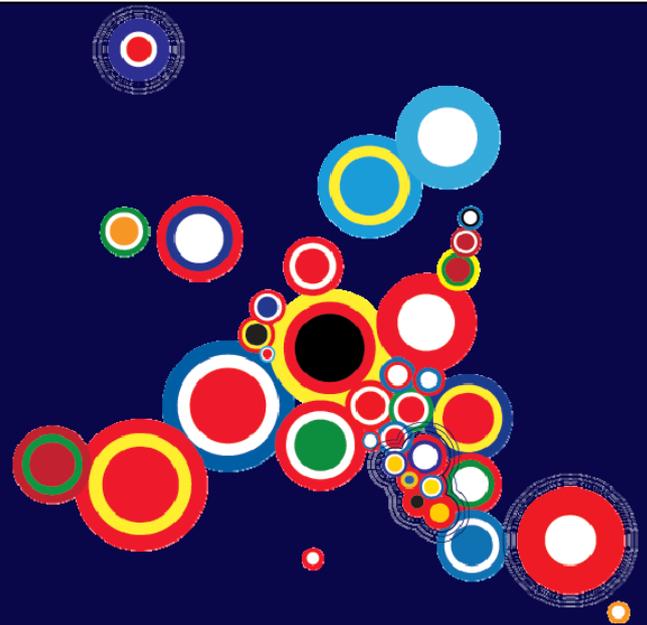




INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

Kosovo*

EU Approximation Facility



Action summary

The main objective of the action is to support Kosovo in creating an effective, efficient and transparent public administration at all levels that ensures sustained socio-economic development, strengthens sectorial approximation and constructively engages in regional cooperation.

In addition the facility aims to strengthen technical and administrative capacity of the administration in relation to the European approximation process and to support the effective and efficient management and absorption of IPA funds.

*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	EU Approximation Facility
Action ID	IPA2015 /38065.1/ Kosovo/EU Approximation Facility
Sector Information	
IPA II Sector	Democracy and governance
DAC Sector	43010
Budget	
Total cost	EUR 5 000 000
EU contribution	100%
Management and Implementation	
Method of implementation	Direct management
EU Delegation	European Union Office in Kosovo
Implementation responsibilities	European Union Office in Kosovo
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

Negotiations on a Stabilisation and Association Agreement (SAA) between the EU and Kosovo started in October 2013 and were completed in May 2014. The chief negotiators initialled the agreement in July 2014. The Commission submitted the draft SAA and the proposals for Council decisions on signature and conclusion at the end of April to the Council. The future SAA will be an 'EU-only' agreement. Its main elements are enhancing trade between the EU and Kosovo, the obligation for Kosovo to align its legislation with the EU *acquis* in a broad range of sectors, and the possibility to develop a political dialogue between the EU and Kosovo. The development of trade and investment and modernisation of the legal and institutional setup are crucial to Kosovo's economic restructuring and modernisation. The SAA anchors Kosovo into the mainstream of EU relations with Western Balkan countries and confirms Kosovo's European perspective in the context of the 1993 Copenhagen criteria.

Kosovo has continued to address priorities set out in progress reports; in particular, progress has been made on the electoral process and on requirements of the visa liberalisation dialogue. The role of the Assembly has been strengthened as well as the government's capacity to coordinate complex negotiations, such as on the SAA and on trade issues. However, electioneering throughout the year and the lengthy process of government formation after the June elections has affected progress in some areas.

Kosovo's commitment to the EU-facilitated dialogue and normalisation of relations with Belgrade has been key for the advancement of its European ambitions. Kosovo needs to continue focusing on the implementation of agreements reached with Serbia and on progress in the areas identified by the feasibility study to meet its obligations under an SAA.

In the context of the Stabilisation and Association Process, Kosovo has remained engaged in the Stabilisation and Association Process Dialogue (SAPD). The structured dialogue on the rule of law continued. Discussions focused on ensuring full independence of the judiciary and on further developing Kosovo's capacity to assume responsibilities to be transferred by EULEX.

The visa liberalisation dialogue has been one of the key priorities for Kosovo. To date, the Commission has issued two reports on Kosovo's efforts in this process (February 2013 and July 2014). Expert missions took place in December 2013 and in March 2014. Based on Kosovo's comprehensive report on visa liberalisation in June 2015, the Commission organised a third expert mission in July 2015. Based on the findings of that mission, the Commission will shortly start preparing its third report.

On 20 August 2014 the Commission adopted an Indicative Strategy Paper (ISP) for the years 2014-20, drafted in partnership with Kosovo and in consultation with all relevant stakeholders. IPA support will focus on support for the sectors democracy and governance; the rule of law and fundamental rights; competitiveness and innovation; education, employment and social policies; energy; and agriculture and rural development.

This action will have one main objective which will contribute to the strengthening of technical and administrative capacity of the Kosovo administration in relation to the European approximation-process and to support the effective and efficient management and absorption of EU funds. It will more specifically support the implementing the Stabilisation Association Agreement outcomes as needed and will have Support Measures and Technical Assistance Facility which will support preparation and/or implementation of action identified as necessary within the Indicative Strategy Paper for 2014-20 and IPA programme and Kosovo's EU reform agenda. This action will coordinate its activities with all other donor funded projects of this nature to create synergies and increase the impact.

PROBLEM AND STAKEHOLDER ANALYSIS

The SAA obligations assume that Kosovo public administration is ready and capable to adopt and implement the SAA in an efficient and effective manner. The Government's top priority is to establish the policy planning system as well as to prepare the structures and strengthen the capacities required for implementation of the SAA.

With the view to assist Kosovo in advancing its European agenda, the support to the European approximation project will support specific projects which cannot be programmed in advance. These aim, on the one hand, to help prepare and implement action responding to the challenges identified in the SAA and the progress report, and, on the other, any action found necessary to support the measures the EU could take in line with the recent developments, but which cannot be identified at this stage as they will depend on the progress made with Kosovo's legislation and institutions.

Coordination with other donors in supporting the Government will take place, especially with the GIZ funded project which supports Ministry of European Integration since July 2014 and which also aims to support the government by increasing and strengthening the capacities in relation to EU approximation.

Each step that Kosovo takes related to its SAA obligations must include a gender perspective, particularly as evidence exists in most areas of unequal opportunities and/or discrimination against women in particular. In this regard, the Government's capacities need to be enhanced to include a gender perspective in all laws, policies and programmes, including EU assistance programmes. This includes encouraging the involvement of Gender Equality Officers (who have often been marginalized from these processes) and inclusion of a gender perspective at each step of planning, implementation, monitoring and evaluation.

The European Investment Bank has been discussing public investment projects with the government. In 2014, it launched a scheme of loans for small or medium enterprises (SMEs) with a local private bank. The European Bank for Reconstruction and Development supports Kosovo's SMEs through the Western Balkans Investment Framework. Kosovo became a member of the Council of Europe Development Bank in November. In June, Kosovo became a member of the Venice Commission of the Council of Europe.

The beneficiary of this action, the Ministry of European Integration has been working extensively on the development of the Sector Planning Documents for the sectors under IPA II as well as the IPA 2015 programme. The capacities of the Ministry have improved and its ownership in terms of programming process is reinforced.

RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

Efficient and effective public administration is crucial to fulfil the Copenhagen criteria and has a key role to play in improving governance through more stable institutions and the implementation of the public administration reform agenda.

One of the four objectives pursued under the ISP for Kosovo is to strengthen the ability of the IPA II beneficiary to fulfil the obligations stemming from Union approximation by supporting progressive alignment with, implementation and adoption of, the Union acquis. Rightfully the EU approximation process will require all ministries and other relevant institutions to build the capacities and secure the resources to be able to address the key challenges arising from the EU approximation process.

IPA II assistance will support Kosovo to continue its reform of public administration at central and local level, including the enforcement of legislation on the civil service. This will necessarily include developing the capacities of both women and men in the civil service, as well as ensuring equal opportunities for women and men in the civil service. IPA II will support the alignment of the Kosovo institutional framework and capacities with the standards required by the acquis in particular for the implementation of the SAA. This includes alignment of the Kosovo institutional and legal framework to EU gender equality acquis, considering the emphasis put on gender equality and women's rights in the 2014 "European Council Conclusions on Enlargement and Stabilisation and Association Process".

The areas where this action will mainly contribute relate to the implementation of the ongoing IPA projects as well as the planned ones. It will more specifically focus on supporting Ministry of European Integration and line ministries in reaching the set objectives in the ISP for Kosovo.

This action will also contribute to the evaluation of EU assistance to Kosovo under the IPA 2015 Annual Action Programme.

SECTOR APPROACH ASSESSMENT

The activities under this project are horizontal and cross several sectors. In terms of IPA 2015 Programme and following the logic of the ISP, this Action is presented within the Democracy and Governance sector.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

Many projects have been successfully implemented under previous programmes, including 2007-13 IPA programmes. Experience confirms that this type of assistance is particularly useful for responding quickly to urgent needs identified in the course of implementation of the IPA and EU approximation. It gives Kosovo the possibility of addressing unforeseen tasks linked to further strengthening its administrative capacity in order to advance with its EU reform process.

The action is linked and complementary to the previous IPA funded projects, namely “*Support to Kosovo’s Policy and Strategic Planning*” in the Office of the Prime Minister, which commenced in February 2014 and is expected to end by the end of 2015. This fits well with the overall planning of support in the area policy and strategic planning. By 2016 Kosovo needs to have in place the policy planning document for the implementation of the SAA, therefore, Kosovo policies need to be harmonized and prioritized in compliance with the SAA obligations.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	
The main objective of the action is to support Kosovo in its EU approximation process, with a particular focus to better programming and absorption of EU funds.	Progress in compliance with the provisions of the Stabilisation and Association Agreement	European Commission Kosovo Progress Report Policies and mechanisms developed and adopted by the government.	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
To strengthen technical and administrative capacity of the Kosovo administration in relation to the EU approximation process and to support the effective and efficient implementation of IPA assistance.	<ul style="list-style-type: none"> Increase in MEI's capacity to take responsibility for coordination and management of EU assistance programmes. Increase in MEI and line ministries' capacity to mainstream gender in EU assistance programmes, improvement of access to services, recipients' rights and quality of services. 	Monitoring/evaluation reports. Regular reports from contractors.	Government allocates sufficient resources to implement the output of the project. Commitment from the beneficiaries to implement the projects. Coordination of donors ensured by the government.
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Result 1: Elaborated small scale project documentation under IPA 2015 support measures facility, in order to meet specific and urgent needs identified in the course of the EU approximation process and for the management and evaluation of IPA projects/actions.</p> <p>Result 2: Kosovo's Ministry of European Integration and relevant line ministries capable of rapidly preparing and carrying out urgent and unforeseen actions related to Kosovo's EU approximation efforts and EU reform agenda.</p> <p>Result 3: Kosovo's Ministry of European Integration and relevant line ministries capable of mainstreaming gender in laws, policies, sectoral documents, IPA action documents, and IPA programmes.</p>	<ul style="list-style-type: none"> Small scale project documents produced under the support measures facility Small scale project implemented and carried out on the basis of produced project documents. Extent to which gender is mainstreamed within laws, policies, and IPA programmes. 	Monitoring reports. Project implementation reports EU Gender Action Plan – Implementation report	Continuous commitment and cooperation of all stakeholders. Availability of adequate technical expertise in the area of harmonization of existing regulations with EU regulations. EU approximation is the priority of the government and of the Assembly of Kosovo. Kosovo makes progress towards SAA.

			<p>Progress made in the dialogue on visas.</p> <p>Commitment and efforts by all stakeholders to mainstream gender and include gender equality officers in these processes.</p> <p>Sufficient time set aside in timeframes for more participatory approach to planning, including consultations with key stakeholders in native languages.</p>
ACTIVITIES	MEANS	OVERALL COST	ASSUMPTIONS
<p>The Support Measures facility will support preparation and/or implementation of action identified as necessary within the IPA programme and Kosovo's EU reform agenda. It will support possible urgent priorities that arise from the EU approximation process or other political developments that are beyond the Commission's control and which cannot be programmed in advance. Action supported will target, in particular, priority areas identified in the ISP for Kosovo for the period 2014-2020. All actions will require gender mainstreaming.</p>	<p>Procurement, including works, supply and services.</p> <p>Grants (calls for proposals).</p> <p>Twinning and twinning light.</p>	<p>EUR 5.0 million</p>	

ADDITIONAL DESCRIPTION

The Support Measures Facility will support preparation and/or implementation of actions identified as necessary within the IPA programme and Kosovo's EU reform agenda. It will support possible urgent priorities that arise from the EU approximation process or other political developments that are beyond the Commission's control and which cannot be programmed in advance. Action supported will target, in particular, but not exclusively, areas such as the rule of law, public administration reform, decentralisation, trade, economic development and revitalisation (including macro-economic and fiscal mechanisms), private-sector development, employment and social policies, education, training and research, culture and minority communities, sectorial approximation (energy, the environment and transport) and building institutional capacity. Implementation will follow three guiding principles:

- Action will be based on priorities identified in the Commission's annual Progress Reports, the SAA negotiations, the ISP for Kosovo 2014-2020 or related strategy papers.
- Action will include institution-building and support for investment directly related to the EU approximation process and Kosovo's EU reform agenda, including institutional capacity building regarding gender mainstreaming.
- Action will target specific, achievable and sustainable results.

Support will also be provided for designing small scale project documentation (analysis, study, survey, review, assessment, monitoring or evaluation) in order to meet specific and urgent needs identified in the course of the EU approximation process and management of projects.

The actions and the activities described in the logframe are of a general nature. This is due to the fact that it is impossible to predict the type of activities which will arise as the implementation of IPA II is carried out as the EU approximation process progresses.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

The EU Office in Kosovo is still in charge of implementing the EU assistance to Kosovo and it will work closely with the Government of Kosovo, mainly Ministry of European Integration (MEI) to ensure that the actions identified under this facility are in line with the ISP 2014-2020 and the Kosovo development strategies in different sectors.

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

Depending on the needs related to the EU approximation process, the facility described above will be implemented through a number of service/framework contracts as well as works contracts and supply contracts where the need for a rapid response of the Commission to non-programmable events is such that the duration of the procedure to amend this decision would frustrate the purpose of such response. The implementation modalities of the projects arising under this action will be closely discussed with the Kosovo Unit in DG NEAR as well as the beneficiaries and the best possible option will be considered.

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 and the other IPA 2015 actions or their components via independent consultants, through a joint mission or via an implementing partner. In case a mid-term or final evaluation is not foreseen, the 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 projects arising under this facility will be subject to ROM monitoring and the findings will inform future project implementation.

INDICATOR MEASUREMENT

Indicator	Baseline (year 2015)	Milestone 2017	Target 2020	Final Target (beyond 2020)	Source of information
Progress in compliance with the provisions of the Stabilisation and Association Agreement	5%	15%	30%	65%	SAA Implementation Report Regular Progress Reports Mid-term review of IPA 2014-2020
Increase in MEI's capacity to take responsibility for coordination and management of EU assistance programmes.	<i>n/a</i>	30%	100%	100%	Joint Monitoring Committee meeting reports MEI reports
Increase in MEI and line ministries' capacity to mainstream gender in EU assistance programmes, improvement of access to services, recipients' rights and quality of services.	10%	30%	90%	100%	Joint Monitoring Committee meeting reports MEI reports Gender Action Plan – Implementation report
Small scale project documents produced under the support measures facility	0	15	19	n/a	Monitoring reports. Project implementation reports
Small scale project implemented and carried out on the basis of produced project documents.	0	10	19	n/a	Monitoring reports. Project implementation reports
Extent to which gender is mainstreamed within laws, policies, and IPA programmes.	10%	30%	90%	100%	Joint Monitoring Committee meeting reports MEI reports Gender Action Plan – Implementation report

5. CROSS-CUTTING ISSUES

EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING

The EU Office in Kosovo has done a lot of work during the preparation of IPA 2015 programme to ensure that gender is mainstreamed. The more specific objectives of this support have been to increase the gender equality-related specific actions and to further mainstream gender within IPA 2015 Annual programme for Kosovo and, to assist the Ministry of European Integration, the Agency for Gender Equality (AGE) and the line ministries to develop their capacities to assess the Action Documents from a gender perspective through tailored and sector-wide on-the-job training and coaching. This is particularly important for the EU approximation process, as EU gender equality is a crucial element of the acquis. As institutional learning and capacity development takes time, MEI, AGE and line ministries will continue to develop capacity building towards gender mainstreaming in all IPA programming. This includes in particular improving a participatory approach to programming that considers the potentially different needs of women and men, as well as improving the collection and usage of gender disaggregated data, towards better informing for all programming.

More specifically related to this action, equal opportunities and non-discrimination will be taken into consideration in all aspects of EU-funded activities, particularly in relation to public services, legislative matters and socio-economic support programmes.

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

The foreseen activities under this action are not expected to have a relevant environmental impact. Nevertheless, should any of the sub activities raise environmental considerations then everything will be screened against environmental sustainability.

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

Civil Society /Stakeholders involvement will be taken into consideration in all aspects of EU-funded activities, particularly in relation to public services, legislative matters and socio-economic support programmes in order to support diverse 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 rule of law and respect for fundamental rights. This will include involvement of women's rights groups in furthering a gender perspective in all EU-funded activities. Strong effort are being made through the Civil Society Facility and other IPA projects to ensure better engagement of Civil Society with the government and since this action will support the implementation of all those projects it will automatically address the engagement with civil society.

MINORITIES AND VULNERABLE GROUPS

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

6. SUSTAINABILITY

Not applicable as the individual measures to be financed under this action cannot be identified yet, nevertheless this type of assistance has proved to be extremely useful for the sustainability of the overall EU assistance to Kosovo especially as the interest and ownership of Ministry of European Integration for these types of activities is increasing continuously. What is important about this action is that its methodology is being slowly taken on board by the IPA II beneficiary. They are now convinced that without having the relevant expertise and preparatory work done they are not able to engage into projects and ensure its successful implementation. This aspect will be further strengthened during the implementation of IPA II programmes which have a more focused and sectoral approach.

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 the approximation process. 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 Office fully informed of the planning and implementation of the specific visibility and communication activities.

The IPA II beneficiary shall report on its visibility and communication actions in the report submitted to the IPA monitoring committee and the sectorial monitoring committee.