



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

KOSOVO* EU *acquis* Approximation Facility

Action summary

The main aim of the action is to support Kosovo with approximation with the EU *acquis* through strengthening the technical and administrative capacity of the administration in relation to Kosovo's European Reform Agenda, in implementing measures related to urgent political priorities in the framework of Kosovo's European perspective including those that may arise from the EU facilitated Dialogue for the normalisation of relations between Belgrade and Pristina. The facility will also support the alignment of rules and procedures for mutual recognition of professional qualifications. In addition, this facility will support measures the EU or Kosovo government could take in line with urgent political, economic, health or social needs but which cannot be identified at this stage, more specifically to respond to the COVID-19 outbreak.

** 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.*

| Action Identification | |
|---|--|
| Action Programme Title | Annual Action Programme for Kosovo for the year 2020 |
| Action Title | EU <i>acquis</i> Approximation Facility |
| Action ID | IPA 2020 / 042 089 / 01 / Kosovo /EU <i>acquis</i> Approximation Facility |
| Sector Information | |
| IPA II Sector | 1. Democracy and governance |
| DAC Sector | 43010 |
| Budget | |
| Total cost | EUR 10 600 000.00 |
| EU contribution | EUR 10 600 000.00 |
| Budget line(s) | 22 02 01 01 |
| Management and Implementation | |
| Method of implementation | Direct management |
| <i>Direct management:</i> EU Delegation | European Union Office in Kosovo |
| <i>Indirect management:</i> Other entrusted entity | Entity to be selected according to Article 62(1)(c) (i) or (ii) of the Financial Regulation |
| Implementation responsibilities | European Union Office in Kosovo |
| Location | |
| Zone benefiting from the action | Kosovo |
| Specific implementation area(s) | Kosovo |
| Timeline | |
| Final date for concluding Financing Agreement(s) with IPA II beneficiary | At the latest by 31 December 2021 |
| Final date for concluding contribution/delegation agreements, procurement and grant contracts | 3 years following the date of conclusion of the Financing Agreement, with the exception of cases listed under Article 114(2) of the Financial Regulation |
| Indicative operational implementation period | 6 years following the conclusion of the Financing Agreement |
| Final date for implementing the Financing Agreement (date by which this programme should be de-committed and closed) | 12 years following the conclusion of the Financing Agreement |

| Policy objectives / Markers (DAC form) | | | |
|---|--------------------------|------------------------------|--------------------------|
| General policy objective | Not targeted | Significant objective | Main objective |
| Participation development/good governance | <input type="checkbox"/> | <input type="checkbox"/> | x |
| Aid to environment | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Gender equality (including Women In Development) | <input type="checkbox"/> | x | <input type="checkbox"/> |
| Trade Development | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Reproductive, Maternal, New born and child health | X | <input type="checkbox"/> | <input type="checkbox"/> |
| RIO Convention markers | Not targeted | Significant objective | Main objective |
| Biological diversity | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Combat desertification | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Climate change mitigation | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Climate change adaptation | X | <input type="checkbox"/> | <input type="checkbox"/> |

1. RATIONALE

The main aim of the action is to support Kosovo with approximation with the EU *acquis* through strengthening the technical and administrative capacity of the administration in relation to Kosovo's European Reform Agenda, in implementing measures related to urgent political priorities in the framework of Kosovo's European perspective including those that may arise from the EU facilitated Dialogue for the normalisation of relations between Belgrade and Pristina. This action also supports the alignment of rules and procedures for mutual recognition of professional qualifications.

In addition, the action will support measures the EU or Kosovo government could take in line with urgent political, economic, health or social needs but which cannot be identified at this stage, more specifically to respond to the COVID-19 outbreak.

PROBLEM AND STAKEHOLDER ANALYSIS

The Stabilisation and Association Agreement between the European Union (EU) and Kosovo entered into force on 1 April 2016. This Agreement establishes a contractual relationship that entails mutual rights and obligations and covers a wide variety of sectors. It notably focuses on respect of key democratic principles and core elements that are at the heart of the EU's single market. The Agreement aims at gradually developing a free trade area between the EU and Kosovo where free movement of goods, services and capital are mutually guaranteed and where the application of European standards in areas such as competition, state aid and intellectual property rights will be aligned. Other provisions cover political dialogue, cooperation in a wide variety of sectors ranging from education and employment to energy, the environment and justice and home affairs.

The European Reform Agenda, launched by the EU and Kosovo in November 2016, has continued to serve as a useful tool to guide the implementation of EU-related reforms in the Stabilisation and Association Agreement context. The 2019 Kosovo Report emphasises that implementation of the Agreement is progressing but a stronger commitment on its implementation will be needed to ensure that Kosovo meets its contractual obligations and deadlines under the Agreement.

The Ministerial Council for European Integration and the Working Committee for European Integration (led by the Prime Minister) meet at regular intervals to provide strategic guidance on EU related reforms. The role of the Prime Minister Office is crucial in ensuring effective coordination of and a strategic approach to EU related reforms.

EU acquis approximation, support to Stabilisation and Association Agreement and urgent support measures

The Stabilisation and Association Agreement obligations assume that Kosovo's public administration is ready and capable to adopt and implement the Agreement in an efficient and effective manner. As part of overall public administration reform efforts, the government's top priority should be to establish the policy planning system and ensure better regulation, as well as to prepare the structures and strengthen the capacities required for implementation of the Agreement.

The overall policy planning reform is coordinated by the Prime Minister's Office in close coordination with the Ministry of Finance. The main stakeholder for ensuring effective coordination of and a strategic approach to EU related reforms is the Office of the Prime Minister. The mandate of the Prime Minister Office was defined by a decision of June 2020, setting out its competencies with regard to the overall management and co-ordination of all central institutions stakeholders involved in the implementation of the European Reform Agenda and IPA assistance.

The first half of 2020 was marked by the COVID-19 pandemic, which requires a global effort to save human lives and to cope with the resulting health and socio-economic crisis. In this regard, Kosovo is investing all efforts to follow the guidelines of the World Health Organisation and to apply prevention measures to deal with the pandemic situation. In Kosovo, COVID-19 has already disrupted education and other services, and has the potential to overwhelm healthcare, social protection, and social services for children as well as their parents and other adults. Moreover, public finances are under huge strains as a result of the restrictive measures imposed by the government and have already created a sizeable

financing gap. There are predictions of a contraction of Kosovo Gross-Domestic-Product up to 25% in the second quarter and close to 5% for the year.

According to the OSCE report on “The COVID-19 crisis in the Western Balkans - Economic impact, policy responses, and short-term sustainable solutions”, the pandemic has called for an all-inclusive approach to human health by also considering environmental health, especially in relation to air quality, water and sanitation, waste management and biodiversity preservation. Thus support measures should not derail the efforts to tackle the ongoing environmental challenges. Both economic and environmental viability are important for businesses’ survival in the long run.

Support to the EU Facilitated Dialogue for the Normalisation of Relations between Belgrade and Pristina

On the basis of a UN General Assembly resolution adopted on 9 September 2010, an EU facilitated dialogue for the normalisation of relations between Belgrade and Pristina started on 8 March 2011. The dialogue represents a key factor for peace, security and stability in the region, for promotion of cooperation and progress on the European path. It also contributes to improving the lives of the citizens of Kosovo. The dialogue is being facilitated by the High Representative and Vice-President of the European Commission, supported by the European External Action Service (EEAS), and in cooperation with the European Commission. Since July 2017, Belgrade and Pristina are working on a comprehensive normalisation of relations in the form of a legally binding agreement. The EU supports the implementation of the agreements reached so far in the context of the dialogue, including through IPA assistance. EU assistance will continue to be required for the implementation of existing and future agreements in line with the revised Indicative Strategy Paper for Kosovo 2014-2020 adopted in August 2018. The present action includes activities related to the dialogue that will be implemented with the involvement of the main stakeholders: Office of the Prime Minister, line ministries, local administrations (including in the north of Kosovo), cultural institutions, non-governmental organisations, media community etc.

Support to the mutual recognition of professional qualifications

The Law on Regulated Professions in Kosovo, adopted in October 2016, is largely aligned with the EU *acquis*. The Law defines 16 professions (the so-called ‘regulated sectorial professions’), for which the Directive on the recognition of professional qualifications requires a minimum harmonised training and further determines some generic criteria for access to the regulated professions.

The Ministry for Education, Science and Technology together with the National Academic Recognition and Information Center are the competent authorities with regulatory and authorising powers. Two decision-making bodies, the State Examination Agency and State Council for the Regulated Professions, are defined in the law, but they have not yet been established.

Furthermore, the Ministry did not issue sub-legal acts that would enable the implementation of this Law. Kosovo should also draft a list of minimum training requirements for regulated professions to be included in its legislation and an action plan for harmonizing professional qualifications legislation with the *acquis*.

Therefore, Kosovo should start alignment with EU *acquis*, which is necessary to fully regulate the area of recognition of qualifications for Practicing Regulated Professions in order to facilitate employment, increase mobility of individuals and develop the labour market.

In parallel, this also implies establishing a list of regulated professions, as well as competent authorities involved in the procedure of recognising foreign qualifications for practicing regulated professions. Kosovo should also make further alignment with the EU *acquis* in terms of the recognition of Foreign Educational Credentials concerning completed or initiated education cycles or parts of education cycles (acquired through formal education) and equivalence of foreign education qualification levels with education qualification levels in Kosovo.

OUTLINE OF IPA II ASSISTANCE

EU acquis approximation, support to the Stabilisation and Association Agreement, and urgent support measures

The EU *acquis* approximation facility will contribute to strengthening the technical and administrative capacity of the Kosovo administration and supporting effective and efficient management and absorption of EU funds. It also aims at supporting the preparation and implementation of activities responding to the challenges identified in the Stabilisation and Association Agreement, the Economic Reform Programme, the European Reform Agenda and the annual Commission Kosovo Report. The present action will support activities necessary to put in place the measures that would be necessary to fulfil unforeseen requirements emerging from the Kosovo report, Stabilisation and Association Agreement, the Economic Reform Programme, the European Reform Agenda implementation. In addition, this facility will support measures the EU or Kosovo government could take in line with urgent political, economic, health or social needs but which cannot be identified at this stage, more specifically to respond to the COVID-19 outbreak.

Specific attention will be given to help Kosovo government ensuring a green, resilient and future-proofed recovery, in line with EU taxonomy and EU green recovery principles, while approximating with the EU *acquis*. Enhanced resilience, sustainability, resource efficiency, circularity and the low emissions transition agenda should be embedded into the Stabilisation and Association Agreement, the Economic Reform Programme, the European Reform Agenda and the annual Commission Kosovo Report.

Support to the Belgrade-Pristina dialogue

EU assistance in the north of Kosovo will ensure synergies and complementarities with activities funded under the Development Fund financed by Kosovo budget for the North as well as activities funded by other donors. Activities will include institution-building and investments that are directly related to Kosovo's European perspective. Assistance will target areas such as the rule of law, decentralisation, trade, economic development, private sector development, support to civil society, public administration reform, employment and social policies, education, training and research, culture, minority communities, support to agriculture, sectoral approximation (energy, the environment and transport) and building institutional capacity. Local administrations, line ministries, cultural institutions and NGOs will be involved.

Support to mutual recognition of professional qualifications

The aim of this Action is to enable free movement of professionals by continuous alignment with the EU *acquis* on mutual recognition of professional qualifications. This will be achieved through the harmonisation of the legislative framework and by strengthening the institutional capacities of the Kosovo institutions responsible for implementing policies on mutual recognition of professional qualifications.

RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

More generally, the present action will be implemented in line with the Commission's Western Balkans Strategy "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans" (COM(2018)65), adopted in February 2018, which reconfirmed that Kosovo has an opportunity for sustainable progress through the implementation of the Stabilisation and Association Agreement.

More specifically, the present action will be implemented in line with the revised Indicative Strategy Paper for Kosovo 2014-2020¹, the Stabilisation and Association Agreement, the European Reform Agenda, which outlines priority actions in the fields of good governance and the rule of law, competitiveness and investment climate, and employment and education, and the 2019 Kosovo Report.

As foreseen in the specifically, the present action will be implemented in line with the revised Indicative Strategy Paper, through this action, Kosovo will be supported to create a more depoliticised, reliable, transparent and accountable public administration at all levels, capable to implement the Stabilisation and Association Agreement.

¹ Instrument for Pre-Accession Assistance (IPA II) - Revised Indicative Strategy Paper for Kosovo" (2014-2020), adopted on 10/08/2018, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180817-revised-indicative-strategy-paper-2014-2020-for-kosovo.pdf>

In line with the Stabilisation and Association Agreement, this action will support Kosovo to continue its reform of the institutional and legal framework to align with the EU's gender equality *acquis*, complying to the provisions on gender equality and women's rights in the 2014 "European Council Conclusions on Enlargement and Stabilisation and Association Process".

This action is also in line with the "Communication on the global EU response to coronavirus - JOIN (2020) 11 final", adopted on 8 April 2020 and the Communication on Support to the Western Balkans in tackling COVID-19 and the post-pandemic recovery - Commission contribution ahead of the EU-Western Balkans leaders meeting on 6 May 2020 adopted on 29 April 2020 – COM(2020) 315 final. It will support Kosovo with ad-hoc measures to address any unforeseen need linked to the COVID-19 outbreak.

This action will also support the implementation of the Belgrade-Pristina dialogue as foreseen in section IV of the Revised Indicative Strategy Paper.

Mutual recognition of qualifications is an important part of the obligations deriving from the Stabilisation and Association Agreement. The process of implementing this Agreement is followed by the National Programme for the Implementation of the Stabilisation and Association Agreement, Chapter 2: Free movement of workers, which envisages the approximation of Kosovo's legislation with the EU *acquis*. Article 56 of the Stabilisation and Association Agreement foresees that within 2 years from the entry-into-force of the Agreement, the Stabilisation and Association Council shall examine which steps are necessary for the mutual recognition of qualifications. The aim of this Action is to enable free movement of professionals by continuous alignment with the EU *acquis* on mutual recognition of professional qualifications. The support to mutual recognition of professional qualifications will also help Kosovo in its implementation of the Multiannual Action Plan for a Regional Economic Area in the Western Balkans as it is also based on EU *acquis* alignment.

The Kosovo 2019 Report calls for further reforms in the area of public administration reform and the mutual recognition of professional qualifications.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

The EU *acquis* Approximation Facility has funded many projects that were successfully implemented under previous IPA programmes. Experience confirms that this type of assistance is particularly useful for responding quickly to urgent needs identified in the course of implementation of IPA assistance. The experience with the implementation of IPA assistance shows that the capacity of the Kosovo administration still needs to be strengthened in executing activities necessary for the implementation of the Stabilisation and Association Agreement or other important reforms. In particular in emergency rapid response situations such as the crisis with COVID-19, a general lesson learned is that the EU should, as far as possible, coordinate the efforts to find the best expertise in a very short period of time, concentrating on those fields where EU intervention can have greater impact.

A general lesson learned is that while in the past the EU and other donor assistance have contributed to building capacities in particular sectors, they did not always contribute to strengthening the overall functioning of the public administration. The main reason for this was the lack of comprehensive and coordinated public administration reform efforts, which allowed institutional fragmentation and even conflicting sector policies and legislation. Kosovo is now fully committed to public administration reform and has adopted legislation and methodological guidance on strategic planning, inclusive and evidence-based policy and legislative development, on the setting up of new (sub-ordinated) institutions, on merit-based human resources management, and on public financial management. All (sector) assistance will need to fully respect these new requirements and improve administrative capacity accordingly.

2. Intervention logic - LOGICAL FRAMEWORK MATRIX

| OVERALL OBJECTIVE(S) / (IMPACT(S)) | INDICATOR'S NAME | OBJECTIVELY VERIFIABLE INDICATORS | | | SOURCES & MEANS OF VERIFICATION | |
|--|--|---|--|---|---|---|
| | | BASELINES (INCL. VALUE & REFERENCE YEAR) | MILESTONES (INCL. VALUE & REFERENCE YEAR) | TARGETS (INCL. VALUE & REFERENCE YEAR) | | |
| Enhanced capacities of the Kosovo administration in the approximation with the EU <i>acquis</i> , for the efficient use of IPA funds, and for rapid response to urgent political, economic, health or social needs. | Progress made towards meeting the Copenhagen criteria | | | | EU Commission Annual Kosovo Report. | |
| SPECIFIC OBJECTIVE(S) / OUTCOME(S) | OBJECTIVELY VERIFIABLE INDICATORS (*) | | | | SOURCES OF VERIFICATION | ASSUMPTIONS |
| Specific Objective 1: To strengthen the technical and administrative capacity of the Kosovo administration in relation to approximation with the EU <i>acquis</i> , the effective and efficient implementation and evaluation of IPA assistance, and to support urgent political, economic, health or social needs, including on COVID-19 response. | World Bank Composite indicator government effectiveness Degree of the Office of the Prime Minister 's responsibility for coordination and management of EU assistance programmes Percentage of support measures compared to overall IPA Approximation Facility support | -0.41 (2017) 30 (2019) | / (2022) 50 (2022) | / (2023) 60 (2023) | World Bank, Eurostat Monitoring/evaluation reports ² including Result Oriented Monitoring and Sector evaluation reports EU Commission Annual Kosovo Report. | Legislative Framework is in place Political commitment is in place Progress towards approximation with the EU <i>acquis</i> . |
| Specific Objective 2: To support the implementation of existing or future agreements reached within the Belgrade-Pristina Dialogue | Degree of implementation of Agreements reached within the Belgrade-Pristina dialogue | 25%(2018) | 30%(2022) | 40%(2023) | Line ministries reports EU Commission Annual Kosovo Report | Political commitment is in place for normalisation of relations |

² The monitoring and/or evaluation reports will identify the level of the responsibility and ownership undertaken by Office of the Prime Minister compared to MEI to previous years

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|---|---|----------------|------------|-------------|---|--|
| Specific Objective 3 To harmonise the legislative framework on mutual recognition of professional qualifications with that of the EU <i>acquis</i> . | Percentage of legislation on certification and mutual recognition of professions aligned to international and EU <i>acquis</i> . | 0 (2018) | 10% (2022) | 45% (2023) | Official Gazette of Kosovo | Kosovo government and assembly committed to implement the Stabilisation Association Agreement, Chapter 2: Free movement of workers Line ministries ensuring sufficient staff and planning workload to allow participation to training activities. |
| | Percentage of professional activities properly regulated by norms complying with EU <i>acquis</i> . | 0 (2018) | 20% (2022) | 25% (2023) | Reports from the Ministry for Education, Science and Technology | |
| OUTPUTS | OBJECTIVELY VERIFIABLE INDICATORS (*) | | | | SOURCES OF VERIFICATION | ASSUMPTIONS |
| <i>EU acquis approximation, Stabilisation Association Agreement and urgent support measures</i> 1. Coordinated response put in place to meet urgent and unforeseen needs related to Kosovo's European perspective, support measures taken in response to political, economic, health or social needs, including on COVID-19 response, and capacities for programming, implementation and evaluation of IPA funds. 2. Preparation and implementation of programming documents supported in Kosovo's relevant body of the public administration including the Office of the Prime Minister and relevant line ministries. | Number of projects (including support measures) developed, implemented and evaluated under the facility for the approximation with the EU <i>acquis</i> | 0 (2018) | 15 (2022) | 15 (2023) | Monitoring reports such as Result Oriented Monitoring report and project progress reports; Annual report on Implementation of IPA by National IPA Coordinator; Quality Review process reports /checklists and Project implementation reports Project reports Kosovo report | Absorption capacity ensured, through effective design of Offices and procedures in Kosovo institutions. |
| | Number of quality documents developed | 0 (2019) | 30 (2022) | 40 (2023) | | Sufficient Staff and procedures in Kosovo Institutions of Kosovo in place for the effective implementation of the approximation strategy. |
| | Number of well-defined IPA programmes | 0 (2020) | 3 (2022) | 5 (2023) | | |
| <i>Pristina Belgrade Dialogue Facility</i> 1. Relations between Kosovo and Serbia improved, based on progress made in the integration of the north of Kosovo with the approval and implementation of agreements. 2. Progress in Socio Economic development and economic integration of the north of Kosovo, | Number of agreements and projects reached and implemented within the Pristina-Belgrade dialogue; | N/A (2020) | 80% (2022) | 100% (2023) | EU Commission Annual Kosovo Report | Political commitment at central and regional Level Local administration support for dialogue. |
| | Number of projects (during the implementation of which beneficiaries will be disaggregated by gender) for socioeconomic development | 32 (2017/2018) | 42 (2022) | 50 (2023) | | Civil Society committed to dialogue and integration of minorities |

| | | | | | | |
|--|--|---------------|------------|-------------|---|--|
| facilitating normalization and mutual trust between communities. ³ | implemented and achieving expected results in the north of Kosovo; | | | | | |
| Mutual recognition of professional qualifications 1. All relevant legislation harmonised in line with the Law on recognition of professional qualifications and the Directive 2005/36/EC | Percentage of legislation on certification and mutual recognition of professions aligned to international and EU <i>acquis</i> . | 0 (2017/2018) | 60%(2022) | 100% (2023) | Official Gazette of Kosovo Reports from the Ministry for Education, Science and Technology Project reports | Clear and transparent criteria are defined and the Ministry for Education, Science and Technology has capacities in place-planned to be prepared within this Action government committed to implement the Stabilisation Association Agreement, Chapter 2: Free movement of workers |
| | Percentage of educational programmes of professions falling under automatic recognition and corresponding to required standards revised. | 0 (2017/2018) | 70% (2022) | 100% (2023) | | |
| | Number of legislation acts concerning the mutual recognition of professional qualifications implemented | 0 (2017/2018) | 25 (2022) | 50 (2023) | | |
| | | | | | | |

³ This may contribute to GAP II Objective 15. “Equal access by women to financial services, productive resources including land, trade and entrepreneurship” and the indicator 15.8.: “N# of women accessing EU supported community level, (micro-) financial services (EURF)” Beneficiaries should be disaggregated by gender.

DESCRIPTION OF ACTIVITIES

Component 1: EU *acquis* approximation, support to Stabilisation Association Agreement and urgent support measures

Under the EU *acquis* approximation and support to Stabilisation Association Agreement, and urgent support measures component, the action will support: preparation and/or implementation of interventions responding to the challenges identified in the Stabilisation Association Agreement, the Economic Reform Programme, the European Reform Agenda, and the Kosovo Report.

It will support possible urgent priorities that arise from the approximation with the EU *acquis* or other political developments that are beyond the Commission's control and which cannot be programmed in advance. It will also support urgent political, economic, health or social needs, including on COVID-19 response. All interventions will ensure that gender non-discrimination and equal opportunities principles are addressed in the design of projects and implementation strategies.

Activities foreseen per each output are as follows:

Output 1: Coordinated response put in place to meet urgent and unforeseen needs related to Kosovo's European perspective, support measures taken in response to political, economic, health or social needs, including on COVID-19 response, and capacities for programming, implementation and evaluation of IPA funds.

Activities:

- Technical assistance to support to the Office of the Prime Minister and line institutions in the fields of approximation to EU *acquis* for emerging issues (according to Stabilisation Association Agreement priorities).
- On the job training for Ministry and line institutions staff for legislative procedures and working methods.
- Specific support measures in response to political, economic, health or social needs with focus on COVID-19 response.

Output 2: Capacity of Kosovo's Office of the Prime Minister and relevant line ministries is improved to prepare and implement programming documents and to align programmes with relevant strategies.

Activities:

- Technical assistance to support to Kosovo's Office of the Prime Minister and line ministries in preparing and developing programming documents: the National Development Strategy, Economic Reform Programme, the European Reform Agenda and any other strategic document required for accessing IPA assistance.
- Technical assistance to support the alignment of IPA annual programmes with all relevant processes that are guided by the above-mentioned documents, such as the National Development Strategy, Economic Reform Programme, the European Reform Agenda and any other strategic document required for accessing IPA assistance.
- Seminars and thematic workshops on legislation and procedures related to the different chapters of the EU *acquis* (according to Stabilisation Association Agreement priorities).

Component 2: Belgrade-Pristina Dialogue Facility

Under the Belgrade-Pristina Dialogue Facility the action will have the following outputs and activities:

Output 1: Relations between Kosovo and Serbia are improved

Activities:

- The activities under this output will target, albeit not exclusively, areas such as the rule of law, decentralisation, support to civil society, PAR, employment and social policies, education, training and research, culture, the European perspective all targeting minority communities, and building institutional capacity and construction of local infrastructures. The type of activities expected to be carried out under this facility may include technical assistance for assessments, drafting of project documents, drafting of technical specifications or ad-hoc activities to support the local authorities as a result of the outcomes of the dialogue process. In accordance with the EU Gender Action Plan, gender evidence will be used to inform activities.

Output 2: Progress made in the integration of the north of Kosovo structures and mutual trust between communities increased;

Activities:

- Assistance will aim, inter alia, to enhance integration of the north of Kosovo structures with a view to enabling all communities in Kosovo to take part in the economic opportunities resulting from the Stabilisation and Association Agreement.

Assistance will target, albeit not exclusively, areas such economic development, private sector development, culture, minority communities, support to agriculture, sectorial approximation (energy, the environment and transport) and building institutional capacity.

Component 3: Support to mutual recognition of professional qualifications

Under the support to mutual recognition of professional qualifications, the action will have following outputs and activities:

Output 1: All relevant legislation harmonised in an inclusive and evidence-based process and in line with the Law on recognition of professional qualifications and the Directive 2005/36/EC.

Activities:

- Preparation of relevant legislation; Creation of a comprehensive List of regulated professions; liberalisation process. After determination of the list of regulated professions, the liberalisation is needed as a next step for limiting the number of regulated professions and thus lower the burden on the government and the obstacles on the mobility on the professionals. Revision of relevant laws regulating specific professions will be done as well. Moreover, a revision of the educational programmes of professions falling under automatic recognition of professional qualifications is also foreseen in this activity.
- Trainings for strengthening the capacities of the institutions in charge for mutual recognition of professional qualifications; strengthening the capacities of the Kosovo Contact Point, including study visits. The above activities include design and implementation of a communication plan for information and awareness of the public for the established procedures for recognition of professional qualifications and contact point information, through publishing of the booklets, web pages etc.

RISKS

For the activities related to **the EU *acquis* approximation and support to Stabilisation Association Agreement**, the main risks identified concern the political environment such as: political instability leading to weakened commitment to the EU *acquis* approximation process, including the boycott of the Assembly by certain parties which can influence the implementation of some activities planned under this action; a weakening of capacity for evidence-based policymaking; a lack of inter-ministerial cooperation and involvement of stakeholders; inadequate coordination of donor actions and limited absorption capacity at the relevant institutions and agencies.

Some of the proposed mitigation measures include communication and awareness raising campaigns on the objectives of the approximation strategy and benefits for the Kosovo communities, support to inter-ministerial coordination and public consultations on policy and legislative proposals and capacity building actions especially on awareness raising and coordination at inter-institutional level.

The effort to strengthen the role of the Sector Working Groups on Donor Coordination organised/managed by the Office of the Prime Minister will continue. Close donor coordination at the level of projects, especially in activities' planning, will be important to avoid overlaps and to promote synergies. The main assumptions include a continued political commitment and that the legislative framework is in place.

For the activities related to **the Pristina Belgrade Dialogue** the main risks identified concern the decreased commitment from the governments to the Pristina-Belgrade Dialogue process. Past experience has shown that the security situation and other external environment risks that are present in the north of Kosovo, as well as limitations on the free movement can significantly impact the proper implementation of projects in the north of Kosovo.

Some of the proposed mitigation measures include putting in place some early warning indicators of potential obstacles, which would allow for swift reaction before the assistance is jeopardised. It is important to maintain and strengthen the coordination of the Sector Working Groups on Donor Coordination organised/managed by the Office of the Prime Minister.

The main assumptions include continued Pristina-Belgrade Dialogue; continued political commitment; sufficient resources allocated to implement the agreements reached, and the security situation in the north of Kosovo allows for unimpeded implementation of projects.

For the activities related to **the Mutual recognition of professional qualifications**, the main risks identified concern the political stability, the changes of priorities at the government level in the Ministry for Education, Science and Technology strategic plans and lack of human resources, for example if staff is unable to participate in the activities due to other commitments.

Some of the proposed mitigation measures include: Intensive cooperation with the relevant actors and contracting authority and cooperation with the other line ministries. The activities are designed in line with the Strategic documents of the Ministry and the Action technical team will work closely with the institution to review and update the Strategy as required. In order to mitigate the risk of the lack of human resources, a clear work plan will be designed.

CONDITIONS FOR IMPLEMENTATION

There are no main conditions for the implementation of the approximation facility and for the Pristina - Belgrade dialogue facility.

For the implementation of the action for the mutual recognition of professional qualification the following conditions should be met:

- The Ministry of Education Science and Technology should nominate the National Academic Recognition and Information Center and Information of Kosovo as Coordinating body;
- The bylaws provided for in the Law on recognition of professional qualifications should be adopted;
- The Ministry should establish records of regulated professions in Kosovo no later than 31 December 2021; and

- The beneficiary will provide suitable premises in which modern IT equipment can be installed and sufficient appropriate office space for technical assistance staff.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

This action will be implemented under direct management by the EU Office in Kosovo as Contracting Authority having the overall responsibility for contracting, monitoring and evaluation and will be coordinated by the relevant beneficiary institutions and the National IPA Coordinator office at the Office of the Prime Minister.

For the three main components of this action, the leading institution/main beneficiary of this action is the National IPA Coordinator at the Office of the Prime Minister and line ministries involved in the implementation of the Stabilisation Association Agreement and IPA assistance. The Prime Minister's Office and the Ministry of Finance will closely be involved in the different activities under this action.

For the Pristina Belgrade Dialogue facility, the EU Office in Kosovo will be in charge of implementation and it will work in close coordination with the Kosovo government, mainly Ministry of Justice, Ministry of Local Government and Administration, Office of the Prime Minister, Ministry of Dialogue and Ministry of Internal Affairs.

For the action supporting the mutual recognition of professional qualifications, the leading institution/main beneficiary is the Ministry of Trade and Industry, which will work closely with the Ministry of Education Science and Technology as well as the Office of the Prime Minister.

METHOD(S) OF IMPLEMENTATION AND TYPE(S) OF FINANCING (SEE ANNEX IMPLEMENTATION – BUDGET)

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING AND EVALUATION

Monitoring should be carried out from the commencement of all action activities and beneficiaries should allocate sufficient resources for data collection. Overall coordination of monitoring the financial and technical progress of the Action will be carried out by the EU Office for Kosovo (EUO) as Contracting Authority (CA).

The European Commission may carry out a mid-term, a final or an ex-post evaluation for this Action or its components via independent consultants, through a joint mission or via an implementing partner. In case a mid-term or final evaluation is not foreseen, the European 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 evaluations will be carried out as prescribed by the DG NEAR guidelines on linking planning, programming, monitoring and evaluations. In addition, the Action might be subject to external monitoring in line with the European Commission rules and procedures set in the Financing Agreement.

As per the EU Gender Action Plan, monitoring and evaluation will include gender analysis.

The evaluation reports shall be shared with the IPA II beneficiary and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the IPA II beneficiary, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

In addition, the Action might be subject to external monitoring in line with the European Commission rules and procedures set in the Financing Agreement.

5. SECTOR APPROACH ASSESSMENT

Most of the activities under this action have a horizontal aim and impact several sectors and sub-sectors.

Given their ad-hoc horizontal nature they cannot be assessed in the framework of a single sector approach. However, due care will be taken to ensure that all activities financed under this action will be coordinated with other IPA interventions that are programmed on the basis of the IPA Indicative Strategy Paper for Kosovo 2014-2020, which are democracy and governance, Rule of law & fundamental rights, energy, competitiveness and innovation, education, employment & social policies, agriculture & rural development and regional and territorial cooperation.

The action addresses several issues related to democracy and governance. In late 2017, the DG NEAR Evaluation Unit had initiated an evaluation of the IPA II sector approach in Western Balkans including Kosovo. One of the main preliminary findings in the Kosovo context was that the prospect for sectoral approach are based on the increased political dialogue and IPA programming and implementation which has taken place for the two Sector Budget Support programmes, one in PAR and the other one in PFM (Public Finance Management reform, approved in 2016).

Despite the fact that part of Kosovo legislation is in place and is in line with the EU *acquis*, the obligations of Kosovo to harmonise its legislation after entering into force of the Stabilisation Association Agreement are clearly stated. In accordance with the Article 74, of the Agreement, Kosovo shall approximate its legislation to that of the EU and ensure its effective implementation. Kosovo shall make sure that its existing and future legislation gradually will be made compatible with the EU legislation. The Agreement also stipulates that legislation shall be effectively implemented and enforced. The Agreement foresees that the approximation shall be done in several stages. The Agreement also provides that the legal approximation shall be based on an approximation programme, which is agreed between Kosovo and the EU.

The National Programme for the Implementation of the Stabilisation Association Agreement was adopted on 10 March 2016. The Programme serves as a planning tool and monitoring instrument for the Agreement implementation. It is adopted for the period of 2016–2020. The priorities in the programme are divided into short term (for 2016) and medium term (2016–2020) actions, which consist of two types of measures: a) legislative measures and b) implementing measures. Kosovo’s European Reform Agenda, adopted in autumn 2016, became the key policy programme complementing the National Programme for the Implementation of the Agreement to guide Kosovo towards its European perspective.

The implementation of activities foreseen are expected to produce results and changes in the current situation, as well as long-term sustainable results to be introduced in the form of legal implementation, improved performance of relevant institutions and overall increased capacity among the public and private sector.

6. CROSS-CUTTING ISSUES

GENDER MAINSTREAMING

Gender Mainstreaming is especially relevant or the approximation with the EU *acquis*, as EU gender equality is a crucial element of the *acquis*. As institutional learning and capacity development takes time, Office of the Prime Minister, Agency for Gender Equality and line ministries will continue to develop capacity building towards gender mainstreaming in all IPA programming. The action will support women to participate in the EU funded activities. Their equal rights are guaranteed by the Law No. 05/L -020 on Gender Equality.

This includes in particular improving a participatory approach to programming that considers the potentially different needs of women and men, as well as improving the collection and use of gender disaggregated data, towards better informing all programming.

The Gender Action Plan implementation will continue, as will the development of gender analysis and gender disaggregated data, which could inform the policy development in order to mainstream gender in the programming and the implementation phase. As foreseen by the Gender Action Plan, programmes will use findings from consultations with Kosovo Gender Equality Mechanisms, non-governmental organisations, and women's organisations to inform action design, and any sector programmes will work in line with Gender Equality Mechanisms.

Based on the Kosovo Law on Gender Equality (Art. 3.1.16), the intervention planning and execution will ensure gender mainstreaming, which entails integrating a gender perspective into every stage of the process, planning, approval, implementation, monitoring and evaluation of legislation, policies or programmes and budgets, in all political, economic and social areas.

This Action will contribute to the implementation of the EU Gender Action Plan II, objective 17: “Equal rights and ability for women to participate in policy and governance processes at all levels”.

The Constitution of Kosovo “ensures gender equality as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other areas of societal life” (Art. 7). The Law on Gender Equality calls for equal representation of women and men at all decision-making levels within the public administration, and foresees the use of temporary affirmative discrimination measures towards furthering gender equality. The Actions proposed will consider the possibility to use this and other tools for this scope.

EQUAL OPPORTUNITIES

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Equal access to all benefits of the Action will be promoted. More specifically, training and other capacity building activities in this project (timing and schedule) will be fully adjusted to the needs of women with children, training and meeting premises will be fully adapted to the needs of persons with disabilities, equal opportunities principles and concrete measures will be embedded in all strategic documents that will be produced under this Action.

Equal opportunity will also be taken into account in the preparation of all tender documents and in the recruitment of personnel through the placement of appropriate wording.

In addition, the Action will address problems and practical needs specific to men and women in order to ensure capacities to deliver services in a gender-sensitive manner. Gender sensitive language will be maintained throughout the project cycle. It will be ensured that the project management will have adequate capacities to enhance women's participation in project activities and work towards gender equality objectives. In general, a gender perspective will be maintained ensuring that the results of the Action impact positively on gender equality as well.

The EU Recast Directive on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation encourages equality in matters of occupation and employment (Directive 2006/54/EC).

The participation of women and men will be equal in almost all stages of preparation until, female are encouraged in some relevant areas while in the phase of drafting the questionnaires on the part of the disables will be included also persons with disabilities. From the practices of 2011, people with disabilities will also be included in the communication campaign while planning to be part of the analysis and dissemination of the data.

MINORITIES AND VULNERABLE GROUPS

During the implementation of the activities under this action, a special focus will be given to offering equal opportunities for everyone, including minority groups involved in the public sector as well as in the private service sector. The aim will be to contribute to multi-ethnic representation in the institutions benefiting from this projects, which will address the ethnic groups fairly and equitably in accordance with the law, along with other marginalised groups. Special attention will be paid to ensuring involvement of women from diverse minority groups, many of whom are particularly marginalized from decision-making processes.

Pristina Belgrade Dialogue actions will put at the very centre of all intervention special efforts will be made to include Roma, Ashkali and Egyptian students in activities, through close communication with local and international organisations supporting these communities. Vulnerable and social disadvantaged/excluded groups will also be targeted by this Action. Therefore, all the activities will try to maximize the benefits for women and men, youth and children amongst the most vulnerable groups including: ethnic minorities

(notably those in poverty and social exclusion), women in rural areas and people with disabilities and their families.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER STAKEHOLDERS)

Specific attention will be paid in the framework of this action to ensure that civil society and other stakeholders are consulted in the right time of the legislative and policy-making process and that the decision-makers are informed about the outcomes of the consultations. The engagement of civil society organisations and stakeholders will therefore be taken into consideration in all aspects of the action by strengthening their capacities, allowing them to engage in an effective dialogue with public and private actors. For the census, civil society will be engaged almost in all the main phases starting from: census law, design of questionnaires, training, field monitoring, analysis and dissemination of data.

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

The foreseen activities under this action are not expected to have a relevant environmental impact. Nevertheless, should any of the sub activities raise environmental considerations then everything will be screened against environmental sustainability. Furthermore, environmental considerations will be duly reflected in all IPA financed activities. Kosovo has already undertaken concrete steps to implement EU directives of waste management and has jointly with the EU commission invested to begin the implementation of these measures. Adequate environment protection measures will be foreseen as per EU financing requirements and Kosovo laws.

It should be noted that the legislation in the field of environment protection has been significantly improved, but significant challenges remain to achieve EU standards. Energy efficiency and promotion of renewable sources of energy will be at the core of Kosovo institutions attempts to minimize the carbon footprint and adverse effects on the environment.

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| Climate action relevant budget allocation: EUR 00 |
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7. SUSTAINABILITY

Sustainability of this action will be ensured through the involvement of all relevant actors, at all levels, and clear structures and roles for the implementation and monitoring.

With regard to the EU *acquis* approximation and support to the Stabilisation Association Agreement, this type of assistance has proved to be extremely useful for the sustainability of the overall EU assistance to Kosovo especially as the interest and ownership of the Office of the Prime Minister for these types of activities is increasing continuously. What is important about this facility is that its methodology is being slowly taken on board by the IPA II beneficiary. They are now convinced that without having the relevant expertise and preparatory work done they are not able to engage into projects and ensure its successful implementation. This aspect has been further strengthened during the implementation of IPA II programmes which has had a more focused and sectoral approach.

The National IPA Coordinator's office has undertaken a more active role in reporting on the implementation of the IPA assistance by providing annual reports to the EU. This has ensured that the National IPA Coordinator takes into consideration the monitoring of the implementation of different action which ensures the ownership and sustains the process.

Finally, the integration of the key principles of public administration, including the 'Better Regulation' approach into envisaged assistance will also contribute to sustainability of results. In particular, a) development of new legislation/ amendments and/or policies/strategies will be carried out respecting all procedures and legislative requirements of Kosovo, especially those related to (fiscal/ regulatory) impact assessments, public consultations, inter-ministerial coordination; the action will provide support to the beneficiaries with 'options analysis', regulatory impact assessments, concept papers, etc. prior to supporting them with drafting of legislation/ amendments; actual legal drafting will be mainly done by the beneficiary and even if some drafting is done by experts, it will be paired with capacity building (e.g. detailed explanation of proposed texts, comparison among international examples, etc.); b) any training, capacity-

building and human resources development activities shall be coordinated with the institution that is centrally responsible for human resources management and professional development of civil servants; c) any activity supporting the development of IT tools shall ensure consistency with the interoperability standards in each beneficiary and, where these don't exist, they will promote consultations with the Ministries in charge of information society related matters; d) any guidelines developed by EU assistance shall be simple enough to allow revision by the beneficiary administrations without further external support; finally e) any new law or administrative procedures shall not contradict any existing law or procedure; if necessary the action will support harmonisation of the new procedures with the existing provisions.

The Law on recognition of professional qualifications bears importance for the long-term sustainability of the educational systems and the labour market in Kosovo and at international level. This legislation is to provide free movement of persons and therefore will enhance regional cooperation.

8. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action. The implementation of the communication activities shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the EU communication and visibility requirements in force. All stakeholders and implementing partners shall ensure the visibility of EU financial assistance provided through IPA II throughout all the phases of the programme cycle.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions and will promote transparency and accountability on the use of funds.

Visibility and communication actions shall be complementary to other activities implemented by DG NEAR and the EU Office in the field. The European Commission and the EU Office should be fully informed of the planning and implementation of the specific visibility and communication activities.

A consolidated communication and visibility plan for the Action will be developed, based on an agreed communication narrative and master messages, customised for the different target audiences (stakeholders, business community, civil society, general public etc.). The communication and visibility plan should include a specific reference to ensuring EU visibility in the communication campaigns and in the infrastructure foreseen as part of this programme.

Effectiveness of communication activities will be measured inter alia through public surveys in the IPA II beneficiaries. The surveys will cover awareness about the action and its objectives as well as the fact that it is funded by the EU. As a minimum one survey should be carried out before the start of the implementation of the communication and visibility plan and one after its completion.