

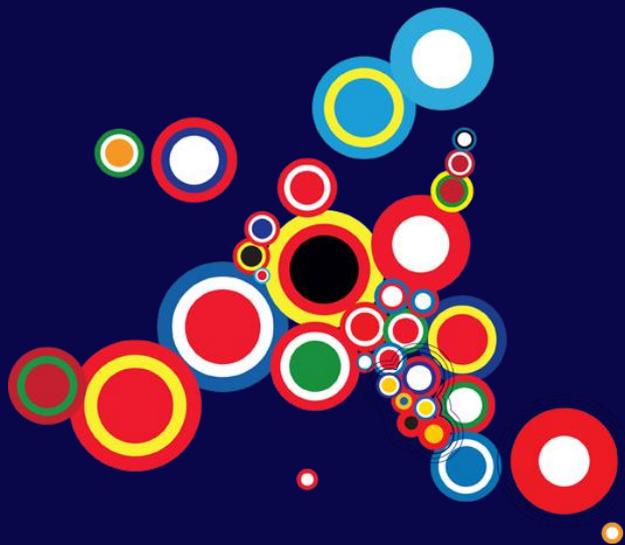


# INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

## MULTI-COUNTRY

Regional support to  
protection-sensitive  
migration management in  
the Western Balkans and  
Turkey

Phase II



### **Action summary**

The action further develops and operationalises a protection sensitive migration management system in the IPA II beneficiaries. The action seeks to ensure a comprehensive and holistic regional approach to migration management in the Western Balkans and Turkey, based on a human rights perspective.

Complementing IPA assistance at the bilateral level, the action constitutes phase 2 of a similar regional IPA action implemented since 2016. It focuses on pre-screening, registration, and identification of people, improving the information exchange mechanisms, setting up structures to facilitate voluntary and non-voluntary return solutions and improving the national referral systems. Additionally, it seeks to build local communities' resilience and promote social inclusion.

<b>Action Identification</b>			
<b>Action Programme Title</b>	IPA II Multi-country action programme 2017		
<b>Action Title</b>	Regional support to protection-sensitive migration management systems in the Western Balkans and Turkey - PHASE II		
<b>Action ID</b>	IPA 2017/IPA 2017/039-402.07/MC/migration		
<b>Sector Information</b>			
<b>IPA II Sector</b>	9. Regional and territorial cooperation		
<b>DAC Sector</b>	15160 - Human rights		
<b>Budget</b>			
<b>Total cost</b>	EUR 5 177 000		
<b>EU contribution</b>	EUR 5 000 000		
<b>Budget line(s)</b>	22.020401 – Multi-country programmes, regional integration and territorial cooperation		
<b>Management and Implementation</b>			
<b>Management mode</b>	Direct management		
<i>Direct management:</i> <b>European Commission</b>	DG NEAR – Unit D.5 Western Balkans Regional Cooperation and Programmes		
<b>Implementation responsibilities</b>	DG NEAR – Unit D.5 Western Balkans Regional Cooperation and Programmes		
<b>Location</b>			
<b>Zone benefiting from the action</b>	Western Balkans (Albania, Bosnia Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo*, Montenegro, Serbia) and Turkey.		
<b>Specific implementation area(s)</b>	N/A		
<b>Timeline</b>			
<b>Final date for contracting including the conclusion of delegation agreements</b>	31 December 2018		
<b>Final date for operational implementation</b>	31 December 2021		
<b>Policy objectives / Markers (DAC form)</b>			
<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	x
Aid to environment	x	<input type="checkbox"/>	<input type="checkbox"/>

\* 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

Gender equality (including Women In Development)	<input type="checkbox"/>	<b>x</b>	<input type="checkbox"/>
Trade Development	x	<input type="checkbox"/>	<input type="checkbox"/>
Reproductive, Maternal, New born and child health	x	<input type="checkbox"/>	<input type="checkbox"/>
<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
Biological diversity	x	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	x	<input type="checkbox"/>	<input type="checkbox"/>
Climate change mitigation	x	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	x	<input type="checkbox"/>	<input type="checkbox"/>

## 1. RATIONALE

### PROBLEM AND STAKEHOLDER ANALYSIS

Over 2015 and 2016 the IPA II beneficiaries experienced a significant migration flow through the Western Balkan Route. Today, this flow has considerably decreased. However, whilst less people are transiting, many issues remain to be addressed.

The IPA II beneficiaries operate in a context of important lack of capacities in migration management. Overstretched systems, limited domestic resources, and low absorption capacity, make it difficult for the partners to manage the migration flows in compliance with international standards and protection of basic human rights.

The EU provided very important levels of financial assistance to the Western Balkans in the past two years, both in terms of equipment and capacity building, under bilateral and regional interventions. The IPA allocations amount to EUR 87 300 000, and DG ECHO allocated EUR 20 200 000 for the implementation of humanitarian activities alongside the IPA programme.

Despite the extensive assistance provided, the IPA II beneficiaries continue to face challenges in managing their migration flows in accordance with EU and international standards. Adequate management of migration requires strong regional cooperation on a number of issues, and although each IPA II beneficiary plays a different role on the migration route, they have similar capacity needs.

This intervention in the enlargement perspective supports the beneficiaries, regardless of where they stand in the accession process, to harmonise their central frameworks with the EU *acquis* under chapters 23 Judiciary and fundamental rights<sup>1</sup> and 24 Justice, freedom and security<sup>2</sup>. The principles that the EU is committed to respect in its migration planning and operations are the 1951 Refugee Convention and its 1967 Protocol, in particular its three core principles on the right to asylum, the right to *non-refoulement*, and no sanction for illegal entry.

At the core of a sound migration management system lays legal recognition of different categories of migrants and sound procedures for defining their administrative status. Only on this basis can adequate down-stream actions be taken. This is particularly important for IPA II beneficiaries who are characterised

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<sup>1</sup> EU policies in the area of judiciary and fundamental rights aim to maintain and further develop the Union as an area of freedom, security and justice. The establishment of an independent and efficient judiciary is of paramount importance. Impartiality, integrity and a high standard of adjudication by the courts are essential for safeguarding the rule of law. This requires a firm commitment to eliminating external influences over the judiciary and to devoting adequate financial resources and training. Legal guarantees for fair trial procedures must be in place. Equally, Member States must fight corruption effectively, as it represents a threat to the stability of democratic institutions and the rule of law. A solid legal framework and reliable institutions are required to underpin a coherent policy of prevention and deterrence of corruption. Member States must ensure respect for fundamental rights and EU citizens' rights, as guaranteed by the *acquis* and by the Fundamental Rights Charter.

<sup>2</sup> EU policies aim to maintain and further develop the Union as an area of freedom, security and justice. On issues such as border control, visas, external migration, asylum, police cooperation, the fight against organised crime and against terrorism, cooperation in the field of drugs, customs cooperation and judicial cooperation in criminal and civil matters, Member States need to be properly equipped to adequately implement the growing framework of common rules. Above all, this requires a strong and well-integrated administrative capacity within the law enforcement agencies and other relevant bodies, which must attain the necessary standards. A professional, reliable and efficient police organisation is of paramount importance. The most detailed part of the EU's policies on justice, freedom and security is the Schengen *acquis*, which entails the lifting of internal border controls in the EU. However, for the new Member States substantial parts of the Schengen *acquis* are implemented following a separate Council Decision to be taken after accession.

by high levels of poverty and socio-economic weaknesses. In such a context, a migration management system which does not legally recognise the different categories of migrants risks creating multiple problems: health insecurity, downward pressure on labour standards and poverty linked to this, possible capture by criminal networks, and overall increased social tensions in the region.

Thus the dimension of legal recognition needs to be at the heart of any action to enhance migration management. It is therefore important to further consolidate procedures for dealing with migrants at first and second contact, and building capacity for identification and assessment methodologies to identify vulnerable people or smugglers.

There are continued needs in the area of screening, profiling, registration and referral systems, in particular for investigation of cross border crimes such as people' smuggling. Translation capacities at the border are still limited and hamper the operation of first contact, undermining the application of international standards and increasing the risk for violation of human rights. The ratio of formally registered arrivals vs. request of asylum is 1.1 million to 1.7 million (Overseas Development Institute-ODI, 2016) shows that the European Union needs to broaden the support on registration, identification, data collection, age and nationality assessment, and information sharing and analysis.

Furthermore, IPA II authorities have low capacity and experience in performing Assisted Voluntary Returns (AVRs). According to the International Organisation for Migration (IOM), the number of AVRs carried out in the region is only 105 so far, and all performed by IOM. The ongoing IPA regional migration programme supports the building of capacity in the area of AVRs in the central authorities that will have performed AVR independently from IOM. Central institutions need to learn how to perform such operations on their own, in order to be able to offer the international legal standard of protection to forcibly displaced people. Scale up the AVRs support and implement the whole AVRs package, comprehensive of the reintegration assistance is vital.

Moreover, local communities are increasingly challenged by the migration flow to and through the region, in particular in Serbia and the former Yugoslav Republic of Macedonia, and there is a need to explore how to build their resilience, while also balancing with the long-term pre-accession support provided to the Western Balkans. Similarly, there is a need to consider what can be done to safeguard the human and labour market capacities of those people who may not initially have intended to stay in the region, but nevertheless find themselves in extended transit, be it through temporary schooling or labour market measures. Since the targeted region is itself an origin, transit and destination of forcibly displaced persons, this action would seek to challenge the stereotypes of migration and fuel its potential by aligning local communities and migrants empowerment with the economic development activities already ongoing and planned in the relevant IPA II beneficiary, including support to labour mobility and international labour agreements.

## Glossary

**MIGRANT** - a person who is outside the territory of the State of which they are nationals or citizens and who has resided in a foreign country for more than one year **irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate** (this includes everybody basically)

**IRREGULAR MIGRANT** - a person who, owing to irregular entry, breach of a condition of entry or the expiry of their legal basis for entering and residing, **lacks legal status in a transit or host country**

**FORCED MIGRANT** - A person subject to a migratory movement in which an **element of coercion** exists, **including threats to life and livelihood**, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine or development projects).

**ASYLUM SEEKER** - a person who **seeks safety** from persecution or serious harm in a country other than their own **and awaits a decision** on the application for refugee status under relevant international and national instruments.

**REFUGEE** - a person who, owing to a **well-founded fear of persecution** for reasons of race, religion, nationality, political opinion or membership of a particular social group, **is outside the country of nationality** and is unable or, owing to such fear, **is unwilling to avail themselves of the protection of that country**.

**INTERNALLY DISPLACED PERSON** - A person who has been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and **who have not crossed an internationally recognised State border**.

In summary, central authorities of IPA II beneficiaries need further support to:

- 1) Deal with migrants/asylum seekers needs and provide migration management services, in compliance with international standards. In particular, asylum systems need to be developed and operationalised to match international standards:
  - a. overcoming difficulties to establish the identity and country of origin of irregular migrants;
  - b. helping to classify the nature of migrants taking into account possible vulnerabilities; ensuring translation services into travelers' languages;
  - c. effective mechanism to offer voluntary return of irregular migrants;
  - d. effective data collection, management and assessment, including data differentiation per age, gender, social and education level;
- 2) Build capacity for local and central authorities entering into first and second contact with migrants to enable them to deal adequately with the most vulnerable, regardless of their legal status in the country. Determining vulnerability of individuals allows applying the correct legal status for each category of people transiting or stranded in the targeted region. Offering clear identification and mechanisms of recognition of vulnerability and data exchange helps to create legal pathways through which migrants can make decisions and act in a transparent way. At the same time, it allows authorities to regulate and monitor refugees' flows in collaboration with neighbours and EU member states. Identification of vulnerable people also ensures that those people can fully access their rights, thereby increasing the level of international protection applied in the IPA II beneficiaries;
- 3) Provide for a minimum level of cohesion and social inclusion measures in order to help people stranded to maintain a minimum of capacities, to enable them, later on, to re-enter labour markets, whether at their country of origin or their target country.

## **OUTLINE OF IPA II ASSISTANCE**

This action builds on the ongoing regional programme on protection sensitive migration management in the Western Balkans and Turkey. It seeks to consolidate its achievements, increase its outreach, and go further in some areas. It offers a comprehensive and holistic regional approach to mixed migration management complementing efforts by providing a mix of support in the key areas identified above. With the successful implementation of the activities, IPA II beneficiaries will be in the position to advance towards closing existing gaps in their migration management systems and operations, and build more resilience at community level.

The **overall objective** is to develop and operationalise a comprehensive migration management system in the IPA II beneficiaries focused on protection, resilience and human rights promotion.

The **specific objective** is to further build institutional capacities and operations of the relevant institutions coming in first and second points of contact with migrants and persons in need of international protection that is in full respect of fundamental rights and international standards. The programme aims also at local communities' resilience and promote social inclusion of migrants, asylum seekers, and people in need of international protection.

### **Result 1: Identification, registration and referral of mixed migration flows at first and second points of contact and within the territory as well as pre-screening, screening on nationalities improved.**

Improving the identification process will enhance the quality of the migration management, incorporating a protection-sensitive approach and increasing the possibilities of adequate referral. This component strengthens the identification techniques at the first and second point of contact between migrants and host authorities, at the borders or within the territories. Identification is linked to the relevant central referral systems taking into account the classification of the migrant as an irregular migrant, asylum seekers, people with international protection needs, or person with other protection needs (such as unaccompanied minor, potential victim of trafficking in human beings or other). This result is the follow up R1 last IPA project phase 1.

### **Result 2: Improved the IPA II beneficiaries Asylum procedures that take vulnerabilities into consideration and are line with EU standards in all Western Balkans.**

This result further harmonises the Western Balkans to the European Common Asylum Systems (ECAS) and develops roadmaps in Albania, Bosnia Herzegovina, Kosovo, and Montenegro.

### **Result 3: Information exchange mechanisms on non-personal information and data set up, and data gathering, analysis, coordination and transparency with regards to migration and asylum enhanced, incorporating coherent and consistent data on labour migration to, from, and within the region, in line with the relevant EU standards.**

Capacity will be expanded to share analytical information and data within the region as well as to engage on information gathering, for example on countries of origin. Inter-regional and intra-regional lines of information exchange and closer links with EU agencies will be streamlined.

### **Result 4: Return mechanisms (Voluntary and non-voluntary) as well as operational cooperation established at regional level, and along with the selected countries of origin (concerning voluntary return this result does not include Turkey since it is dealt through separate IPA envelope at IPA II Beneficiary level).**

Support will be provided to establish mechanisms for voluntary and non-voluntary return. The Migration, Asylum, Refugees Regional Initiative (MARRI) center role should have been increased as outcome from phase I.

**Result 5: More resilient local communities created and improved social cohesion between dwellers and asylum seekers, refugees, migrants, people in need of international protection and persons with other protection needs (such as unaccompanied minor, potential victim of trafficking in human beings or other)**

The action foresees support for addressing a situation in which migrants who may not intend to stay in the Western Balkans in the longer term can no longer be described as being in transit. The current support to migrants and refugees is focused on short-term stays, but is not adapted to dealing with migrants who do not wish to apply for asylum but have no immediate alternative solutions or livelihoods available. Issues to be considered include legal status during their stay as well as modes of assistance and access to certain services, such as education for children. Local communities hosting migrants will be supported through assistance to create and strengthen community networks, in order to support solidarity, resilience, collaboration and communication with central authorities. Two studies will be conducted under this result, to better inform policies on social innovation for refugees in the targeted area: a) one to determine current gaps and best practices at the regional level, including on labour opportunities and labour matching schemes; b) one on decision making processes at micro-level to understand better how people take decisions. This component will also develop some pilot activities at local level.

**RELEVANCE WITH THE IPA II MULTI-COUNTRY STRATEGY PAPER AND OTHER KEY REFERENCES**

Cooperation on migration is an important component of the IPA II Multi-country Indicative Strategy Paper 2014-2020<sup>3</sup> (hereafter referred to as Strategy Paper). The Strategy Paper takes into account the Global Approach to Migration and Mobility and the European Agenda on Migration. IPA II supports the development of functioning asylum systems and the improvement of integrated border management, as well as establishing a framework for legal migration and development and free movement of persons.

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

The European Commission has been mainly supporting the establishment and strengthening of migration managements systems and asylum systems through specific IPA allocations for each beneficiary, except for the regional action to support protection sensitive migration management which is the only regional intervention undertaken so far by DG NEAR. That programme, which is implemented by the European Border and Coast Guard Agency (commonly referred to as Frontex), the European Asylum Support Office (EASO), IOM and the Office of the United Nations High Commissioner for Refugees (UNHCR), adopted in 2015 and the implementation started in January 2016 and has only just completed its first year of implementation. The current action is considered as a second phase of that programme.

During the period 2007-2013, the EU allocated about EUR 203 000 000 to build effective border management systems and EUR 102 000 000 to support migration and asylum systems. For the latter, successful programmes have been carried out providing various types of support including building of reception facilities, aligning the beneficiaries' legislation with EU and international standards, etc. Given the cross-border nature of migration flows, the regional support complements the specific programmes for each Beneficiary in important ways.

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<sup>3</sup> C(2014) 4293, 30.06.2014.

The migration regional programme started in 2016 experienced considerable delays, resulting in particular from lengthy recruitment procedures within the EU agencies involved in the programme. Other concerns have related to the difficulties in ensuring broad participation from the beneficiaries in the various trainings made available by the programme. For the second phase it will be necessary to find ways of dealing with these challenges to speedy and effective implementation. A Results Oriented Monitoring (ROM) mission will be carried out for the programme Phase I in the coming months and recommendations will also be taken into account to fine-tune the project activities of phase II.

The need of a prompt response to the crisis resulted in a weak coordination of IPA assistance. Today the situation seems to be improved and the regional programme can in itself be an instrument to bring coordination and coherence to the EU interventions in the region.

## 2. INTERVENTION LOGIC

### LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	
<p>To develop and operationalize a comprehensive migration management system in the IPA II beneficiaries focused on protection, resilience and human rights promotion</p>	<p>Number of irregular migrants prescreened, identified, registered, and referred to central systems</p> <p>Behavioural and organisational changes within the institutions involved in operations and the availability of procedures in place for a comprehensive, protection-sensitive migration management approach</p>	<p>Frontex' Western Balkans Annual Risk Analysis</p> <p>EU Progress Reports</p> <p>Monitoring by the project partners of phase I</p> <p>ROM visit to the phase I programme</p> <p>Internal monitoring/ Mid-term evaluation</p> <p>DG NEAR phase I baseline data programme indicators</p>	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Building on Phase I, the action aims at to further build institutional capacities and operations of the relevant institutions coming in first and second points of contact with migrants and persons in need of international protection that is in full respect of fundamental rights and international standards. The programme aims also at local communities' resilience and promote social inclusion of migrants, asylum seekers, and people in need of international protection.</p>	<p>Standardised and functional techniques on identification of migrants in place in each beneficiary.</p> <p>Asylum procedures in place are in line with EU standards and operational</p> <p>Mechanisms for inter-regional non- personal information exchange developed and operational in each beneficiary</p> <p>Regional voluntary and non-voluntary return mechanisms established and operational in each beneficiary</p> <p>Number of positive interactions between city/village dwellers and migrants.</p>	<p>Frontex' Western Balkans Annual Risk Analysis</p> <p>Frontex Risk Analysis Network quarterly reports 2017 and 2018</p> <p>EU Progress Reports</p> <p>Annual reports submitted to Contracting Authority.</p> <p>External assessment report on overall progress made</p> <p>UNHCR report on asylum procedure in the Western Balkans and Turkey</p>	<p>Increased commitment by IPA II beneficiaries towards developing a functional and protection sensitive migration management system at regional level</p> <p>Key partner institutions/beneficiaries allocate qualified human resources of the required profile to all project activities and take ownership of all capacity building activities</p>
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS	SOURCES OF VERIFICATION	ASSUMPTIONS

<p><b>Result 1:</b></p> <p>Identification, registration and referral of mixed migration flows at first and second points of contact and within the territory as well as pre-screening, screening on nationalities improved.</p>	<p><b>Result 1:</b></p> <p>1.1 Number of people identified, registered and referred</p> <p>1.2 Number of pools of translators deployed in the key spots from Farsi, Arabic and Pashtu ensuring appropriate gender balance</p> <p>1.3 Number of migrants/refugees/asylum seekers referred by first and second contact authorities vs. cases of follow up in the central referral systems</p>	<p><b>Result 1:</b></p> <p>Gap-analysis.</p> <p>Reports by central authorities.</p> <p>Interview response sheets.</p> <p>Report from on-the-spot monitoring.</p> <p>Frontex Western Balkans Annual Risk Analysis</p>	<p><b>Result 1:</b></p> <p>Interest in regional cooperation by IPA II Beneficiaries.</p> <p>Increased commitment by IPA II beneficiaries.</p> <p>Achievements of results under IPA project phase 1</p> <p>Interest of beneficiaries to use and share information regionally and with member states</p>
<p><b>Result 2:</b></p> <p>Improved the IPA II beneficiaries Asylum procedures that take vulnerabilities into consideration and are in line with EU standards in all Western Balkans</p>	<p><b>Result 2</b></p> <p>2.1 Number of asylum requests processed</p> <p>2.2 Asylum procedures in place are in line with EU standards and are implemented operationally</p> <p>2.3 Number of relevant IPA II beneficiaries in which roadmaps have been endorsed by authorities in the Beneficiaries</p> <p>2.4 Number of regional harmonisation related activities</p>	<p><b>Result 2</b></p> <p>EASO gap assessments Beneficiaries' reports</p> <p>Roadmaps endorsed by central authorities</p> <p>UNHCR report on asylum procedure in the Western Balkans and Turkey</p> <p>EU Progress reports (on Chapters 23 &amp; 24)</p>	<p><b>Result 2</b></p> <p>Collaboration by final beneficiaries and IPA beneficiaries</p> <p>Increased ownership and commitment by beneficiaries.</p> <p>Political willingness to harmonise regionally their asylum system</p>
<p><b>Result 3:</b></p> <p>Information exchange mechanisms on non-personal information and data set up, and data gathering, analysis, coordination and transparency with regards to migration and asylum enhanced, incorporating coherent and consistent data on labour migration to, from, and within the region, in line with the relevant EU standards.</p>	<p><b>Result 3:</b></p> <p>2.1 Number of exchanges of operational data and aggregate data within the region and with EU member states</p> <p>2.2 Number of officials trained on data collection and data protection</p> <p>2.3 Use by the officials of a comprehensive</p>	<p><b>Result 3:</b></p> <p>Reports from migration and border agencies of Western Balkans and Turkey, Europol, Frontex, EASO and other relevant EU agencies.</p>	<p><b>Result 3:</b></p> <p>Interest of beneficiaries to use and share information regionally and with member states</p> <p>Increased ownership and commitment by beneficiaries.</p>

	mechanisms to analyse data		
<p><b>Result 4:</b></p> <p>Return mechanisms (<b>Voluntary and non-voluntary</b>) as well as operational cooperation established at regional level, and along with the selected countries of origin (concerning voluntary return this result does not include Turkey since it is dealt through separate national IPA envelope).</p>	<p><b>Result 4:</b></p> <p>4.1 Legal framework (laws and by-laws) for managing <b>non-voluntary return</b> operations in place and harmonised to the international standards in each relevant IPA II beneficiary.</p> <p>4.2 Legal framework (laws and by-laws) for managing <b>assisted voluntary return</b> operations in place and harmonised to the international standards in the relevant IPA II beneficiaries</p>	<p><b>Result 4:</b></p> <p>Standard Operating Procedures for voluntary and non-voluntary return at the regional level</p> <p>Reports from IOM and UNHCR</p>	<p><b>Result 4:</b></p> <p>Increased ownership and commitment by beneficiaries to adopt international standardised procedures to operate voluntary and non-voluntary return</p>
<p><b>Result 5:</b></p> <p>More resilient local communities created and improved social cohesion between dwellers and asylum seekers, refugees, migrants, people in need of international protection and persons with other protection needs (such as unaccompanied minor, potential victim of trafficking in human beings or other)</p>	<p><b>Result 5</b></p> <p>5.1 Number of socio-economic profiles created</p> <p>5.2 Number of social programmes initiated for employment and social cohesion targeting specifically foreigners (irregular migrant, asylum seeker, refugees or person with other protection needs among the ones stranded in the Western Balkans route)</p> <p>5.3 Number of employment and education opportunities created for foreigners</p>	<p><b>Result 5</b></p> <p>Reports from local governments, NGOs, and other partners and/or donors in service delivery</p> <p>IOM and UNHCR data monitoring migrants status and level of integration</p> <p>Programme implementation progress reports</p>	<p><b>Result 5</b></p> <p>Collaboration by final beneficiaries and IPA beneficiaries</p> <p>Parliament and Government worked to increase the legal framework up to international standards</p> <p>Good cooperation among donors and local communities to create opportunities for foreigners.</p>

## DESCRIPTION OF ACTIVITIES

**Activities to achieve Result 1: Identification, registration and referral of mixed migration flows at first and second points of contact and within the territory as well as pre-screening, screening on nationalities improved.**

### *WP 1 Technical*

1.1 Advice on institutional and legal improvement of existing referral mechanisms and development of new ones where needed.

1.2 Legal support to align current legal frameworks on asylum and protection of people with international standards.

1.3 Advice on development for a comprehensive policy on Labour migration (regarding all possible target groups like asylum seekers, refugees, migrant workers, victims of trafficking, foreign workers in diplomatic missions, or at households of high level executives, etc.) including internship and volunteering.

1.4 Support to relevant institutions to enhance the legal environment for labour migration by setting up a multi stakeholder dialogue to elaborate best operational solutions to implement provisions on single application procedure directive, including IT solutions and setting up a legally formalized coordination and reporting mechanism.

1.5 Legal support to align current legal frameworks in the second alignment phase on employment of foreigners to increase level of harmonization (Blue Card Directive, Seasonal Workers Directive, ICT directive, Single Application procedure); consider integrate the laws on foreigners and the law on employment of foreigners.

### *WP 2 Operations*

1.6 Develop Crisis Management Procedures and mechanisms to be activated in case of unexpected increases in migrants flows.

1.7 Development of tools (templates, questionnaires etc.) to improve pre-screening, identification methods, and referral mechanisms inclusive of identified smuggled migrants.

1.8 Development of tools (templates, questionnaires, etc.) to improve identification and registration methods, and referral mechanisms.

1.9 Further increasing the registration capacities of the relevant IPA II beneficiaries.

### *WP3 Training/workshop/conferences*

1.10 Trainings on screening of country of origin and age assessment.

1.11 Trainings on the identification of mixed migration flows.

1.12 Organisation of meetings among Western Balkans representatives as well as among Member states/Western Balkans representatives for coordination, practices exchanges and monitoring of migration management system with the aim to create a coherent regional dialogue.

**Activities to achieve Result 2: Improved the IPA II beneficiaries Asylum procedures that take vulnerabilities into consideration and are line with EU standards in all Western Balkans**

2.1 Gap assessment.

2.2 Establishment and implementation of roadmaps in the remaining four Western Balkans (Serbia and the former Yugoslav Republic of Macedonia roadmaps established under IPA project phase I).

2.3 Implementation would include expert missions, on the job training train the trainers and national trainings.

**Result 3: Information exchange mechanisms on non-personal information and data set up, and data gathering, analysis, coordination and transparency with regards to migration and asylum enhanced, incorporating coherent and consistent data on labour migration to, from, and within the region, in line with the relevant EU standards.**

#### *WP1 Legal Assistance*

3.1 Support to the implementation of operational framework agreements for regional data exchange in view of developing a regional migration profile and develop capacities to abide to the Regulation 862/2007<sup>4</sup>.

3.2 Legal and operational support to standardisation of terminology and data systematisation, in line with the Common European Asylum System (CEAS).

#### *WP2 Operations*

3.3 Advice and capacity building measures on institutional and structural improvements of exchanging information

3.4 Assistance to increase data exchange of information at regional level and with the EU member states.

3.5 Support to enhance the operability, prioritisation and organisation of referral systems.

3.6 Create a regional non personal data exchange system on asylum and smuggling and ensure its interoperability within the region and towards member states and country of origin.

#### *WP3 Training/Workshop/conferences*

3.7 Workshops/Coordination meetings.

3.8 Strengthen the capacities to assess age, country of origin and vulnerabilities.

3.9 Further support to border police, judicial police and prosecution services to increase their capacities and inter-institutional cooperation to tackle smuggling.

**Activities to achieve Result 4: Return mechanisms (Voluntary and non-voluntary) as well as operational cooperation established at regional level, and along with the selected countries of origin (concerning voluntary return this result does not include Turkey since it is dealt through separate national IPA envelope).**

#### *WP1 Legal assistance*

4.1 Refinement and application of methodology for collecting country of origin information.

4.2 Support to the development of mechanisms for collection, use and sharing of country of origin information.

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<sup>4</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007R0862&from=en>

4.3 Assessment of the existing national legislation, including non-voluntary return aiming at aligning it with EU standards.

*WP 2 AVR's operation*

4.4 Further the development and operationalization of national Standard Operating Procedures (SOPs)

4.5 Implementation of SOPs through setting up of relevant structures, creating synergies among all services involved, organizing capacity building activities.

4.6 Facilitate meetings with countries of origin seeking to reach agreements on identification and assisted voluntary return.

*WP3 Workshops/meetings/training*

4.7 Strengthening the cooperation among WB on AVR forced removal; organisation of training for civil servants of the directorate for administrative internal affairs.

4.8 Organisation of a regional conference on issues of readmission and return policies with EU member states and possibly selected country of origin. Focus on country of origins when return it is possible and safe, and organize regional meeting with them.

*WP4 Strengthening the role of the Migration, Asylum, Refugees Regional Initiative (MARRI) center in Skopje concerning the regional migration management system*

4.9 Technical support to establish legal and institutional frameworks to define the role of MARRI regarding migration management issues in the region

4.10 Technical support to operationalise MARRI role namely for regional training and good practices exchange, data collection and information sharing practices, and provision of translation services in the area of migration and asylum systems

**Activities to achieve Result 5: More resilient local communities created and improved social cohesion between dwellers and asylum seekers, refugees, migrants, people in need of international protection and persons with other protection needs (such as unaccompanied minor, potential victim of trafficking in human beings or other)**

*WP1 Legal assistance*

5.1 Support to define the legal status of new categories of foreigners staying in the relevant IPA beneficiary.

5.2 Develop different modes of assistance and access to services tailored on new legal categories of foreigners.

5.3 Legal support to establish accreditation systems to enable CSOs and state cooperatives to deliver social services.

*WP2 Maintaining and improving professional skills of refugees and stranded migrants*

5.4 Carry out socio-economic profiling of the refugees and stranded migrants with a focus on their past work experience, training and professional skills.

5.5 Organisation of pilot vocational and skills training, including language skills trainings.

5.6 Change the regulatory framework to allow also short term staying migrants access to these trainings.

5.7 To pilot employment or self-employment program targeting eligible categories of migrants to improve their livelihoods and avoid their involvement into criminal networks for lack of resources, jobs and opportunities.

#### *WP3 Research*

5.8 Publish an evidence-based study to (also GIS mapping desirable) to assess labour opportunities and labour matching schemes, within the region and with the EU member states.

5.9 publish a research on decision-making processes at micro-level to understand how migrants take decisions.

#### *WP4 Building local communities` resilience*

5.10 Assistance to hosting communities to create and strengthen community networks, challenging stereotypes towards migrants and acknowledging their potential in contributing to local communities development (peer to peer activities, good practices exchange with other EU members states, municipalities, central authorities dealing with the same issue).

5.11 Assistance to hosting communities to foster local partnerships and develop effective consultation processes to prevent micro-conflict and management solutions for local communities facing challenges related to mixed migration flows.

5.12 Grant scheme for municipalities to achieve sustainable solutions for stranded migrants, refugees, asylum seekers and people in need of international protection or with other protection needs.

Transversally contractors need to complement the whole activity package with the following:

a) Sustainability workshops organization to support the beneficiaries and target groups to improve their financial, institutional sustainability (for instance providing translators, Support institutions in prioritizing and tackle low absorption capacities; increase institutional capacities and working methods to improve collaboration and exchange of information with EU agencies (Europol and Frontex) on migration management issues and fight against smuggling) and ensuring the coordination with other capacity building projects existing in the region, also funded by non-EU donors, given the limited absorption capacities and human resources of the relevant IPA II beneficiaries).

b) Gender dimension has to be ensured for each activity organized under this programme

c) Vulnerability issues shall be considered in planning and implementation of activity plan

d) Links will be made with the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) building upon the cooperation established during phase 1, in which eu-LISA demonstrated interest in contributing to the further reinforcement of the programme's registration component.

#### **RISKS**

The risk of low level of cooperation by the institutions can be mitigated by placing the programme contextually in the accession context, the level of aid channelled in the relevant IPA II beneficiary, and through the participatory methodology to be applied in the majority of the activities, in order to increase accountability, participation and ownership of the institutions benefitting from this programme.

Fair involvement of civil society transversally to this action, might turn the media attention to this programme and be a positive catalyser in case of withdrawal of local authorities from this programme implementation.

### **CONDITIONS FOR IMPLEMENTATION**

A smooth implementation can be ensured through well-defined action plans, timely agreed with all the partners. Functional governance, both in the project teams and the central bodies coordinating the action, with clear and well-structured lines of communication, can assure a fair and broad involvement of all the actors, leading to an increased ownership of action, results and good quality of the programme outputs.

Great communication and clear messages have to be shared among partners and with stakeholders in order to address any issues under the common objective to develop protection sensitive measures within the management systems, in the Western Balkans.

Strong coordination has to be systematised from all the partners and the IPA II beneficiaries. For result 4, it is key to have an accreditation system in place to enable CSOs to deliver services under social programmes in the IPA II beneficiaries. Strong will to share information among the targeted IPA II beneficiaries is a *sine qua non* condition to fulfil the programme objectives.

## **3. IMPLEMENTATION ARRANGEMENTS**

### **ROLES AND RESPONSIBILITIES**

The action will be implemented through **two contracts**.

Frontex will through a direct award be in the lead for the implementation of the objectives relating to identification of migrants at first point of contact and within the relevant IPA II beneficiary, screening procedures for the identification of nationality, information exchange and to prepare the IPA II beneficiaries in the region for joint return operations. Frontex will offer its expertise by providing the methodology and materials for screening on nationality. Trainers already trained by Frontex in the EU Member States will be utilized to the extent possible. EASO, UNHCR and IOM will also be involved in the action, in particular by supporting the development of standardized profiling questionnaires for the interviews at the first point of contact and within the territory in order to ensure a protection-sensitive approach. The expertise of the EASO will be drawn on where possible.

The IOM will be awarded with the second grant to implement activities relating to the operational component of setting up effective information exchange mechanisms and setting up mechanisms for a regional voluntary return structure. Implementation will be operated from IOM's regional hub in Sarajevo coordinating the activities of the project officers in each IPA II beneficiary. The cohesion and social inclusion activities (result 4) will be managed by IOM since they are already working in the region on IDPs and refugees reintegration and the organisation has an ad hoc department dealing with programmes targeting local development and human rights. The IOM has a dedicated department Labour Human Mobility and Development (LHD) working already on similar actions. EASO, Frontex and IOM will also be involved in the action.

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

The action will be implemented under direct management following the conclusion of grant contracts: one contract with an indicative amount of EUR 3 400 000, awarded to Frontex in form of a direct award; and one contract with an indicative amount EUR 1 600 000 directly awarded to IOM. The direct awards are based on Article 190 (1)(f) of the Rules of Application on account of its technical competence and high

degree of specialisation on migration issues. While Frontex, as the EU border agency, has the combined good practice of the EU in dealing with border management and joint return operations, IOM, on the other hand, is the only organisation with an extensive expertise and experience in providing assistance on voluntary return programmes of migrants to governments and cohesion programmes for IDPs and refugees, and with a fair financial and management capacity to deal with this type of programme. Through its global network of country offices it allows to create comprehensive repatriation systems including reintegration in the countries of origin.

The direct grant to Frontex will be financed at 100%, while the direct grant to IOM will be co-financed by the IOM with minimum 10% of the total contract allocation. The contract with Frontex will be signed by the end of 2018; however the implementation is planned for when the activities of the current programme Phase I will be close to their end to ensure a smooth continuation and a good match of activities vs. needs. The contract with IOM is foreseen to be signed during 2017, to anticipate the starting of activities under social cohesion and community resilience component. The duration of both contracts is three years.

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

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

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

Additionally, monitoring of the quality of implementation will be ensured through a variety of means at different levels:

- Annual review of progress by the Steering Committee;
- Annual narrative and financial reporting on progress to the Contracting Authority and quarterly progress update. Contract execution will be monitored through regular reports (inception, quarterly updates, annual report, final report), with clearly identified milestones linked to each component of the Action. Regular meetings/teleconferences/video conferences between the task manager and the contractors will further ensure that results are achieved in due time;
- *Ad hoc* on-the-spot will ensure monitoring of the progress.
- A Result Oriented Assessment will be undertaken. It should also be noted that in early 2017 a ROM will be carried out for both of the ongoing actions and this will feed into the detailed design of phase II and will provide baselines for it.

## INDICATOR MEASUREMENT

Indicator	Baseline (value + 2014)	Target 2020	Final Target (2022)	Source of information
<p><i>Action outcome indicator Result 1 -</i></p> <p>1.1 Number of people identified, registered and referred</p> <p>.</p> <p>1.2 Number of pools of translators deployed in the key spots from Farsi, Arabic and Pashtu ensuring appropriate gender balance</p>	<p><i>Identification techniques insufficient due to lack of capacity.</i></p>	<p>3</p> <p>3</p>	<p>6</p> <p>6</p>	<p>Gap-analysis.</p> <p>Reports by central authorities</p> <p>Reports from Frontex</p> <p>Interview response sheets.</p> <p>Report from on-the-spot monitoring.</p> <p>Frontex Western Balkans Annual Risk Analysis</p> <p>Rom report</p>
<p><i>Action outcome indicator2-</i></p> <p><i>Please add following the logic of the other tables</i></p> <p>2.1 Asylum procedures in place are in line with EU standards</p> <p>2.2 Number roadmaps per IPA II beneficiary endorsed</p>	<p><i>0 Asylum procedures fully in line with EU standards</i></p> <p><i>0 roadmaps endorsed (Serbia, the former Yugoslav Republic of Macedonia)</i></p>	<p>2 Asylum procedures fully in line with EU standards</p> <p>2 roadmaps endorsed in</p>	<p>6 Asylum procedures fully in line with EU standards</p> <p>6 Roadmaps implemented</p>	<p>EU progress reports</p> <p>UNHCR reports</p> <p>EASO Gap assessments</p> <p>EASO roadmaps</p>

<p><i>Action outcome indicator 3-</i></p> <p>3.1 Number of exchanges of operational data and aggregate data within the region and with EU member states</p> <p>3.2 Number of officials trained on data collection and data protection.</p>	<p><i>Information exchange exists fragmented, on an ad hoc basis.</i></p>	<p>500</p> <p>80</p>	<p>1000</p> <p>160</p>	<p>Reports from migration and border agencies of Western Balkans and Turkey, Europol, Frontex, EASO and other relevant EU agencies.</p> <p>Rom report</p>
<p><i>Action outcome indicator 4-</i></p> <p>4.1 Number of laws and by-laws in place to manage voluntary and non-voluntary return operations in place and harmonised to the international standards in relevant IPA II beneficiary</p>	<p><i>0 regional mechanisms in place, multi-lateral agreement in Western Balkans, except Kosovo, signed in November 2013 on joint non-voluntary return operations.</i></p>	<p>The legal framework (laws and by-laws) for managing voluntary and non-voluntary return operations is in the drafting phase and policy strategies are drafted and discussed within central institutions</p>	<p>The legal framework (laws and by-laws) for managing voluntary and non-voluntary return operations is adopted and operational in relevant IPA II beneficiary and harmonised to international standards</p>	<p>Standard Operating Procedures for voluntary and non-voluntary return at the regional level</p> <p>Reports from IOM and UNHCR</p> <p>Rom report</p>
<p><i>Action outcome indicator 5-</i></p> <p>5.1 Number of socio-economic profiles created</p> <p>5.2 Number of social programmes initiated for employment and social cohesion targeting specifically foreigners (irregular migrant, asylum seeker, refugees or person with other protection needs among the ones stranded in the Western Balkans route)</p>	<p><i>0 social programmes in place for migrants inclusion in the hosting communities</i></p> <p><i>0 socio economic profiles creates</i></p>	<p>500 socio-economic profiles created</p> <p>1 social programme in the region in the drafting phase for employment and social cohesion targeting specifically foreigners (irregular migrant, asylum seeker, refugees or person with other protection needs among the ones stranded)</p>	<p>1000 socio-economic profiles created</p> <p>At least 1 social programme for employment and social cohesion targeting specifically foreigners (irregular migrant, asylum seeker, refugees or person with other protection needs among the ones stranded) agreed</p>	<p>Reports from local governments, NGOs, and other partners on service delivery</p> <p>Laws and by laws on the status of foreigners in place and operational</p> <p>Rom report</p>



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

### **GENDER MAINSTREAMING**

The regional programme aims at develop long-term asylum, protection and integration mechanisms so that individuals fleeing violence, including gender-based persecution, can exercise their right to protection and family unity in these countries and across the region; do not discriminate by nationality when processing refugees in transit; all individuals should have the opportunity to seek protection and have access to a fair and meaningful asylum system or other forms of protection.

Each action in the activity plans will include gender measures and indicators. Strict gender mainstreaming is requested to the contractors implementing this programme also following their legal standards. Women and children are particularly vulnerable in a migration context, and this will be fully considered in the action. For instance, the action aims to ensure strengthened, timely and efficient family tracing and reunification procedures for refugees, including unaccompanied minors, especially girls, hoping to reunite with family members already in a destination country; or develop sex and age aggregate data gathering and collection systems, or ensuring Gender Based Violence (GBV)- specific services for survivors of sexual violence, GBV experts, safe spaces for women and girls, and building gender sensitive referral mechanisms. Also, when organising training to police and field operators, Terms of Reference for trainers envisage specific provisions of gender experts for ad hoc training sessions, or specific gender sections in the handbooks.

### **EQUAL OPPORTUNITIES**

Female and male forcibly displaced are differently affected by the uncertainty of travelling irregularly or being a refugee. Women are at greater risk of harassment and sexual exploitation. All action components will sensibly take into account the different needs of migrant women and men. A gender based approach will be incorporated into training manuals and all capacity building activities.

The action will foster the social environment in the hosting communities to open up toward all the categories of migrants. The action then impacts greatly on enabling a positive social environment to host stranded people, asylum seekers refugees and IDPs to be included in the host communities, increasing their level of resilience as well as supporting adoption of good practices.

The assistance to create regionally harmonised asylum system operability can result into increased protection and recognition of their rights, therefore ensure more equality in the lives of final beneficiaries.

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

Involvement of civil society is critical. It will be explored on how to strengthen the involvement of civil society actors also in regard to supporting irregular migrant, service delivery and building resilience of local host communities. Thus far, efforts of civil society actors have mostly focussed on vulnerable groups, such as refugees and asylum seekers.

Linkages and synergies will be sought and developed with upcoming and ongoing CSO programmes in the area of migration. Participation of civil society organisations in some meetings at regional and IPA II beneficiary level will be facilitated where possible.

## **MINORITIES AND VULNERABLE GROUPS**

All support of the action requiring a direct engagement with migrants is steered towards ensuring a protection-sensitive approach, giving consideration to the special individual needs of different groups of people in need in the migration route. Hereby, particular attention will be paid to unaccompanied minors, families as well as refugees and their possible traumatized experience. Female migrants, especially those considered at risk for sexual exploitation, will get special attention. Close consideration with further be attributed to the fact that certain migrants may face double or triple vulnerability.

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

Environmental objectives are not directly targeted by this action.

Climate action relevant budget allocation: EUR 0.
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## **6. SUSTAINABILITY**

Each of the action components has been selected with a careful view as to the sustainability of the action. A large part of the programme activities is training. The sustainability of this will be promoted by good selection of participants, attempts to apply train-the-trainers approaches, and by targeted follow-up actions.

With regard to identification techniques, models will be developed ensuring the continuous transfer of knowledge beyond the project implementation period. The support in re-enforcing/establishing improved information exchange systems will be designed to be independently operational towards the end of the project. Shall nevertheless further support be required; a follow up will be ensured. In regard to the return systems it is envisaged to explore the possibility of creating a regional returns fund under a regionally owned mechanism which would absorb the knowledge generated during the implementation of the action and carry on the work beyond its duration.

In the activities package sustainability workshops and supporting mechanisms are planned to be delivered transversally throughout all the action.

## **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 funded from the amounts allocated to the action.

All necessary measures will be taken to publicise the fact that the action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions. Additional Visibility Guidelines developed by the European Commission (DG NEAR) will have to be followed.

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

The European Commission shall be fully informed of the planning and implementation of the specific visibility and communication activities. A coherent and strong communication strategy needs to be outlined for each component of this action document by the contractors.

Activities and reports of success stories will be collected and widely disseminated among IPA beneficiaries, EU Member States, NGOs and other relevant actors.