased through procurement of specialised border surveillance equipment in the amount of over EUR 1.85 million. In addition, in the area of migration, a total of EUR 130 million has been provided to Serbia since 2015.

In 2019, the EU funded the project "EU Support to Efficient Border Management" in which the concept note and guidelines for the development of the new IBM strategy was developed, the IBM Situational Analysis and the Analysis of the MoI Risk Analysis System. These documents identify gaps and provide recommendations for further development of the IBM system in line with the EU standards as well as lay the ground for further support.

This Action is thus relevant to and complements the previous EU initiatives for the development of the Serbian IBM system in line with the EU IBM concept. More specifically, the Action builds upon the IPA 2016 Sector Reform Budget Support for Integrated Border Management that contributed to better intra-agency, inter-agency and international cooperation and exchange of information, more effective detection of cross-border

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<sup>14</sup> SWD(2021) 291 final 19.10.2021

crime, increased institutional and operational capacity of the border agencies to perform border checks and border surveillance and more effective detection of irregular migration as well as other recent EU IBM projects (e.g. “Support for Efficient Border Management”, EU Twinning project “Development of the Schengen Action Plan”, etc.) The Action will build upon the achieved results under previous IPA assistance modalities in terms of better border management, prevention of irregular migration through the capacity building activities and provision of equipment for surveillance of the border.

### 3.5 Indicative Logical Framework Matrix

Results	Results chain: Main expected results	Indicators	Baselines	Target	Sources of data	Assumptions
<b>Impact</b>	To contribute to effective, efficient and coordinated border management and strengthen the respect of human and fundamental rights of migrants in the targeted Western Balkans beneficiaries	Level of the Western Balkan beneficiaries' preparedness to implement the EU <i>acquis</i> on irregular migration, border management and international protection	Some level of preparation/ moderately prepared (2021)	Increased level of preparedness (2027)	European Commission annual report per beneficiary	<i>Not applicable</i>
<b>Outcome 1</b>	Improved capacities of targeted Western Balkan beneficiaries to effectively manage their borders	Number of irregular border crossings detected (per beneficiary)	Serbia: 22 560 (2020) Montenegro: 3 858 (2020) Kosovo: 2 256 (2020) Bosnia and Herzegovina: 16 183 (2020)	Increased (2027)	Administrative reports of the beneficiaries	Relevant staff continues to regularly use new equipment, IT tools, instruments, knowledge and skills in everyday operations
<b>Outcome 2</b>	Strengthened capacities of targeted Western Balkan beneficiaries to implement migration policies in line with EU standards	Number of migration management or forced displacement strategies or policies a) developed/ revised, or b) under implementation with EU support (per beneficiary)	Montenegro: 1 (2022) Kosovo: 1 (2022) Serbia: TBD Bosnia and Herzegovina: TBD	Increased (2027)	European Commission annual report European Commission annual report	
<b>Outcome 3</b>	Strengthened capabilities of targeted Western Balkan beneficiaries to operate migration facilities in line with EU standards	Extent to which migration facilities are operated in line with EU standards	Limited extent (2022)	Increased (2027)		

### 3.5 Indicative Logical Framework Matrix

<p><b>Output 1 related to Outcome 1</b></p> <p>Bosnia and Herzegovina, Montenegro, Serbia and Kosovo</p>	<p>1.1 The targeted Western Balkan beneficiaries have strengthened technical capacities for border surveillance</p>	<p>A) Number of additional specialised equipment for border surveillance and control provided (per beneficiary)</p> <p>B) Status of Electronic surveillance system at Boka bay, Skadar Lake, river Bojana and Adriatic Sea (<i>ME</i>)</p>	<p>A) 0 (2022)</p> <p>B) Partial coverage</p>	<p>A) Increased (2027)</p> <p>B) Full coverage</p>	<p>Project Implementation Reports</p> <p>EU peer review mission report</p>	
<p><b>Output 2 related to Outcome 1</b></p> <p>Bosnia and Herzegovina, Montenegro, Serbia and Kosovo</p>	<p>1.2 The targeted Western Balkan beneficiaries have strengthened technical capacities to implement EU-compliant identification and registration systems</p>	<p>A) Number of specialised equipment for identification and registration provided</p> <p>B) Eurodac compliant registration and identification system of migrants established in Montenegro</p>	<p>A) 0 (2022)</p> <p>B) No (2022)</p>	<p>A) Increased (2027)</p> <p>B) Yes (2027)</p>	<p>Project Implementation Reports</p>	<p>Relevant authorities involved in the action dispose with the needed resources (human, administrative, technical)</p> <p>Procurement process conducted without delays</p>
<p><b>Output 3 related to Outcome 1</b></p> <p>Montenegro</p>	<p>1.3 Key Border Crossing Points (BCPs) have enhanced infrastructure</p>	<p>Number of BCPs fully equipped in line with Schengen requirements</p>	<p>0 (2022)</p>	<p>2 (2027)</p>	<p>Project interim and final reports</p> <p>Project evaluation report</p>	<p>Requisite equipment available on the market</p>
<p><b>Output 4 related to Outcome 1</b></p> <p>Montenegro, Kosovo</p>	<p>1.4 National Coordination Centres (NCCs) are better equipped to function in line with EU standards</p>	<p>A) Number of NCC staff trained on the usage of NCC equipment</p> <p>B) Level of NCC functionality</p>	<p>A) 0 (2022)</p> <p>B) Low functionality (2022)</p>	<p>A) Montenegro: 25-35 Kosovo: 38 Serbia: TBD</p> <p>Bosnia and Herzegovina: TBD</p> <p>B) Increased (2027)</p>	<p>Assessment of implementation of IBM Strategy and Action Plan</p> <p>Project interim and final reports</p> <p>Project evaluation report</p>	<p>Selected vendor provides quality construction works</p>

### 3.5 Indicative Logical Framework Matrix

<p><b>Output 1 related to Outcome 2</b></p> <p>Bosnia and Herzegovina, Montenegro, Serbia and Kosovo</p>	<p>2.1 Border officers have increased capacities to implement effective border control and efficient integrated border management (IBM) systems</p>	<p>Number of trained border police officers on the use of equipment for surveillance</p>	<p>0 (2022)</p>	<p>Montenegro: 50 % increase (2027) Kosovo: 35 (2027) Serbia: TBD Bosnia and Herzegovina: TBD</p>	<p>Project Implementation Reports Project interim and final reports Project evaluation report</p>	<p>Relevant staff continues to regularly use new equipment, IT tools, instruments, knowledge and skills in everyday operations</p>
<p><b>Output 2 related to Outcome 2</b></p> <p>Serbia</p>	<p>2.2 Legislative and regulatory frameworks for border management further aligned with EU and Schengen standards</p>	<p>Extent to which legislative and regulatory frameworks are aligned with EU and Schengen standards</p>	<p>Low level of alignment</p>	<p>Increased level of alignment</p>	<p>Report on implementation of the Action Plan for Chapter 24, Ministry of Interior</p>	<p>Strategic documents adopted by the beginning of the project implementation (Strategy and AP for IBM and Schengen AP)</p>
<p><b>Output 3 related to Outcome 2</b></p> <p>Serbia</p>	<p>2.3 Inter-institutional capacities of the main border management bodies enhanced in line with EU standards</p>	<p>Number of plans/methodologies/analyses developed for border management authorities</p>	<p>0 (2022)</p>	<p>Increased (2027)</p>		
<p><b>Output 1 related to Outcome 3</b></p> <p>Kosovo</p>	<p>3.1 The targeted Western Balkan beneficiary has strengthened capacities to operationalise reception and detention facilities in full respect of human and fundamental rights</p>	<p>Migration facilities comply with international standards</p>	<p>No (2022)</p>	<p>Yes (2027)</p>	<p>Written recommendations and conclusions on standards Reports from detention facilities inspections conducted by the EU-funded intervention</p>	<p>The relevant Kosovo institutions collaborates.</p>
<p><b>Output 2 related to Outcome 3</b></p> <p>Kosovo</p>	<p>3.2 Migrants, refugees and asylum seekers have adequate access to basic services</p>	<p>A) Number of staff trained (sex disaggregated) B) Level of access for migrants to basic services (sex disaggregated)</p>	<p>A) 0 (2022) B) 0 (2022)</p>	<p>A) 50 (2027) B) 1000 (2027)</p>		

## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1. Financing Agreement**

In order to implement this action, it is not envisaged to conclude a financing agreement with the IPA III beneficiaries.

### **4.2. Indicative Implementation Period**

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 72 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### **4.3. Methods of implementation**

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures.

#### **4.3.1. Direct Management (Procurement)**

Procurement will contribute to specific objectives (Outcomes) 1, 2 and 3.

##### **Kosovo**

A part of this Action will be implemented under direct management by the EU Office in Kosovo concerning activities related to the achievement of Outcome 1 (outputs 1.1, 1.2, 1.4 and 2.1)

##### **Serbia**

A part of this Action (outputs 1.1, 2.1, 2.2 and 2.3) will be implemented under direct management by the EU Delegation in Serbia.

#### **4.3.2. Indirect Management with an international organisation**

##### **Kosovo**

A part of this Action (outputs 3.1 and 3.2) may be implemented in indirect management with an entity, which will be selected by the Commission's services using the following criteria: operational and administrative capacity, proven migration and border management expertise, presence in the region as well as significant previous experience in the implementation of similar assistance.

The implementation by this entity entails undertaking all necessary actions, including through direct implementation of activities and conducting implementation tasks (procurement and grants award procedures as relevant), to achieve the outputs 3.1, 3.2. Indicatively, this includes:

- Development, supply and installation of a security systems including equipment at the Vranidoll complex
- Refurbishment of existing infrastructure at migration facilities in line with EU and international standards
- Alignment of detention facilities with EU standards
- Provision of basic services to occupants at the Vranidoll complex including education, healthcare, interpretation, psychosocial and medical support



- Capacity building of the staff at the Vranidoll complex to provide services related to protection, education and health in line with EU standards and best practices

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity using the same criteria. If the entity is replaced, the decision to replace it needs to be justified.

### **Montenegro**

A part of this action (outputs 1.1-1.4 and 2.1) may be implemented in indirect management with the International Organisation for Migration (IOM). This implementation entails undertaking all necessary actions, including through direct implementation of activities and conducting implementation tasks (procurement and grants award procedures as relevant), to implement outputs 1.1-1.4 and 2.1 for Montenegro. Indicatively, this includes:

- Expert assessment of the existing infrastructure pertaining to electronic border surveillance systems
- Procurement of requisite electronic border surveillance equipment
- Organise trainings for border police officials on the use of electronic border surveillance equipment
- Construction of the NCC building
- Procure the IT and communication infrastructure for identification and registration of migrants based on the Frontex Masterplan for Montenegro

The envisaged entity has been selected using the following criteria:

- Presence in Montenegro and in the Western Balkans.
- Sufficient administrative capacity
- Capacity to respond quickly to emerging situations
- Proven track record and expertise in border management related programmes in the Western Balkans
- Experience with all tasks that are required under the individual measure: logistical support, procurement, managing large and complex operations, capacity building

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity using the same criteria. If the entity is replaced, the decision to replace it needs to be justified.

### **Bosnia and Herzegovina**

A part of this action (Outputs 1.1, 1.2, 2.1) may be implemented in indirect management with the International Organization for Migration (IOM). This implementation entails undertaking all necessary actions, including through direct implementation of activities and conducting implementation tasks (procurement and grants award procedures as relevant), to implement the outputs 1.1, 1.2.2.1. Indicatively, this includes:

- Provision of support to boosting operational capacities of authorities to respond to mixed migration
- Provision of support to deployed guest border officers and re-deployed national border officers to carry out border control tasks and operations
- Procurement of specialised equipment which may include (non-exhaustive) unmanned aerial vehicles, HD and thermal imaging cameras, document readers, computers, heartbeat detector, CO2 detector, digital microscope, video surveillance system, office equipment including servers, upgrading the electronic data exchange system, video surveillance system, explosives detection equipment, specialised night vision devices, thermal imaging camera with range finder, procurement of technical equipment and information system for migration, including information system DMS
- Procurement of motor vehicle which may include (non-exhaustive) vans with four wheel drive and sliding doors on both sides, transporter vans, Off-road (SUV) vehicles, including vehicles with four

wheel drive, specific type to blend in to existing tip vehicle stock, specialised vehicles or trailers for transporting service dogs with a mobile box for multi-day stay of dogs, motor vehicles with 4 doors

- Procurement of specialised protective equipment, uniforms and equipment, including specialised protective equipment, uniforms

The envisaged entity has been selected using the following criteria:

- Presence in Bosnia and Herzegovina and in the Western Balkans.
- Sufficient administrative capacity
- Capacity to respond quickly to emerging situations
- Proven track record and expertise in border management related programmes in Bosnia and Herzegovina, as well as in the Western Balkans
- Experience with all tasks that are required under the individual measure: logistical support, procurement, managing large and complex operations, capacity building

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity using the same criteria. If the entity is replaced, the decision to replace it needs to be justified.

#### 4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

#### 4.5. Indicative Budget

<b>Indicative Budget components</b>	<b>EU contribution (amount in EUR)</b>
<b>MONTENEGRO</b>	
<b>Outputs 1.1-1.4 and 2.1 (budget line 15.020101.01) composed of:</b>	<b>15 000 000</b>
Indirect management with IOM - cf. section 4.3.2	15 000 000
Total	<b>15 000 000</b>
<b>BOSNIA AND HERZEGOVINA</b>	
<b>Outputs 1.1-1.2 and output 2.1 (budget line 15.020101.01) composed of:</b>	<b>6 385 000</b>
Indirect management with IOM - cf. section 4.3.2	6 385 000
Total	<b>6 385 000</b>
<b>SERBIA</b>	
<b>Outputs 1.1 and outputs 2.1-2.3 (budget line 15.020101.01) composed of:</b>	<b>6 500 000</b>
Direct management (procurement) - cf. section 4.3.1	6 500 000
Total	<b>6 500 000</b>

<b>KOSOVO</b>	
<b>Outputs 1.1, 1.2, 1.4 and 2.1 (budget line 15.020101.01) composed of:</b>	<b>10 156 000</b>
Direct management (procurement) - cf. section 4.3.1	10 156 000
<b>Output 3.1 (budget line 15.020101.01) composed of:</b>	<b>700 000</b>
Indirect management with an entrusted entity - cf. section 4.3.2	700 000
<b>Output 3.2 (budget line 15.020101.03) composed of:</b>	<b>500 000</b>
Indirect management with an entrusted entity - cf. section 4.3.2	500 000
Total	<b>11 356 000</b>
<b>Procurement</b> – total envelope under section 4.3.1	16 656 000
<b>Evaluation</b> – cf. section 5.2 <b>Audit</b> – cf. section 5.3	Will be covered by another Decision
<b>Communication and visibility</b> – cf. section 6	Will be covered by another Decision
<b>TOTAL</b>	<b>EUR 39 241 000</b>

#### **4.6. Organisational Set-up and Responsibilities**

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action.

The Action will be closely coordinated by the relevant EU Delegation/Office in each targeted Western Balkan beneficiary. In designing and implementing activities related to specific procurement activities and Outcomes to be addressed by this Action, the implementing Agency/Organisation will closely coordinate with relevant counterparts, Frontex and the Commission to ensure alignment with EU policy goals and the relevant *acquis* under Chapter 24.

A Steering Committees and/or other governance structure involving the Commission, beneficiary counterparts and the Action implementing agency/organisation will be set-up at beneficiary level to ensure overall management support and strategic guidance to the Action. The Steering Committees will advise on major programmatic decisions, ensure appropriate circulation of information and harmonisation of best practices, and assessing risks to individual activities within the cycle of the Action. The active participation of governmental partners in the planning, implementation, evaluation and monitoring of activities will be a critical element, in order to ensure that activities reflect the needs and priorities on the ground, and to enhance its sustainability.

#### **4.7. Pre-conditions**

Effective and timely implementation of the Action is not dependent on any legal or institutional changes. The Commission reserves the right to take appropriate measures, including by re-directing activities in consultation with implementing partners, if it assesses that necessary accompanying measures by beneficiaries are not in place. The assessment of the Commission will rely on reporting by implementing partners, monitoring of the action and dialogue with beneficiaries.

## **5. PERFORMANCE MEASUREMENT**

### **5.1. Monitoring and Reporting**

The day-to-day technical and financial monitoring of the implementation of this Action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the Action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the Action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) and the partner's strategy, policy or reform action plan list (for budget support).

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

### **5.2. Evaluation**

Having regard to the nature of the Action, an evaluation will not be carried out for this Action or areas of support. The Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

The financing of the evaluation shall be covered by another measure constituting a Financing Decision.

### **5.3. Audit and Verifications**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this Action, the Commission may, on the basis of a risk assessment, contract independent audit or verification assignments for one or several contracts or agreements.

## **6. COMMUNICATION AND VISIBILITY**

Visibility of EU funding and communication about objectives and impact of Actions are a legal obligation for all Actions funded by the EU, as set out in the EU communication and visibility requirements in force. In particular, the recipients of EU funding shall acknowledge the origin of the EU funding and ensure its proper visibility by:

- providing a statement highlighting the support received from the EU in a visible manner on all documents and communication material relating to the implementation of the funds, including on an official website and social media accounts, where these exist; and
- promoting the actions and their results by providing coherent, effective and proportionate targeted information to multiple audiences, including the media.

Visibility and communication measures shall be implemented, as relevant, by the national administrations (for instance, concerning the reforms linked to EU budget support), entrusted entities, contractors and grant beneficiaries. Appropriate contractual obligations shall be included, respectively, in financing agreements, delegation agreements, and procurement and grant contracts.

The measures shall be based on a specific Communication and Visibility Plan, established and implemented in line with the EU communication and visibility requirements in force. The plan shall include, inter alia, a communication narrative and master messages for the Action, customised for the various target audiences (stakeholders, civil society, general public, etc.)

Visibility and communication measures specific to this Action shall be complementary to the broader communication activities implemented directly by the European Commission services and/or the EU Delegations and Offices. The European Commission and the EU Delegations and Offices should be fully informed of the planning and implementation of the specific visibility and communication activities, notably with respect to the communication narrative and master messages.

It is the responsibility of the implementing partner(s) to keep the EU Delegations/Office and the European Commission fully informed of the planning and implementation of the specific visibility and communication activities.

## **7. SUSTAINABILITY**

The Action has been designed to ensure the long term sustainability of its results. The sustainability of results of this Action will be achieved through the increased effectiveness of Western Balkan authorities at all levels of the administration to adequately implement migration policies and to regularly use new equipment, IT tools, instruments, knowledge and skills in everyday operations related to migration management. The sustainability of the equipment supplied directly or indirectly through the Action will be guaranteed through the existence of long-term maintenance and other ancillary contracts accompanying the purchasing and capacity-building within or in complement to the present Action. Coupling capacity building with modernisation of equipment will improve the efficiency of the border management systems as a whole and ensure sustainable results.

Furthermore, where possible, the Action will seek to streamline best practices in line with EU and international standards into the everyday technical operation of the different areas of the beneficiaries' migration management systems. Any ICT development should respect the existing standards or needs for interoperability of IT systems. The necessary technical specifications shall be consulted with the relevant authorities and ensured before the launch of the tender.

Comprehensive policy dialogue will be maintained at all times between the Commission, EU Delegations and implementing partners to ensure strong political will to maintain equipment, infrastructure and training initiatives.