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Visa Liberalization Process in Kosovo: An Assessment Matrix of Achievements and Challenges

Author:
Group for Legal and Political Studies

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Group for Legal and Political Studies
'Rexhep Luci' str. 10/5
Prishtina 10 000, Kosovo
Web-site: www.legalpoliticalstudies.org
E-mail: office@legalpoliticalstudies.org
Tel/fax.: +381 38 227 944

ABOUT GLPS

Group for Legal and Political Studies is an independent, non-partisan and non-profit public policy organization based in Prishtina, Kosovo. Our mission is to conduct credible policy research in the fields of politics, law and economics and to push forward policy solutions that address the failures and/or tackle the problems in the said policy fields.



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Visa Liberalization Process in Kosovo: An Assessment Matrix of Achievements and Challenges

Introductory Note on the Methodology and Explanation of the Assessment Grid:

Since the introduction of the visa liberalization roadmap for Kosovo in June 2012, Group for Legal and Political Studies, within the framework of the visa liberalization project, has been involved in monitoring the Kosovo institutions' progress in meeting the visa liberalization roadmap benchmarks and indentifying the main challenges deriving therein. Herewith, GLPS has applied a specific methodological approach designed to weigh both the dynamic of meeting the benchmarks and highlighting the remaining challenges. That said, GLPS has established a specific grid consisting of individual benchmarks and associated information which explain the achievements of Kosovo institutions in meeting the corresponding benchmarks. Specific parts of the matrix highlight the benchmarks to be met and challenges that associate those reaming benchmarks. To determine the level of implementation of the benchmarks, GLPS has applied numbers, from 0 to 5, and colours. To that extent, several sources of information are utilized to estimate the level of implementation of both the individual benchmarks blocks, especially internal documents of Kosovo institutions (legal acts, strategies, annual reports and quarterly reports of Kosovo institutions and action plans' matrices, input from progress reports, conclusions from SAPD, Inputs to the Feasibility Study, etc.), reports of international institutions and foreign embassies in Kosovo (particularly European Commission, European Parliament, UNDP, World Bank, ICO etc.), as well as information from in-depth interviews with representatives of ministries and relevant stakeholders. The numbers aim to both explain the level/progress of implementation of the benchmarks and orient the public and institutions on the remaining challenges. Thus, numbers and colours are used to determine the median dynamic and the level of implementation per block, covering specific requirements related to readmission and reintegration, document security, border and migration management, public order and security, and fundamental rights related to the freedom of movement. Per each of the following blocks, a specific median number will represent the achievements of Kosovo institutions as regards the progress of implementation of the specific benchmarks grouped according to the following blocks and sub-blocks:

1. Requirements related to Readmission;
2. Requirements related to Reintegration;
3. Block 1: Document Security;
4. Block 2: Border and Migration Management;
5. Block 3: Public Order and Security; and,
6. Block 4: Fundamental Rights related to the Freedom of Movement.

Numbers explain the median achievement per block	Colour	Narrative Explanation of the median achievement per block
5		Kosovo fully meets the benchmarks within the block
4		Kosovo generally meets the benchmarks within block
3		Kosovo meets a large majority of the benchmarks within the block
2		Kosovo has yet to meet the majority of the benchmarks within the block
1		Kosovo has shown minimal progress in addressing the benchmarks within the block
0		Kosovo has shown no progress to meet the benchmarks within the block

This legend explains what those specific numbers represent.

In addition, Table 1, in general, describes, according to GLPS assessment methodology, the level of progress that Kosovo institutions have achieved in relation to the implementation of the benchmarks by determining their progress with specific marks. In general, Table 1 offers an overview of the GLPS assessment mark per each sub-block and block, identifies main challenges and relates the latter with individual benchmarks, and also marks the overall level of implementation of the visa liberalization roadmap.

Table 1: A Short Assessment of the Kosovo progress in meeting the benchmarks deriving from the Visa Liberalization Roadmap

Visa Liberalization Roadmap Blocks	Benchmarks related to:	Challenges relating to the benchmarks (refer to the GLPS Assessment Grid below)		GLPS Mark (per sub-block)	GLPS Mark (per Block)	GLPS Average Mark (overall implementation of the Roadmap)
Readmission	a. Readmission	1, 3, 5, 7	-->	4	4	3.5
Reintegration	a. Reintegration	1,3	-->	3.5	3.5	
B1: Document Security	a. Personal travel documents, ID cards and breeder documents	1, 4, 5, 6, 8, 9	-->	3.5	3.5	
B2: Border and Migration Management	a. Border	1, 3, 4, 5, 6, 8, 9, 11, 13, 14	-->	2.5	3.3	
	b. Carriers' responsibility	1	-->	3		
	c. Migration Management	1, 3, 4, 7, 9	-->	4		
	d. Asylum	2, 4, 6,7	-->	4		
B3: Public Order and Security	a. Preventing and combating organised crime, corruption and terrorism	1, 2, 3, 4, 6, 7, 9, 10, 12, 15	-->	2.5	3	
	b. Law enforcement co-operation	3, 6, 7, 8, 9, 10, 11	-->	3.5		
	c. Judicial co-operation in criminal matters	1, 3, 6, 7	-->	3		
	d. Data protection	1, 2	-->	3		
B4: Fundamental Rights related to the Freedom of Movement	a. Freedom of movement	1	-->	3	3.8	
	b. Conditions and procedures for issuing identity documents	2	-->	4.5		
	c. Human rights and respect for and protection of minorities	1, 4, 5	-->	4		

Evaluation as by the 20 September, 2012.

Requirements related to Readmission

	BENCHMARKS	General information explaining the level of accomplishment of the benchmarks	Challenges	GLPS Mark (per sub-block)	GLPS Mark (per Block)
Readmission	1. Continue implementing the domestic legislation regulating the readmission of Kosovo citizens, third-country nationals and stateless persons;	<ul style="list-style-type: none"> - Law on Readmission (June 2010); - Law on Foreigners (December 2011); - Law on Asylum (December 2011); - Approval of by-laws regulating issues of migration, asylum and residence of foreigners in the territory of Kosovo; Kosovo has signed 16 readmission agreements with: France, Germany, Denmark, Austria, Slovenia, Belgium, Netherland, Luxembourg, Czech, Sweden, Finland, Hungary, Switzerland, Norway, Albania, and Montenegro. Negotiations with Croatia, Estonia, Bulgaria and Malta; Project-agreements with Italia, Latvia, Turkey and Macedonia; Distribution of power in the field of readmission between the Border Point /Border Police and MIA; - In order to coordinate and manage the process of readmission and reintegration of repatriated persons many institutions have been created. 	<p>Kosovo should :</p> <ol style="list-style-type: none"> 1. Adopt a new Regulation on Readmission; 2. Sign readmission agreements with the remaining EU Member States; 3. Start and implement the visa policy of the Republic of Kosovo (for foreign nationals entering in Kosovo); 4. Increase technical capacity for effective management and monitoring of readmission process and report on the regular basis to the Member States, the European Commission and EULEX. 	4	4
	2. Continue implementing readmission agreements concluded with third countries;				
	3. Negotiate readmission agreements with other third countries;				
	4. Ensure that readmission applications submitted by requesting states are processed efficiently and within the timeframe specified in domestic legislation and bilateral readmission agreements;				
	5. Strengthen the capacity of the Ministry of Internal Affairs to process readmission applications and reduce the number of pending readmission requests;				
	6. Ensure that the applications for the readmission are processed in compliance with national data Protections;				
	7. Compile and share in a timely manner with the competent authorities of Member States and EULEX detailed statistics in readmission.				

Requirements related to Reintegration

	BENCHMARKS	General information explaining the level of accomplishment of the benchmarks	Challenges	GLPS Sub-block mark	GLPS Block mark
	<ol style="list-style-type: none"> 1. Adopt and Implement measures defining the roles and responsibilities of the competent authorities in charge of reintegration, the application and decision-making procedure and beneficiaries' rights and obligations under the reintegration programme; 2. Implement the reintegration strategy and 	<ul style="list-style-type: none"> - The revised Strategy and Action Plan for Reintegration of Repatriated Persons has been approved (July 2010) - Regulation on the Responsibilities of the Municipal Office of Communities and Returns, (August 2010) - Training of the officials that deal with the reintegration process in the 	<p>Kosovo should:</p> <ol style="list-style-type: none"> 1. Decentralize the process by establishing municipality capacities for the reintegration of repatriated persons; 2. Increase capacity building of the Department for Citizenship, Asylum and Migration, and Ministry of 	3.5	3.5

Reintegration	action plan, with a particular emphasis on reporting and monitoring; the disbursement and decentralisation of the Reintegration Fund; and enhancing the access of returnees, notably those from Roma, Ashkali and Egyptians communities, to employment, vocational training and education;	municipality offices. - The government has established a fund for Reintegration of Repatriated Persons (€ 0.5 million in 2010, € 3,420,150 in 2011 and €3,170,150.00 for 2012)	Interior to conduct periodic and independent assessment of the capacity and performance of municipalities in the reintegration of repatriated persons; 3. Provide language courses for repatriated children; 4. Exchange detailed information and statistics on readmission with EU Member States, European Commission and EULEX.		
	3. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on the reintegration of returnees.				

Block I: Document Security

	BENCHMARKS	General information explaining the level of accomplishment of the benchmarks	Challenges	GLPS Sub-block mark	GLPS Block mark
Personal travel documents, ID cards and breeder documents	<p>1. Issue machine-readable biometric personal travel documents in compliance with International Civil Aviation Organisation (ICAO) standards and EU standards for security features and biometrics in travel documents and endeavour to explore possible avenues of cooperation, through the appropriate channels, with the ICAO Public Key Directory;</p> <p>2. Adopt and implement measures ensuring the integrity and security of the civil status and civil registration process, including the integration and linking of the relevant databases and the verification of scanned data against the civil status database, paying particular attention to the amendment of individuals' basic personal data;</p> <p>3. Adopt and implement measures ensuring the integrity and security of the document application, issuing and distribution process, particularly as concerns personal travel documents and ID cards, including biometric ID cards;</p> <p>4. Adopt and implement measures ensuring the integrity and security of breeder documents, notably civil status certificates, and ID cards, including biometric ID cards; define and implement strict procedures for their issuance;</p> <p>5. Provide samples and specimens of all valid personal travel documents to the competent Member State authorities and EULEX,</p>	<p>- Kosovo started issuing biometric passports on October 2011</p> <p>- Till June 2012, 82.000 passports had been distributed</p> <p>- Law on Biometric Identify Cards was adopted on June 2012</p> <p>- The Administrative Instruction, no. 20/2009-MIA on Organization and Structuring of Civil Registration Agency (CRA)</p> <p>- Establishment of the Civil Registration Agency;</p> <p>-MIA in cooperation with EULEX has carried out an assessment to the conditions of Civil Registration Offices and Civil Status Offices and offices of all municipalities of Kosovo.</p> <p>-Majority of signatures of officers of civil registration offices have been deposited, while it is expected deposition of all signatures, supply of Civil Registration Offices with relevant stamps and information of all embassies on officials authorized to sign and stamp civil registers' documents.</p> <p>- Almost all Municipal Offices of Civil Status, including local community offices, are connected with the new IT application with access to central database of civil status for registration</p>	<p>1. Adopt the Law on Biometric IDs ensuring compliance with European standards;</p> <p>2. Amend bylaws in accordance with the new provisions of this law;</p> <p>3. Start issuing biometric identity cards (ID cards) accordance with the new law;</p> <p>4. Supply all Civil Registry Offices with relevant seals and inform Embassies and diplomatic missions on officials who are authorized to sign and seal the civil registry documents;</p> <p>5. Improve the technical infrastructure (provide databases) in order to ensure protection of sensitive personal data and efficient exchange of such information with law enforcement agencies;</p> <p>6. Constantly inform Member States on the number of issued passports/ID cards and find appropriate ways to notify Interpol/LASP offices on lost and stolen passports;</p> <p>7. Continue anticorruption training programs and establish an ethical code for officials involved in the civil registration, application and distribution process.</p>	3.5	3.5

	<p>communicating any changes introduced to such documents;</p> <p>6. Report to the Interpol LASP database, through the appropriate channel, on stolen or lost personal travel documents;</p> <p>7. Strengthen the capacity of the civil registration agency to carry out its tasks;</p> <p>8. Conduct training programmes on anti-corruption and establish an ethical code for officials involved in the civil registration, document application and distribution process;</p> <p>9. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on the number of personal travel documents and ID cards, including biometric ID cards, issued.</p>	<p>of civil status and to issue secure certificates.</p> <p>- Procedures for Obtaining Biometric Passport of the Republic of Kosovo, Administrative Instruction No. 16/2011:</p> <p>- Regular assessment of the situation of the Civil Registration Office and Civil Status Offices in all Kosovo municipalities (local authorities, EULEX and the EC);</p> <p>- Connection to the network of over 90% of the Civil Registration Office and Civil Status Offices in the municipalities;</p> <p>- Storage of signatures of the majority of officers Civil Registration Offices in the municipalities;</p> <p>- All civil records are scanned.</p>			
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BLOCK 2: Border and Migration Management

	BENCHMARKS	General information explaining the level of accomplishment of the benchmarks	Challenges	GLPS Sub-block mark	GLPS Block mark
a. Border	<p>1. Align with the EU acquis and implement legislation on integrated border management (IBM), including new legal provisions on inter-agency cooperation between the competent authorities involved in IBM;</p> <p>2. Implement the existing bilateral border management agreements and, where appropriate, conclude new border management agreements;</p> <p>3. Implement in a co-ordinated manner with the other party the Technical Protocol for implementation of the IBM Agreed Conclusions of the Dialogue of 2 December 2011;</p> <p>4. Endeavour to complete, in a co-ordinated manner with the other party, the delineation of the border with Montenegro;</p> <p>5. Adopt and implement a new IBM strategy and action plan;</p> <p>6. Improve border control (checks and surveillance) at and between all border crossing points, notably through enhanced risk analysis and criminal intelligence, to ensure a check on persons,</p>	<p>-Government of the Republic of Kosovo has approved seven AI's to complete the legal framework on integrated management and control of state borders: (1. AI on Marking the Border Line, 2. AI on Border Incidents, 3. AI on Constructing Buildings Inside the Border Crossing Zone, 4. AI on Control at Border Crossing Points, 5. AI on Categorization of Border Crossing Points, 6. AI on the Form, Content and Manner of Placing Warning Signs and Written Signs at Border Crossing Points and Border Crossing Zone and 7. AI on Prohibition, Limitation or Conditioning of Certain Activities along the State Border;</p> <p>- Law on Integrated Management and Control of the State Border</p> <p>- AI 04/2010 on procedures for issuing visas to foreigners from the consular missions of the Republic of Kosovo,- - Approval of Revised Organizational</p>	<p>1. Implement the BM Strategy and Action Plan (dated 19 September 2012);</p> <p>2. Review the legal framework on IBM to incorporate the legal provisions on sanctions and protection of personal data;</p> <p>3. Improve the technical infrastructure in accordance with this legislation;</p> <p>4. Implement the Administrative Instruction on the establishment and functioning of the National Centre for Border Management;</p> <p>5. Implement in coordination with the other party (Serbia) the Technical Protocol for implementation of the IBM as agreed during the Negotiation of December 2nd 2011;</p> <p>6. Demarcation of the border with Montenegro, as well as complete the delegation of responsibilities from KFOR to Kosovo Police for border</p>	2.5	3.3

	<p>vehicles and goods crossing the border and effective surveillance between all border crossing points;</p> <p>7. Where appropriate, establish joint border crossing points for co-ordinated checks and surveillance on persons, vehicles and goods crossing the border, including through stationary and mobile units and co-ordinated monitoring and patrol operations;</p> <p>8. Enhance the prevention, detection and investigation of serious cross-border crime, notably trafficking in human beings, facilitated irregular migration, trafficking in drugs and precursors, trafficking in weapons and crimes committed by mobile itinerant criminal gangs, by exchanging with the competent law enforcement authorities of Member States and third countries, in line with domestic data protection requirements and through the appropriate channel, the necessary strategic and operational information and criminal intelligence;</p> <p>9. Strengthen the capacity of the domestic co-ordination centre to coordinate operational cooperation between all domestic authorities involved in IBM, including border surveillance;</p> <p>10. On the basis of new legal provisions, enhance inter-agency cooperation between all competent authorities involved in IBM and strengthen their capacity to discharge their duties in an effective and impartial manner;</p> <p>11. In line with domestic data protection requirements, improve the access of all competent authorities involved in IBM to the existing border management system and data processed by the domestic co-ordination centre;</p> <p>12. Conduct training programmes on anti-corruption and the fight against organised crime and establish an ethical code for officials involved in IBM;</p> <p>13. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on border control measures, including the number of co-ordinated monitoring and patrol operations;</p>	<p>Structure of the Customs Service</p> <ul style="list-style-type: none"> - Improvement of technical infrastructure and IT; - Transfer of responsibilities for monitoring the border with Albania from KFOR to Kosovo Police; - Transfer of responsibilities for monitoring the border with Macedonia by KFOR to Kosovo Police; - Preparing the procedures for the transfer of responsibilities for monitoring the border with Montenegro by KFOR to KP; - Formation of the State Commission for the demarcation of the border with Montenegro; - Finalization of the Action Plan for Northern Kosovo Customs Service; - Signing of agreements on cooperation and mutual assistance in customs with Albania, Turkey, France – and a joint statement with Montenegro and Finland; - Installation of BMS at all border crossing points; - Installation of control documents "Visotec 6000" at 11 border crossing points; - Establishment of Border Police cooperation with the border police of neighbouring countries on joint border control; - Two protocols signed with the Republic of Albania on joint border patrols, and on Border regular meetings at national, regional and local levels; <p>-Administrative Instruction on the duties and responsibilities of the National Centre for Border Management:</p> <ul style="list-style-type: none"> - National Strategy on Integrated State Border Management 2012-2017. 	<p>supervision with Montenegro;</p> <p>7. Advance human and technical capacity of border agencies to operate in compliance with European standards on IBM (in particular the Food and Veterinary Agency);</p> <p>8. Include fully and equally phytosanitary and veterinary services (AUV) distributed among border crossing points as far as planning and execution are concerned;</p> <p>9. Improve border control procedures, including liaison of the database of law enforcement agencies relevant to IBM;</p> <p>10. Establish efficient mechanisms to prevent corruption, and increase the capacity of the IBM agencies to efficiently perform risk analysis and to detect cross-border crime;</p> <p>11. Use data from IBM agencies in compliance with the provisions of the Law on Protection of Personal Data;</p> <p>12. Keep accurate data on border control measures and share such data with EU Member States, European Commission and EULEX;</p> <p>13. Explore modalities of cooperation with FRONTEX.</p>		
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	14. Explore modalities of cooperation with FRONTEX.				
b. Carriers' responsibility	1. Adopt and implement measures defining the liability of carriers, including financial penalties, to return third-countries nationals who do not meet the conditions of entry to Kosovo.		1. Adopt and implement measures defining the liability of carriers, to return third-countries nationals who do not meet the conditions of entry to Kosovo.	3	
c. Migration Management	<p>1. Adopt and implement legislation on legal migration in accordance with the EU acquis;</p> <p>2. Adopt and implement legislation on irregular migration in accordance with the relevant EU acquis;</p> <p>3. Implement a migration strategy and action plan; revise these documents, if necessary, to ensure effective action; and set clear indicators to measure performance in this field;</p> <p>4. Develop a migration database and provide access thereto to all authorities involved in migration management, in accordance with domestic data protection requirements;</p> <p>5. Establish and apply a mechanism for monitoring migration flows; define a regularly updated migration profile for Kosovo, with data on legal and irregular migration; and establish a public authority responsible for the collection and analysis of data on migration stocks and flows;</p> <p>6. Define and apply a methodology for inland detections and improve the competent authorities' capacity to prevent, detect and investigate trafficking in human beings and the facilitation of irregular migration;</p> <p>7. Establish an appropriate procedure for the effective expulsion and removal from Kosovo of illegally residing third-country nationals;</p> <p>8. Conduct training programmes on anti-corruption and establish an ethical code for</p>		<p>1. Review the National Strategy on Migration;</p> <p>2. Increase awareness of the public opinion on prevention of illegal migration;</p> <p>3. Implement the visa policy of Republic of Kosovo for foreign citizens entering in Kosovo;</p> <p>4. Create an accurate database with the number of foreign citizens staying in Kosovo (data on migration dynamics), and share such data with EU Member States, European Commission and EULEX, as well as ensure access to such data for all authorities involved in migration management, in accordance with domestic data protection requirements;</p> <p>5. Create an appropriate procedure for an efficient deportation and expulsion of citizens from third countries that stay illegally in Kosovo.</p> <p>6. Explore avenues of cooperation with regional initiatives on migration, asylum and refugees.</p>	4	

	<p>officials involved in migration policy;</p> <p>9. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on legal and irregular migration flows and stocks;</p> <p>10. Explore avenues of cooperation with regional initiatives on migration, asylum and refugees.</p>				
d. Asylum	<p>1. Align with the EU acquis and implement legislation on asylum;</p> <p>2. Strengthen the capacity of the competent authorities to discharge their duties, particularly as concerns reception conditions and asylum procedures;</p> <p>3. Improve the existing material reception conditions, documentation and other public services available for asylum-seekers, including persons with special needs;</p> <p>4. Ensure the independence and enhance the capacity of the supervisory authority in charge of asylum;</p> <p>5. Conduct training programmes on anti-corruption and establish an ethical code for officials involved in asylum policy;</p> <p>6. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on asylum;</p> <p>7. Explore modalities of cooperation with EASO.</p>		<p>1. Ensure independence and sustainability in further establishment of institution capacities for the assessment of needs of potential beneficiaries of the voluntary return process and asylum seekers;</p> <p>2. Keep accurate data on the number of asylum seekers and their status, as well as report them efficiently to Member States, European Commission and EULEX authorities.</p>		4

BLOCK 3: Public Order and Security

	BENCHMARKS	General information explaining the level of accomplishment of the benchmarks	Challenges	GLPS Sub-block mark	GLPS Block mark
	<p>1. Adopt and implement legislation on the prevention, investigation, prosecution and adjudication of organised crime and corruption, including money-laundering, economic and financial crime, asset confiscation and recovery, as well as terrorist financing, in accordance with the EU acquis, ensuring that amendments to this legislation are reflected in the criminal code;</p> <p>2. Adopt and implement legislation on the prevention, investigation and prosecution of trafficking in human beings, including the</p>	<ul style="list-style-type: none"> - Approval of Anti-Corruption Strategy 2012-2016; - Law on Free Legal Assistance; - Criminal Code; - Law on Witness Protection ; -Law on Amending the Law Supplementing-on Financing of Political Parties; - Law on International Legal Cooperation in Criminal Matters; - Law on Preventing Conflict of Interest in Exercise of Public Functions; 	<p>1. Complete the legal framework in the field of confiscation of property earned through criminal offence, and prevent money laundry in compliance with EU requirements;</p> <p>2. Draft bylaws for the implementation of the “Law on Witness Protection”;</p> <p>3. Increase institutional capacities to ensure delegation of competences to fight financial crime from EULEX to local authorities;</p>	2.5	

<p>a. Preventing and combating organised crime, corruption and terrorism</p>	<p>sexual exploitation of children, in accordance with the EU acquis; ensure proactive investigations and prosecutions of trafficking in human beings, including dissuasive sentences for individuals found guilty of this serious crime; enhance the effectiveness of victim identification;</p> <p>3. Adopt and implement legislation on the prevention, investigation and prosecution of trafficking in drugs and precursors, in line with the EU acquis; ensure proactive investigations and prosecutions of this serious crime;</p> <p>4. Implement strategies and action plans in the fight against organised crime, corruption, trafficking in human beings, trafficking in drugs and precursors, counter-terrorism, crime prevention and trafficking in weapons; revise these documents, if necessary, to ensure effective action; and set clear indicators to measure performance in these fields;</p> <p>5. Conduct proactive investigations of inexplicable wealth; establish a sound anti-money laundering system; and develop and implement a solid system of asset confiscation and management;</p> <p>6. Strengthen the capacity of the police and the unit responsible for financial intelligence to conduct in an effective and impartial manner complex investigations of organised crime and corruption, including money-laundering and economic and financial crime; laundering;</p> <p>7. Strengthen the capacity of the police to detect and investigate, prosecutors to prosecute and judges to adjudicate, in an impartial and effective manner, complex cases of organised crime, corruption, economic and financial crime and terrorism; establish a track record of investigations and final court rulings in cases concerning organised crime and corruption, including drug trafficking, trafficking in human beings and money laundering;</p> <p>8. Improve coordination, cooperation and the exchange of information and criminal</p>	<ul style="list-style-type: none"> - Law on Liability of Legal Persons for Criminal Offences; - Law on Protection of Informants; Law on Public Procurement; - Law on Preventing and Combating Cyber Crime (Cyber-crime); - The reform of the judiciary (the courts, prosecutors, the Judicial Council and Prosecutorial Council); - Law on Prevention of Money Laundering and Financing of Terrorism; - Law on Managing Sequestered or Confiscated Assets; - Law on Anti-Corruption Agency; - Law on Declaration, Origin and Control of Assets; - Adoption of the Strategy and Action Plan for Combating Trafficking in Human Beings 2011-2014; -National Strategy against Organized Crime and Action Plan 2012-2017; -National Anti-Drug Strategy and Action Plan 2012-2017; -National Anti-Terrorism Strategy and Action Plan 2012-2017. 	<p>4. Increase the efficiency of relevant institutions and make proactive investigations on inexplicable wealth, as well as make the Agency on Confiscated and Sequestered Property Management functional;</p> <p>5. Increase the capacities of judges, prosecutors, and Kosovo Police to conduct investigations, prosecute and adjudicate, in an impartial and effective manner, complex cases of organised crime, corruption, economic and financial crime and terrorism.</p> <p>6. Create and/or upgrade the database on investigation, prosecution, and court decrees with regards to cases of organized crime and corruption, including drug trafficking, human beings trafficking and money laundry;</p> <p>7. Improve collaboration, coordination and information exchange between the police, prosecution services and courts;</p> <p>8. Establish a functional system on witness protection;</p> <p>9. Ensure constantly efficient implementation of court decrees;</p> <p>10. Increase the efficiency of institutions on prevention the corruption, detecting and preventing conflicts of interest of public officials, verification of their property, and the transparency of political party financing;</p> <p>11. Implement the following strategies and their respective action plans: a) National Strategy against Organized Crime 2012-2017 (of 19 Sep. 2012), b) National Anti-Drug Strategy 2012-2017 (of 19 Sep. 2012), c) National Anti-Terrorism Strategy 2012-2017 (of 19 Sep. 2012);</p> <p>12. Prepare and share reports and detailed statistics on investigation, prosecution and judgment of cases of organized crime and corruption, and inform competent authorities of</p>		<h1>3</h1>
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	<p>intelligence between law enforcement and judicial authorities, notably the police and the prosecutorial service, to improve Kosovo's track record in investigating and prosecuting cases of organised crime and corruption, economic and financial crime and terrorism;</p> <p>9. Implement the existing legislation on witness protection and strengthen the capacity of the police to establish and operate a witness protection programme;</p> <p>10. Establish a reliable criminal records database, including on the basis of mutual legal assistance in criminal matters;</p> <p>11. Ensure the effective and efficient enforcement of court decisions;</p> <p>12. Establish effective mechanisms for the prevention of corruption and for the identification and follow-up of corruption risks, including risk assessments in vulnerable sectors; ensure the transparency, integrity and accountability of public administration and elected officials, the detection and removal of conflicts of interests, the verification of public officials' wealth and the transparency of political party financing;</p> <p>13. Enhance the effectiveness of the anti-corruption agency;</p> <p>14. Conduct training programmes on anti-corruption and organised crime and establish an ethical code for public officials involved in investigating, prosecuting and adjudicating cases of organised crime and corruption;</p> <p>15. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on the investigation, prosecution and adjudication of cases of organised crime, corruption and terrorism.</p>		<p>Member States, European Commission and EULEX.</p>		
<p>b. Law enforcement co-operation</p>	<p>1. Implement the existing agreements on law enforcement cooperation and, where appropriate, conclude new agreements;</p> <p>2. Where appropriate, deploy law enforcement liaison officers to Member States and third countries;</p> <p>3. Enhance the prevention, detection and investigation of serious cross border crime, notably trafficking in human beings, facilitated irregular migration, trafficking in drugs and precursors, trafficking in weapons and crimes</p>		<p>1. Increase border police investigation capacities on the identification of cross border crime;</p> <p>2. Collaborate with EULEX in order to ensure strategic data on prevention of serious crimes;</p> <p>3. Increase and ensure collaboration with EU Member States in the field of joint operations and inform them on a regular bases, in particular by finding the proper institutional</p>	<p>3.5</p>	

	<p>committed by mobile itinerant criminal gangs, by exchanging with the competent law enforcement authorities of Member States and third countries, in line with domestic data protection requirements and through the appropriate channel, the necessary strategic and operational information and criminal intelligence;</p> <p>4. Establish an arrangement with EULEX for the secure, reliable and efficient exchange of strategic and operational information and criminal intelligence necessary for the prevention, detection and investigation of serious crime; implement the existing arrangement with EULEX on the exchange of customs and tax data;</p> <p>5. Ensure that law enforcement information exchange, conducted through the appropriate channels, functions in relation to all Member States;</p> <p>6. Enhance operational cooperation with the law enforcement authorities of Member States and third countries, notably by conducting joint investigations and operations;</p> <p>7. Improve the intelligence-led investigative capacity of law enforcement authorities to investigate serious cross-border crime;</p> <p>8. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on law enforcement information exchange, joint investigations and joint operations;</p> <p>9. Explore modalities of cooperation with EUROPOL;</p> <p>10. Explore avenues of cooperation with EMCDDA;</p> <p>11. Explore avenues of cooperation with regional initiatives on law enforcement cooperation.</p>		<p>communication channels with EUROPOL or EMCDDA;</p> <p>4. Increase cooperation with regional initiatives on law enforcement cooperation.</p>		
<p>c. Judicial co-operation in criminal matters</p>	<p>1. Implement the existing legislation on international legal cooperation in criminal matters;</p> <p>2. Implement the existing agreements on judicial co-operation in criminal matters and, where appropriate, conclude new agreements;</p> <p>3. Adopt and implement measures aiming to</p>		<p>1. Ensure implementation of the current legislation for international juridical collaboration on criminal matters;</p> <p>2. Increase local institution capacities for international juridical collaboration on civil and criminal matters;</p>	<p>3</p>	

	<p>improve the effectiveness, efficiency and impartiality of judicial co-operation in criminal matters with Member States and third countries;</p> <p>4. Implement the technical arrangement with EULEX on mutual legal assistance;</p> <p>5. Ensure that judicial cooperation in criminal matters, conducted through the appropriate channels, functions in relation to all Member States;</p> <p>6. Compile and share in a timely manner with the competent authorities of Member States, the European Commission and EULEX detailed statistics on cases of judicial cooperation in criminal matters;</p> <p>7. Explore modalities of cooperation with EUROJUST.</p>		<p>3. Examine and propose collaboration methods with EUROJUST;</p> <p>4. Keep accurate records on the number of judicial collaborations and share such information with relevant authorities of Member States, European Commission and EULEX.</p>		
d. Data protection	<p>1. Align with the EU acquis and implement legislation on the protection of personal data;</p> <p>2. Ensure the independence and strengthen the capacity of the data protection authority;</p> <p>3. Conduct training programmes on anti-corruption and establish an ethical code for officials of the data protection authority.</p>		<p>1. Complete and implement the legal framework in this field;</p> <p>2. Ensure independence of relevant institutions on data protection.</p>	3	

BLOCK 4: Fundamental Rights related to the Freedom of Movement

	BENCHMARKS	General information explaining the level of accomplishment of the benchmarks	Challenges	GLPS Sub-block mark	GLPS Block mark
a. Freedom of movement	<p>1. Ensure that the freedom of movement of Kosovo citizens is not subject to unjustified restrictions, including measures of a discriminatory nature, based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, belonging to a minority, property, birth, disability, age or sexual orientation.</p>	<p>-The legal framework for human rights and the protection of communities has been advanced, by passing laws such as: (Law on the Historic Centre of Prizren, Law on “Hocen e Madhe”, Law on Missing Persons)</p> <p>- Finalisation of the matrix to implement the recommendations of the European Commission on the issue related to Roma, Ashkali and Egyptian Communities;</p>	<p>1. Ensure free movement of all citizens within the territory, in particular in north Kosovo.</p>	3	3.8
b. Conditions and procedures for issuing identity documents	<p>1. Ensure that all Kosovo citizens, including women, children, people with disabilities, persons belonging to minorities and other vulnerable individuals, have full and effective access to personal travel and identity documents, including civil registration;</p> <p>2. Ensure full and effective access to personal</p>	<p>- A working group is established to reform language commission;</p> <p>- Reports have been drafted for implementation of the Strategy and Action Plan for Human Rights and for the implementation of the National</p>	<p>1. Supply with identification documents Roma, Ashkali and Egyptian communities and approve facilitating measures to achieve such aim;</p>	4.5	

	travel and identity documents for internally displaced persons, refugees and returnees.	Action Plan for Roma, Ashkali and Egyptians in 2011.		
c. Human rights and respect for and protection of minorities	1. Ensure that all domestic provisions on human rights and the protection of minorities are fully respected;		1. Review and complete the Strategy and Action Plan on human rights; 2. Complete the legal framework on human rights and the protection of minorities. 3. Ensure effective integration of persons from Roma, Ashkali, Bosniak and Egyptian communities.	4
	2. Adopt and implement legislation that provides effective protection against discrimination;			
	3. Ensure that the relevant legislation defining the conditions and circumstances of acquiring Kosovo citizenship is adequately implemented;			
	4. Ensure that ethnically-motivated incidents carried out in the area of free movement, including those targeting persons belonging to minorities, are fully investigated;			
	5. Adopt and implement measures that enhance the effective integration of persons belonging to the Kosovo Serb, Roma, Ashkali, Egyptian, Bosniak, Turkish and Gorani minorities.			

POLICY NOTES

Policy Notes provide short, concise, timely, informative, and policy oriented analysis on specific issues. Policy Notes are short papers which outline the rationale for choosing a particular policy alternative of action in a current policy/issue debate. They are commonly published in response to a specific event and advocate for the professional stand of the Group for Legal and Political Studies. Indeed, the Policy Note is an action and advocacy-oriented document, which provides arguments for the adoption/amendment of a particular policy choice. Policy Notes aim to influence the target audience on the significance/implications/solutions of the current problem, and therefore brings recommendations to policy-makers, civil society and media, and the general public.