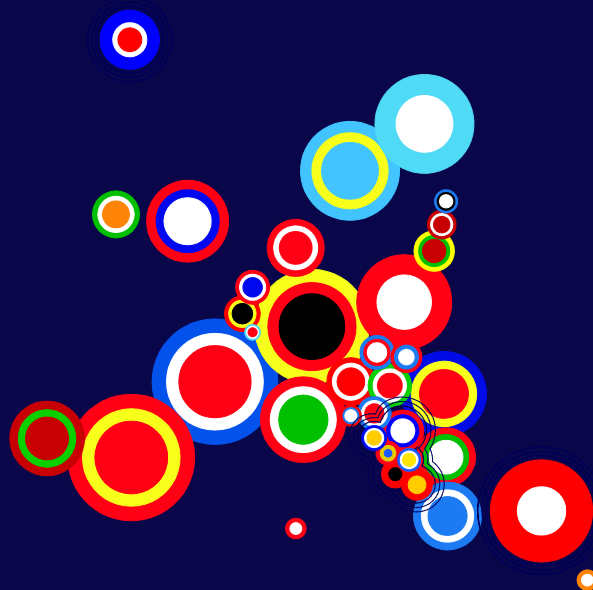




## INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

# SERBIA

# SUPPORT TO HOME AFFAIRS SECTOR



### **Action Summary**

*This Action aims to improve overall capacity of the Ministry in charge of home affairs in terms of Chapter 24; among others, the need to support establishing solid administrative and operational platform for successful implementation of the reforms taken and required, along with the increasing level of competences and developing organizational structure.*

*The focus of the Action is to enhance efficiency in addressing human being trafficking and to ensure construction of necessary infrastructure related to accommodation of asylum seekers. Support to the needs of Internally Displaced Persons,, returnees on the basis of the Readmission Agreements and returnees to Kosovo\* will be provided as well, in order to improve their living conditions. This Action will also upgrade priority border facilities and infrastructure at Border Crossing Point Kotroman, thus ensuring modernized interoperability with customs authorities at bordering space, improvement control efficiency and become benefit for the passengers and traders. This Action will also support reconstruction of three Common Crossing Points Mucibabe, Jarinje, Konculj within the framework of the Belgrade – Pristina dialogue.*

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\* this designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence."

<b>Action Identification</b>	
<b>Programme Title</b>	<b>Annual Action Programme for Serbia 2014</b>
<b>Action Title</b>	<b>Support to Home Affairs Sector</b>
<b>Action Reference</b>	
<b>Sector Information</b>	
<b>IPA II Sector(s)</b>	<b>Home Affairs</b>
<b>DAC Sector</b>	15130, 15160
<b>Budget</b>	
<b>Total cost</b> (VAT excluded)*	<b>28 450 000 EUR</b>
<b>EU contribution</b>	<b>27 512 000 EUR</b>
<b>Management and Implementation</b>	
<b>Method of implementation</b>	Direct and Indirect management
<i>Direct management:</i> EU Delegation <i>Indirect management:</i> <b>Responsible Unit or National Authority/Implementing Agency</b>	For the Grant scheme and Service contract envisaged for results 2.3 and 2.4 of the Action, EU Delegation is in charge for the implementation under direct management Central Finance and Contracting Unit (CFCU) - Ministry of Finance, Department for Contracting and Financing of EU Funded Projects In the case of Indirect management Delegation Agreement (IMDA) EU Delegation is in charge for the arrangement with UNOPS
<b>Implementation responsibilities</b>	For Results 1.1 and 2.1. - Ministry of Home Affairs, For Result 2.2 and 2.3 - Commissariat for Refugees, For Result 2.4 - Office for Kosovo and Metohija For Result 3.1 - Ministry of Finance For Result 4.1 – Administration for Joint Services of the Republic Bodies
<b>Location</b>	
<b>Zone benefiting from the action</b>	Republic of Serbia
<b>Specific implementation area(s)</b>	Republic of Serbia
<b>Timeline</b>	
<b>Deadline for conclusion of the Financing Agreement</b>	31 December 2015
<b>Contracting deadline</b>	3 years after the signature of the Financing Agreement
<b>End of operational implementation period</b>	6 years after the signature of the Financing Agreement

\*The total action cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

## 1. RATIONALE

### PROBLEM AND STAKEHOLDER ANALYSIS

In regard to the opening accession negotiations on 28 June after the European Council decision, following the Commission's recommendation of 22 April 2013, the Serbian EU accession process has entered new phase requiring for heightening and completion of the reform processes. IPA II assistance in the Home Affairs sector will focus on harmonising with the EU *acquis* on Chapter 24 and building capacity for efficient implementation and enforcement of border management, migration and asylum. IPA II assistance will focus on supporting implementation of the action plans that will be devised under the negotiation framework for Chapter 24. In addition, maintenance of the balance between security and freedom represents a fundamental challenge in the face of the current adaptive and fluid crime landscape and there is a firm believe that balance can be best maintained when good law enforcement practice is informed by sophisticated analysis to inform policy decisions (Europol SOCTA). IPA II assistance will also focus on Construction of Border Crossing Point (BCP) Kotroman phase 2 (to Bosnia and Herzegovina) – phase 1 of construction work is already done. Control, surveillance, trade and traffic aspects are interrelated within the scope of any physical BCP, but the pre-condition for carrying out of all the processes is a reasonably functional basic infrastructure which is also compatible with the one in neighbouring state. In accordance with the "Belgrade-Pristina" Dialogue, IPA II assistance will support also reconstruction of Common Crossing Points (CCP's) Jarinje, Konculj and Mucibabe.

The Action Document for Home Affairs within IPA II assistance comes from the need of the Serbian administration to ensure the following: responsible public administration, reflected by an efficient fight against irregular migration; an engagement in strengthening of migration management. On a strategic level, the Ministry in charge of home affairs has taken steps to improve and prepare a more comprehensive strategy framework regarding its overall reform, and has prioritised the modernisation of the Human Resources Management (HRM) within the Ministry. As a result several new units have been established within the Criminal Police Directorate and the uniformed police units, including the border police.

Despite all the efforts which have been made in the last ten years in Serbia in combating trafficking in human beings, there are still areas requiring improvements. Human trafficking in the Republic of Serbia has a national character, meaning that victims and perpetrators are mostly Serbian citizens. Particularly worrying is the increasing proportion of minors (younger than 18 years) identified as victims; i.e. approximately 50% of total detected victims.

All forms of human exploitation are being recognised in Serbia: sexual, labour, coercion to commit crimes, forced begging, forced marriages and mixed forms of exploitation. Most of investigations of human trafficking carried out in Serbia are reactive. Although material proofs are being gathered, as well as statements of damaged persons and witnesses, judicial proceedings are fundamentally based on the testimonies of human trafficking victims, which are subject to changes and influence of suspects or others during the process. There are no special programs of protection of victims and specialised programs to protect witnesses in human trafficking cases. Special investigative techniques such as wiretapping, surveillance, investigation of money flows, financial investigations, undercover investigators, etc. are being used in few cases. There is lack of specialised technical equipment for using special investigative techniques and professional training for police officers right for delicate operations using special investigative measures. There is a lack of border guard training which would correspond to Frontex training model. The Police needs more intensive cooperation with the Centre for the protection of victims of human trafficking, Social work centres and labour inspectors. Additionally, there is no unique platform for the secure information exchange between all the mentioned units, thus losing the overall picture of human trafficking forms in Serbia.

The position of the national coordinator is not an independent one. This job is an addition to already existing tasks and activities. A multidisciplinary approach in cooperation with all stakeholders outside the Ministry in charge of home affairs, provided by the character of human trafficking and the mentioned position, must be recognised and transparent.

Police structures dealing with suppression of human trafficking are very complex and non-transparent from the organisational point. Their relations and hierarchy are not explicit and clearly specified, representing a complex structure for all the stakeholders involved. There are no common work procedures.

Despite all the efforts to combat trafficking over the last ten years in Serbia there are still areas where it is necessary to improve the situation. There are no special programs to protect victims and specialised programs to protect witnesses in trafficking cases. There is a lack of specialised technical equipment for the application of special investigative techniques and professional training of police officers. All specialised units to combat trafficking (Regional Police Directorates (27), Border Police Directorate and Criminal Police Directorate), as well as specialised units for witness protection, financial investigations and undercover investigators should be provided with adequate equipment. There is a lack of unique platform for securing exchange of information between all these units, thus losing the overall picture of trafficking forms in the Republic of Serbia. This platform should be established with the support of the Information Technologies Directorate. In order to effectively protect minors victims of trafficking, the three largest Regional Police Directorates (Belgrade, Novi Sad and Niš) should be equipped with special rooms for interviewing victims, especially children. These premises could nevertheless be used to conduct interviews with all vulnerable witnesses.

There has been an increase in detection of illegal travellers at border points, with the annual figure increasing four times in one year - from 2 797 (2010) to 10 217 (2011), in the context that the total number of travellers (by land, air and sea) remained the same. The multiple growth trend is caused by the progressive pressure of irregular migration at the Greek-Turkish border. In comparison to 2011, when 10 383 persons were prevented from illegal border crossing (an increase of 459% compared to 2010), and to 2012 when 14 793 people were prevented (an increase of 42.5% compared to 2011) number of prevented illegal border crossings in **2013** was **8 573** which is a **decrease of 42% comparing to 2012**.

From April 1, 2008, when the Law on Asylum entered into force, there was a constant growth of evidenced asylum seekers in Serbia. In 2012 the number was 2 723 exceeding to 5 065 in 2013. Officially just 153 applications went into the further asylum process.

Until 2011, the existing capacity for providing accommodation and basic living conditions were adequate but the 600% increase in the number of asylum seekers has produced additional challenges such as the arrival of whole families with small children; the number of minors seeking asylum increased to 25%; women asylum seekers make up to 15%; while a constant flow of unaccompanied minors asylum seekers (UMAS) accounted for 4% of the total population. In 2012 a total of 1 498 persons have been provided with accommodation in the Asylum Centres (AC) and in 2013 a total of 2 920 have been accommodated in the two AC. The initial state body deciding on asylum claims is the Ministry in charge of home affairs, and the final decision is made by an independent Asylum Commission of the Government. The asylum seekers are granted a legal basis to stay and the right to be accommodated in the AC. According to the Law on Asylum persons accommodated in AC enjoy complete freedom of movement, health protection, right on elementary and secondary education, while those outside of AC have access to financial assistance provided by the AC for Social Welfare.

In 2012, a database of asylum seekers was set up and ultimately, the Republic of Serbia for the first time granted refugee protection, i.e., shelter (in three cases). Around 210 000 IDPs, mainly residing in Southern and Central Serbia and Belgrade, have been so far registered on the territory of inner Serbia (not including the territory of Kosovo). According to UNHCR data, only 17 000 Serbs and other non-Albanians returned to Kosovo\*. It is estimated that only 5 000 persons actually achieved sustainable return. IDPs face numerous problems protecting their land, housing property and other acquired rights in Kosovo due to absence of comprehensive administrative mechanisms for resolving these issues. Freedom of movement in Kosovo is a major constraint for IDPs in accessing their rights as well as for the lawyers representing them.

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\* 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.

With the arrival of numerous returnees expected upon Readmission Agreements, the RS is obliged to provide sustainable housing solutions to them. To facilitate their reintegration and social inclusion, it will also be necessary to provide for their basic living conditions. Using a multidimensional approach previously deployed by the Commissariat for Refugees, this Action Document will endeavour to offer durable housing solutions, employment opportunities through Local Action Plans (LAPs), with special attention dedicated to extremely vulnerable individuals (EVIs).

With regards to irregular migration monitoring, Serbia is facing numerous challenges in the area of management of migration flows and all forms of migration while trying to further align with EU standards. As a consequence of fulfilment of the obligations relating to the Visa liberalisation Road Map with EU as of January 1, 2010 and entering the Schengen White List regime, the number of irregular migrants and asylum seekers in Serbia from the Far and Middle East and North Africa has significantly increased. Enhancing border management and migrations management has been recognised as priority in national and EU strategic documents.

In pursuing its EU accession agenda, Republic of Serbia has been constantly awarding much attention to complying with the requirements of EU customs policy towards countries which are candidates for the membership. Very extensive *Acquis* and very specific rules governing Customs Union which is in the core of the contemporary EU, ranked this particular area among the priority ones in fulfilling standards and in marking maturity of the Republic of Serbia to join the EU family.

The number of under-age victims continued to rise, which is a matter of concern. In this sense, a more comprehensive implementation of the Integrated Border Management Strategy through synchronised actions of security, trade, control and customs authorities is needed (involving at least the Ministry in charge of Home Affairs, the Ministry in charge of Finance/Customs Administration, the Ministry in charge of Agriculture and Environment). In the area of border management, the Law on State Border Protection is being implemented and a cooperation agreement between the ministries involved in border management was signed in February 2009. Still, there are significant differences between the 94 border crossing points in the sense of technical and infrastructure capacities. There have been numerous illegal border crossings and illegal women and children migrants.

The Customs Administration of Serbia (CAS) is an executive authority of the Government, and is part of the Ministry of in charge of Finance. It implements the customs policy of the Republic of Serbia playing a unique role both in performing the required tasks within the territory of the Republic of Serbia as well as in meeting the obligations towards the international community and the future membership within the European Union. The Customs Service faces the environment that changes quickly due to the increase of the production and consumption, growth of international trade and new global challenges (organised crime, terrorism and climate changes). In this context, the role of CAS is to maintain a permanent equilibrium between its major tasks: protection of the society (in cooperation with other authorities, notably border police), revenue collection and trade facilitation. Customs authorities fulfil their protective functions, on one hand, by controls and checks of goods, vehicles and passengers at the customs posts and, on the other hand, by surveillance throughout the customs territory to ensure that all the customs formalities have been completed in line with the legislation. More importantly, the Customs Administration is the only authority that invests national budget resources hence is responsible for all the construction works at the border crossing point facilities, with further beneficial effects to all the border services (functions in the competences of other state administration bodies).

Although the CAS has already invested significant resources in the construction of infrastructure at border crossing points, as well as inland, the situation is still unsatisfactory. Some of the persistent problems being: inadequate housing, poor infrastructure, inadequate traffic capacity, etc.

In order to conduct integrated border management, the construction of new facilities, both at BCP and inland, would create the conditions for proper and efficient operation of border services (police, customs, inspection) and related services - freight forwarding, Automobile and Motorcycle Association of Serbia (AMSS), etc., and facilitation of traffic (both passenger and goods) and trade, including better results in the implementation of customs and other border procedures.

According to the performed analyses and to the adopted Integrated Border Management Strategy where it is clearly stated that CAS is the only authority for construction and reconstruction of border

crossings, CAS Business Plan for 2014 with projections for 2015 and 2016, envisages following BCPs as priorities: 1) Construction of BCP Kotroman Phase 2 (to Bosnia and Herzegovina); 2) Construction of BCP Gostun (to Montenegro) and 3) Reconstruction of BCP Vatin (to Romania).

Construction of the above BCPs is of great importance for the process of European integration considering the fact that these are significant road transport routes and one of them is at EU border. Preparatory activities are underway for all three BCPs, but the most progress has been made for Kotroman BCP (phase 1 of construction work is already done) with land fully expropriated and location permit has been obtained in August 2014.

In parallel with the infrastructure and technical works, related to the reconstruction of the border crossings, the CAS<sup>†</sup> will aim to reduce regulatory and administrative bottlenecks to trade through more streamlined export, import and transit procedures; closer and more harmonised cooperation by border agencies both domestically and between countries, and greater use of electronic systems for data exchange and processing, risk-based controls, and trade-logistics related payments. Specifically, the customs clearance process can be further improved by: 1) Full and sustainable application of electronic matching of consignments crossing borders among countries; 2) Implementation of joint control actions; 3) Full processing of customs declarations electronically; 4) Further optimisation of options of electronic payment for duties, taxes, fees and charges collected by customs; 5) Designing and adoption of a standard set of data to be exchanged between countries, and make inter-country and inter-agency information exchange arrangements (e.g. through the SEED system and with other border agencies – primarily SPS agencies) to enhance the pre-arrival information exchange process and the risk management process of all border agencies; 6) Joint risk profiling with other border agencies implementing risk management in border controls, and to the extent possible, interconnectivity of IT systems; 7) Enhancing efficiency and functionality of the supporting IT system for risk management in CAS through the application of new IT solution —RMS ERIAN, will enable better risk profiling and targeting, improved analytical value of electronic records of selective examination through checklists, more detailed risk analysis of transit consignments, etc.; 8) Harmonising the risk management processes and tools with the international guidelines and among the countries in the region; 9) Harmonising the customs clearance regulatory framework and processes, including the risk management process, with the requirements of the new Trade Facilitation Agreement of the WTO.

By improving the technical capacity of border posts and by streamlining the cross-border clearance procedures for goods at regional borders, the Customs Administration enhances competitiveness of local companies, as they will spend less money and time to reach their markets in the region and internationally.

Serbia has constructively participated in an EU-facilitated dialogue with Kosovo. After the Serbian elections in 2012 the *Belgrade-Pristina Dialogue* was upgraded to a high level political process with the facilitation of the High Representative. The discussions resulted in the "First agreement of principles governing the normalisation of relations" in April 2013. Implementation of all agreements reached so far is ongoing and is supported with EU assistance. Implementation of all current and future agreements is crucial for Serbia in the EU integration process, to reach the ultimate goal of comprehensive normalisation of relations between Serbia and Kosovo. They will be monitored in the framework of the **Chapter 35** negotiations.

The operations and functions of Common Crossing Points (CCPs) will be based on the EU concept of opening CPs for trade and movement of people and goods whilst at the same time being closed for criminal and other activities that jeopardise stability and security on either side of the CPs and in the wider region. In this respect the CCPs to be established under this Action in the wider context should be viewed as a joint contribution toward the regional fight against organised crime, terrorism, irregular migration and human trafficking.

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<sup>†</sup> Based on recommendations of the EU funded Trade Logistics Project implemented by the International Finance Corporation (IFC)

## RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

The Indicative Strategy Paper 2014-2020 for Serbia (the Strategy Paper) sets out the priorities for EU financial assistance for the period 2014-2020 to support Serbia on its path to EU accession. It describes that in the *Home Affairs sector* support will focus on the creation of an effective and efficient law enforcement system in the fight against organised crime, border management, migration and asylum.

IPA II assistance in the Home Affairs sector will focus on harmonising with the EU *acquis* on Chapter 24 and building capacity for efficient implementation and enforcement, especially concerning the fight against organised crime; border management; and migration and asylum. IPA II assistance will focus on supporting implementation of the action plans that will be devised under the negotiation framework for Chapter 24. These action plans will become the core of the sectorial support in this area. It is therefore expected that the current strategy framework will need to be adjusted accordingly.

Having in mind the Strategy paper priority areas in the HA sector, this Action Document will specifically target following: implementation and improvement of integrated approach to organised crime (improvement of capacities, centralised criminal intelligence system, inter-agency cooperation, protection of witnesses in organised crime, etc.); management of migration, especially irregular migration; continuation of Schengen Action Plan implementation; management of asylum processing and asylum reception facilities. Furthermore, this Action will address the objective **of the Strategy Paper**, by providing further support to solutions for sustainable return to Kosovo.

This Action is fully in line with the EU Enlargement Strategy for Serbia and the Strategy paper and its implementation will confirm and further address Serbia's commitment to enhancement of regional cooperation and reconciliation, including ensuring sustainable progress in normalisation of relations with Kosovo.

In the Enlargement Strategy it is stated that among the key challenges it faces, Serbia will need to pay particular attention to the key areas of the rule of law, particularly the reform of the judiciary, fight against corruption and fight against organised crime, public administration reform, independence of key institutions, media freedom, anti-discrimination and protection of minorities.

**The EC Progress Report 2013** is generally perceived as one of the most positive reports to date. Part of the reasons is related to the progress made in the reform agenda. The realisation of this Action Document will contribute to further advancement in implementation of reforms in particular: the migration management and asylum policies need to be significantly strengthened and the asylum procedures need to be put in line with EU standards. Apart from the accommodation, additional challenges have emerged, particularly in the provision of adequate facilities for persons with disabilities, unaccompanied minors seeking asylum, pregnant women and the infirm.

In the area of external borders and Schengen, the Integrated Border Management (IBM) strategy was revised to enhance the capacity of the coordination body for its implementation. The Report concluded that overall, Serbia continues to be moderately advanced on border management. Serbia has continued to improve the infrastructure and equipment at border crossing points by completing the installation of an immigration and case management system and increasing operational field equipment. Work on coordination between different services (border police, customs and phytosanitary services) needs to be improved. The connectivity of the databases from and to the biometric devices needs to be enhanced in order to support the operations of the Border Police. Analytical, communication, procedural, training and technical capabilities need to be strengthened in order to effectively counter irregular migration. Human resources' risk analysis capacities need to be enhanced.

The realisation of this Action Document and achievement of defined results will contribute to **the Southeast Europe Strategy 2020**: Having in mind the effects of this action and implementation of activities of common interest especially those related to border management and fight against organised crime, corruption, money laundering, illegal migration and trafficking, would be a key factor in the development of relations between neighbouring countries and strengthening regional stability. Economic synergies in the region will be increased and the capacity for joint use of shared regional potential will be improved, leading to solid framework for (cross-border) business support,

partnerships (particularly in sectors such as culture, tourism, research and development, environmental protection, education), active exchanges of best practices, and joint regional planning and preparation of the region's economic sector for participation in the EU market.

**National Priorities for International Assistance 2014-17 with projections to 2020 (NAD)** defines following priorities within the Home Affairs sector: 1) *Improving of overall security and fight against crime* - envisages attainment of this priority by focusing and implementation of strategic and normative framework for crime fighting and prevention and by strengthening the capacities of state authorities to efficiently process cases of organised crime, corruption, money laundering and terrorism financing, terrorism, war crimes and other criminal acts; 2) *Ensuring integrated border management and management of migration flows* - directly addresses key themes covered by the integrated border management national priority. More specifically, the support to this priority will target: implementation of the IBM Strategy and to enhancing integrated border mechanisms. In the first case, improvement of the organisation and management of borders by developing operational action plans of relevant border services and securing coordination in their implementation will be realised. Furthermore, support will focus on improving migration management capacities of all competent institutions on national and local level including those responsible for providing education, health protection, employment, social welfare and administrative (such as issuance of documentation) services. Improvement of mutual horizontal and vertical coordination of all institutions involved in Migration Management as well as strengthening their capacities.

An important benchmark in this process was the adoption by the Government of the **National Plan for the Adoption of the *acquis* (NPAA) for the period 2014-2018**. The goals set down in the NPAA are to be completed during this period. After opening the accession negotiations, the first step will be the screening of Serbian legislation in light of further harmonisation of domestic legislation with EU law. More specifically in regard to defined measure in the **border management area** this Action Document will contribute to further improvement of coordination and cooperation of different border services (police, customs, phyto-sanitary, veterinary inspections, etc.) and development of organisational structure and operational effectiveness of border police at all levels of organisation in accordance with the best EU practices and standards; In regard to the **external borders and improvement of border control** as well as improvement and modernisation of informational and communication infrastructure at borders, data collection and development of databases, this Action Document will contribute to the further enhancement of the border control through development of the Schengen Action Plan and reconstruction of priority border facilities and infrastructure at selected Border Crossing Points and Common Crossing points. The **trafficking of human beings** shall be addressed by improvement of overall prevention and detection of human beings trafficking, protection of victims etc. As regard to the **asylum** during forthcoming period, priority will be improvement of the asylum processing and asylum management, through enabling sufficient facilities for accommodation of asylum seekers (asylum reception facilities). The NPAA defined priorities in the field of **migration management, IDPs, and returnee's areas (both from readmission Agreements and to Kosovo)**, are mainly focused on improvement of accommodation facilities, migration management capacities and further suppression of illegal migrations, which all shall be addressed by this Action Document.

In order to help implement the SAA successfully, the Republic of Serbia has adopted the **Integrated Border Management Strategy**<sup>‡</sup>. The concept implies that the borders should be open for trade and movement of people, for regional cooperation, both within the region and between the regions and the European Union. At the same time, the borders should be closed for criminal and other activities that jeopardise stability and security in the region. The whole region has to fight against organised crime, terrorism, irregular migration and human trafficking, particularly at border crossings. The role of CAS as one of the four IBM agencies is of the utmost importance.

The Customs Administration of Serbia **Business Strategy 2011-2015** emphasises border management as well as **Business Plan 2014 with projections for 2015 and 2016** which marks 3 BCPs (Kotroman, Vatin, Gostun,) as priority ones.

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<sup>‡</sup> IBM Strategy (Official Gazette 111, 22.11.2012)



## SECTOR APPROACH ASSESSMENT

### Strategic Framework

There are 17 strategies within the scope of the sector and most relevant for this Action Document are the following: the National Strategy for the Fight against Organised Crime (2009)<sup>§</sup>; The Integrated Border Management Strategy (2012); National strategy for resolving the problems of refugees and internally displaced persons (2011-2014)<sup>\*\*</sup>; National Strategy against Money Laundering and Terrorism financing<sup>††</sup>, (2008-2013) and the Action Plan from 2010; Strategy for Combating Irregular Migration in the Republic of Serbia<sup>‡‡</sup> (2009-2014); Migration Management Strategy (2009)<sup>§§</sup>, National Strategy to Prevent and Combat Human Trafficking and Protect the Victims in the Republic of Serbia in the period 2013-2017 (in the process of adoption).

Based on the main sector strategic documents and problem analysis the following eight national priorities have been identified: (i) Strengthen the security of citizens through democratic, responsible and efficient police service, (ii) Prevention and fight against organised crime, (iii) Safe community, based on professional police services, (iv) A comprehensive, efficient and effective system to reduce the risk and consequences of natural disasters and other catastrophes, (v) Sustainable Integrated Border Management, (vi) Migration management and Irregular migration, (vii) Respond to the needs of the IDP's and refugees, (viii) Address trafficking in human beings. Priorities ii, vi and vii will be addressed with this Action Document.

The results of the strategic framework assessment have highlighted that the strategies developed in HA sector are policy documents that set out the context and make a series of proposals. Strategic objectives are identified as well as the time for the implementation. However most of the strategies have expired without adoption of the action plan and for those that are still valid the action plans are yet to be adopted. In addition, the strategic assessment found that the existing strategies do not cover the entire scope of the sector. The process for drafting new strategic framework is underway and will take into account the findings of the strategic review. The Strategy for Integrated Border Management (2012) was revised in November 2013 and the new Strategy and Action Plan for Fighting Terrorism are in the process of being finalised; the new Strategy for Fighting Money Laundering has been prepared and is awaiting adoption and a new Strategy for Combating and Prevention of Drug Abuse 2013-2020 is currently under preparation.

### Sector Lead Institution and Capacity

The **sector lead institution** for the HA sector is **the Ministry in charge of home affairs**. It has the main responsibility of leading the relevant sector institutions (as listed below) in the process of elaborating, implementing, monitoring /reporting sector policies.

The **sector lead institution** guides and manages activities within the sector and **has the power to make decisions, plan and control resources and coordinate all participating institutions** in providing inputs to achieve planned positive medium to long term impacts within the sector. Independently or in cooperation with other ministries and relevant institutions, the Ministry in charge of HA completely encompasses all the subsectors covered by corresponding EU legislation related to Chapter 24 (Justice, Freedom and Security). Accordingly, the Ministry completely encompasses all the subsectors covered by corresponding EU legislation related to Chapters: 31 and 32. In relation to international assistance (including EU funds), the Ministry takes overall management responsibility for the planning, programming, implementation and monitoring of assistance funded sector priorities and measures and for coordinating the inputs of sector institutions in this regard. The Ministry in charge of HA has a wide scope of competences which are managed through its internal organisation departments and deals with security and safety policies, crime prevention and protection, and it covers policies related to protection of citizens and the communities, fight against organised crime, which includes cybercrime, drugs trafficking, money laundering and terrorism financing terrorism, human

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<sup>§</sup>For the period 2009 – 2014

<sup>\*\*</sup> For the period 2011 – 2014

<sup>††</sup> For the period 2008 – 2013

<sup>‡‡</sup> For the period 2009 – 2014

<sup>§§</sup> For the period 2009 – 2011

trafficking, border management and control, including migration and asylum, and protection of human rights of refugees and IDPs.

The **workload of sector lead institution** in coordinating the activities of sector institutions will be adequate. Currently, programming and implementation of EU funded projects in the Home Affairs area is the responsibility of the Department of Finance, Human Resources and Common Affairs and Division for Management of EU Funded Projects. The Division is organised into two Sections: (i) Section for Project Preparation and Programming and (ii) Section for Project Implementation and Monitoring; The Work Load Analyses (WLA)\*\* for IPA 2013 programme indicates following requirements in terms of total number of IPA Unit staff (programming and implementation): for year 2014 – 3 staff, for year 2015 – 2 staff, for year 2016 – 2 staff. In addition IPA Unit will be partially engaged in implementation and management of IPA 2012 funds, as well as it bears responsibilities for the management of projects supported by bilateral donors and IFIs. However, the IPA Unit staff within the Ministry in charge of home affairs will be well adjusted and capacities over the 2014-16 period will be sufficient for management of IPA II sector funds.

*Other institutions in the sector relevant for this Action Document are:*

*The Commissariat for Refugees and Migration* is pursuant to the provisions of the Law on Refugees, Law on Asylum and the Law on the Migration Management, the Commissariat performs tasks related to the refugees from ex SFRY republics, Internally Displaced Persons, returnees according to the readmission agreements and persons seeking international protection in the Republic of Serbia. Commissariat for Refugees and Migration is responsible for management of IPA 2012 and 2013 contracts, and shall face moderate utilisation ratio of IPA unit staff.

*Office for Kosovo and Metohija* performs tasks related to functioning of the institutions of the Republic of Serbia on the territory of Kosovo; education, health care, social policy, culture, infrastructure, system of local self-government and telecommunications in Serbian populated areas; cooperation with Serbian Orthodox Church.

*The Customs Administration of Serbia (CAS) is a part of the Ministry in charge of finance* and implements the customs policy of the Republic of Serbia, carries out the measures of customs surveillance and control of customs goods; it executes the customs procedures; it calculates and charges customs duties, other import fees, value added taxes, and imported luxury goods taxes; it executes preventive and subsequent control based on the principle of selectivity and risk analysis; it carries out the legally prescribed procedures aimed at discovering customs offences and criminal acts; it enacts the original and second-degree administrative proceedings; it controls foreign currency exchange in import and export of dinar and hard currency tenders in international travel and cross-border traffic with foreign countries; it controls import, export, and transit traffic of goods for which special security measures are prescribed for protection of health and environment, of protected flora and fauna, of wastes, of national riches with historical, artistic or archaeological value, protecting intellectual rights and similar; processes and follows statistically data on import and export, and performs other duties in compliance with laws and other regulations.

*The Administration for Joint Services of the Republic Bodies* provides professional, technical and other joint services to the republic bodies, such as National Assembly of the Republic of Serbia, President of the Republic of Serbia, Serbian Government, Constitutional Court of Serbia, Ministries, special organizations and judicial bodies of the Republic etc.

### **Sector and donor coordination**

The **Sector Working Group (SWG)** for Home Affairs sector is responsible to coordinate activities related to management of EU funds and other international assistance and to propose relevant measures and activities. In addition to the national sector institutions, members of SWG contain representatives of the Ministry in charge of Finance, specifically from the National Fund and the CFCU. Donor community representatives including the Lead Donor participate in the SWG meetings based on the needs. The Lead donor(s) is responsible for supporting the work of SWGs and for representing the interests of the other donors which are active in the sector. The SWG is also acting as

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\*\*\* Carried out by CFCU

Sectorial Monitoring Subcommittee for IPA TAIB under the indirect management. As a monitoring tool, the EU Delegation and NIPAC have also created monthly ‘‘bottleneck meetings’’ between DEU, NIPAC and line ministries to discuss the progress of IPA funded projects and to ensure their smooth implementation. Under the Rules of Procedure for Sector Working Groups, **SEIO**<sup>†††</sup> is responsible for coordination and ensuring the efficient functioning of all activities of the SWG. Coordination and leadership of the SWG is supported by a Task force made up of representatives from the Sector Lead Institution, Lead donor and SEIO.

In order to enable more inclusive and transparent dialogue, consultation and communication with all relevant stakeholders sectors, SEIO established Sectorial Civil Society Organisations (SECOs), a consultation mechanism with the Civil Society Organisation (CSOs). Members of SECO are participating at the SWG meetings and takes part in consultation processes for analysing sector priority goals, measures and operations for financing from EU funds and international assistance. SECO and SWG are part of the consultative process that leads to the elaboration of the IPA II Action Documents.

### **Sector budget and medium term perspective**

The introduction of programme budgeting is of major importance for the improvement of PFM, as it enables continuous multi-year financing of priority policies, programmes and projects. Important steps in the direction are being undertaken with preparations for program budgeting which is legally mandated to be introduced in year 2015 for all budget beneficiaries. Currently fourteen institutions are implementing the Program based budget. During 2014, the preparation of institutions for the introduction of programme budgeting is continuing, as it is planned for the 2015 budget year according to the Budget System Law. In the Home affairs sector, the Commissariat for Refugees and Migration is one out of the fourteen pilot institutions that are implementing currently the Program based budget.

The Methodology on Programme based budget was published by the Ministry of Finance in the beginning of 2014. In contrast to the linear and the existing program budget in pilot ministries, this methodology, among other things, will enable monitoring of programs, projects and program activities as well as the associated funding by sectors, corresponding to the division within the sector approach for the planning of EU assistance. In addition, the monitoring of the funds invested in the implementation of activities in the negotiation process with the EU, under Chapter 35, will be provided.

In accordance with the Programme Budgeting Instructions (PBI), programme based budgets in the pilot institution is structured in the form of Programmes and activities/projects. A programme budget is developed in line with medium-term beneficiary’s plans and other strategic documents that relate to their competencies. A programme is a set of measures undertaken by budget beneficiary in line with its key competencies and medium-term objectives. Each programme is made up of independent yet closely interlinked components, activities and/or projects. Each programme and projects has objectives. In addition, indicators have also been developed.

### **LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE**

The IPA support concerning the HA sector were oriented towards the fight against corruption, prevention and suppression of irregular migrations, improving border control standards, development of the information system for border crossing control, and strengthening of MoHAs internal control. Beside this a number of projects were supported through other development assistance which together with IPA assistance shows that it is of utmost importance to program only the interventions mature enough for the implementation, maturity being reflected in the preparedness of strategic framework linked to accession priorities, in existence of administrative structures to implement strategic priorities and in commitment of policy decision-makers to pursue the agreed reforms. Several evaluations were performed, aiming at providing information on effectiveness of IPA and development assistance in relevant sectors in the past period and drawing conclusions and recommendations for the future

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<sup>†††</sup> Sector for Planning, Programming, Monitoring and Reporting on EU Funds and Development Assistance

planning of assistance<sup>\*\*\*</sup>. Given the complexity of the sector scope and the underlying institutional setup – the number and the variety of stakeholders which are the carriers of sub-sector policies - the success of any intervention is directly proportionate to the extent of readiness of institutions to cooperate, share and exchange information; Availability of up-to-date sector assessments and targeted analyses is essential as well as the awareness of sector stakeholders of the data and statistics contained therein.

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

In addition CAS is among stakeholders of IPA 2010 Project against Money Laundering and Terrorist Financing in Serbia.

“*Improving Border Control Standards*” (IPA 2007), support the Ministry of HA to introduce EU standards of Border Security and Management at Serbian borders and enhance the flow of commerce, trade and persons and reduce criminal activities.

Concerning the support to functioning of border management and controls between Serbia and Bosnia and Herzegovina this Action is going to be logical continuation of IPA 2013 „*Support to further modernisation of the Customs Administration and improved border management in the Republic of Serbia*“. Within the IPA 2013 the reconstruction of BCP Bajmok will be realised which will create conditions for improving efficiency of border management (decrease in illegal transit and increase the cross-border trade and movement of persons) between Serbia and Hungary.

CAS benefited greatly from the technical assistance provided through a Framework Contract which supported the elaboration of detailed needs assessment per IPA 2013 project components, including in particular the thorough analyses of the state of preparedness for financing of all 4 BCPs. Therefore, in addition to Bajmok BCP supported under IPA 2013, also the BCP Kotroman proposed within this Action for IPA 2014 was assessed. Outputs of this FwC are dully used and incorporated into the proposed Action Document.

The cooperation with EU funded IFC Trade Logistics Project pointed out that Serbia is facing poor trade logistics systems that constitute a bottleneck to the seamless flow of trade due to various reasons: Long transaction times & high costs to move goods across borders, inefficient supply chains, developing country access to target markets is more difficult (expensive exports), key imported inputs are expensive, private sector altering investment choices related to market openness and unpredictability of trade, result - high consumer prices. There are numerous activities planned in this action document which can help resolve above mentioned issues.

In the period 2008- 2013, the total value of EU support concerning the investments in customs infrastructure was approx. 12 170 000 EUR and the following projects were programmed/started/conducted: 1) Construction of BCP Bajmok (IPA 2013); 2) The construction phase Ia BCP Prešev; 3) Adaptation of the premises of the Centre for Vocational Education CAS Headquarter; 4) Equipping 9 (nine) secondary BCPs with common control facilities for CAS and police (assembly type) from the CARDS 2006

Since October 2013, the MoHA with the collaboration of the International Organisation for Migration (IOM) is implementing the project “*Strengthening the systemic partnership for implementation of the*

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<sup>\*\*\*</sup> EC funded evaluations of assistance implemented and financed by IPA programs and other donors in the Republic of Serbia per sector; IPA Interim Evaluations and meta- evaluation of IPA assistance, funded by the EC; and Evaluation of Effectiveness and Efficiency of Development Assistance to the Republic of Serbia per sector in the period 2007- 2011, initiated by SEIO and implemented with the SIDA support. Also, EC has initiated a project “Monitoring and Evaluation Capacity Building in Western Balkans and Turkey”, implemented by the World Bank, in order to assist the beneficiary countries in strengthening capacities in monitoring and evaluation, with a focus on defining the performance indicators on the sector level.

*National Strategy to address THB*” which goal is to contribute in successful implementation of the strategy to address against THB, specially by strengthening mechanisms of coordination at local level through creation of local teams for coordination from various institutions. The project is implemented in ten cities<sup>§§§</sup> and the duration of the project is 18 months. The project is articulated with three components: 1) Strengthening national capacities with the goal to improve the coordination at local level, 2) Establishment of a sustainable framework for systemic prevention of THB at local level (establishment of local coordination teams), 3) Preparation and development of operational directions for local teams and promotion of the new Strategy and it’s action plan. During 2013 this project was focusing on human trafficking from the aspect of organised crime (responsible institution Criminal Police Directorate) and in 2014 with protection of victims of human trafficking in the Centre for the protection of victims of human trafficking and in the MoHA (responsible institution Border Police Directorate).

Swiss Agency for Development and Cooperation financed project *“Support to the National Coordination for Reintegration of Returnees (Phase II),”* and numerous activities are foreseen in order to encourage and increase peer interaction, encourage group cohesiveness and increase awareness when it comes to the needs of asylum seekers at a broader social and political level (purchasing of sports equipment and organisation of art workshops and sports tournament). During 2015 support will be focused on increasing awareness through joint inter-cultural and sports events, activities, workshops, meetings with the local authorities and representatives, educational institutions and employers. Furthermore, the funds are also allocated for financing information campaign and significant number of media events is planned for foreseeable future. The aforementioned activities shall contribute to the sensitisation of wider community and to the creation of the environment in which the asylum needs and rights are respected.

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<sup>§§§</sup> Pancevo, Kikinda, Sombor, Novi Pazar, Sabac, Smederevo, Pozarevac, Leskovac, Pirot and Prokupje

## 2. INTERVENTION LOGIC

### LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	
To contribute to the Rule of Law in Serbia by strengthening the migration management and border control	<ul style="list-style-type: none"> <li>Progress made towards meeting accession criteria, as assessed by the Progress Report (Ch. 23 - Judiciary &amp; fundamental rights)</li> <li>Progress made towards meeting accession criteria, as assessed by the Progress Report (Ch. 24 - Justice, freedom &amp; security)</li> </ul>	<p>EC Report on Chapter 24 EC Report on Chapter 23</p>	
SPECIFIC OBJECTIVES	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS
<ol style="list-style-type: none"> <li>To address trafficking in human beings by improving overall prevention and detection of THB</li> <li>To enhance efficiency in the management of migration flows</li> <li>To support functioning of border management and controls between Serbia and Bosnia and Herzegovina</li> <li>To increase an effective and efficient control by improving Common Crossing Points</li> </ol>	<ul style="list-style-type: none"> <li>Number of identified victims of THB decreased</li> <li>Increased detection rate of all forms of THB <sup>1</sup></li> <li>Number of cases of THB related to high-technology crime detected</li> <li>Number of recorded illegal border crossings</li> <li>Number of irregular migrants received based on the readmission agreements with neighbouring countries</li> <li>Adequacy of capacities for accommodation of asylum seekers</li> <li>Progress in providing housing solutions for IDPs and returnees from readmission</li> <li>Decrease in average time for customs clearance on Serbian side at Kotroman border</li> <li>Increased number of people and vehicles passing through the newly constructed CCPs.</li> </ul>	<p>Report of the Centre for protection of THB victims Mol Yearly Report Republic Prosecutors Office yearly report FRONTEX reports (Western Balkans Annual Risk Analysis Commissariat for Refugees Yearly Report Office for Kosovo and Metohija Yearly Report EU specialised reports on Customs (such as DG TAXUD reports) CAS reports EU Monitoring Reports CFCU Implementation Reports</p>	<p>Police reform, and the fight against organised crime, remain a high priority for the Government and are implemented without delays. Willingness and capacity of customs high-level management to introduce innovation in practical management High level political dialogue between Serbia and Kosovo maintained</p>
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS
<b>Result 1.1:</b> Efficiency of discovery of cases of trafficking in human beings increased as well as the protection of victims; national referral mechanism institutionalised and more efficient	<ul style="list-style-type: none"> <li>Number of interview rooms equipped in Police Departments</li> <li>Interview room equipped in the Centre for human trafficking victims protection / Service for trafficking victims protection</li> <li>Joint (Police and social services) procedures for protection of THB victims</li> <li>Proactive identification of trafficking victims and Investigation of THB cases according to EU Standards and best practices</li> <li>Number of investigation of THB cases with use of special investigative techniques</li> <li>defined procedures for the exchange of information on THB within the police and other state authorities</li> </ul>	<p>Supply acceptance reports Twinning project reports Labour inspectorate reports, NGOs reports, Social services reports</p>	

<sup>1</sup> The numbers listed for indicators 1.2-1.5 should be taken conditionally, as they depend on the crime rate. It is possible that the activities implemented in line with the THB Strategy and Action plan will result in less crimes being committed

<b>Result 2.1:</b> Enhancing border control	<ul style="list-style-type: none"> <li>• Schengen Action Plan developed</li> <li>• Training Program developed and begun implementation</li> <li>• Report on current compliance with Schengen Acquis</li> <li>• Risk assessment technique, procedures and tools developed, as follow up to IPA 2010 results</li> <li>• Rules and Procedures for implementation of Schengen activities prepared</li> </ul> Number of staff trained	Twinning project reports		
<b>Result 2.2:</b> Existing capacities to accommodate asylum seekers expanded	<ul style="list-style-type: none"> <li>• New Centre for accommodating 300 asylum seekers built</li> </ul>	Reports on implementation of the Action Commissariat for Refugees Yearly Report		
<b>Result 2.3:</b> Living conditions of IDPs and returnees from the readmission process in Serbia improved	<ul style="list-style-type: none"> <li>• No of housing solutions for IDPs and returnees from readmission provided</li> <li>• No of IDPs and returnees from readmission started up, or extend business activity</li> </ul>	Reports on implementation of the Action		
<b>Result 2.4:</b> Support to the sustainable return to Kosovo	<ul style="list-style-type: none"> <li>• Minimum 220 families returned to Kosovo</li> <li>• Minimum 20 returnees' communities supported through grants for income generation activities (starting up a small business or agriculture-oriented income generation)</li> </ul>	Reports on implementation of the Action  Office for Kosovo and Metohija Yearly Report		
<b>Result 3.1:</b> To upgrade priority border facilities and infrastructure at Kotroman Border Crossing Point (BCP) (construction - phase 2), thus ensuring modernized interoperability with customs authorities at the bordering space.	<ul style="list-style-type: none"> <li>• KOTROMAN BCP fully constructed</li> </ul>	EU specialized reports on Customs (such as DG TAXUD reports) Project reports CAS Reports		
<b>Result 4.1.:</b> Completion of reconstruction at the three CCPs(Mucibabe, Jarinje, Konculj)	3 CCPs (Mucibabe, Jarinje, Konculj) fully reconstructed	EU Monitoring Reports CFCU Implementation Reports		
<b>ACTIVITIES</b>		<b>MEANS</b>	<b>OVERAL COST</b>	<b>ASSUMPTIONS</b>
<b>Activities to achieve Result 1.1</b> Equipping of special premises for interviewing children in the three major police departments (Belgrade, Novi Sad and Niš) Training of police officers working in Protection Unit and Financial Investigation Unit and raining of police officers working as undercover investigators and all police officers involved in suppression of human trafficking, both from the Service for combating organised crime and other specialised units, and all key front line officials (for detection) with the aim of efficient implementation of special evidence measures and actions. Equipping of all specialised units for combating human trafficking (police departments, Border and Criminal Police Directorates), as well as special units for protection of witnesses, financial investigations and undercover investigators and Service for special Investigative measures. Training for officers of Border Police Directorate based on the Frontex model, Joint training for the Police and labour inspectors Writing the procedures for joint activities of the Centre for the protection of victims of human trafficking and the Police unit for protection of witnesses in crisis situation in the Shelter for human trafficking Equipping of special premises for interviewing victims of human trafficking in the Centre for human trafficking victims protection / Service for trafficking victims protection Developing of mechanisms for situations when victims are not placed in shelters		Result 1.1: Supply Twinning	Total cost: 28 450 000 EUR  EU contribution: 27 512 000 EUR	Efficient cooperation and coordination among the different units in the MoI and other relevant institutions
<b>Activities to achieve Result 2.1.:</b> Taking account of the situation analysis report prepared through the FWC, preparation of Schengen Action Plan in line with the IBM Strategy and Schengen Catalogue. Carry out a comprehensive analysis on current compliance with Schengen acquis in regard to: infrastructure, organisational structure, human resources, inter-institutional cooperation, international cooperation and internal rules and procedures and make recommendations. Prepare rules and procedures aligned with Schengen acquis in the identified areas. Develop a Training programme and conduct training in line with requirements for implementation of the Schengen Action Plan and the Training		Result 2.1: Twinning		That the FWC is implemented and relevant results achieved Good cooperation with all other relevant national and EU institutions

needs prepared by the FWC. In line with the report “the current and potential risk/threat analysis“, from the FWC, develop risk assessment technique and procedures and tools for future efficient implementation of risk analyses. Train staff to carry our risk analysis and assessment.			
<b>Activities to achieve Result 2.2</b> Preparation of main project design Execution of construction works Supervision of construction works Purchasing of the equipment/furniture	Result 2.2 Works Supervision of works Service Supply		Key decisions by the Government to ensure location for construction of asylum centre Acceptance of the local community to construct asylum centre Project documentation and necessary permits relevant for construction/reconstruction of asylum centre in place
<b>Activities to achieve Result 2.3</b> Provision of housing solutions for IDPs and returnees from readmission process in Serbia Distribution of economic packages for self-sustainable living conditions Support to the implementation of 30 Local Action Plans for solving the issues of migrants	Result 2.3 and Result 2.4: Grant scheme Service		The interest of local self-governments to participate in resolving the issues of IDPs
<b>Activities to achieve Result 2.4.</b> Plan and implement outreach campaign; Review return-related selection criteria and identify IDP returnees and returnees’ communities; Conduct Go and See Visits to Kosovo Provide assistance regarding relocation administrative issues; Deliver assistance kits to IDP returnees; Provide transportation to return spots; Conduct returnees’ communities needs assessment; Design and deliver training programmes; Support to returnees’ communities through grants for income generation activities based on needs assessment results			A continued interest of IDPs to return to their homes of origin.
<b>Activities to achieve Result 3.1</b> Carry out construction works on BCP KOTROMAN in accordance with project documentation Undertake communication with other relevant governmental agencies and organisations related to project implementation Carry out supervision over the construction works at BCP KOTROMAN	Result 3.1: Works Supervision of works		Successful selection of the best consultants and companies Sufficient absorption capacity and customs ownership of the project Full commitment of the parties involved Willingness and capacity of customs high-level management to introduce innovation into practical management
<b>Activities to achieve Result 4.1</b> Preparation of tender documents Award of works contract Reconstruction works at the three CCPs (Mucibabe, Jarinje, Konculj)	Result 4.1: Indirect Management, Delegation Agreement with UNOPS For implementation of works contracts (three lots)		Full commitment of the parties involved (institutions) from Serbian and Kosovo side There are no incidents related to damaging of facilities by local citizens
<b>Precondition for the Result 2.2</b> “Asylum Centre built and fully equipped” is that the key decisions about the location and feasibility elements are provided by the Government in order to ensure maturity of the priority project for building a third Asylum centre. <b>Precondition for the Result 3.1 concerning the BCP Kotroman is that</b> all necessary technical and project documentation and permits for construction works on Kotroman location are completed and available before launching the implementation <b>Precondition for the Result 4.1.” Completion of construction at the three CCPs (Mucibabe, Jarinje, Konculj)”</b> is that all proposed activities and model of Crossing Points (CCPs) are in accordance with the decisions adopted by the Tripartite Implementation Group in charge of the “Dialogue Belgrade-Pristina” in Brussels, as well as that the technical documentation is prepared and expropriation of lands done.			



## **ADDITIONAL DESCRIPTION**

In order to increase capacities to fight against different types of crime, efficiently manage migrations this Action Document focuses on the following results:

### **Activities to achieve Result 1.1:**

- *Efficiency of discovery of cases of trafficking in human beings increased as well as the protection of victims; national referral mechanism institutionalised and more efficient*

In order to effectively protect minors, victims of human trafficking, it is necessary to equip special premises for interviewing children in the three major police departments (Belgrade, Novi Sad and Niš). These premises could be also used to conduct interviews with all vulnerable witnesses and train staff in handling and modern methods. This includes training of police officers working in Protection Unit and Financial Investigation Unit and raining of police officers working as undercover investigators and all police officers involved in suppression of human trafficking, both from the Service for combating organized crime and other specialised units, with the aim of efficient implementation of special evidence measures and actions, training for officers of Border Police Directorate based on the Frontex model, joint training for the Police and labour inspectors. The activities includes also writing the procedures for joint activities of the Centre for the protection of victims of human trafficking and the Police unit for protection of witnesses in crisis situation in the Shelter for human trafficking; equipping of the Shelter for victims of human trafficking and developing of mechanisms for situations when victims are not placed in shelters

Launching of a Framework Contract is envisaged to conduct gap analysis and prepare detailed Technical Specifications of the supply contract.

### **Activities to achieve Result 2.1:**

- *Enhancing border control*

In order to be able to define further steps in improvement of border control and surveillance, a Schengen Action Plan need to be developed under this Action, which will after a thorough analysis present further activities that Serbia requires to take in order to be ready for the full implementation of the Schengen acquis. In this context, it should be noticed that the Screening report on Chapter 24<sup>14</sup> recommend that a Schengen Action Plan which covers measures ensuring alignment with the EU visa acquis upon accession to the EU should be prepared and - where relevant - upon accession to the Schengen area later on. Particular focus is required as regards: 1) Outlining measures to ensure that national legislation complies with EU Visa, Regulation 539/2001 and to address the shortcomings in administrative and technical capacities to comply with this Regulation; 2) Preparing the capacity to receive few months ahead of the accession classified information on the security details of travel document and visa format, and implement them in practice; 3) Outlining measures to ensure compliance with the Visa Code; 4) Taking appropriate measures to ensure preparations for the Visa Information System and electronic connections with Serbian missions abroad, including to train relevant consular staff; 5) Proposing measures to further limit the number of visas issued at the borders.

Following envisaged activities will be implemented through a Twinning: 1) Taking into account the situation analysis report prepared through the FWC, preparation of Schengen Action Plan in line with the IBM Strategy and Schengen Catalogue; 2) Carry out a comprehensive analysis on current compliance with Schengen acquis in regard to: infrastructure, organisational structure, human resources, inter-institutional cooperation, international cooperation and internal rules and procedures and make recommendations; 3) Prepare rules and procedures aligned with Schengen acquis in the identified areas; 4) Develop a Training programme and conduct training in line with requirements for implementation of the Schengen Action Plan and the Training needs prepared by the FWC; 5) In line with the report “the current and potential risk/threat analysis“, from the FWC, develope risk assessment technique and procedures and tools for future efficient implementation of risk analyses; 6)

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<sup>14</sup> See Screening report Serbia, Chapter 24, 15.05.2014),

Train staff to carry our risk analysis and assessment and 7) Any other relevant activities that the Twinning partner will propose.

#### **Activities to achieve Result 2.2:**

- *Existing capacities to accommodate asylum seekers expanded*

Series of activities will be realised for building of the accommodation facility for asylum seekers by projecting and constructing of the accommodation facility at the Mala Vrbica military barracks, and purchasing equipment and furniture. In the first phase it is envisaged to prepare the main project documentation (including design, tender documents) and to proceed with construction of asylum centre which will be under independent supervision. Once asylum centre is completed it will be adequately equipped.

The Commissariat for Refugees and Migration of the Republic of Serbia is aware of challenges that are arising with the opening of new centre and importance of ensuring the sustainable approach toward local community. Therefore the Commissariat shall ensure multiple synergies between this Action and other donor funded project aimed at encouraging and increasing peer interaction, encouraging group cohesiveness and increase awareness when it comes to the needs of asylum seekers at a broader social and political level (“*Support to the National Coordination for Reintegration of Returnees (Phase II)*,” financed by Swiss Agency for Development and Cooperation).

In addition, the funds intended for equipping children and sports’ fields, obtaining school supplies and equipment and facilities for the provision of educational, recreational and health services and the organisation of educational, sports, cultural and artistic workshops and other activities in the area of asylum centres are earmarked in the 2014 national budget for the LSGs with the ACs on their territory. Likewise, the funds for same purposes shall be provided with the national budget in the following years.

#### **Activities to achieve Result 2.3 and Result 2.4:**

- *Living conditions of IDPs and returnees from readmission process in Serbia improved  
Support to the sustainable return to Kosovo*

The “*National Strategy for resolving the issues of refugees and IDPs*” foresees return and integration, as the two main directions for solving the issues of these groups. The Strategy envisages the implementation of various projects that would provide housing solutions: building apartments, purchasing village houses, providing assistance for already commenced constructions and accommodation within the social protection system (social institutions and social housing in a protected environment). At the same time it is necessary to realise programmes that will facilitate the employment of IDPs. These programmes should include grants for the basic means for employment self-employment, as well as providing vocational training for IDPs and returnees from readmission in accordance with the requirements of the labour market. The similar actions are foreseen in The Strategy of Returnees Reintegration based on the Readmission Agreement.

Focus will also be on ensuring continuation of actions under the “*Support to the implementation of strategies for IDPs, refugees and returnees 2011/022-585*”, related to development of income generating activities and housing solutions for the IDP’s in Serbia and closure of unrecognised collective centres, and will be implemented through the Grant scheme. A total number of 187 housing solutions will be provided as well as 330 packages for the economic support, while implementation of 30 Local Action Plans will be supported.

The activities will involve: Presentation of the project to potential beneficiaries, Establishing criteria for the selection of the beneficiaries, sending official announcements, selection of beneficiaries among the most vulnerable IDPs and returnees from readmission, donation of building material for completion of commenced house and improvement of inadequate houses, donation of prefabricated houses and their construction, , Purchasing village houses, donation of income generating activities, monitoring and reporting on the utilisation of the distributed support, , development of training programs, carrying trainings, monitoring and reporting as well as supporting implementation of local action plans for resolving problems of IDP’s and other migrant categories. Focus will also be on ensuring continuation of actions related to development of income generating activities and housing

solutions for the IDP's in Serbia for those living in so-called unrecognised collective centres.

This type interventions were supported under the IPA 2007-2013 National programmes, however available statistics shows a significant increase in the number of IDP families interested for the return which proves the need for continuation of assistance.

Furthermore, this Action will focus on support to the sustainable return of IDPs willing to return and promotion of socio-economic stabilisation of minority returnees' communities. Outreach campaign will be conducted. Previously established return-related selection criteria will be reviewed and criteria for selection of returnees' communities for income generation activities grants will be defined. Informative visits to relevant places in Kosovo (Go and See) will be provided, as well as, relocation administrative issues related assistance. Assistance kits, as defined by UNHCR, will be delivered to selected IDPs, as well as transport to return spots. With the aim of socio-economic stabilisation of returnees' communities, needs assessment will be conducted and on the basis of its results, training programmes will be designed and delivered, as well as grants for income generation activities.

**Result 2.4** will be implemented through a Call for Proposals through which Grants will be awarded to organisations that will be selected to implement the activities. Office for Kosovo and Metohija will closely cooperate with the organisations which will be selected. Clear criteria for the Call for Proposals will be developed by the Office for Kosovo and Metohija and approved by the EUD in Serbia. This will take in consideration a prior assessment on the absorption of the assistance provided in previous IPA programmes to returnees. This activity is continuation to the IPA 2012 project: *“Support for improvement of the living conditions of forced migrants and closure of Collective Centres”*, more specifically, its' component - support to sustainable return to Kosovo.

Activities related to these results will be implemented through a Grant scheme which is to be backed up by a separate related Service Contract and both modalities shall be carried out under direct management by the EU Delegation. Final beneficiaries are IDPs and returnees.

### **Activities to achieve Result 3.1**

- *To upgrade priority border facilities and infrastructure at Kotroman Border Crossing Point (BCP) (construction - phase 2), thus ensuring modernised interoperability with customs authorities at the bordering space.*

According to the adopted Integrated Border Management Strategy where it is clearly stated that CAS is only authority tasked with the construction and reconstruction of border crossings, the priority BCP planned for constructions/reconstruction is:

- **Construction of BCP with Republic of Bosnia and Herzegovina - Kotroman Phase 2**

Construction of the above BCP is of great importance for the process of European integration and EU accession for the Republic of Serbia and at the same time significant road transport routes. Due to current economic situation and lack of financial resources for planned activities, there are not enough funds in the budget to satisfy the complete financial construction. CAS proceeds with own budget funds in preparation of the technical and project documentation necessary for constructions/reconstructions (infrastructure works) for all the 3 BCPs envisaged by the CAS business strategy. Namely, in order to fulfil all the preconditions prior to construction works, CAS will carry out all necessary actions to acquire land and prepare the documentation. Those preparatory activities to be financed from the budget sources are divided into several phases applicable for all the 3 BCPs. Below are phases of implementation for Kotroman BCP, out of which CAS financing pertains to phases I, II, III, IV and VII, while IPA financing, together with the national co-financing is envisaged for phases V and VI:

**Phase I - Preparation of planning documentation** (Detailed Regulation Plan)

**Phase II - Obtaining land as property of the Republic of Serbia, for the CAS** - (Declaration of public interest by the Government of the Republic of Serbia; Expropriation and administrative transfer of land; Implementation in the Cadastre)

These two phases are completed fully for Kotroman.

**Phase III – Conducting procurement of services for development of technical documentation and technical review of the Final Design**

**Phase IV - Technical documentation** - (Obtaining location permit - obtained; Feasibility Study with Preliminary Design; Review Committee; Final design; Technical Review of the Final Design and Obtaining a building permit)

Phases III and IV are in progress.

**Phase V (IPA and national co-financing)** - Professional supervision of construction/reconstruction works – carrying out of a service contract for supervision

**Phase VI (IPA and national co-financing)** - Construction of BCP – carrying out the works contract for improving facilities at border crossing point

And finally -during last phase- CAS would finalise the work:

**Phase VII (Customs) - Technical acceptance of works and obtaining occupancy permit.**

For the first four phases the CAS will invest in total approximately 150 000 EUR for this BCP. Table below displays the remaining activities per BCP with the intended deadlines:

Activities	Deadlines		
	BCP Gostun	BCP Kotroman	BCP Vatin
Location permit	January 2015	August 2014	September 2016
Feasibility Study with Preliminary Design	April - July 2016	November 2014 – February 2015	September - December 2015
Review Committee	August 2016- January 2017	July-December 2016	January-June 2017
Final design	February - May 2017	January-April 2017	July-October 2017
Building permit	June 2017	May 2017	November 2017

As it is usually the case with the capital investment projects, the risks are herewith associated with the possible lack of the national funds and delays in obtaining permits and approvals from the relevant institutions. However, in several last years, CAS has continuously been dealing with the preparation for those projects in communication with all relevant stakeholders and detailed plans with sequence of steps are elaborated and being followed to meet the planned deadlines

Completion of additional facilities at Kotroman BCP will allow for the upgrading of the facilities to meet the requirements of the various EU and national strategies in both Customs and IBM. It will provide more efficient and effective working conditions for employees of the CAS, Police and Agricultural Inspectorates. This should result in improving the performance of their work, the quality of their services, speed up the cross border movement of persons and goods.

**KOTROMAN BCP**

BCP Kotroman is located between the Republic of Serbia and the B&H Federation. At this BCP, according to the CAS data in 2015: 347 513 cars, 21 887 trucks, 8 666 buses and 889 867 passengers passed through. Of the total number of goods and cargo passing through BCP Kotroman, about 30% was related to transit transport of goods between other countries (Turkey, Bosnia, Croatia and others.). At the moment, the facilities for the CAS and police on the Serbian side at this border crossing were partially improved after the first phase of reconstruction of the BCP. The work was carried out during 2010-2011 and included the renovation of the existing joint assembly building of the CAS and police, including building some canopies and partial extension of the associated road works.

On the B&H Federation side, a tender was issued in 2006 for improvement of the BCP but was later cancelled. No further developments have occurred since, and the border crossing remains at two lanes (one in each direction) with limited infrastructure and facilities.

The following works are proposed on the Serbian side:

Six lanes (two in each direction plus a lane for trucks) equipped with modern customs facilities will be constructed. Much of the Works will relate to truck movement and control and allow for improved

quick and efficient crossings. There will also be buildings and the required infrastructure and facilities for the Border Police and Phytosanitary Inspection. At present the main crossing point Serbia-BiH for the Agricultural Inspectorates is at Sremska Raca, but a concrete platform will be constructed for future expansion of the Inspectorates work.

#### **Activities to achieve Result 4.1**

- *Completion of reconstruction at the three CCPs (Mucibabe, Jarinje, Konculj)*

Through this activity, three Common Crossing Points (CCPs) (Mucibabe, Jarinje, Konculj) will be reconstructed. This activity will be implemented through indirect management – Delegation Agreement with UNPOS. It will include preparation of tender documents, award of works contract and completion of the works award. Supervision of works will be done by UNOPS. Expropriation of lands will be covered nationally. The model of Common Crossing Points (CCPs) will be approved by the Implementation group in charge of the “Dialogue Belgrade-Pristina” in Brussels. The future Contractor would be working under FIDIC (Yellow Book) contract conditions – would be in charge to prepare Detailed Design and obtain Building permit as well as all required conditions for connections to the infrastructure utility systems (power/water/sewage, etc.)

### **3. IMPLEMENTATION ARRANGEMENTS**

#### **ROLES AND RESPONSIBILITIES**

This Action Document under IPA II assistance was prepared and will be implemented and managed in accordance with provision of respective legislation, implementing and operating agreements and procedures.

Taking into account the complexity of proposed activities for the Action as well as the fact that implementation modalities include both direct and indirect management, monitoring arrangements, Steering Committee(s) shall be established in accordance with the relevant provisions of the applicable legal acts regulating IPA II.

In the context of the institutional framework for home affairs sector, the following institutions have been responsible for programming, implementation, monitoring and evaluation of the interventions foreseen under this actions document: the Ministry in charge of home affairs, Commissariat for Refugees and Migration, Office for Kosovo and Metohija, Ministry in charge of Finance (Customs Administration), Administration for Joint Services of the Republic Bodies as well as SEIO as a NIPAC TS/Body responsible for coordination of programming, monitoring and evaluation (BCPME).

Other bodies and actors such as the CFCU as a Contracting Authority, NAO SO, NF, and EU Delegation have specific roles in the programming and implementation process in line with respective legislation and procedures and depending on the determined modality of implementation (Direct vs. Indirect).

The Ministry in charge of home affairs is a final beneficiary and end recipient under Results 1.1 and 2.1.

The Commissariat for Refugees and Migration is a final beneficiary and end recipient under Result 2.2 for the construction of asylum centre.

The Commissariat for Refugees and Migration and Office for Kosovo and Metohija are the final beneficiaries for the Grant scheme for housing, income generating activities and support to sustainable return to Kosovo which are envisaged under Results 2.3 and 2.4. The end recipients of the support foreseen under these results are IDPs and returnees from the readmission process in Serbia. Regarding Result 2.3, based on the experience gained while implementing the previous project, close coordination is necessary between the EU Delegation, the Commissariat and the end beneficiaries in order to ensure smooth Action implementation and to avoid overlap in the proposed activities. Holding regular coordination meetings and the direct involvement of the Commissariat in realisation of the Action facilitate the monitoring and timely evaluation of the progress. This is particularly relevant to Action activities. According to the information gathered through coordination, as well as from field reports submitted by the local trustees, the high number of applications for both income

generation and housing assistance, there is strong evidence that hitherto the provision of durable solutions has not been sufficient.

The Office for Kosovo and Metohija performs tasks related to functioning of the institutions of the Republic of Serbia on the territory of Kosovo has already implemented the same activities as envisaged in this AD under Result 2.4. Continuations of the project activities shall ensure sustainability in the support to the voluntary returns to Kosovo.

Practice of coordination of the activities between the Office for Kosovo and Metohija and the Commissariat for Refugees and Migration has already been established for implementation of the actions provided in IPA 2011 and IPA 2012.

In the case of the activities for the Result 3.1., Ministry in charge of Finance (Customs Administration) is a final beneficiary and end recipient. In accordance with the IBM Strategy, CAS is outlined among the four principle national services/authorities dealing with the IBM, as the only one being an investor – i.e. authorised for the construction/reconstruction works on the BCPs. During the implementation of this part of the Action at all stages, besides CAS employees at the border crossings other authorities shall be present: Ministry in charge of home affairs (Border Police), Ministry of Agriculture (Phytosanitary and Veterinary Inspection) and technical services (freight forwarders, AMSS, etc.). Constant communication and coordination of all representatives of various border services as object users is required, because of their work being directly connected with the work of CAS in order to harmonise the different needs and requirements. Ministries in charge for home affairs and agriculture are actively supporting this part of the action within the scope of their competences and have submitted to CAS written confirmation on the assigned respective contact points. Activities related to Result 3.1 will be implemented through Works and a Service contract for the Supervision of works.

The Administration for Joint Services of the Republic Bodies is a final beneficiary for the Result 4.1. Implementation of this Result will be done through an Indirect Management Delegation Agreement (IMDA) with UNOPS. For the monitoring purposes, and due to the specificity of this part of the Action, all relevant national institutions involved in the implementation of “Belgrade-Pristina” Dialogue shall be involved in an adequate manner.

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

This Action Document under IPA II assistance will be implemented through Direct and Indirect management mode.

For the Results 1.1, 2.1, 2.2 and 3.1 of the Action Document, Central Finance and Contracting Unit (CFCU) - Ministry of Finance, Department for Contracting and Financing of EU Funded Projects is in charge for the implementation under indirect management.

For the Grant scheme and Service contract envisaged for results 2.3 and 2.4 of the Action, EU Delegation is in charge for the implementation under direct management.

For the Result 4.1 in the case of Indirect Management Delegation Agreement (IMDA) EU Delegation is in charge for the arrangement with UNOPS.

#### **Result 1.1: Efficiency of discovery of cases of trafficking in human beings increased as well as the protection of victims; national referral mechanism institutionalised and more efficient.**

The Ministry in charge of home affairs is responsible for the implementation of activities to achieve Result 1.1.

The Result 1.1 will be implemented through: Supply and Twinning.

There is no co-financing for the Result 1.1.

#### **Result 2.1: Enhancing border control**

The Ministry in charge of home affairs is responsible for the implementation of activities to achieve Result 2.1.

The Result 2.1 will be implemented through Twinning contract.

There is no co-financing for the Result 2.1.

**Result 2.2: Existing capacities to accommodate asylum seekers expanded**

The Commissariat for Refugees and Migration is responsible for the implementation of activities to achieve Result 2.2.

The Result 2.2 will be implemented through Works, Supply, Supervision of works contract and a Service contract

National co-financing in the amount of 230 000 EUR related to this result shall be secured by the Commissariat for Refugees and Migration.

**Result 2.3: Living conditions of IDPs and returnees from the readmission process in Serbia improved and Result 2.4: Support to the sustainable return to Kosovo**

The Commissariat for Refugees and Migration and Office for Kosovo and Metohija are responsible for the implementation of activities to achieve Result 2.3 and 2.4.

These Results will be implemented through Grant scheme and Service contract.

National co-financing for the Grant scheme concerning results 2.3 and 2.4 is 350 000 EUR and shall be secured as the contribution of successful grantees (i.e. municipalities and implementing organisations which will be awarded grants upon the call for proposals).

**Result 3.1: To upgrade priority border facilities and infrastructure at Kotroman Border Crossing Point (BCP) (construction - phase 2), thus ensuring modernised interoperability with customs authorities at the bordering space.**

CAS Department for investments and facilities maintenance is engaged in the management of investment projects, contracting services, making urban planning and design documentation, construction contracting and supervising the construction works. The contracts are the result of public procurement carried out by the Department of investments and facilities maintenance, the Department also initiates the procedure of declaring general interest for the location if necessary, and resolves property rights matters in the process of expropriation.

The Result 3.1 will be implemented through works contract and supervision of works contract.

Experts will be engaged through a separate Framework Contract to support preparation of tender and project documentation as well as clarification, evaluation and provisional and final acceptance phases for both works and services (supervision) contracts.

National co-financing shall be secured by CAS. CAS shall participate in co-financing arrangement with 15 % for works and 10 % for services. National co-financing for the Works is 333 000 EUR and for the service contract 25 000 EUR.

**Result 4.1.:** Completion of construction at the three CCPs (Mucibabe, Jarinje, Konculj). Implementation of Result 4.1 will be done through an Indirect Management Delegation Agreement (IMDA) with UNOPS. The works will be carried out to suit conditions and documentation readiness prevailing at the earliest time of tender. Expropriation of lands will be covered nationally. The United Nations Office for Project Services (UNOPS) has been present in Serbia since 2000, primarily funded by the EU and Swiss Government supporting the Government's efforts to implement socio-economic reforms on the European integrations road. To illustrate the capacities of UNOPS in terms of implementing investment/works type of requirements, it is worth mentioning that in 2010 one of projects implemented by UNOPS - EU PROGRES<sup>15</sup>, provided a quick relief to the City of Kraljevo, badly hit by an earthquake. The three UNOPS engineers, for 12 days each, assessed the damage on 19 public buildings, including the scope of work and costs. UNOPS disposes of the pool of national and international experts, highly qualified for construction/reconstruction type of assignments: infrastructure, engineering, procurement, urban planning and legal issues. In the engineering department only, there are nine long or short-term contracts (which can quickly be amended) with

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<sup>15</sup> Funded by the EU and the Governments of Switzerland and Serbia

experts who hold design licenses and the licences as site engineers<sup>16</sup>. UNOPS works in four fully equipped offices across Serbia; it has the necessary IT equipment and vehicles for implementation of the project. The envisaged works and related supervision will therefore be implemented in accordance with UNOPS' sustainable infrastructure practice, and taking into consideration environmental, and socio – economic aspects of the action. These references highly qualify UNOPS as the implementing partner suitable for the activities envisaged under result 4.1 and present a guarantee for timely, transparent, effective and efficient implementation of this part of the Action. From a more formal point of view, UNOPS as an International Organisation in Serbia works under the United Nations Standard Basic Assistance Agreement (SBAA) with the Republic of Serbia. UNOPS is an international organisation and is thus not established under the laws of a particular country. It was established by United Nations General Assembly decision 48/501 of 19 September 1994. The UNOPS governing body, namely the UNDP/UNFPA/UNOPS Executive Board, in its decisions 2009/25 of 11 September 2009 and 2010/21 of 29 June 2010, subsequently reaffirmed the mandate of UNOPS to act as a service provider to UN agencies and external entities, while reconfirming its role in the UN system as a central resource for infrastructure, procurement and project management.

#### **4. PERFORMANCE MEASUREMENT**

##### **METHODOLOGY FOR MONITORING (AND EVALUATION)**

###### **Monitoring arrangements**

For those Results and contracts that will be implemented under Indirect Management Mode, monitoring of the progress in sector support implementation will be done in accordance with the rules and procedures for monitoring under indirect management and in line with relevant Manuals of Procedures. Manuals of procedures include detailed procedure for monitoring on different levels with clear responsibilities and deadlines in the monitoring process.

IPA II monitoring process is organised and lead by the NIPAC/ Serbian European Integration Office (SEIO) as a NIPAC TS/BCPME.. **National IPA Coordinator (NIPAC)** is the main interlocutor between the Serbian government and the EC regarding strategic planning, co-ordination of programming, monitoring of implementation, evaluation and reporting of the overall IPA assistance and is responsible for ensuring the linkage of IPA assistance to the EU accession process<sup>17</sup>. NIPAC monitors the process of programming, preparation and implementation as well as the sustainability and effects of actions aiming to improve these processes, timely identification, remediation and alleviation of potential issues in the process of programming and implementation of Action documents.

Through the support of the NIPAC TS/BCPME (SEIO), the NIPAC is responsible to establish the monitoring procedure and roles and responsibilities of the institutions in the programming and monitoring process. Furthermore, with the support of NIPAC TS/BCPME (SEIO), NIPAC is responsible to establish, chair and organise the work of the IPA Monitoring Committee (IPA – MC) and submits to the EC annual and final reports on the overall IPA implementation. In addition, NIPAC establish, chair and organise the work of the IPA Sectorial Monitoring Committees (SMCs), prepare regular monitoring reports for the Government and the EC based on the reports drawn up by the final beneficiaries responsible for implementation, it reports on the formulation and implementation of Action Documents, monitor the fulfilment of preconditions for the initiation of public procurement procedures and organise the process of evaluation of IPA support. The NIPAC prepares regular reports for the IPA Monitoring Committee that includes information on status and progress in implementation of all relevant actions. In addition, NIPAC prepares reports to be examined by the NAP Sector Monitoring Committees. Monitoring process envisages participation of

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<sup>16</sup> 300 – Designer architect (architecture, landscaping, structural designs for individual houses); 301 – Designer structural engineer, all architectural structures, water and waste water installation in buildings; 311 - Designer structural engineer, as 301 but with limitation in spans; 313 – Designer water engineer including irrigation, small dams; 381 – Designer, energy efficiency in buildings; 410 – Construction engineer for buildings and civil works; 411 – Construction engineer buildings; 412 – Construction engineer civil works; 413 – Construction engineer water works and structures.

<sup>17</sup> Minister without portfolio responsible for European integration is the designated NIPAC, and before him was the Head of European Integration Office.



various stakeholders such as EC/EUD, NIPAC/NIPAC TS/BCPME, final beneficiaries, CFCU, NF, AA and other institutions and civil society organisations.

Monitoring the progress of the implementation of the Results/Contracts of the Action Document that will be implemented under Direct Management Mode and IMDA will be done in accordance with the rules and procedures applicable to the respective implementing mode.

In line with institutional set up for the home affairs sector, monitoring and reporting on activities foreseen under this Action document will be organised and performed through the structure and roles described under sections 2. Roles and responsibilities and 3. Implementation method and type of financing.

So as to avoid duplication of monitoring systems, the system of NAD indicators and defined indicators within the Action Document were used for the preparation of the Action, thus allowing harmonization of PAF with the monitoring provisions defined by the procedures.

The European Commission may carry out a mid-term, a final or an ex-post evaluation for this Action or its components via independent consultants, through a joint mission or via an implementing partner. In case a mid-term or final evaluation is not foreseen, the European Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner. The evaluations will be carried out as prescribed by the DG NEAR guidelines for evaluations. In addition, the Action might be subject to external monitoring in line with the European Commission rules and procedures set in the Financing Agreement.

## INDICATOR MEASUREMENT

Indicator	Description	Baseline (year)	Last (year)	Milestone 2017	Target 2020	Source of information
<p><b>STRATEGY PAPER indicators</b></p> <p>Progress made towards meeting accession criteria, as assessed by the Progress Report (Ch. 23 - Judiciary &amp; fundamental rights)</p> <p>Progress made towards meeting accession criteria, as assessed by the Progress Report (Ch. 24 - Justice, freedom &amp; security)</p>	<p>Progress with the negotiation Chapters 23 and 24 (EC Progress Reports)</p> <p>Range applied: No progress – Some progress – Progress – Good progress – Significant progress</p>	<p>(2011)</p> <p>For Ch 23: Good progress</p> <p>For Ch 24: Some progress</p>	<p>(2012)</p> <p>For Ch 23: Some progress</p> <p>For Ch 24: Some progress</p>	<p>For Ch 23: Good progress</p> <p>For Ch 24: Good progress</p>	<p>For Ch 23: Good progress</p> <p>For Ch 24: Significant progress</p>	<p>EC Report on Chapter 23</p> <p>EC Report on Chapter 24</p>
<p><b>Action outcome indicator 1</b></p> <p>Number of identified victims of THB decreased<sup>18</sup></p>	<p>Decreased number of victims of THB represents more efficient prevention</p>	<p>(2011) 87</p>	<p>(2012) 79</p>	<p>150</p>	<p>60</p>	<p>Report of the Centre for protection of THB victims</p>
<p><b>Action outcome indicator 2</b></p> <p>Increased detection rate of all forms of THB</p>	<p>It shows that the cooperation with other state institutions is improved in detecting various forms of THB. This will be expressed number of forms detected (descriptive)</p>	<p>Various forms of trafficking are recognised: sexual, labour exploitation, coercion to begging, and committing crime, forced marriages</p>	<p>Various forms of trafficking are recognised: sexual, labour exploitation, coercion to begging, and committing crime, forced marriages</p>	<p>In addition to the already recognised forms new forms of trafficking are being recognized in relation to use in pornography purposes, organ trafficking and involvement in armed conflicts</p>	<p>The most common forms of human trafficking, sexual exploitation and labor exploitation are being recognised.</p>	<p>Report of the Centre for protection of THB victims Reports on implementation of the Action</p>
<p><b>Action outcome indicator 3</b></p> <p>Number of cases of THB connected to high technology crime detected</p>	<p>The number shows improvement in detection of THB cases</p>	<p>No criminal charges for advertising of organ sales over the internet</p>	<p>3 Criminal charges for advertising of organ sales over the internet</p>	<p>10 criminal charges for advertising of organ sales over the internet</p>	<p>No. of criminal charges for advertising of organ sales over the internet reduced to</p>	<p>Report of the MOI and Republic Prosecutors Office</p>

<sup>18</sup> The numbers listed for indicators 1.2-1.5 should be taken conditionally, as they depend on the crime rate. It is possible that the activities implemented in line with the THB Strategy and Action plan will result in less crimes being committed

Indicator	Description	Baseline (year)	Last (year)	Milestone 2017	Target 2020	Source of information
					under 3 per year	
<b>Action outcome indicator 4</b> Number of recorded illegal border crossings	Improved efficiency in detection of irregular migrants and better management of migration flows going through Serbia	(2011) 10 383	(2012) 15 346	4 000	2 000	FRONTEX reports (WB Annual Risk Analysis) <a href="http://frontex.europa.eu/assets/Publications/Risk_Analysis/WB_ARA_2013.pdf">http://frontex.europa.eu/assets/Publications/Risk_Analysis/WB_ARA_2013.pdf</a> , - Focus on Secondary migration Figure 9. Main areas of detections of illegal border-crossing between BCPs for Afghan (AFG), Pakistani (PAK) and Algerian (DZA) migrants page
<b>Action outcome indicator 5</b> Number of irregular migrants received based on the readmission agreements with neighbouring countries	Improved efficiency in detection of irregular migrants and better management of migration flows going through Serbia	2 478	3 891	3 000	3 500	MOHA Reports
<b>Action outcome indicator 6</b> Adequacy of capacities for accommodation of asylum seekers	Number of asylum seekers who has to wait for the accommodation in asylum centres fulfilling prescribed standards	Estimated 500	Estimated 500	0	0	SCR annual reports
<b>Action outcome indicator 7</b> Progress in providing housing solutions for IDPs and returnees from readmission	Gradual decrease of unresolved housing solutions is based on the estimation notably for the category of IDPs	(2011) 22 880	(2013) 20 500	18 200	16 500	SCR annual reports
<b>Action outcome indicator 8</b> Decrease in average time for customs clearance on Serbian side at Kotroman border	Measurement expressed in days and separated for import and export		(2013) IM 14 EX 12	IM 13 EX 11	IM 13 EX 11	IFC, WB – Doing business Report
<b>Action outcome indicator 9</b> Increased number of people and vehicles passing through the newly constructed common crossing points	Number of people and vehicles passing through BCP Kotroman gradually increase over years and notably after the completion of the construction of facilities on the	(2013) Passengers: 675 615 Passengers cars: 148 195 Buses: 8 950	(2013) Passengers: 675 615 Passengers cars: 148 195 Buses: 8 950	Passengers: 989 168 Passengers cars: 216 972 Buses: 13 104 Trucks: 35 519	Passengers: 1 053 959 Passengers cars: 231 184	CAS reports

<b>Indicator</b>	<b>Description</b>	<b>Baseline (year)</b>	<b>Last (year)</b>	<b>Milestone 2017</b>	<b>Target 2020</b>	<b>Source of information</b>
	respective BCP	Trucks: 24 260	Trucks: 24 260		Buses: 13 962 Trucks: 37 845	
<b>Action output indicator1</b> Number of interview rooms equipped in Police Departments		0	0	3		Reports on implementation of the Action/Supply acceptance reports
<b>Action output Indicator2</b> Schengen Action Plan developed		Not developed	Not developed	In process of development	Developed and in implementation,	EC Report on Chapter 24
<b>Action output Indicator3</b> Rules and Procedures for implementation of Schengen activities prepared		Not prepared	Not prepared	In preparation	Completed and adopted	E C Report on Chapter 24, Project Reports, MOI Reports
<b>Action output Indicator4</b> Training programme for implementation of the Schengen Action Plan and trainings conducted		Not developed	Not developed	Training programme prepared	Trainings conducted	Project Reports, MOI Reports
<b>Action output indicator5</b> New Centre for accommodating 300 asylum seekers built		Not completed	Not completed	Completed	Completed	Reports on implementation of the Action Commissariat for Refugees Yearly Report
<b>Action output indicator6</b> No of housing solutions for IDPs and returnees from readmission provided		3200	3700	6000	7 700	SCR Annual Reports
<b>Action output indicator 7</b> No of IDPs and returnees from readmission started up, or extend business activity		2000	2500	3700	4600	SCR Annual Reports
<b>Action output indicator 8</b> No of families returned to Kosovo increased		250	250	440	220	Reports on implementation of the Action Office for Kosovo and Metohija Yearly Report

## **5. CROSS-CUTTING ISSUES**

### **ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)**

The Action anticipates the use of domestic building materials that are acceptable according to current criteria and standards for environmentally safe practices. Procedures for building of new housing facilities will be conducted in compliance to the national regulation for the protection of environment.

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

Civil Society in the area of Rule of law is represented by the following organisations: Belgrade Centre for Security Policy, Belgrade Centre for Human Rights and Group 484. During Action related project preparation, these organisations will be invited to provide constructive comments of the proposals, which will contribute to balance and to balance and better project files.

### **EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING**

The Action will have an impact on the wider domestic population and local community in terms of better quality of life. Positive impacts on the budget (through decreased claims for family income support, one-off assistance in cash, etc.) are expected. Generally, the activity will contribute to better exercise guaranteed basic human rights. In terms of overall migration management, the activity outputs will enable authorities to direct more efforts on resolving problems of the tide influx of asylum seekers and labour migrants in Serbia.

The Action will be implemented in a non-discriminatory manner with equal opportunities observed and firm guarantees that distinctions will not be drawn on the basis on sex, race, ethnicity, religion or other possible grounds in any aspect. The Action strongly encourages applications from women-headed households and female victims of violence. Gender equity principles will be respected in the implementation of all activities. Policy of equal opportunities will be taken as one of the overall principles in establishment on modern operational system in the Ministry in charge of HA. The Action will promote high standards of equality and gender mainstreaming both in designing of criteria for hiring and promotion as well as in its training components.

### **MINORITIES AND VULNERABLE GROUPS**

The Roma, Ashkali and Egyptian (RAE) community *generally* belongs to the most vulnerable segment of the IDP population in Serbia. Also, more than 60% of returnees are Roma. The main criteria for the beneficiary selection are: multi-member and multi-generation families, families with minors, families with an irregular income as well as families with new-born children. For that reason, the ratio of RAE families among the beneficiaries is higher than the ratio among the entire IDP population.

In accordance with the Strategy for improving the situation of Roma in the Republic of Serbia, a special reporting on RAE beneficiaries will be required. The expected outputs of the Action will enable them to live in a secure environment, to help them become more self-sufficient through income generating activities, and to assure that their full scope of rights is preserved and respected.

Standards of ethnic balance in specific multi ethnic communities and MoHA in all will be maintained and improved within the scope of this Action by developing a transparent system for hiring and promotion of employees. As in the case of gender issues above, the relevant international HRM standards to be applied in the MoHA will provide additional care and attention to these issues.

## **6. SUSTAINABILITY**

Within the Grant Scheme, Grant contracts will be awarded to municipalities with adopted Local Action Plans that foreseen activities in line with national strategic documents, especially in the field of employment, housing and social inclusion. Applicants for Grants will have to demonstrate that they have clear plan for implementation of the grant and to prove sustainability of action. Local Councils for migration management and an active working partnership within the local stakeholder will be essential.

The methodology regarding housing issues will imply full involvement and commitment of the municipality to manage and maintain residential facilities as well as the ownership of the so-called *extended social services*, which are envisaged by the Local Self Government Action Plans. A particular mechanism for budgeting extended social services already exists. Namely, for this kind of expenditures municipal assemblies are entitled to adopt a particular decision (including the budget line for financing this type of housing). The existence of this decision will be considered as an eliminatory criterion in every case of the selection of the beneficiary municipalities applying for this type of housing solution. Also, Centres for Social Welfare, which will manage and maintain the building, already, exist in every municipality. Sustainability for other types of housing solutions is provided through immediate transfer of ownership to the final beneficiaries.

## **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 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.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession 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. Visibility actions should also promote transparency and accountability on the use of funds.

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

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