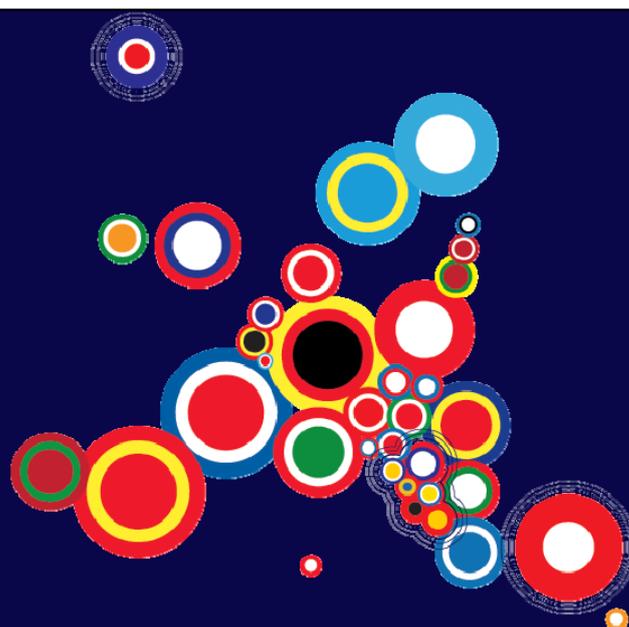




INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

Kosovo*

Further Support to Home
Affairs in Kosovo



Action summary

This Action Document represents the European Union's and Kosovo Government's continued efforts to contribute towards the increase of efficiency and effectiveness of law enforcement /rule of law institutions in their service provision to justice and Kosovo society in general. This can be achieved through targeted capacity building of institutions active in fight of organised crime, through overall police reform in accordance with EU standards and requirements as well as through ensuring reliable civil registry system.

* 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	2015 Annual Action Programme for Kosovo
Action Title	Further Support to Home Affairs in Kosovo
Action ID	IPA 2015/038065.4/Kosovo/ Further Support to Home Affairs in Kosovo
Sector Information	
IPA II Sector	Rule of Law and Fundamental Rights
DAC Sector	15130
Budget	
Total cost	EUR 12 000 000
EU contribution	100%
Management and Implementation	
Method of implementation	Direct management
EU Delegation	European Union Office in Kosovo (EUO)
Implementation responsibilities	European Union Office in Kosovo (EUO)
Location	
Zone benefiting from the action	Kosovo
Specific implementation area(s)	Kosovo
Timeline	
Deadline for conclusion of the Financing Agreement	31 December 2016
Contracting deadline	3 years after the conclusion of the FA
End of operational implementation period	6 years after the conclusion of the FA

1. RATIONALE

PROBLEM AND STAKEHOLDER ANALYSIS

In the field of Home Affairs, the main institutions have been set up and legislation has been adopted in Kosovo. The legislative framework is largely complete, although additional legislation aiming to fight terrorism and organised crime in general is foreseen to be adopted in the short term. Key institutions led by the Ministry of Internal Affairs have gone through numerous reforms in terms of policies, institutions and capacities in line with European and international requirements. However, the fight against organised crime and corruption still remains a challenge.

Kosovo's experience and expertise in carrying out complex criminal investigations and conducting complex operations are improving, but are still insufficient. Institutional responsibilities are not always clearly attributed and can lead to a lack of accountability of the relevant institutions. This can be viewed from two aspects: challenges related to inter-institutional cooperation and coordination and the EULEX transition process and, the need for further profiling of women and men police officers, prosecutors, and judges. The main stakeholders affected by the abovementioned issues are the law enforcement agencies, prosecution and judiciary institutions, and agencies closely involved in the area of anti-money laundering and anti-corruption, civil registry and institutions providing trainings/education relevant to this area.

Currently, all serious cases are handled in cooperation with EULEX. The internal affairs sector, although under reforming, needs to be more efficient and effective in preventing and fighting corruption and organised crime when the EULEX mission will end in June 2016. Moreover, the need to increase the efficiency and effectiveness of law enforcement institutions of Kosovo is confirmed in many international reports in general and those of the EU in particular. Increasing the efficiency and effectiveness of law enforcement institutions would improve the public perception of these institutions, and would increase the capacities in handling complex crimes even when EULEX will no longer be present in Kosovo. Increased capacity of law enforcement institutions to assess organised crime and corruption from a gender perspective and assess its differential impact on men and women is also crucial and would further contribute in the improvement of public perceptions and trust towards these institutions.

Kosovo Police (KP), in collaboration with the other law enforcement institutions, has had positive developments in terms of capacity building for preventing and fighting all forms of crime, with particular emphasis on organised crime and corruption. In addition, progress has been made in establishing international cooperation, especially in the region but also with international security agencies. In this context, KP has been part of many international operations for the prevention and fighting of organised crime. However, considering the development and sophistication of tools and forms of committing criminal offenses, it requires strengthening and specialisation to fight negative phenomena. Kosovo's international status further hinders its formal cooperation with international and European law enforcement agencies but practical cooperation has already led to some successful operations and should be sought further.

Regarding policies and legislation, Kosovo has taken a number of important steps in preventing and fighting corruption, implementing the necessary elements of the legal framework, including the adoption of the law on extended powers, law on confiscation of illegally obtained property, the law on declaration of assets, the law on prevention of conflicts of interest in the exercise of public functions, law on protection of informants, law on public procurement and law on financing of political parties. Law on prevention of conflict of interest needs relevant reporting obligations since currently the conflict of interest cases are still not reported. The sanctions provided by the law on declaration of assets, and the law on conflict of interest are quite symbolic, while it should provide for compelling and adequate sanctions.

Kosovo Government has developed the Law Preventing participation of Kosovo citizens in foreign conflicts as a response to increasing threats posed by conflicts in Middle East and its expansion in Western Balkans and Europe as a region. This Law is expected to be approved by Kosovo Assembly in the near future.

However, a genuine commitment against corruption and organised crime and better cooperation between law enforcement and judiciary authorities is needed, in particular for investigation of complex criminal offences. Therefore, the level of cooperation should increase in order to improve the prevention and fighting of corruption and organised crime, as required by the Strategic Plan for Inter-Institutional Cooperation in the Fight against Organised Crime and Corruption 2013-2015. In relation to complex crime investigations, KP needs constant capacity building as well as equipment with necessary tools and equipment in order to cope with this complex issue. Currently, through the EU twinning 'Strengthening criminal investigations capacities against organised crime', a feasibility study is being conducted to assess the current IT structure in rule of law in terms of interoperability and inter connectivity of different databases located in different rule of law related institutions. The relevant ministries and agencies have started discussing and implementing the first steps, such as the appointment of relevant focal points and the discussion over joint data standards. It is envisaged within this Action document that the support to the reforms of the Kosovo Police will also ensure the interoperability of the different system in use and effective and efficient data exchange.

A number of actions undertaken by the Kosovo government is sought in the area of fight against organised crime, with focus on money laundering and corruption such as specific strategies, action plans or concrete interventions that have started to show some progress. However, confiscation of assets and related figures are still very low. The statistics on confiscation and their harmonisation is still a challenge. This area is currently addressed by the IPA 2011 technical assistance, but further support is needed for monitoring the implementation and enabling possible improvements that might be needed as of 2016.

With the EU and other donors assistance, the relevant authorities with the government of Kosovo have started several processes for improving inter-institutional cooperation and joint investigation. Through the EU twinning 'Strengthening criminal investigations capacities against organised crime' guidelines for the establishment of the joint investigation teams between police and prosecution are being developed. This action should be finalised during 2015 and the concrete implementation of these guidelines is planned as of 2016. In addition, a team of forensic financial and IT specialists certified by the Kosovo Police, Kosovo Forensic Agency, Financial Intelligence Unit, Central Bank of Kosovo and the General Auditor's Office, has been set up and will assist the police and prosecution office during their investigations. This process has been also supported by the IPA 2011 assistance. These actions represent a start of the overall reform in the fight against the organised crime in Kosovo. However, further assistance will be needed within IPA II in order to ensure further progress.

In addition, specialised and focused trainings with a targeted on-the job approach are needed for Kosovo Police, prosecution, judges, but also in terms of fighting money laundering and corruption, where the private sector (banking sector), Central Bank of Kosovo, tax and customs administration should be targeted as well. As crimes affect differently women and men, it is important that the specialised trainings are gender sensitive. Increased efforts are needed in investigating and prosecuting corruption cases and improving the reliability of the statistics in fighting corruption and organised crime. In this regard, relevant authorities are working closely (both judiciary and law enforcement) in making the best use of the data extracted from the Kosovo Prosecution Council's Tracking Mechanism Database. The first annual report of February 2015 has identified some shortcomings (i.e. data on confiscation) and the authorities, through the support of EU and other expertise, are working on improvements. This process will also need further support in terms of continuous assistance in collection, analysis and distribution of relevant statistics and their usage for future policy development. It should be noted that for example the data or the progress in confiscating the assets obtained from criminal activities is one of the main indicators on the implementation of the Anti-money laundering strategy and other similarly relevant policy documents in Kosovo.

In order to support the efforts on fighting crime the Kosovo Police has committed to an intelligence led policing (ILP) approach and has adopted an ILP strategy. This approach requires further assistance that goes beyond fragmented trainings but introduces structural changes within the Police. Information that is collected needs to be analysed, disseminated and used appropriately in order to design operations pro-actively. Organisational changes will be necessary in order to increase the operational and tactical reporting to the central level. Equally, top-down sharing of information and the full embracement of the tasking and coordinating structure needs to be integrated in the KP structures. The state-of-the-art Kosovo Police

Information System will enable the change process. Further to this, the Kosovo Police should be rejuvenated and an appropriate gender balance at all levels shall be supported.

Although the Kosovo Police and its relevant departments have been trained on many specific issues and by many different donors, there is a need of re-structuring within the Kosovo Police in order to enable a sustainable and more structured embedding of these specialised trainings in the daily work of the police. Any restructuring shall be done on merit basis, while taking into account the representation of men and women in these bodies. Therefore, support to a complex reform process for Kosovo Police is needed and envisaged within this document.

Finally, the second report on progress by Kosovo in fulfilling the requirements of the visa liberalisation roadmap recommend that the Civil Status Registry System should be considerably improved to ensure the quality and consistency of data processed and registered therein. Furthermore, the report refers to the need of ensuring interoperability between the travel document, ID and law enforcement databases and the need for elaborated standard operating procedures for storing and binding breeder documents. Therefore, further assistance is required in a form of support to the Civil Registration Agency (CRA) to ensure, inter alia, improved and systematic supervision, inspection and spot-check audits, enforce Management accountability and ensure civil registry mistakes do not enter the system.

RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

Within Kosovo Indicative Strategy Paper 2014-2020 (ISP), direct reference is provided to Kosovo needing to establish an effective mechanism for the prevention of corruption, including successful investigations of these cases. Based on the ISP, the functioning of the police and other law enforcement bodies to investigate complex criminal activities and fighting corruption needs to be improved further. The ISP underlines that Kosovo needs to develop a more systematic and pro-active, intelligence- and information-based approach to fight and prevent organised crime and corruption. It also pays particular attention to issues such as trafficking in human beings, and illegal economic activities stating that the capacities of the Kosovo police and prosecution to investigate complex criminal activities needs to be strengthened. In this regard investigations of such crimes should be done jointly with State Prosecutor Victim Advocates in order to ensure a gender-sensitive approach.

According to the ISP, structural reforms need to be established which include regulatory bodies, sublegal acts and procedures, IT systems and oversight mechanisms which increase transparency and accountability of the institutions. In relation to this, Kosovo Police has benefitted from a number of EU funded actions, including the support through twinning in the field of Integrated Border Management and fight against drug trafficking as well as in the area of fight against organised crime and corruption. Furthermore, Kosovo police has benefitted from different specialised trainings with EU and other donor funded projects such as: financial investigations, anti-corruption trainings, specialised trainings on trafficking in human beings, anti-drug trafficking, Integrated Border Management issues, juvenile justice, witness protection and similar.

The ISP summarises priorities and essentials that need to be addressed with EU Assistance for the sub-sector Home Affairs, noting that “Kosovo will need to enhance its capacity to prevent, investigate, prosecute and convict cases of organised crime, including in fighting the irregular migration, trafficking in human beings and narcotics, economic crime and money laundering, cybercrime and terrorism. By 2020, effective criminal investigations and proactive intelligence-led policing on organised crime and corruption should be the norm”.

Under objectives, results, actions and indicators, the ISP underlines that IPA will support Kosovo's efforts through the provision of capacity-building and equipment for police, customs, tax administration, and other rule of law institutions. Through advising and monitoring key institutions, EU assistance will aim to further increase capacities of the individual institutions as well as inter-institutional cooperation. The role of civil society in monitoring and reporting on corruption and organised crime will be enhanced. IPA II will also

support regional cooperation to fight cross-border organised crime and trafficking. Depending on the developments in the sector and progress made on the visa roadmap, IPA assistance may be required in other areas such as civil registration, Integrated Border Management, migration and asylum. While many actions have been taken to address the challenges, there are still areas where further external assistance will be needed.

Furthermore, the European Commission Progress Report 2014 refers to the limited progress in the area of fight against money laundering. It assesses that legislative and operational structures are in place. However, results in this field need to be improved considerably and Kosovo still needs to demonstrate tangible results in the fight against economic and financial crimes. In the area of policing, the Progress Report recognises that some progress is made but still, challenges remain in delivering results in the fight against organised crime and corruption, further cooperation with other law enforcement authorities, and implementation of intelligence-led policing. In the area of confiscation, the lack of confiscations of assets remains a serious concern. In terms of civil registry, more resources in the Civil Registration Agency (CRA) are needed to ensure improved and systematic supervision, inspection and spot-check audits. Management accountability needs to be enforced to ensure civil registry mistakes do not enter the system. Communication and coordination between central and municipal level needs to be improved and training for municipal officers intensified

In more general terms, the Progress Report 2014 mentions that in the area of fight against organised crime Kosovo is at an early stage of delivering results. On financial and economic crimes, law enforcement agencies are reluctant to initiate financial investigations; prosecutors are not proactive in the use of confiscation provisions. As a result, the number of permanent confiscations and sequestrations ordered by the judiciary continues to be low. There is a lack of expertise among prosecutors and judges in specialist areas such as financial crime and procurement fraud, essential to adequately deal with corruption... Fighting organised crime and corruption is fundamental to countering criminal infiltration of the political, legal and economic systems. Such infiltrations also affect the power relations in the society including perpetuating further gender inequalities. Authorities need to show a zero tolerance approach in the fight against organised crime and corruption. Further analysis of corruption and organised crime from a gender sensitive approach and its consequences is also needed to adequately address criminal infiltrations in Kosovo's political, legal and economic systems.

The Medium Term Expenditure Framework (MTEF) 2015-2017 is the main document which links government policies and priorities with Kosovo's budget plan. One of the four main areas of the Medium term Pay Policy (MTPP) and MTEF for the period 2014-2016, respectively 2015-2017, is good governance and strengthening the rule of law. Hence, this action is consistent with the principal planning documents of the Government of Kosovo, namely MTPP and MTEF.

The National Strategy for European Integration of Kosovo confirms the success achieved in the field of rule of law, mainly in legal developments and the establishment of institutional mechanisms, including judicial and other reforms, while at the same time highlighting the need for further strengthening of the rule of law as a whole. Therefore, according to this strategy, by 2020 Kosovo will set up an effective rule of law system.

The Action is linked to the Strategies and Action Plans for combating Organised Crime, corruption, trafficking of Human beings and Crime Prevention. The Action is also related to the **Strategy on Assistance to the Sector of Rule of Law in Kosovo 2016-2019** (Justice and Home Affairs). Moreover, this action will directly contribute towards the achievement of Objective 2 of the Kosovo Agency for Public Safety (**KAPS Development Strategy 2014-2018** "Development of educational programs for all levels that are provided by KAPS". In addition, the action addresses directly the needs for professional capacity building as foreseen in strategic documents of all public safety agencies.

In terms of regional perspective and according to **the South East Europe 2020 Strategy** and relevant to this sector, the need to counter corruption is essential to the broad goal of promoting growth, since corruption is a major deterrent to investment. Some of the Key Strategy actions in Dimension O 'Anti-corruption' are: (i) to introduce simple, clear, enduring and transparent rules of access to public services; (ii) to increase public

awareness through regular reports and by supporting independent agencies; and also (iii) to build capacities of law enforcement agencies and judiciary and improve their regional cooperation and data exchange (including mutual legal assistance in corruption cases).

The **proposed priorities** of this Action will help meet several challenges identified previously such as: supporting Kosovo police structural reform, supporting IT restructuring in law enforcement agencies, including with gender disaggregated data, support Kosovo institutions on fighting organised crime with special focus on anti-corruption and anti-money laundering, further support to fight against trafficking in human beings, support to civil registration process, support intelligence-led policing and other related activities.

SECTOR APPROACH ASSESSMENT

Kosovo does not have a comprehensive Home Affairs strategy. Nonetheless, a number of complementary strategies have been adopted and are currently under implementation, although with different degrees satisfactory implementation.

Although there are a number of adopted laws and established institutions, the general legal framework related to internal affairs is complex, especially in preventing and fighting corruption and organised crime. These two phenomena challenge economic development and integration of Kosovo in international mechanisms, including EU approximation. The complexity is more visible in the implementation of the existing laws and procedures and in the areas where strong cooperation among law enforcement agencies and with judiciary is necessary.

Kosovo does not have to date a comprehensive Home Affairs sector strategy. Nevertheless, a number of complementary strategies have been adopted and are currently under implementation. The strategies described here below are the most relevant to the implementation of this Action.

In May 2014, the Kosovo Government adopted the Rule of Law Assistance Strategy in Kosovo 2016-2019, which defines the approach of the Government of Kosovo in terms of international assistance programming over the years, donor coordination and cooperation mechanisms as well as priority measures in the line of strengthening the rule of law sector, particularly in justice and internal affairs. The overall objective of this strategy is the improvement of the conditions for sustainable rule of law and, subsequently, advancement of European integration process through planning, programming, and improving the effectiveness of donor assistance in accordance with Kosovo's strategic priorities.

The strategy recognises the overall progress in drafting of policies and laws that are considerably in line with the EU best practices. However, it also recognises that the enforcement of legislation on preventing and fighting corruption and organised crime (including all types of serious crimes), as well as institutional capacity building in the field of the rule of law, continues to remain a challenge and an obstacle to the economic and social development of Kosovo.

Three main areas are identified in the strategy as areas that will need donor assistance for improvement: 1) Justice matters; 2) Internal affairs; and 3) Issues of access to justice.

The actions foreseen in this action document are directly linked to the strategic area 2) Internal affairs, where the government has already listed the areas and actions where they would need EU support. These actions are included in both results of this document.

The area of fight against organised crime and corruption, including the fight against financial and economic crime or money laundering in general, is covered by the following strategies:

- The Anti-Corruption Strategy and Action Plan 2013-2017 of February 2013: The strategy and action plan foresees actions and measures for achieving cross-sector objectives such as the creation of a proper integrity plan, increasing transparency in privatisation with a special focus on conflict of interest, etc. The strategy also identifies seven priority sectors (political sector; local government; central administration; law enforcement, prosecution, and judiciary; public finances and their management; public procurement; private sector and business environment; civil society and media) and outlines

specific objectives for each of them. The strategy is to be monitored by the Kosovo Anti-Corruption Agency. The annual monitoring reports are produced by the Agency and presented to the Parliament. The implementation of this strategy lacks strong coordination among different agencies which are responsible for implementation of individual tasks. Therefore the Agency will be supported in this regard, through an action foreseen within IPA 2014 that will aim at strengthening the coordination mechanisms in the anti-corruption area. In addition, the Agency and other relevant stakeholders are enhancing their cooperation by appointing focal points (Agency and KPC cooperation) and intensifying their regular dialogue. Within the Action Document, Result 1 is focused on the fight against organised crime, with specific focus, through the activities under Result 2, on fighting economic and financial crime.

- Strategy Against Organised Crime 2012- 2017: This strategy has the following strategic objectives: further strengthening of capacities in the prevention and fight against organised crime; development of cooperation and coordination between Kosovo and international acts in prevention and fight against the organised crime; prevention and fighting forms of organised crime; awareness of citizens on the consequences of organised crime. The strategy focuses on the specific forms of organised crime such as smuggling of drugs, human trafficking and smuggling of migrants, smuggling of weapons, fuel, alcohol, works of art and cultural heritage as well as tax and customs evasion. Intelligence led policing and integrated financial investigations (including asset tracing) are mentioned as specific methods for the prevention of organised crime. The expected activity under Result 1.1 of this Action Document, to be implemented through a twinning contract, will directly contribute to the implementation of the objectives of this strategy and its action plan.

The functions of National Coordinator and a Secretariat under the responsibility of the Ministry of Internal Affairs have been established for the implementation of the Strategy. It is clear that this Strategy and its foreseen actions are closely linked with the majority of the strategies listed in this Action Document. Although the National Coordinator and his office are under the responsibility of the Ministry of Internal Affairs, coordination remains challenging. Further efforts are needed in order to harmonise these different policy documents that would contribute to their coordination and efficient implementation. The actions foreseen within Result 1 will aim at contributing to strengthening the coordination and synergies between this Strategy and the other ones listed below, relevant for the fight against organised crime area.

- Strategy Against Terrorism and Action Plan 2012- 2017: this strategy, adopted in September 2012, lies within the responsibility of the Ministry of Internal Affairs and the National Coordinator. The strategy sets out strategic objectives in the fields of Prevention, Pursuit, Protection and, Preparation and Reaction, such as: identify and minimise the factors and causes which may lead to the creation of a favourable environment for posing and spreading the ideas of violent extremism; pursue, investigate and bring to justice individuals or groups who pose a terrorist threat or who commit terrorist acts; strengthen the protective measures against the potential terrorist attacks against Kosovo and its interests within and abroad; the readiness for reaction and management of situations in order to minimise the consequences in the event of any potential terrorist attack. Its implementation requires close coordination and collaboration with other relevant line ministries and agencies. This is especially important in the current situation related to the recent developments in Kosovo and its citizens participating in Syria conflict. The government institutions have moved forward in establishing relevant coordinating structures and have started working on the new Strategy against radicalism and extremism, which will also be linked to the Strategy Against Terrorism. Through the activities foreseen in Result 1, this area will be dealt as a cross-cutting area as it relates to the police reform and fight against money laundering and terrorism financing. Recently, this Strategy is a subject of closer monitoring and its implementation will be closely linked to the new legal frameworks development related to prevention and fight against terrorism as well as terrorism financing. The terrorism financing is integral part of the Strategy against Money laundering as well as the Law against Money laundering that is currently being revised.
- National Strategy on Prevention of Crime and Action Plan 2013 – 2017: This Strategy's objectives are: further enforcement of capacities for crime prevention; development of cooperation and coordination

between local and international actors in crime prevention; prevention and minimisation of all forms of crime; citizens' awareness on crime consequences; system of implementation and evaluation of the Strategy and Action Plan. This Strategy and Action Plan envision evaluation of implementation with quarterly reports and an annual workshop for review of implementation with the main responsibility lying with the Ministry of Internal Affairs and the National Coordinator and Strategy Monitoring and Evaluation Unit which supports the National Coordinator. As the strategy targets complex area and involves a large number of stakeholders, its monitoring is a challenge. Therefore, further support in this regard will be needed. This is envisaged within the Result 1 of this Action Document, more specifically through the implementation of the action related to the police reform.

- Strategic Plan for Inter-Institutional Cooperation in the Fight against Organised Crime and Corruption 2013-2015: The specific objectives of this strategy are: increase and, as appropriate, standardise inter-institutional cooperation and coordination and cooperation between the competent authorities in order to fight organised crime and corruption more effectively; increase and, as appropriate, standardise inter-institutional cooperation and coordination and cooperation between the competent authorities in order to improve the quality of information about the detection, investigation, prosecution and decisions made by the court about cases of organised crime and/or corruption; improve the quality of information provided to the public and media about organised crime and/or corruption; strengthen the capacity of Kosovo prosecutorial system and the skills of prosecutors to fight organised crime and corruption. The strategic plan is monitored by the Kosovo Prosecutorial Council, which prepares monitoring reports every six months, or more frequently on request. The report is drafted by the Performance Page 9 of 10 Evaluation Unit of the Kosovo Prosecutorial Council in conjunction with Prosecutor Experts and the Special Prosecutors Office of Kosovo (SPRK). In addition, a yearly assessment of the implementation of the Strategy by the assessment group composed of representatives of institutions and agencies involved in the Plan, the relevant Prosecutor Experts and the Head of SPRK. Relevant civil society organisations are also consulted with regards to the assessment. The reports produced as a result of monitoring of the implementation of this Strategy have been very useful source of information both for the relevant government institutions, prosecution and judiciary but also for the EU in terms of identifying the key challenges and planning future support. Civil Society Organisations are heavily involved in the monitoring of the implementation of the Strategy and its Action Plan and the quarterly monitoring reports are shared with the EU Office in Kosovo regularly. Based on these monitoring reports, the need for further support in terms of capacity building within prosecution services has been identified. This is especially relevant for the area of financial crimes, therefore within Result 1, an activity targeting the fight against financial crimes is foreseen. This activity, among others, will provide specialised training and technical tools for prosecutors in order to increase their efficiency in this specific field.
- Strategy on Integrated Border Management 2013-2018: The aim of this strategy is to contribute to the Kosovo government's commitment to implement *step by step* the four-tier access control model that is described as the core of IBM in the EU Schengen Catalogue on External Borders Control and Return and readmission. In this regard, the strategy sets out a series of specific objectives such as: implementation of respective legislation for three pillars which ensures that the authorised agencies for integrated management and control of the border/boundary will be organised and operate according to EU standards; cooperation and coordination of activities of relevant agencies involved in border/boundary management and reforming of their organisational and managing structure; all procedures related to human resources, training, finances and logistics are determined by internal regulations through joint agency consultations; adequate selection and appointment procedures for the personnel in the relevant agency are applied with the purpose to enhance professionalism and quality etc. Similarly to other strategies within the MIA the Strategy and Action Plan on IBM foresees evaluation of implementation with quarterly reports and an annual workshop for review of implementation, with the main responsibility lying with the Ministry of Internal Affairs and the National Coordinator and Strategy Monitoring and Evaluation Unit which supports the National Coordinator. Very positive progress has been recorded in implementation of this strategy. The relevant Kosovo Police departments have shown high level of professionalism and enhanced skills, as a result of the support provided by the EU and other international donors. This area will be further supported, based on identified needs, within Result 1 and its action aiming and supporting the police reform in Kosovo.

- National Strategy Against Narcotics 2012-2017: in September 2012, the Kosovo Government approved the second National Strategy and Action Plan against Drugs 2012-2017. The strategy is a continuation to the previous Strategy covering the period of 2009-2012. The vision of the Strategy is to uphold public health in Kosovo and to protect it from the threats of drug abuse. The mission of the strategy is to define overall and specific objectives and activities for preventing and fighting narcotics, as well as harmonise Kosovo's and international inter-institutional actions to achieve objectives defined in the Strategy. The strategy has a series of general objectives in the fields of demand and harm reduction, offer and supply reduction, institutional cooperation and coordination, support and research mechanisms, and supervision and monitoring. The monitoring of this strategy lies within the competencies of the National Coordinator under the responsibility of the Ministry of Internal Affairs. The Kosovo Police plays crucial part in the implementation of this strategy. Relevant departments of the Kosovo Police are subject to the continuous support by the EU through capacity building and supply of equipment. This area will be further supported within Result 1 and the action that aims at supporting the Kosovo Police reform.
- National Strategy on Prevention and Fighting of Informal Economy, Money Laundry, Financing of Terrorism, and Financial Crimes 2014-2018: This Strategy has been recently adopted and is monitored by a Secretariat chaired by the Ministry of Finance. A monitoring mechanism is established through quarterly situation reports. The strategy includes concrete Action Plan with expected outputs and measurable indicators and the situation reports contain mostly the data relevant to measure the progress of implementation of the Strategy. Recently, new reporting mechanisms have been established in order to improve the collection of data; these mechanisms will be used during 2015 and based on the reporting results towards the end of 2015, the way forward will be set.

Kosovo Government is developing a risk assessment approach; it has adopted the National Risk Assessment on anti-money laundering in December 2013 and has developed the sectoral risk assessment of the construction sector that is to be approved very soon. This approach will continue to be developed in other sectors identified as potential high risk for money laundering. This approach will require further support. Risk assessments, more specifically the sectoral risk assessments will need to be followed by concrete action plans. These action plans should include both preventive but also repressive measures to be implemented by relevant institutions/agencies. While in some agencies there is sufficient capacity, in others this still needs to be developed as well as effective coordination between these agencies. IPA II is very suited instrument to assist Kosovo institutions in this area. More specifically, within Result 1, one activity will address the challenges in the area of anti-money laundering. The activities foreseen in the Action Plan of this Strategy will be directly supported through this Action Document.

- In addition to the above listed strategies, Kosovo Police approved the Strategy and Action Plan 2012-2016 "Community Policing". Based on this document, the sector breakdown is envisaged according to the prescribed criteria, i.e. number of population, number of cases, and some other factors. So far, there are 133 sectors in 40 police stations. Kosovo Police also adopted Intelligence Led Policing Strategy 2013-2017, as an important foundation for proactive investigations, such as preventing and fighting of organised crime; trafficking in human beings; trafficking of narcotics; economic crimes and corruption; and terrorism.

In practice, the adoption of these strategies has resulted in increased number of investigations and prosecutions as well as enhanced cooperation and coordination between relevant and involved institutions. Nevertheless, there are still challenges. Both these strategies will be subject to analysis and further support through the action supporting the Kosovo Police reform within Result 1 of this Action Document. The monitoring of these strategies should include the gender perspective as well as monitoring by the civil society sector. The action will also propose changes in the organisational structure. It is foreseen that such organisational, structural and operational reform will contribute greatly towards overall implementation of the policy framework related to the fight against organised crime. The implementation of the ILP approach will lead to improved statistics that should be gender disaggregated.

The proposed activities under this Action Document are closely linked with the Government programme for 2015 -2018. Core points of this programme are good governance and strengthening of rule of law. Aiming at setting the highest standards of good governance and strengthening the rule of law, the Government will focus on the following sectors: the judicial and prosecutorial system, strengthening of law enforcement, security policies, public administration reform and local governance. The Government will continue its efforts in the implementation of anti-corruption policies; combating organised crime, terrorism and related activities, economic crime, trafficking of human beings and other criminal activities. The Government will work to adapt the criminal law to the international best practices in order to fight corruption and other negative phenomena. These priorities are translated in the Kosovo Medium Term Expenditure Framework (MTEF) 2015 -2017.

In terms of donor coordination, at the central level, the Ministry of European Integration (MEI) is responsible for the management, coordination and monitoring of Kosovo's EU approximation by drafting policies, ensuring compliance of domestic legislation with the European Union acquis, financial assistance, public information and capacity building required for this process¹. A new Department of Development Assistance was established within MEI which has the responsibility to centrally coordinate, review and supervise the progress of the ongoing and planned donor assistance related to sector strategies, donor programmes and individual projects. It specifically coordinates the process of planning, programming and monitoring of IPA projects and offers support to the National IPA Coordinator². DDA also manages and maintains the data base on donor coordination (Aid Management Platform)³ and offers trainings to line institutions on the subject.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

In terms of lessons learned from the previous and on-going assistance, special attention should be paid to appropriate coordination and resource allocation by the IPA II beneficiary institution. The experience from the past and on-going assistance actions is that the already gained experience and knowledge should be used at its maximum and should be further disseminated. The future actions should avoid repetition and duplication of already provided trainings to the existing institutional structures and should focus to providing capacity building either to the new structures (or new areas) or to the new appointed personnel, women and men in relevant IPA II beneficiary institution. Furthermore, there are a number of already established mechanisms for inter institutional coordination and cooperation. Future assistance should build on this structure and aim at strengthening it and avoid creation of new and additional structures. Capacity building activities will need to focus on specialised trainings, on the job coaching and mentoring with innovative and custom made approach. Specialised trainings and mentoring on gender equality are still needed and must be institutionalised.

The Home Affairs sector has been supported both by the EU, through IPA I assistance as well as other donors.

The EU assistance through IPA I actions has targeted both law enforcement and judiciary in order to assist the Kosovo institution in their overall fight against organised crime, i.e. on capacity building (human and technical) of the Kosovo Police, support the implementation of the Kosovo Integrated Border Management (IBM) strategy and its Action Plan, the fight against organised crime and corruption, drug trafficking and the trafficking in human beings. In the area of the police reform, within IPA 2008, 2009, 2010 and 2011, Kosovo Police and other law enforcement agencies have been supported through provision of different equipment, IT systems and supplies in order to increase their efficiency. In addition series of Actions under IPA I have also been provided, such as IPA 2009 Action: Twinning Light supporting Kosovo Police through provision of guidance, advice and capacity building programs.

¹ Government Decision nr.6/121 on the Role of Ministry of European Integration, 22/04/2010

² Regulation nr.32/2012 on internal organisation and systematisation of jobs in MIE, Article 18.

³ <http://public.amp-mei.net/>

Within IPA 2011, the Kosovo Border Police is benefiting from an EU Twinning support mainly in the implementation of the Kosovo IBM strategy and its Action Plan and the fight against drug trafficking. As substantial progress is recorded in the field of IBM, the achievements will be translated into further assistance, such as with regards to the intelligence led policing and tasking and coordination model. Under IPA 2012, Kosovo Police and other relevant stakeholders, like prosecution and judges are benefitting from an EU Twinning support, aiming at assisting Kosovo institutions in conducting joint investigations and strengthening the police capacities to perform their role in the overall fight against organised crime. By the end of 2016, specific guidelines will be developed and approved as an efficient tool to promote the approach of joint investigation teams between Kosovo Police and Kosovo prosecution. This is specifically relevant for the financial crimes. This approach will be further supported within Result 1 of this Action Document, especially through the action that targets the area of anti-money laundering and corruption. All these action have lead towards identifying the need for the reform within Kosovo Police structures as many of the new techniques and procedures introduced by the EU assistance actions require different structures then the current Kosovo Police structure. Therefore, an action to be implemented through a twinning contract is foreseen to support Kosovo Police reform.

IPA I has supported Kosovo institutions in the assessments in the anti-corruption and anti-money laundering areas, using Group of States against Corruption (GRECO) and the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) methodology, in building the capacities of the Agency for Managing Sequestered and Confiscated Assets (AMSCA) and the Financial Intelligence Unit (FIU). IPA I also supported AMSCA with the development of a database, different Standard Operating Procedures (SOPs), manuals, a human resources strategy which should not only increase AMSCA efficiency but should also contribute to strengthening the cooperation with other relevant stakeholders in the area of confiscation. The new law on AMSCA is also being drafted with the current IPA I support.

The Activity 2 under Result 1 will be a direct continuation of these efforts and will build on the achieved results. The support to AMSCA will be extended to the establishment of the Asset Recovery Office (ARO) as part of the EU standards and requirements in the area of confiscation. This Action Document will support the monitoring of implementation of all these tools, through the activity included within Result 1.

In the area of anti-money laundering, the Financial Intelligence Unit (FIU) benefitted of IPA I and the activity within Result 1, will target wider range of stakeholders, including prosecutors, judges, but also the private and banking sector, led by Central Bank of Kosovo.

Within IPA 2009, 2011 and 2013 II, an EU Project supporting to the Civil Registration Agency (CRA) and Unified Address System, has been aiming at the establishment of a new civil registration system, led by the Civil Registration Agency (CRA) in 2013. In addition, since 2008 the Ministry of Internal Affairs has received assistance from EULEX under its overall mandate to support the Kosovo authorities in the rule of law area, in creating the Civil Registration Agency, as well as the negotiation, certifying and handover to CRA of certified copies of original civil and religious registry books of birth, marriage and death which were withdrawn to Serbia in 1999. In addition, a project on Data Processing of Civil Registry Books, funded by the EU under IPA 2011, and implemented by the Danish Refugee Council, was implemented with the aim to return certified scanned copies civil registry books taken to Serbia during the 90s. The CRA is a subject of further support under IPA II and more specifically within the activity foreseen under Result 2 of this Action Document. New challenges arising from the Visa Liberalisation and other processes will increase CRA's need for further support.

In terms of other donors, the home affairs sub sector has been heavily supported by US Embassy, USAID and International Criminal Investigative Training Assistance Program (ICITAP) in the form of capacity building for the Ministry of Internal Affairs, Kosovo Police, Kosovo Police Inspectorate as well as the areas such as: drugs trafficking, trafficking in human beings, border/boundary control, investigation techniques and other relevant areas. This sub sector is also supported by the UNDP, more specifically in the area of anti-trafficking in human beings, small arms and weapons control and emergency management. The visa liberalisation process is supported by the GIZ (through the support to the Ministry for European Integration) where the Ministry of Internal Affairs is benefiting in a form of consultancy services.

The activities foreseen in this Action Document will be coordinated with the following ICITAP activities in order to achieve the greatest benefit for the IPA II beneficiary institution:

1) Support to Kosovo Police Executive Management that aims to strengthen the leadership, management, and professionalism of the Kosovo Police Executive Management Staff, leadership and mid-level command staff.

2) Support in the area of Trafficking in Persons (TIP) & Complex Criminal Investigations (CCI) Leadership and Management Development that aims to improve the capacity of the MoIA to prevent and combat human trafficking and Improve the capacity of the Kosovo Police Crime Department to conduct complex investigations by using modern investigative techniques, effective case management and linking narcotics trafficking, counterfeiting, and trafficking in persons cases to larger cases of organised crime, corruption, and money laundering/financial/economic crimes.

3) Support to Integrated Border Management (IBM) that aims to continue developing Kosovo's ability to effectively control borders/boundaries and manage asylum, citizenship and immigration services in accordance with international standards to ensure internal and regional security.

4) Support to Community Safety Program that aims to develop (1) a comprehensive and inclusive Community Safety Action Teams that coordinate effectively with law enforcement institutions, municipal authorities, and NGOs/civil society on issues of freedom of movement, crime, safety, and quality of life issues and (2) specialised community safety programs to include neighbourhood watch, domestic violence, suicide prevention, school safety, and bridge building programs.

Furthermore, OSCE has since 1999 supported Kosovo Police with basic, advanced and specialised trainings. These trainings have been heavily taken over by the Kosovo Academy for Public Safety (KAPS) where OSCE is still present with its expertise and guidance. The EU and other donor assistance have always been coordinated with the activities supported by the OSCE. The most recent example is the EU twinning support to the KAPS, where the OSCE was a member of the Project Steering Committee. A similar approach will be applied in the future activities foreseen within this Action Document.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	
To further strengthen the role of the law enforcement/rule of law institutions' and agencies' role in the overall Kosovo development and democratisation process	Rule of Law index (WB)	EU Kosovo Police Annual reports KPC annual reports KPC tracking mechanism 6 monthly and annual reports World Bank	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
Improving the efficiency and the effectiveness of the law enforcement/ rule of law agencies in their service to the judiciary and Kosovo citizens	Progress made towards meeting Copenhagen criteria (EC); Composite indicators Global Corruption (TI) and Control of Corruption (WB);	EU Kosovo Police Annual reports KPC annual reports KPC tracking mechanism 6 monthly and annual reports World Bank Transparency International	-The Government of Kosovo continues to support reforms in the rule of law sector and respective sub-sectors in its entirety. - Institutions and other stakeholders are willing and committed proactively participate in implementing these actions. -Both EU and Kosovo remains firm on the path of EU approximation. -Security situation remains stable to allow normal project operations. -There is a continued coordinated effort between the central and municipal governments, and the international community engage in all actions supporting the rule of law sector.
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Result 1: Support to the Fight against Organised Crime</p> <p>1.1 Kosovo Police undergoing structural change to increase efficiency in implementation of intelligence-led and community policing</p> <p>1.2 Kosovo institutions effectively and efficiently implementing a multi-agency approach in fight against money laundering and corruption and as well as financing terrorism.</p> <p>1.3. Kosovo Police and Kosovo Forensic Agency provide effective and efficient services to the rule of law/justice system in Kosovo</p> <p>Result 2: Support to civil registration and document security</p> <p>2.1 Civil Registry Agency strengthened to effectively and efficiently implement the relevant legal and procedural framework</p>	<p>Result 1: Support to the fight against organised crime</p> <p>1. Number of intelligence reports produced and exchanged with law enforcement agencies increased</p> <p>2. Increase rate of successful investigations in Kosovo Police leading to indictments and convictions</p> <p>3.Number of integrated financial investigations and prosecuted cases increased</p> <p>4. Increased number of forensic services provided to the judiciary and law enforcement agencies in required time and quality.</p> <p>Result 2: Support to civil registration and document security</p> <p>1. Number of citizens data properly processed, checked and validated by CRA</p>	<p>EU Progress Report</p> <p>Kosovo Police Annual reports</p> <p>KPC annual reports</p> <p>KPC tracking mechanism 6 monthly and annual reports</p> <p>CRA reports</p> <p>EULEX reports</p> <p>ROM reports</p>	<p>- Relevant institutions benefiting from IPA assistance should be already sustainable, government funded and fully operational</p> <p>-Close cooperation between various stakeholders to further strengthen the rule of law sector in Kosovo is established. Institutions benefiting have sufficient inter-organisational support and there is accountability processes in place.</p> <p>-Adequate and appropriate institutional and legal framework is in place</p> <p>-Pre-conditions are put in place by Kosovo Institutions, i.e. sufficient budget and human resources are made available from the Kosovo authorities to maintain any equipment funded under EU projects</p>

<p>2.2 Municipal civil registry offices providing efficient service for their women and men citizens, including on-line services</p> <p>2.3 Births registrations increase, especially for Roma, Ashkali and Egyptian (RAE) communities</p> <p>2.4 Designed and implemented structure for consistent and continuous training for current and new employees on central and municipal level</p> <p>2.5 Further data exchange established between the CRA and relevant rule of law institutions, especially in relation to death registration</p>	<p>2. Percentage of birth registrations increased, particularly among RAE communities</p> <p>3. Percentage of death registrations increased</p>		<p>and ensure projects sustainability</p> <ul style="list-style-type: none"> - Institutions benefiting are independent in conducting their activities -Sufficient budget is ensured to conduct its activities, supplemented by sufficient staff and technical capacities
<p>ACTIVITIES</p>	<p>MEANS</p>	<p>OVERALL COST</p>	<p>ASSUMPTIONS</p>
<p>Result 1: Fight against organised crime</p> <p>Activities to achieve Result 1.1:</p> <p>Support to Kosovo Police Reforms in accordance with EU and international standards, including structural and organisational changes as well as implementation of intelligence-led and community policing approach</p> <p>Activities to achieve result 1.2:</p> <p>Strengthen inter-institutional, regional and international mechanisms in the field of anti-money laundering, financial crime, terrorism financing and corruption, including prevention, investigations, assessments and operations</p> <p>Activities to achieve result 1.3</p> <p>Supplying the Kosovo Police and Kosovo Forensic Agency with necessary equipment (related to special investigation techniques, undercover investigations, informant handling, surveillance, technical support) and knowledge to prevent and fight cybercrime, organised crime, terrorism, serious crime and corruption and ensure interoperability and data exchange among different agencies and systems</p> <p>Result 2: Support to civil registration and document security</p> <p>Activities to achieve Result 2.1 -2.5:</p> <p>Further support to the Civil Registration Agency and other relevant institutions in ensuring document security and civil registration system, at municipal and central level, is in accordance with EU standards, enables increased birth and death registration of all communities in Kosovo</p>	<p>Result 1: Fight against Organised Crime</p> <p>Result 1.1: Twinning contract</p> <p>Results 1.2: Service contract</p> <p>Results 1.3: Service and supply contract</p> <p>Result 2: Support to civil registration and document security</p> <p>Twining contract</p>	<p>EUR 12.0 million</p>	<ul style="list-style-type: none"> - Relevant institutions benefiting from IPA assistance should be already sustainable, government funded and fully operational -Close cooperation between various stakeholders to further strengthen the rule of law sector in Kosovo is established. Institutions benefiting have sufficient inter-organisational support and there is accountability processes in place. -Adequate and appropriate institutional and legal framework is in place -Pre-conditions are put in place by Kosovo Institutions, i.e. sufficient budget and human resources are made available from the Kosovo authorities to maintain any equipment funded under EU projects and ensure projects sustainability - Institutions benefiting are independent in conducting their activities -Sufficient budget is ensured to conduct its activities, supplemented by sufficient staff and technical capacities

ADDITIONAL DESCRIPTION

Result 1: Support to the fight against organised crime: The specific objective of this area is to support Kosovo institutions in their efforts to fight against organised crime through increasing the efficiency of inter institutional mechanisms, in combating financial crime/money laundering, corruption and trafficking in human beings. The expected results are as follows:

1.1 Support to Kosovo Police Reform: The specific objective of this area is to support Kosovo Police in reforming the organisational and functional structure in accordance with the international standards and best practices. The activities in this area include, among others:

- Review and assessment of structural/organisational changes, focusing on investigation units (central and local levels)
- Develop and implement a strategy and action plan to address demographic structure (related to average age and gender) of Kosovo Police, considering specific activities to create an enabling environment for women's increased involvement in the police force
- Support to increase capacities for proactive investigations in the field of tasking and coordinating of the intelligence-led approach
- Ensure harmonisation and interlinking of activities between Kosovo Police Strategy on Intelligence-led policing and Strategy on Community policing
- Increase operational and tactical reporting to central level and improve top-down sharing of information
- Increase capacities for preventive approach of policing considering the gendered nature of some crimes in prevention efforts
- Increase investigating capacities in specialised fields such as cybercrime, fight against trafficking of drugs, smuggling of migrants, arms, and goods, as well as terrorism, considering the gender related nature of the crimes as well.

1.2 Kosovo institutions effectively and efficiently implementing multi-agency approach in fight against money laundering and corruption and as well as financing terrorism.

The expected results will be achieved through targeting of key institutions such as Kosovo Police, Financial intelligence Unit, KPC, KJC, AMSCA and others and their institutional mechanisms in the overall fight against money-laundering and corruption with focused capacity building activities. It will build on the results achieved through IPA I assistance and will continue to strengthen newly created mechanisms (such as the National Strategy against informal economy, money laundering and financing of terrorism 2014-2018, National Risk Assessment on anti-money laundering, new AMSCA law, guidelines for joint investigation teams, SOPS for prioritising of the cases related to organised crime, the assessment of the informal economy in Kosovo etc) but will also aim at establishing new mechanisms and tools as per EU requirements.

1.3. Supplying the Kosovo Police and Kosovo Forensic Agency with necessary equipment (related to special investigation techniques, undercover investigations, informant handling, surveillance, technical support) and knowledge to prevent and fight organised crime, terrorism, serious crime and corruption, including for data exchange and inter-operability.

This activity includes the support to Kosovo Police and Kosovo Forensic Agency with necessary equipment and systems that will enable efficient investigation, information collection and further knowledge gathering in the overall fight against organised crime. The service contract will include the needs analysis for the relevant institutions, taking in considerations the findings of the previous and ongoing relevant actions supporting the same institutions. Kosovo Forensic Agency, through this activity, should strengthen its Forensic Chemistry and Forensic Biology Department to be able to respond to requirements of the law enforcement agencies and

the judiciary in Kosovo, upgrade the existing AFIS system to be able to exchange the biometric data across law enforcement agencies in time and support the proper functioning of the three laboratories of the Information Technology Forensic Department. In addition this action foresees support for the Forensic Department within the Kosovo Police, especially related to IT forensics.

Result 2:

Support to civil registration and document security: The specific objective of this area is to provide support to the Civil Registration Agency and Municipal Civil Status Offices to further improve and implement management and maintenance principles regarding the IT systems and legal framework as well as implement structures that guarantee consistent and continuous civil status services such as (but not limited to) structures for training, budgeting, auditing and public awareness including a gender perspective. The activities foreseen for this area will build on the achievements of the Civil Registration Agency and other central and municipal institutions, mainly through EU IPA I support. Different processes require continuous upgrade, increased capacity as well as information update when civil registry is concerned. Such are the visa liberalisation process, SAA dialogue but also the internal and international requirements that Kosovo faces daily. Thus this activity will support these on-going processes and existing well established structures within Kosovo government. The activity includes, but is not limited to the following:

- Support in linking civil registers with law enforcement agencies to further establish online data exchange between the CRA and institutions i.e. (but not limited to) KCA and Law Enforcement institutions.
- Innovating of existing IT systems related to improving data exchange with institutions and providing new services as well as enhancing system security to prevent misuse of data. Further support in establishing online services for citizens. IT support is provided through the Ministry of Internal Affairs and the annual budget requested for IT systems is EUR 300,000. The continuous maintenance and update of the civil status registration information system needs to be ensured as all relevant databases of law enforcement agencies are being and will be linked.
- Support in designing and implementing a consistent and continuous training structure for current and new women and men employees on central and municipal level for all general elements as well as job specific elements relevant for civil status.
- Increase professional capacities in the field of inspections and control in order to ensure consistent and continuous enforcement of the audit system by the CRA of municipal offices.
- Design and implement a public relations structure in order to effectively and efficiently inform central and municipal officers and/or institutions or the general public women and men on changes or other important events related to civil status.
- Supporting the implementation of a CRA/MIA budgeting structure to oversee annual budgeting based on the CRA strategy, as well as incorporation of financial consequences for the CRA due to GoK foreseen and/or ad hoc policies and/or required CRA management decisions.

Risks, Preconditions and Assumptions:

Pre-conditions shall be put in place by Kosovo Institutions, sufficient budget and human resources will be made available from the Kosovo authorities to maintain any equipment funded under EU projects and ensure projects sustainability. More concretely, within the 2016 annual budget, within the Budget groups of Goods & Services' as well as 'Capital Investments' there will be sufficient allocation (at least 10% of the contract value) for maintenance of the equipment supplied through EU support. The individual allocations will be confirmed as soon as the Kosovo Government Budget for 2016 is adopted by the parliament (December 2015).

The following criteria will be considered for the use of information technology (IT) in the implementation of the strategy: cost-effectiveness, applicability to the rule of law institutions, compliance with the applicable legislation and with the policies of the Agency for Information Society and as well with existing technology and methods in use. This is essential and will make the difference between actual use and further development of achieved results. Furthermore, it is necessary to install only those technological devices that can be used by rule of law institutions, in order to ensure that software and other acquired technological devices can be used and maintained by institutions herein. This requires that responsible officials of these institutions are trained by various projects and programs on the use of technological equipment, to properly adjust them with the existing software packages.

Close interagency cooperation is required between various stakeholders, to further strengthen the rule of law sector in Kosovo. Moreover, the management of rule of law institutions is expected to increase its commitment, enhancing the knowledge and understanding of their staff, strengthening internal communication and coordination, in order to ensure effective policy decisions in the rule of law.

Potential risks may entail limited technological capacities, inadequate human resources and high turnover of staff. The process is disrupted by external developments (regional conflict, inter-national financial crisis sufficient resources, both human and material resources). Additional risk is the lack and proper budget allocation and lack of consensus among community members in identifying priority areas of intervention.

Continuation of projects in the same area can create overdependence on external expertise and always allow room for further support and create risk on sustainability.

Mitigation measures:

Planned activities shall ensure synergy with existing support provided by EU and other donors and should build upon the activities implemented by the previous projects. Implementing bodies and IPA II beneficiary institutions ought to coordinate closely with ongoing projects in the same area prior and during project implementation. More specifically the Department for European Integration and Policy Coordination within MIA and other relevant line ministries will be responsible for ensuring necessary coordination and synergies between different donor funded activities.

Human and other capacity building needs should be analysed beforehand and during the implementation phases of activities. Alternative and innovative Information gathering techniques shall be encouraged which would provide a clear picture of the actual capacities.

In order for activities and results to be sustainable, all relevant IPA II beneficiary institutions must be involved in drafting and implementation stages of action documents and allow a bottom up approach. Security situation in Kosovo remains sufficiently stable to allow normal project operations. This can be traced back and be observed from previous assistance provided. Train the trainers will be most suitable scheme for planned training activities foreseen by this document by emphasising on learning by doing method. This will create the means for the expertise to remain within the Kosovo institutions. Kosovo Government should allocate and make available sufficient budget for planned activities and to fulfil pre-conditions prior to project deployment. Police can further improve policies and practises that will enable women's increased involvement in the force.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

Direct institutions and stakeholders involved in the management and implementation of this action document are: Ministry of Internal Affairs with Kosovo Police, Kosovo Police Inspectorate, Civil Registration Agency, Kosovo Forensic Agency, Ministry of Finance with Financial Intelligence Unit, Customs and Tax

Administration, the Agency for Management of Sequestered and Confiscated Assets, Kosovo Anti-Corruption Agency, and other relevant stakeholders.

The European Union office in Kosovo will manage the procurement, quality control, and the implementation of the activities of this action and can take remedial actions if and when needed. The contractor and its team leader will have the authority to run the project activities on a day to day basis under the supervision of the EU office task manager. His/her primary responsibilities shall be to ensure that the projects produce the required outputs to the required standards of quality.

For each project a Steering Committee will be set up, which is responsible for the overall direction of the project and comprised of representatives from the IPA II beneficiary side, EU office, and MIE. All major decisions related to the overall implementation of the project will be decided and approved by the project steering committee. Other line ministries and non-governmental actors can be invited to take part if and when needed.

IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

The total amount allocated for this action document is EUR 12 million. EU Office in Kosovo is the Contracting authority for the proposed projects. This Action Document will be implemented by *service, twinning and supply contracts*.

Result 1:

A twinning contract is foreseen as a most suitable implementation modality in order to support such a complex process as the reform of the Kosovo Police.

The area of anti-money laundering and overall fight against financial crime involves a wide range of institutions with different executive or administrative mandates. It will therefore be supported by a service contract which is considered to be the most appropriate implementation modality.

Support to Kosovo Forensic Agency includes both services and supply contract which corresponds to the needs of the Agency. To increase its capacities, the Agency is in need of specific new and upgraded equipment for which a supply contract is foreseen. The services contract will aim at conducting a thorough assessment of the Agency's needs, preparing technical specification as well as supervising the installation of the equipment and providing the necessary training for the staff.

Result 2:

In order to support the Civil Registration Agency in increasing its efficiency and capacity, a twinning contract is foreseen. The Agency has benefited for years from an EU funded technical assistance – through a service contract – and it is assessed that it is suitable time for a twinning as implementation modality.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

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

Project monitoring will be conducted through direct participation in the project approval committee as well as regular reporting provided by the implementing agency. The action further foresees monitoring from the EU Results Oriented Monitoring (ROM) team.

The implementing authority will provide regular reporting on the implementation of the project, and on ensuring the IPA II beneficiary's needs and concerns are met and addressed. The implementing authority will ensure the flexibility of accommodating the needs within the framework of the project's mandate. The assessment will be used to provide suggestions for the future implementation of similar programming and draw out lessons learned from the current phase.

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

The monitoring of the action will be based on the four clusters of indicators as set below:

- Resource Indicators (indicators which provide information on the financial and human resources allocated by the experts' team to reach the results as described in the log frame)
- Output Indicators (indicators which represent the product/output of the each implemented activity);
- Impact Indicators (indicators, which represent the consequences of each implemented activity such as backlog reduction or number of court case decisions enforced)

INDICATOR MEASUREMENT

Indicator	Baseline (year)	Milestone 2017	Target 2020	Final Target (year)	Source of information
<p>1. Progress made towards meeting Copenhagen criteria</p> <p>2. Composite indicators Global Corruption (TI) and Control of Corruption (WB)</p>	<p>EU Kosovo Report 2015</p> <p>Corruption Perception Index 2014: Rank 110/175 and Score 33/110</p> <p>Control of Corruption Index for Kosovo within WGI 2013: 30.6</p>	<p>Overall progress made</p> <p>Score 35/110 (please note that</p> <p>Control of Corruption Index for Kosovo within WGI: 33</p>	<p>Overall progress made</p> <p>Score 37 /110</p> <p>Control of Corruption Index for Kosovo within WGI: 34.5</p>		<p>EU Kosovo Report</p> <p>Transparency International; Corruption Perception Index</p> <p>World Bank: Control of Corruption Index for Kosovo within WGI</p>
<p>1. Number of intelligence reports produced and exchanged with law enforcement agencies increased.</p> <p>2. Increase rate of investigations that result in indictments and convictions</p> <p>3. Number of integrated financial investigations and prosecuted cases increased,</p> <p>4. Increased number of forensic services provided to judiciary and law enforcement agencies in require time and quality</p>	<p>1. Number of intelligence reports processed by the Directorate of Intelligence and Analysis (DIA) in 2014: 5984</p> <p>2. Number of reports processed and distributed within relevant KP directorates 2014: 1140</p> <p>3. 57 cases with integrated financial</p>	<p>1. 20% increase by first quarter of 2017</p> <p>2. 25% increase by first quarter of 2017</p> <p>3. 30% increase by first quarter of 2017</p>	<p>1. 40% increase by 2020</p> <p>2. 50% increase by 2020</p> <p>3. 50% increase by 2020</p>		<p>KPC Tracking Mechanism Annual Report</p> <p>Quarterly situation reports of the National Strategy against money laundering, informal economy and terrorism financing</p> <p>Kosovo Forensic Agency annual reports</p> <p>Kosovo Police regular reports</p>

	<p>investigations conducted by KP in 2014</p> <p>4. 4804 services provided and 51703 pieces of evidence examined in 2014</p>	<p>4. 25% increase by first quarter of 2017</p>	<p>4. 50% increase by 2020</p>		
<p>1. Number of citizen data properly processed, checked and validated by CRA</p> <p>2. Percentage of birth registrations, increased, particularly among RAE community (disaggregated data by gender)</p> <p>3. Percentage of death registrations increased, with disaggregated data by gender</p>	<p>1. 2014: number of verified citizens in CSRS: 635188</p> <p>2. The CRA does not disaggregate data based on ethnicity. The baseline to be developed during 2016</p> <p>3. 2014 regular registrations: M: 3190; F: 2300</p> <p>Late registrations: M: 3002; F: 2056</p>	<p>1. 25% increase by first quarter of 2017</p> <p>2. 25% increase by first quarter of 2017 disaggregated by gender</p> <p>3. 25% increase by first quarter of 2017 disaggregated by gender</p>	<p>1. 100% increase by 2020</p> <p>2. 50% increase by 2020 disaggregated by gender</p> <p>3. 50% increase by 2020 disaggregated by gender</p>		<p>Civil Registry Agency reports</p> <p>Municipal Civil registry Offices reports</p>

5. CROSS-CUTTING ISSUES

Equal opportunity and gender balance will be taken into account at all stages and aspects during the implementation of the priorities and activities. This dimension is also reinforced in the European Partnership and the SAA Action Plan. Mainstreaming of gender and minority issues both within the target institutions and the outputs (services provided by these institutions) will be ensured. The importance of this dimension is reflected in the Kosovo Civil Service Law, the Law on Gender Equality, and the Anti-Discrimination Law. This dimension is also reinforced in the European Partnership and the SAA Action Plan.

Team of experts involved in the project could be equally represented of women and men must possess relevant skills to ensure effective mainstreaming of gender equality and minorities inclusion/participation. The events organised under the projects will ensure targeting both sexes equally, through provision of translation and producing print, visual and audio material in local languages and appealing to the potentially different needs, interests and communication styles of diverse women, men, boys and girls. The foreseen activities will promote the requirements of gender equality and a more active participation of women who remain to a certain extent underrepresented. In addition to this, the services and outputs produced within different actions will conform to the relevant principles of equal opportunities and non-discrimination. The design of Measures will also take account of the Kosovo Gender Profile which was published in May 2014

Actions will ensure gender balance both amongst participants in working groups for development of new policies as well as amongst trainees benefitting from the various opportunities for attaining new skills. Furthermore, the specific needs of both women and men will be incorporated into the development of all training modules developed in order to ensure their accessibility to both target audience.

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

Environmental protection is an indirect benefit of the foreseen actions in this document. The proposed actions will not have a negative impact on the environment nor jeopardise environment, health and security in the future. The actions will be delivered in the most environmentally friendly way possible, including the recycling of paper and the reduction of paper-based activities to the absolute minimum, including through distribution of project materials through internet and use of alternative ways.

In general, sector support through the interventions should be provided to activities and projects that have a very limited or indeed a potentially net positive environmental impact. In relation to Rio Marker on mitigation the activities of the action qualify as “significant” in that the equipment provided will help beneficiaries and their businesses to produce less greenhouse gasses, while the Rio Marker on adaptation is not targeted. Furthermore, the newer more technologically advanced equipment provided to the beneficiaries through the various actions is generally more efficient in terms of producing less waste materials and using less resources to operate and thus reducing the impact of the machinery on the environment.

Furthermore steps will also be taken to follow environmental guidelines and ensure that so far as possible construction techniques and materials are environment friendly. Particular attention shall be given to the disposal of waste construction materials ensuring these are disposed of at the appropriate municipally approved site. The housing solutions provided should be insulated with double pane glass in the windows, not only is this a more comfortable to live in but it means that there will be less fuels and wood consumed for heating during the winters.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)

Civil Society/stakeholder involvement will be taken into consideration in order to support civil society organisations to strengthen their capacities and professionalism, allowing them to engage in an effective dialogue with public and private actors and to monitor developments in areas such as the SAA Process. As civil society is most active sector in close touch with communities, using CSOs to promote and disseminate information on EU approximation is seen as an advantage.

Civil Society engagement in this sector is seen as very important. One of the focuses of different actions foreseen in this document will be to capitalise on the existing knowledge and experience of civil society organisations. There are number of civil society organisations that are active in monitoring the developments, progress and challenges of rule of law institutions in Kosovo. Many are also focused in the field of anti-corruption, anti- money laundering and in monitoring the efficiency of institutions in overall fight of organised crime. Others focus on gender mainstreaming and furthering gender equality and they will be consulted to provide expertise and assistance.

The industry in the financial sector (commercial banks, micro-finance institutions, money or value transfer service providers, exchange bureaus), non-profit organisations, designated non-financial businesses and professions (lawyers, notaries, auditors, accountants, casinos, real estate agents, dealers in precious metals and stones and trust and company service providers) as well as professional associations (Kosovo Bar Association, Chamber of Notaries, Auditors Association, etc.) will be important stakeholder within the result that targets the fight against money laundering and corruption.

Civil society organisations and other stakeholders are already involved in the implementation of the strategy and action plan.

Experience has indicated that civil society organisations can play an integral part in enhancing supporting activities for the target groups. Each of the priority interventions shall seek to actively engage with and pursue cooperation with a wide range of civil society actors including, local NGOs, civil society organisations and business associations and networks from the communities in order to identify in which ways they might benefit from the action outputs and support. Furthermore civil society actors and organisations will be able to provide input to the various interventions in order to address the various needs and concerns of their constituents.

In addition to the above, some of the watchdog and advocacy functions are foreseen to be addressed with the Civil Society Facility 2015, which foresees the following actions and will likely cover areas addressed within this Action Document:

- CSO Coalitions: 3 grants to strategic coalitions of at least 4 CSOs to support their networking and advocacy efforts with regards to one of the priority areas of the Indicative Strategy Paper for Kosovo (Democracy and Governance, Rule of Law and Fundamental Rights, Energy, Competitiveness and Innovation, Education, Employment and Social Policies or Agriculture and Rural Development)
- a sub-granting scheme to support CSOs in their efforts to feed into decision-making processes, and thereby enhance CSO capacities and experience related to internal governance structures, strategic planning, communication, financial management, results monitoring and impact evaluation, networking and coalition-building, and advocacy, notably focusing on grass-root organisations.
- Grant scheme to provide operating grants to CSOs to enable advocacy activities and enhance profilisation, networking and coalition-building.

MINORITIES AND VULNERABLE GROUPS

Beneficiaries' staff will have to be appropriately sensitised to the principles of fair treatment of minorities in public sector employment policy and practice. The actions will in no way harm the rights of any individuals, including minorities and vulnerable groups. Given the broad scope of the actions envisaged to be financed under this facility, there is the possibility to support sub-projects that directly deal with minorities and vulnerable groups. Respect and protection of minorities and vulnerable groups are key values stated within different international instruments and as such are also present in the policies, laws and strategies in Kosovo. This Action will take into account the rights of minorities and vulnerable groups in all its activities and will strive to involve as much as possible all marginalised groups in Kosovo and ensure that information is provided in the recognised minority languages. Different activities will also aim to enhance the responsiveness of involved IPA II beneficiary institutions towards all citizens including those belonging to a minority group in Kosovo. This will include attention to potentially different priorities, interests and needs of women and men of diverse ethnicities.

Different foreseen activities will actively encourage the participation of officials from minority communities to participate in the trainings and curricula to be implemented. Specific focus during will be given to newly engaged law enforcement staff from Serb community and their training. In the implementation of actions there will be no direct or indirect discrimination against any person based on gender, age, marital status, language, mental or physical disability, sexual orientation, political affiliation or conviction, ethnic origin, nationality, religion, race, social origin or any other status. The activities implemented should have impact on all territory of Kosovo. The implementation of activities shall be planned to ensure outreach and engagement of minorities and vulnerable groups, in particular in-so-far as improved access to justice and execution of law enforcement services. The activities should aim at improved participation of minorities and vulnerable groups both in service delivery throughout Kosovo as well as in consultation phases for potential new reforms.

The scopes of the projects are connected directly with the Kosovo government policies regarding minorities. Under these policies and legislation which are based directly on the constitution of Kosovo which are designed directly for the protection, promotion of minority rights as the strategy to return the law to communities, the law on the use of official languages, the law on religious freedom law on cultural heritage and other laws and policies that protect the rights of communities are in employment, social inclusion, health and housing.

6. SUSTAINABILITY

Implementation of the action is expected to ensure that the implementation of the project is in line with the rule of law priorities and, consequently, sustainable. Rule of law institutions will strive to develop their capabilities with donor support, capacities which will continue to operate after the implementation of this strategy.

The actions foreseen in this document are part of broader reforms foreseen in the rule of laws sector in Kosovo. There are key priorities foreseen in strategic documents such as Rule of Law Assistance Strategy and the foreseen actions directly contribute towards achieving results in these priority areas.

All foreseen activities and results will eventually lead to the setting up or strengthening of sustainable practices that will enable relevant responsible institutions and stakeholders to implement an effective credible anti-corruption and anti-money laundering policy, anti – organised crime measures and instruments, reliable civil registry system, efficient forensic services as well as effective police reform process.

The Ministry of Internal Affairs and all law enforcement sector institutions in Kosovo have developed and matured over time a clear ownership of processes and actions implemented through IPA I assistance actions.

The institutions have been supported through their various stages of development, both through EU funds as well as bilateral assistance, and full engagement in each step of implementation has proved the most effective sustainability strategy.

All proposed activities under this document should ensure sustainability by creating achievements and sustainable results based on a tailor made approach for Kosovo. The goal is to create know-how models within the respective institutions and staff. This means that results attained during the lifetime of a project cycle should be preserved and further developed after the implementation of the projects end. This would generate an environment which continues the necessary developments needed to build a sustainable system. All activities shall focus on successful transfer of knowledge and advancement of internal capacities of Kosovo institutions. Special focus should be paid to the institutions ownership, inclusive leadership and the quality of communication. It would be of an added value if by the end of the proposed projects, exit strategies and sustainability plans are developed in order to preserve best practises and experiences.

7. 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 the responsibility of the IPA II beneficiary, and 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 Communication and Visibility Manual for EU External Actions. Additional Visibility Guidelines developed by the Commission (DG NEAR) will have to be followed.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and EU approximation. 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.

It is the responsibility of the IPA II beneficiary to keep the EU Delegation and the Commission fully informed of the planning and implementation of the specific visibility and communication activities.