

Standard Summary Project Fiche – IPA centralised programmes

Project Number 09: Support to the implementation of strategies for IDPs, refugees and returnees

1. BASIC INFORMATION

- 1.1 CRIS Number:** 2011/022-585
- 1.2 Title:** Support to the implementation of strategies for IDPs, refugees and returnees
- 1.3 ELARG statcode:** 01.23 Political criteria. Judiciary and fundamental rights
- 1.4 Location:** Republic of Serbia

Implementing arrangements:

- 1.5 Contracting Authority:** EU Delegation to the Republic of Serbia
- 1.6 Implementing Agency:** EU Delegation to the Republic of Serbia
- 1.7 Beneficiary (including details of project manager)**

Commissariat for Refugees of the Republic of Serbia; Ministry for Kosovo and Metohija of the Republic of Serbia; and Ministry of Labour and Social Policy of the Republic of Serbia

Names:

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Steering committee:

Activities implemented under this Project will be overseen by a Steering Committee comprised of representatives of EU, Commissariat for Refugees, Ministry for Kosovo and Metohija, Ministry of Labour and Social Policy and those of the main international organizations closely dealing with IDP and refugee population.

PMUs were established in each of the three institutions and are composed of civil servants coming from different Departments who will be coordinating project implementation.

Financing

- | | |
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| 1.8 Overall cost: | EUR 7.72 million |
| 1.9 EU contribution: | EUR 7 million |
| 1.10 Final date for contracting: | 2 years after the signature of the Financing Agreement (FA). |
| 1.11 Final date for execution of contracts: | 4 years after the signature of the FA. |
| 1.12 Final date for disbursements: | 5 years after the signature of the FA. |

2. OVERALL OBJECTIVE AND PROJECT PURPOSE

2.1 Overall Objective:

The project aim is to contribute to sound implementation of strategies for refugees, IDPs and returnees according to Readmission Agreements.

2.2 Project purpose:

1. Supporting the integration of refugees, improvement of living conditions of IDPs and reintegration of returnees under the readmission agreements.
2. Facilitating realisation of the rights of refugees, IDPs and returnees under the readmission agreements through legal assistance.

Since a significant number of returnees and IDPs are Roma, this project would also benefit this particularly vulnerable group as well as other vulnerable groups, social cases (single mothers, elderly, sick persons etc.)

2.3 Link with AP/NPAA / EP/ SAA

One of the short term priorities of Serbia under the European Partnership¹ continues to be the implementation of the National Strategy on Resolving the Issues of Refugees and Internally Displaced Persons and creating the conditions for a free choice between sustainable return and integration.

The Stabilisation and Association Agreement upholds "the right to return of all refugees and internally displaced persons, the right to protection of their property and other related human rights". The Republic of Serbia is also committed to readmit its citizens who reside illegally on the territory of EU member states as well as third country nationals in accordance with the EU-Serbia readmission agreement.

The National Programme for the Integration of the Republic of Serbia into the European Union indicates as priorities: to provide refugees with the right to real choice between integration and sustainable return and to fully implement the Sarajevo Declaration, facilitating the integration of refugees who decide not to return, to maintain the bilateral cooperation among the countries in the region aiming at the development of good neighbourly relations and achieving the respective rights of refugees. As priorities for 2010 it is stated to achieve the employment of hardly employable persons and encourage the employment of persons with disabilities, Roma, refugees and displaced persons, returnees under the readmission as well as women.

2.4 Link with MIPD²

Support to the implementation of strategies for IDPs and refugees falls under the Employment and Social Inclusion sector. Livelihood and living conditions of vulnerable groups, including internally displaced persons (IDPs), refugees and returnees is a pressing problem in Serbia and in the region overall.

The main goal is to align social policies in Serbia with EU standards, supporting the country's efforts to adhere to the targets of Europe 2020 in poverty and social exclusion and, in particular to the objectives and actions of the European Platform against Poverty and Social Exclusion. Focus will be given to improved living conditions, employment and social inclusion of vulnerable groups, including the Roma.

2.5 Link with national / sectoral plans

In July 2009, the Republic of Serbia adopted a comprehensive Migration Management Strategy, which addresses the situation and problems of all aspects of migration in a comprehensive manner. As one of the measures for achieving the strategic objectives the Strategy defines, among others, "the creation of the conditions for sustainable return of refugees and for the integration of refugees, sustainable return of IDPs and the improvement of the living conditions of IDPs while they are in displacement, and the reintegration of

¹ Council Decision 2008/213/EC of 18 February 2008 on the principles, priorities and conditions of the European Partnership with the Republic of Serbia including Kosovo, according to Resolution 1244 of the United Nations Security Council of 10 June 1999, and repealing Decision 2006/56/EC.

² Multi-Annual Indicative Planning Document

returnees on the basis of the readmission agreements". The Commissariat for Refugees and the Ministry for Kosovo and Metohija, together with the Ministry of Labour and Social Policy are in charge of the realisation of these goals.

The *Sustainable Return and Subsistence in Kosovo and Metohija Strategy*³ was adopted in April 2010. The aim of this strategy is to support the sustainable return of IDPs through the increased engagement of domestic and international state and non-state actors, to strengthen administrative structures and accountability mechanisms and to help support sustainable and socio-economic development of Serbian and other non-Albanian communities in the Province. The Strategy foresees the implementation of different long-term projects for housing and income generation activities, development and strengthening of educational and health institutions, and undertaking of different community development initiatives.

The Poverty Reduction Strategy has singled out the problems of refugees and internally displaced persons as very serious and needing to be solved urgently. The provision of housing solutions and the closure of collective centres, as well as the implementation of measures concerning employment, have been identified as prerequisites for achieving the objectives of the Strategy - reducing the number of refugees and IDPs categorised as underprivileged and reducing the time people from this population spend in poverty.

The National Employment Strategy for the period 2005-2010 envisages, among others, special measures for the employment of refugees, IDPs, returnees on the basis of the readmission agreements, whereby the role of the active employment policies in managing migration has been recognised.

The Strategy for improving the situation of Roma in the Republic of Serbia has a particular chapter devoted to improving the status of internally displaced Roma. The most important measures to be taken in order to achieve the goals envisaged in this chapter are as follows: facilitating access to employment; solving the housing issues; providing alternative solutions for people in informal settlements; provision of financial resources from international donors and IPA funds to find adequate solutions for internally displaced Roma; obtaining personal documents; informing on the right to return and their personal rights.

Under the 2009 Strategy on the Reintegration of Returnees on the basis of the Readmission Agreements, the priorities are: to strengthen the capacities of local self-governments; to provide support for the inclusion of returnees into the educational system and the sphere of employment; to provide support for the strengthening of the capacities of local self-governments for accommodating returnees.

The National Strategy for Resolving the Issues of Refugees and IDPs foresees return and integration, as the two main directions for solving the issues of these groups. Concerning the integration of refugees, solving the housing and employment issues has been identified as the key programmes to be implemented. The Strategy envisages the implementation of various projects that would provide housing solutions for refugees: building apartments, purchasing village houses, providing assistance for already commenced constructions and accommodation within the social protection system (social institutions and social housing in a protected environment). At the same time it is necessary to realise projects that will facilitate the employment of refugees and IDPs. These programmes should include grants for the basic means for employment, self-employment, micro loans, and encouraging employers, as well as

³ Official Gazette of RS, no. 32/10

providing vocational training for refugees and IDPs in accordance with the requirements of the labour market.

3. DESCRIPTION OF PROJECT

3.1 Background and justification:

In the past two decades, the Republic of Serbia (RS) was challenged to solve the problems of a vast number of forced migrants. After the disintegration of the Socialist Federal Republic of Yugoslavia (SFRY), a massive influx of refugees came to Serbia, mostly from Croatia and Bosnia and Herzegovina. The number of refugees peaked in 1996, reaching half million of registered refugees. An additional influx of internally displaced persons (IDP) from Kosovo⁴ came to Serbia in 1999 before the refugee chapter was closed. The continued departure of Serbs and other non-Albanians cannot be stopped even today. 210.000 IDPs have been registered on the territory of Serbia proper.

Although voluntary return is the best solution for refugees and IDPs, only a quarter of refugees realised a durable solution through return. The situation is worse concerning IDPs. According to UNHCR data, only 17.000 Serbs and other non-Albanians returned to KiM. It is estimated that only 5.000 persons actually achieved sustainable return.

Apart from the refugee and IDP issues, Serbia also faces problems in the field of reintegration of returnees under the readmission agreements. By signing the readmission agreements, Serbia is obliged to admit and reintegrate its own citizens who illegally reside in EU countries. The agreements came into force in January 2008. In order to harmonise with EU standards Serbia adopted a comprehensive Strategy on Migration Management and developed strategic activities targeting migrants. One of the Strategy's priorities is to solve the problems of the three most significant categories of migrants. The common problems of all three migrant categories are the lack of appropriate housing solutions and the inability of finding adequate employment.

One of the conclusions of the experts from the EU Delegation to the Republic of Serbia evaluating the new Strategy is that the problems of refugees, IDPs and returnees have to be solved, as well as the need for Serbia to prepare for a new influx of migrants, since Serbia will become more attractive by approaching EU membership.

Reliable data exists on the refugee population, indicating around 83.000 refugees, mostly from Croatia, with a confirmed refugee status. According to a research conducted by the Commissariat for Refugees of the Republic of Serbia (CRS), in cooperation with UNHCR and IOM, the refugee population in Serbia is in a worse position compared to the local population: 60% of refugees have not found housing solutions, one third of the refugees have incomes below the social security level and their unemployment rate is considerably higher than among the local population. The percentage of persons interested in return is only about 5%. Namely, the obstacles to exercise their rights, such as getting compensation for lost Occupancy/Tenancy rights or pension rights in the countries of origin, make them unwilling

⁴ Under UNSCR 1244/99

to give up their refugee status, to obtain personal documents of the Republic of Serbia and thus formally integrate in Serbia.

Approximately 1.000 refugees are still accommodated in collective centres (CCs) and belong to the most vulnerable category of migrants. These are mostly families composed of one or two members, averaging 45 years of age, who lack education and often have serious health problems.

It is important to stress that besides the refugees holding the refugee status, there are formally integrated refugees, who have acquired Serbian documents. However, pertaining to their characteristics, they are more similar to the refugee rather than the local population. After 15 years of the refugee situation, most of them are referred to the government for assistance regarding their complete inclusion into society.

According to a UNHCR study, IDPs are in a very difficult position, particularly Roma. The unemployment rate among IDPs is notably higher in comparison to the local population, as are the burdensome housing problems, especially for Roma, who often live in unhygienic settlements. Although a significant number of IDPs wish to return to KiM, the security conditions for return have not been met. This was also mentioned in numerous reports of various international organisations⁵. Until the conditions are established to enable IDPs to freely choose between return and integration, it is crucial to provide them with better living conditions and social inclusion, which was stressed as a priority by the UN Special Representative for the Rights of IDPs.

In 2009, there were around 3.200 IDPs residing in Collective Centres (CCs). Among them the unemployment rate was 40% and more than a half of them had incomes below the poverty line. Their most common source of income is the so-called "Kosovo Compensation" provided by the National Employment Agency for persons who lost their jobs due to displacement.

Since the beginning of the implementation of the "National Strategy for Resolving the Problems of Refugees and IDPs", and the gradual closure of CCs, the number of IDPs decreased by 62% and refugees by 92% in CCs. The reason for this is the fact that IDPs were included in the programmes for the closure of CCs in 2006. Though substantial financial assistance were provided by the EU, the international community and the Government of Serbia for the care of refugees and IDPs (education, accommodation, health care and partially integration), extensive assistance is still needed for resolving these problems.

The main obstacles for planning concern the returnees. There is no comprehensive national database on the exact number of returnees, even though there are registered cases of returnees escorted by the police. According to IOM, 63% of the returnees are Roma, while another 10% declared themselves as Bosnians and only 10% declared to be Serbs. There is no available data on the exact number of migrants or their needs. In this respect, a special component for

⁵ under UNSCR 1244/99

For more details on Reports and various International organizations involved, please check following addresses:
http://www.unkt.org/repository/docs/UNHCR_Kosovo_Profile.pdf;
<http://www.internal-displacement.org/8025708F004CE90B/%28httpCountrySummaries%29/7938184B7275B835C12577FA003DB3BA?OpenDocument&count=10000>;
<http://www.unmikonline.org/UNMIKONLINE2009/misc/docs/sc-reports/S-2010-169.pdf>
http://www.unhcr.ba/images/stories/Spotlight/UNHCR_IDP_WBalkans.pdf

the development of measures and activities on the local level for the reintegration of returnees is envisaged by the IPA 2010, within the project „Capacity Building for Institutions Dealing with Migration”. In cooperation with CRS, 90 local self-governments have developed and are efficiently allocating their financial resources to implement Local Action Plans for Resolving the Problems of Refugees and IDPs, which will also be extended in the future so as to incorporate returnees as well.

Besides the provision of employment and accommodation, additional measures are required for their reintegration. This refers particularly to education, taking into account those returnees who have problems with the Serbian language and were educated by different curricular programmes, as well as those who have more problems in their daily social contacts than refugees and IDPs, given that the latter lived in a similar environment as the domicile population before they left their previous places of residence.

Free legal assistance in obtaining documents and legal representation before different institutions in the current and previous places of residence is necessary for all three categories of migrants, primarily in view of access to their rights.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)

Impact:

One of the most important and difficult problems in migration management in Serbia is solving the problems of huge number of refugees, IDPs and returnees. This project will directly respond to housing and employment needs of this marginalised group. Positive effects:

- Poverty reduction among targeted population;
- Social inclusion of marginalised groups improved;
- Collective centres closure facilitated;
- Housing solutions for refugees, IDPs and returnees provided;
- Psycho-social status and quality of life for targeted population improved;
- Economic self-reliance of targeted group strengthened;
- Access to the rights improved through legal-aid;
- Integration or return of refugees encouraged.

The project will have an impact on the wider domestic population and local community in terms of better quality of life. Positive impacts on the budget (through decreased claims for family income support, one-off assistance in cash, etc.) are expected. Generally, the project will contribute to better exercise guaranteed basic human rights.

In terms of overall migration management, the project's outputs will enable authorities to direct more efforts on resolving problems of the tide influx of asylum seekers and labour migrants in Serbia.

Catalytic effect

In accordance with the concept of migration management that is envisaged by the Migration Management Strategy, which implies a close coordination of all actors involved in the multi-dimensional migration problem, the implementation of the project shall contribute towards strengthening the structure of managing migration in both, local and central level. The implementation of activities addressing the targeted groups, which are foreseen by the local and central bodies responsible for the coordination in the field of migration, will strengthen their cooperation and contribute towards better and more coherent fulfilment of their tasks. This will strengthen the overall system of migration management. Lessons learned from the communities in which the project is implemented will serve as an example of good practices for other communities. In addition, the creation of local structures for coordination of migration management will ensure that the problems of migrants are adequately represented in all strategic plans and budget. Past experience has shown that there is willingness of the local governments to contribute with significant resources so as to solve the problems that burden the local community. The creation of adequate capacities at the local level will provide for a better use of the available funds from both, the national budget and international donors.

Sustainability

The Migration Management Strategy provides the strategic framework for coordination of all stakeholders in order to effectively manage migration. To ensure proper coordination at the national level, the Government of Serbia established the Coordination Body for Migration Management, composed of competent ministers, which aims to harmonise the policies and procedures in the field of migration. The Commissariat for Refugees, in collaboration with other relevant ministries, has taken a series of measures to strengthen cooperation at local level, between different service providers and administrative bodies. In addition to this, the National Strategy for Resolving the Problems of Refugees and IDPs and the Strategy for the Reintegration of Returnees Based on the Readmission Agreements provide a strategic framework for the implementation of the proposed activities, as well as relevant strategies for social protection. The legal framework is provided by the Law on Refugees and the Law on Social Protection and Social Security for Citizens.

Supporting the implementation of the activities planned by the local authorities provides their further engagement and continuation of the undertaken activities.

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

Cross border/boundary impact

Implementation of this project will contribute to the accomplishment of the commitments that Republic of Serbia had assumed under the 2005 Sarajevo Declaration. Putting into practice provisions of this document is of regional importance to enabling the return or local integration of a considerable number of refugees. Thus, this project will have a significant positive impact on regional cooperation. The March 2010 International Conference on

Durable Solutions for Refugees and Displaced in the Western Balkans () has re-actualised the urgent need for a definitive solution to this problem.

As this project will also facilitate the reintegration of returnees, it will help Serbia to fulfil its obligations under the Readmission Agreement towards EU member countries.

3.3 Results and measurable indicators

Component 1: Supporting integration of refugees, improving living conditions of IDPs and reintegration of returnees

Result 1:

1.1 Housing solutions provided for 200 most vulnerable migrant families

Measurable indicators:

- 200 housing solutions for refugees, IDPs and returnees provided, and all families moved in before the end of the project

1.2. Economic strengthening of 100 migrant families through various employment projects

Measurable indicators:

- 100 refugees, IDPs or returnees started up, or extend business activity during the project

Component 2: Supporting Local Action Plans for resolving problems of refugees, IDPs and returnees

Result 2:

2.1. Support provided for the implementation of 20 Local Action Plans for solving the problems of refugees and IDPs and returnees under the readmission agreements

Measurable indicators:

- 20 Local Action Plans supported and all proposed activities finished before the end of the project
- At least 200 refugee, IDP or returnees families included in different projects on local level addressing housing solutions or income generating activities

Component 3: Easier realisation of the rights of refugees, IDPs and returnees under the readmission agreements through legal assistance

Result 3:

3.1 Legal assistance and representation provided for refugees, IDPs and returnees under the readmission agreements

Measurable indicators:

- Internal practical manual in place
- Number of persons represented before court
- At least 500 personal documents obtained
- Updated database on delivered legal assistance
- At least 4 round tables organised
- 30000 printing materials distributed to the potential beneficiaries

Number of beneficiaries from Roma, Ashkali and Egyptian (RAE)⁶ community should be present separately.

3.4 Activities:

Component 1: Supporting integration of refugees, improving living conditions of IDPs and reintegration of returnees

Result 1.1

Housing solutions provided for 200 most vulnerable migrant families

Activities related to result 1.1:

Activity 1.1.1: Providing durable housing solutions for refugees, IDPs and returnees

- Presentation of the project to potential beneficiaries
- Establishing criteria for the selection of the beneficiaries, sending official announcements, selection of beneficiaries among the most vulnerable refugees and IDPs through a commission
- Supply of materials intended for prefabricated houses and their construction
- Providing residential objects in a socially protected environment
- Purchasing village houses
- Monitoring and reporting on the utilisation of the distributed support

Result 1.2

⁶ RAE are Roma from different origins. They have to be treated separately as they encounter different types of difficulties including on gathering documents; in the current project there is a specific expert who is a representative from the community who goes to the Egyptian population explaining the mechanisms to get documents.

Economic strengthening of 100 migrant families through various employment projects

Activity 1.2.1: Economic strengthening of migrant families

Sub-activity 1: Organisation of trainings/ professional trainings for employment for which there exists a great demand and suitable self-employment opportunities

- Selection of participants
- Development of trainings and programmes and material preparation
- Carrying out trainings
- Monitoring and reporting

Sub-activity 2: Distribution of packages for self-sustainable living conditions

- Selection of beneficiaries
- Distribution of the packages for starting or improving business activities
- Distribution of the package for starting or improving agricultural activities
- Monitoring and reporting on the utilisation of the allocated assistance

Component 2: Supporting Local Action Plans for resolving problems of refugees, IDPs and returnees

Result 2.1

Support provided for the implementation of 20 Local Action Plans for solving the problems of refugees and IDPs and returnees under the readmission agreements

Activity 2.1.1: Support to the implementation of Local Action Plans for solving the issues of refugees, IDPs and returnees

Sub-activity 1: Managing Grant scheme

- Public announcement, establishment of the evaluation committee, selection of municipalities
- Grant Agreement submitted to municipalities
- Monitoring the formation and work of the Commission for the selection of project beneficiaries (adoption of regulations, advertising, selection of beneficiaries)
- Monitoring the implementation of specific objectives of the project in cities/municipalities
- Provide support to the selected municipalities in procurement procedures

Sub-activity 2: Implementation of Grant scheme that will support Local Action Plans for solving refugee, IDP and returnees problems

Component 3: Easier realisation of the rights of refugees, IDPs and returnees under the readmission agreements through legal assistance

Result 3.1

Legal assistance and representation provided for refugees, IDPs and returnees under the readmission agreements

Activity 3.1.1: Providing legal assistance and representation for refugees, internally displaced persons and returnees under the readmission agreements

- Providing regular legal assistance through counselling, obtaining documents
- Representation before the relevant institutions in the place of previous residence for IDPs and refugees
- Representation before the competent institutions in RS
- Distribution of printed materials to refugees, internally displaced persons and returnees
- Holding conferences and round tables on the subject of forced migration

The leading agency for the implementation of activities under Component 1 and 2 will be the Commissariat for Refugees in close cooperation with Ministry for Labour and Social Policy, particularly for selection of beneficiaries from returnee’s population. Joint Committee for selection of municipalities that will be awarded with grant will be established and representatives of Commissariat and Ministry for Labour and Social Policy are obligatory. Although Steering Committee composed of all three institutions is envisaged for Component 3, leading agency will be Ministry for Kosovo and Metohija.

Component 1 will be implemented through a Call for Proposals through which grants will be awarded to organisations that will be selected to implement the activities, based upon criteria that reflect the specific skills and experience needed in this area of work. Commissariat for Refugees and Ministry for Labour and Social Policy will closely cooperate with the organisations which will be selected through the Call for Proposals to receive grants for implementation of the project activities.

Component 2 will be implemented through two contracts: one Grant scheme through which grants will be awarded to the municipalities for implementation of activities planned in their Local Action Plans for solving migrant’s problems and one Service contract which will provide technical assistance for managing grant scheme, including preparing and conducting Call for Proposals, support for the selected municipalities and monitoring implementation. Selection of municipalities will be based on compliance of proposed activities with national strategic documents.

Component 3 will be implemented through a service contract.

The target groups for all three components of the project are refugees from the republics of the former Yugoslavia, internally displaced persons from Kosovo and returnees on the basis of the readmission agreements.

For the components that are related to solving the housing issue, the basic condition shall be that the persons are accommodated in collective centres (refugees and IDPs) or, in certain cases, in inadequate private accommodations (all three categories). The lack of a housing facility that could be used to solve their housing problem, either within the Republic of Serbia, in the place of previous residence in the country of origin, or in Kosovo, is the precondition. Those who have managed to repossess their habitable property and have acquired returnee status will not be eligible to become beneficiaries of this project. The number of household members, income and special characteristics of the family (single parent households, multi-generation families, victims of sex and gender bounded violence, a large number of children, disability and disease) will be the criteria serving as basis for the selection of the final beneficiaries.

The beneficiaries of the activities regarding economic empowerment will be refugee and IDP families, as well as returnee families under the readmission agreements, capable to work, with irregular income, at risk of social exclusion, with a feasible business idea, and who are willing to register their activity and thus, resolve the question of their employment.

Regardless of whether the beneficiaries will be selected through the implementing partners (component 1) or by the municipalities through the support of the implementation of the Local Action Plans (component 2), all final beneficiaries will have to meet the same conditions and be ranked on the basis of the same criteria.

In order to ensure timely access to information about assistance, conditions for applying for assistance, as well as information about related the obligations of selected parties, a presentation of the project's activities will be made to the target group. Following consultations with relevant stakeholders, precise criteria are to be identified for beneficiary selection. Beneficiary Selection Commissions will be formed, comprising of representatives of several organizations included in the project implementation, and official calls for applications will be publicly announced. Transparency will be ensured throughout the process.

Apart from verifying the formal requirements for submitting an application, the socio-economic status and cost-effectiveness of an income-generating activity will be assessed for housing and economic support respectively.

Procedures for selecting municipalities for the Grant scheme should be in accordance with PRAG.

Memorandums of Understanding and contracts are to be concluded between the entities (the Commissariat, local-self governments) and the organisations that have been selected to implement the Project activities, as well as between local-self governments and the final beneficiaries, as a means of regulating mutual obligations.

Appropriate in-kind contributions will be provided by the beneficiary institutions by means of making premises available for training activities, workshops and mobile team visits. In addition, a network of municipal trustees coordinated by the Commissariat for Refugees will be placed at the disposal of the project.

At least 5% contribution will be provided from awarded municipalities. Apart that, contribution in payment for connections on infrastructure facilitates, issuing permits and supervising of works will be provide, as well as direct financial contribution.

3.5 Conditionality and sequencing:

Conditionality:

The interest of the local self-governments to participate in resolving the issues of refugees, internally displaced persons and returnees on the basis of the readmission agreements is crucial for the implementation of the project. A number of municipalities is included in the local action planning process and those that adopted local action plans, as well as a considerable number of applicants for the Project aiming at supporting the implementation of Action Plans implemented by the Commissariat and funded by UNHCR (there were 61 applicants for the Call for Proposal 2010), ensure the feasibility of the Project. The procedures applied by the Commissariat for the above mentioned Call for Proposal are the same as the PRAG procedures, with the purpose to prepare municipalities for the utilisation of IPA funds. The well established cooperation between the Commissariat, the Ministry for Labour and Social Policy and the local self-governments on addressing the problems of refugees and IDPs, will be a valuable impetus for an efficient project implementation. A regular coordination with these counterparts will be essential for ensuring that the project activities pertaining to housing in a socially protected environment will be implemented according to the plan and that potential risks that could delay the project completion will be avoided to the greatest extent possible.

The establishment of Local Councils for Migration and Integration ensures good cooperation between the stakeholders at the local level.

The beneficiary selection through the Joint Committee is composed of representatives of the local self-government Centre for Social Welfare, the Commissariat for Refugees, the Ministry and UNHCR, and has proved as a good practice and guarantees that the most vulnerable beneficiaries will receive the proper type of the support.

Most of the potential difficulties regarding administrative procedures will be avoided through the upholding of a close coordination with the competent ministries and institutions.

Sequencing:

As regards to sequencing, the first Grant Contract and both Service Contracts should begin in parallel. The second Grant Contract will start after establishing PMU through the second Service Contract.

3.6 Linked activities

The Republic of Serbia participates in various projects through the provision of construction land and the necessary infrastructure for apartment buildings that accommodate refugee and IDP families, with national and donor funds covering the costs for the actual construction of these buildings. The government also finances the accommodation and sustenance of refugees

and IDPs in collective centres, providing for the accommodation of refugees in social welfare institutions and boarding-schools, health insurance and compulsory education, funeral costs and single financial assistances in cash for the most vulnerable persons. Particular efforts have been invested towards the Programme for the closure of the collective centres. At the beginning of the Programme, there had been about 340 collective centres accommodating 24.000 beneficiaries, while at this moment there are 60 collective centres accommodating predominantly IDPs (around 3.700 persons), but also refugees (around 1.000 persons). As a result of this Programme, additional funds for providing durable solutions have been made available in the national budget. During the course of 2008 and 2009, the Commissariat for Refugees also provided funds for the implementation of the Local Action Plans amounting to a total value of 2.2 million Euros.

In the past 17 years, the Republic of Serbia, strongly supported by the EU, made efforts to create the conditions for local integration of refugees by investing significant financial resources. Throughout this period, approximately 9.000 different housing solutions have been provided (housing units, construction lots and construction materials kits, construction material for completion of initiated housing construction, purchase of village houses) and the living conditions for one part of the refugee population (about 32.000 persons) in Serbia have been substantially improved. However, housing remains the key integration problem.

The project "Further Support to Refugees and IDPs in Serbia", funded as part of the IPA 2007 Programme, foresees the provision of durable solutions for the most vulnerable refugee and IDP families. In accordance with the IPA 2007 Programme, the Project provides for the start-up or expansion of income-generating activities aiming at building the livelihood of refugee and IDP families. One of the project goals is also to provide legal aid and assistance for returnees.

The project activities have been continued through the Project "Support to Refugees and IDPs in Serbia", which was launched at the beginning of 2010 and is funded by IPA 2008. The main beneficiary institutions, the Commissariat for Refugees and the Ministry for Kosovo and Metohija, will be supported in their efforts to provide decent housing solutions, economic self-reliance and legal-aid for refugees and internally displaced persons, and to improve their position in the society.

Bearing in mind that a small number of refugees still resides in collective centres (the majority lives in private accommodations), as well as the fact that housing remains one of the major issues to be resolved, the project "Integration of Refugees in Serbia" was developed, funded by the Council of Europe Development Bank (CEB Project No.12221). The integration of refugees in Serbia through the provision of housing solutions is the main objective of this project, whereby refugees will be able to purchase the housing units by means of favourable housing loans.

Furthermore, the project "Supporting Access to Rights, Employment and Livelihood Enhancement of Refugees and Internally Displaced Persons in Serbia", which is funded through IPA 2009, along with the previous activities aiming at solving the housing and employment issues, will foster social inclusion of IDP beneficiaries of family allowances through their engagement in the community based social services. Significant activities directed towards empowering potential returnees are also envisaged. Since this project is proposed by the three institutions competent for the segment of migration management, it provides an excellent base for further coordination in solving migration problems in Serbia.

The project “Capacity Building of Institutions Involved in Migration Management and Reintegration of Returnees in the Republic of Serbia” is expected to start by the end of 2010. The two main components of the project are strengthening the system of migration management in Serbia and improving the planning mechanism for the reintegration of returnees on the basis of the readmission agreements. The beneficiaries of this project are all ministries and organisations involved in the migration issue on a national and local level. Aiming at a more efficient planning of measures and activities for supporting the reintegration of returnees on the basis of the readmission agreements, the Swiss Agency for Development and Cooperation will finance the project with the objective to efficiently collect data and to establish a database containing relevant information regarding returnees and their needs. The project has started in May 2010 and will be finished by the end of 2011. The results of this project, together with the results of the other projects under the IPA 2010, will enable a more efficient planning of the necessary funds for the forthcoming period.

During 2009, as the continuation of the CARDS Project “Support to the National Strategy for Resolving Problems of Refugees and IDPs through Livelihood Enhancement”, OSCE supported local action planning for the resolving of problems of refugees and IDPs. In 2009, UNHCR implemented the project “Provision of Dignified Solutions and Support to Self-sustainability for Refugees and Internally Displaced Persons Living in Collective Centres or Private Accommodation in Serbia” through its implementing partners, Intersos and HOD, in addition to two more projects in 2009 and 2010 by the Commissariat for Refugees: “Support to Municipal/Town Action Plans” and “Support to the Commissariat for Refugees through Supporting the Local Action Plans”. Thus, the Local Action Plans in 29 Municipalities/Towns in Serbia have been partially supported.

The 2008 IPA Multi Beneficiary (MB) project “Social Inclusion: Regional Support to the Marginalised Communities” (overall budget of 1.25 million EUR), aims at increasing legal and social inclusion of marginalised communities and facilitate their full enjoyment of citizenship rights in the Western Balkans.

The IPA 2009 project "Supporting access to rights, employment and livelihood enhancement of refugees and IDPs" will complement the regionally undertaken activities, particularly through the development of community based social protection services that will be run by IDP staff (home care services, day care centres and clubs).

MB IPA 2008 and 2009 projects on refugees' return in the Western Balkans aim at fostering and enhancing durable and sustainable solutions, namely voluntary repatriation and reintegration, including local integration for the remaining persons in displacement in WB by providing inputs to their economic self-reliance. Maintaining a similar course of action, the present IPA 2009 project assures a broader coverage of the unassisted final beneficiaries and further extends options for enhanced livelihoods of IDP and refugee families through the improvement of economic self-reliance.

During the visit of the UN High Commissioner for Refugees, the Republic of Serbia initiated the Regional Conference “Durable Solutions for Refugees and Internally Displaced Persons – Cooperation between the States of the Region”, due to stagnation in the Sarajevo Declaration Process. The Conference was held in Belgrade on 25 March 2010, and was attended by representatives of EU, UNHCR, OSCE and the Council of Europe. The Conference resulted in the signing of the Joint Communiqué by the Ministries of Foreign Affairs of the Republic

of Serbia, Bosnia and Herzegovina, Montenegro and the Republic of Croatia. Through this document the respect, enjoyment and access to rights for all refugees and internally displaced persons regardless of their current status, their decision to return or to integrate locally, have been confirmed in accordance with international standards. The Ministers have stated that the problem of refugees and internally displaced persons has not yet been fully resolved and that it is necessary to intensify regional cooperation in order to achieve just, comprehensive, and durable solutions primarily for the most vulnerable people, in full awareness that it would contribute to the further promotion of good-neighbourly relations and stability in the region, including mutual support in the European Integration Process. In particular, the principles embodied in the Sarajevo Declaration have been reaffirmed and it was agreed to intensify the mutual cooperation in the upcoming period through regular meetings of the relevant national expert services. The purpose of the cooperation is to determine the relevant data concerning all categories of refugees for whom it is necessary to ensure durable solutions, which is at the same time a prerequisite for defining the necessary measures and activities so as to develop projects whose implementation would be supported by the international community.

3.7 Lessons learned

In order to successfully solve the problems of migrants in Serbia, refugees and IDPs in particular, the Commissariat for Refugees is regularly conducting research in order to evaluate the actual needs of the displaced population. In December 2008, together with UNHCR and IOM, the Commissariat carried out a comprehensive needs assessment of refugees who still hold the status. A similar needs assessment of IDPs in collective centres has been conducted with UNDP in December 2009. The results of both studies reveal that the employment and housing problems present the most significant problem among this population.

Since September 2008, the Commissariat for Refugees has been encouraging and strengthening the active role and participation of local self-governments in creating municipal Strategies and Actions Plans for durable solutions of refugees and IDPs, which is supported by the IOM capacity building project funded by the EU. This project continues to be supported by OSCE.

As envisaged by the Commissariat's initiative, the Local Councils for Migration Management and Durable Solutions were established in 102 municipalities, while 83 municipalities have adopted their plans so far, including the allocation of specific municipal budget lines for the implementation of the plans in addition to the State budget and the contribution of donors' funds. In total, 125 municipalities (including 9 in Kosovo) have been supported throughout the planning process thus far, with an additional 20 municipalities that will be included in the next phase, so as to cover almost all municipalities in Serbia with a catalytic effect. The experience gained through the projects for supporting the implementation of Local Action Plans, which have been financed so far through the budget of the Commissariat for Refugees and UNHCR, have shown that the cost of the realisation of the envisaged activities is significantly lower than in the cases when the implementation is carried out by the implementing partners. Furthermore, all the funds provided through the project are directed exclusively to the beneficiaries.

Based on the experience gained while implementing the project, close coordination is necessary between the EU Delegation, the Commissariat and the implementing partners in order to ensure smooth project implementation and to avoid overlap in the proposed activities. Holding regular coordination meetings and the direct involvement of the Commissariat in

realisation of the project facilitate the monitoring and timely evaluation of the progress. This is particularly relevant to project activities. According to the information gathered through coordination, as well as from field reports submitted by the local trustees, the high number of applications for both income generation and housing assistance, there is strong evidence that hitherto the provision of durable solutions has not been sufficient.

The report of the Special Rapporteur of the UN Secretary General for Human Rights of Internally Displaced Persons stressed, as one of the conclusions, the necessity to support programmes that are implemented in order to find durable solutions for refugees and IDPs.

During the development of the Strategy for Migration Management, the analysis of the existing problems in this area led to the conclusion that the lack of coordination and joint activities is one of the main problems within the system of migration management in the Republic of Serbia. In this respect, the project, whose beneficiaries are three institutions that respectively have a significant role to play in the migration management, will be an example of good practices that can be applied to other relevant institutions.

It is also important to note that the cooperation between the Commissariat for Refugees and the Ministry of Labour and Social Policy on refugees' integration and on improving the living conditions of IDPs has led to important results, such as the development of a new concept of social housing in protected environment. The cooperation with the Ministry for Kosovo and Metohija in realising the rights of IDPs in their place of residence is of crucial importance for establishing conditions for return, as well as for temporary residence.

4. INDICATIVE BUDGET (AMOUNTS IN M€)

Title: Support to the implementation of strategies for IDPs, refugees and returnees			TOTAL EXP.RE	SOURCES OF FUNDING								
				IPA EU CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB	INV	M€ (a) = (b) + (c) + (d)	M€ (b)	%*	Total M€ (c) = (x) + (y) + (z)	%*	Central M€ (x)	Regional / Local M€ (y)	IFIs M€ (z)	M€ (d)	%*
Component 1- Contract 1.1		x	3.67	3.32	90,5%	0,35	9,5%		0,35			–
Component 2 - Contract 2.1	x		0.53	0.48	90,6%	0.05	9,4%	0.05				
Component 2- Contract 2.2		x	1.87	1.7	90,9%	0.17	9,1%	0.085	0.085			–
Component 3- Contract 3.1	x		1.65	1.5	90,9%	0.15	9,1%	0.15				–
TOTAL IB			2.18	1.98	90,8%	0.2	9,2%	0.20				
TOTAL INV			5.54	5.02	90,6%	0.52	9,4%	0.085	0.435			
TOTAL PROJECT			7.72	7	90.7%	0.72	9.3%	0.285	0.435			

Amounts net of VAT

- (1) In the Activity row use “X” to identify whether IB or INV
- (2) Expressed in % of sum of each line of the **Total** Expenditure (column (a))

5. INDICATIVE IMPLEMENTATION SCHEDULE

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 Grant Contract	T+1Q	T+4Q	T+10Q
Contract 2.1 Service Contract	T+1Q	T+4Q	T+10Q
Contract 2.2 Grant Contract	T+5Q	T+7Q	T+10Q
Contract 3.1 Service Contract	T+1Q	T+4Q	T+10Q

6. CROSS CUTTING ISSUES

6.1 Equal Opportunity

The project will be implemented in a non-discriminatory manner with equal opportunities observed and firm guarantees that distinctions will not be drawn on the basis on sex, race, ethnicity, religion or other possible grounds in any aspect. The project strongly encourages applications from women-headed households and female victims of violence. Gender equity principles will be respected in the implementation of all project activities.

6.2 Environment

The project anticipates the use of domestic building materials that are acceptable according to current criteria and standards for environmentally safe practices.

6.3 Minorities

The Roma, Ashkali and Egyptian (RAE) community *generally* belongs to the most vulnerable segment of the IDP population in Serbia. Also, more than 60% of returnees are Roma. The main criteria for the beneficiary selection are: multi-member and multi-generation families, families with minors, families with an irregular income as well as families with newborn children. For that reason, the ratio of RAE families among the beneficiaries is higher than the ratio among the entire IDP population. In accordance with the Strategy for Improving the Situation of Roma in the Republic of Serbia, a special reporting on RAE beneficiaries will be required. The expected outputs of the project will enable them to live in a secure environment, to help them become more self-sufficient through income generating activities, and to assure that their full scope of rights is preserved and respected.

ANNEXES

- I. Logframe in Standard Format
- II. Indicative amounts contracted and Disbursed per Quarter over the full duration of Programme
- III. Description of Institutional Framework
- IV. Reference to laws, regulations and strategic documents:
 - Reference list of relevant laws and regulations
 - Reference to AP /NPAA / EP / SAA
 - Reference to MIPD
 - Reference to National Development Plan
 - Reference to national / sectoral investment plans
- V. Details per EU funded contract (where applicable)

ANNEX I: Logical framework matrix

LOGFRAME PLANNING MATRIX FOR Project Fiche			
Project title: Support to the implementation of strategies for IDPs, refugees and returnees		Contracting period expires 2 years after the signature of the FA	Disbursement period expires 5 years after the signature of the FA
		Total budget:7.72 million	IPA budget: 7 million
OVERALL OBJECTIVE	Objectively verifiable indicators	Sources of Verification	
The project aim is to contribute to sound implementation of strategies for refugees, IDPs and returnees according to Readmission Agreements	Number of migrants supported to fully exercise their rights	EC progress reports for Serbia	
PROJECT PURPOSE	Objectively verifiable indicators	Sources of Verification	Assumptions
1. Supporting the integration of refugees, improvement of living conditions of IDPs and reintegration of returnees under the readmission agreements. 2. Facilitating realisation of the rights of refugees, IDPs and returnees under the readmission agreements through legal assistance.	Number of refugees, IDPs and returnees who receive help for housing solution Number of refugees, IDPs and returnees who reached economic self-reliance Number of refugees, IDPs and returnees who exercise their rights/are included in society through legal assistance or inclusion programmes on local level	Final reports on project implementation Monitoring reports	Relative stability in the region

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RESULTS	Objectively verifiable indicators	Sources of Verification	Assumptions
1.1. Housing solutions provided for 200 of the most vulnerable migrant families	200 housing solutions for refugees, IDPs, returnees provided, and all families moved in before the end of the project of the project	Periodical and final reports on implementation Contracts with Municipalities Contracts with final beneficiaries	Measures to mitigate the effects of the global economic crisis showing results
1.2. Economic strengthening of 100 migrant families through various employment projects	100 refugees, IDPs or returnees started up, or extend business activity during the project		
2.1. Support provided for the implementation of 20 Local Action Plans for solving the problems of refugees and IDPs and returnees under the readmission agreements	20 Local Action Plans supported and all proposed activities finished before the end of the project At least 200 refugee, IDP or returnees families included in different projects on local level addressing housing solutions or income generating activities		
3.1. Legal assistance and representation provided for refugees, IDPs and returnees under the readmission agreements	<ul style="list-style-type: none"> ▪ Internal practical manual in place ▪ Number of persons represented before court ▪ At least 500 personal documents obtained ▪ Updated database on delivered legal assistance ▪ At least 4 round tables organised ▪ 30000 printing materials distributed to the potential beneficiaries 		

Activities	Means & Costs	Assumptions
<p><i>Component I</i></p> <p>1.1. Providing durable housing solutions for refugees, IDPs and returnees</p> <ul style="list-style-type: none"> - Presentation of the project to potential beneficiaries - Establishing criteria for the selection of the beneficiaries, sending official announcements, selection of beneficiaries among the most vulnerable refugees and IDPs through a commission - Supply of materials intended for prefabricated houses and their construction - Providing residential objects in a socially protected environment - Purchasing of village houses - Monitoring and reporting on the utilisation of the distributed support 	<p>Subcomponent 1</p> <p>1.Grants to NGOs</p> <p>Subcomponent 2</p> <p>2.Technical assistance for managing and monitoring grants scheme to municipalities</p> <p>3.Grants to municipalities</p> <p>Subcomponent 3</p> <p>4.Technical assistance for legal assistance</p>	
<p>1.2.1. Organisation of trainings/ professional trainings for employment for which there exists a great demand and suitable self-employment opportunities</p> <ul style="list-style-type: none"> - Selection of participants - Development of trainings and programmes and material preparation - Carrying out trainings - Monitoring and reporting 	<p>Contracts:</p> <p>Grant scheme through open call for proposals: 3,320,000</p> <p>Service contract: 480,000</p>	
<p>1.2.2. Distribution of packages for self-sustainable living conditions</p> <ul style="list-style-type: none"> - Selection of beneficiaries - Distribution of the packages for starting or improving vocational activities - Distribution of the package for starting or improving agricultural activities - Monitoring and reporting on the utilisation of the allocated assistance 	<p>Grant scheme through open call for proposals: 1,700,000</p> <p>Service Contract: 1,500,000</p>	
<p><i>Component II</i></p> <p>2.1 Support to the implementation of Local Action Plans for solving the issues of refugees, IDPs and returnees</p>		

Activities	Means & Costs	Assumptions
<ul style="list-style-type: none"> - Public announcement, establishment of the evaluation committee, selection of municipalities - Grant Agreement submitted to municipalities - Monitoring the formation and work of the Commission for the selection of project beneficiaries (adoption of regulations, advertising, selection of beneficiaries) - Monitoring the implementation of specific objectives of the project in cities/municipalities 		
<p><i>Component III</i></p> <p>3.1 Providing legal assistance and representation for refugees, internally displaced persons and returnees under the readmission agreements</p> <ul style="list-style-type: none"> - Providing regular legal assistance through counselling, obtaining documents - Representation before the relevant institutions in the place of previous residence for IDPs and refugees - Representation before the competent institutions in RS - Distribution of printed materials to refugees, internally displaced persons and returnees - Holding conferences and round tables on the subject of forced migration 		
	<p>Total project budget: EUR 7.72 million EU contribution: EUR 7 million</p>	

Preconditions:

The interest of local self-governments to participate in resolving the issues of refugees, internally displaced persons and returnees on the basis of the readmission agreements

ANNEX II: Indicative amounts (in M€) Contracted and disbursed by quarter for the project (IPA contribution only)

Contracted	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
Contract 1.1				3.32								3.32
Contract 1.2				0.48								0.48
Contract 1.3							1.7					1.7
Contract 1.4				1.5								1.5
Cumulated				5.3	5.3	5.3	7.0	7.0	7.0	7.0	7.0	7.0
Disbursed												
Contract 1.1				2.656				0.332		0.332		3.32
Contract 1.2				0.144		0.096		0.096		0.144		0.48
Contract 1.3							1.36			0.34		1.7
Contract 1.4				0.45		0.30		0.30		0.45		1.5
Cumulated				3.25	3.25	3.646	5.006	5.734	5.734	7.0	7.0	7.0

ANNEX III: Institutional Framework – legal responsibilities and statutes

The Commissariat for Refugees

The Commissariat for Refugees of the Republic of Serbia is a special institution established by the Law on Refugees in 1992 (Official Gazette of RS, no. 18/92 and 45/02 - correction).

Pursuant to the provision of Article 6 of the Law on Refugees (Official Gazette of RS, no. 18/92 and 45/02 - correction), the Commissariat performs tasks related to identifying refugee status, caring for refugees, keeping records determined by law, coordinating the humanitarian aid provided by other agencies and organizations in country and abroad, as well as monitoring the equal and timely provision of such aid and providing accommodation for refugees, that is, their relocation within territorial units, provision of favourable conditions for the return of refugees back to the areas they left or to other areas determined by the Commissariat, i.e. until acceptable conditions are permanently provided in some other manner. According to the provisions of international conventions, ratified by Yugoslavia, which determine the status and rights of refugees, the Commissariat initiates requests for support from the UN and other institutions that provide international support, to accommodate the needs of refugees in the territory of the Republic of Serbia.

Conclusion of the Government No. 05: 06-3186/2005, May 2005, assigns task to the Commissariat for Refugees to establish, in the framework of the existing number of employees, a special internal organizational unit, which will deal with issues of care and protection of the rights of internally displaced persons and the number and structure of involved persons in the unit to decide in accordance with the participation of internally displaced persons in the total number of displaced population in the Republic of Serbia.

By the Law on asylum (Official Gazette of the Republic of Serbia, no.109/07) the Commissariat for Refugees is responsible for accommodation and care of the asylum seekers while the process is in progress.

Decision on the Establishment of the Coordinating Body for Monitoring and Management of Migration (Official Gazette of the Republic of Serbia, no.13/09), points the Commissariat for Refugees to provide technical, operational and administrative and technical support for this body.

Commissariat for Refugees is one of the key of the implementation of the reintegration of returnees on the basis of readmission agreements.

Within the projects for capacity building of the Institutions of the Government of Serbia dealing with Refugees and IDPs funded by EU and managed by EAR, special attention is given to professional skills development. Therefore, Commissariat has established a team that is continuously trained in Project Cycle Management.

The Commissariat is headed by the Commissioner, appointed by the Government. Commissioner has a Deputy and two Assistants. In the Commissariat there are two sectors: Sector for Accommodation and Sheltering, Return and Durable Solutions of Refugees and Sector for General and Legal Issues and HR Affairs.

Within the projects for capacity building of the Institutions of the Government of Serbia dealing with Refugees and IDPs funded by EU and managed by EAR, special attention is given to professional skills development. Therefore, Commissariat has established a team that is continuously trained in Project Cycle Management.

The Ministry for Kosovo and Metohija

The Ministry for Kosovo and Metohija was established by the 2007 Law on Ministries⁷. Its existence was confirmed by the new Law on ministries⁸ adopted in 2008. Pursuant to this law, Ministry for Kosovo and Metohija executes functions of the state management that refer to the following: functioning of the institutions of the Republic of Serbia on the territory of Kosovo; education, health care, social policy, culture, infrastructure, system of local self-government and telecommunications in Serbian populated areas in Kosovo; cooperation with Serbian Orthodox Church; preservation and restoration of spiritual and cultural heritage; financial, legal, technical and professional assistance in all areas significant for Serbs as well as other non-Albanian communities on the territory of Kosovo; cooperation with the CRS pertaining to IDPs from Kosovo; drafting law proposal regulating the substantial autonomy of Kosovo; implementation of the Serbian policy of protection of the state territorial integrity cooperation with the civilian and military UN mission in Kosovo (UMNIK and KFOR) on the basis of UN SC resolution 1244; as well as all other functions determined by law⁹.

The Ministry for Kosovo and Metohija was created in the spring of 2007 and it has subsumed the competences of the Coordination Centre for Kosovo (CCK), the governmental institution in charge, until recently, of coordinating the activities of the GoS in Kosovo (hereinafter: KiM).

The Ministry for KiM is comprised of the following sectors¹⁰:

1. Sector in charge for international cooperation and cooperation with international missions in KiM that is comprised of Department for international cooperation and Department for cooperation with international missions
2. Sector in charge for affairs of the Republic of Serbia on KiM, that is comprised of Department for economy and economic development, Department for culture, media, cultural and natural inheritance and cooperation with Serbian Orthodox Church and Department for justice, human rights and property
3. Sector for sustainable return and subsistence that is comprised of Department for labour, employment and social support and Department for return and humanitarian aid
4. Sector for management and coordination of services of local self-government comprised of Department for administration and coordination of local self-government and Department for education, health, environment and sport
5. Field units of the Ministry for KiM comprised of The Ministry office in Kosovska Mitrovica, Group for media and communication – Press centre Kosovska Mitrovica, The Ministry office in Gračanica and Group for media and communication – Press centre Gračanica
6. Special internal units: Minister cabinet and Secretariat of the Ministry which is comprised of Department for human recourses, Department for financial-material

⁷ Official Gazette of the Republic of Serbia (RS) No. 43/2007 of 15 May 2007.

⁸ Official Gazette of the Republic of Serbia (RS) No. 65/2008 of 5 July 2008.

⁹ The Law on Ministries, Article 23.

¹⁰ See the *Rulebook on Internal Organization and Systematization of Positions in the Ministry for Kosovo and Metohija*, approved on 14 November 2008 (the GoS' decision 05 No. 110-4899/2008)

affairs, Department for IT affairs, Department for harmonization of work of internal units and Department for translation.

The Ministry for Labour and Social Policy

The work, mandate and authorisations of the Ministry of Labour and Social Policy are regulated by the Law on Ministries (adopted on July 5, 2008 (Official Gazette of Republic of Serbia no. 65/08))

The Ministry of Labour and Social Policy consists of the following departments:

- Labour Department
- Department for Pension and Disability Insurance
- Department for Veteran Disability Protection
- Department for Family Care and Social Protection
- Department for the Disabled Protection
- Labour Inspectorate
- Directorate for Gender Equality
- Directorate for Occupational and Safety Health and
- Department for International Cooperation, European Integrations and Project Management

The Family Care and Social Welfare Department drafts legislation and regulations on social welfare, family law protection, income support for families with children and offers guidance related to psychological consultation and activities, development of national social welfare strategy, its implementation and follow-up, monitors compliance of social welfare institutions and other service providers, ensures inspection services as well as inspection and control over field-specific activities carried out by the institutions and other service providers, both private and public, involved in the provision of social welfare and protection. The Department is focused to quality mainstreaming into the social welfare system and development of accreditation and licensing of services and service providers, advancement of control management system and promotion of community-based services.

The Department for International Cooperation, European Integrations and Project Management

The Department consists of two separate units, established in line with Decentralized Implementation System modality for IPA. The Unit for programming EU funded projects coordinates the development of the project proposals through log-frame approach and their elaboration into project fiches, in line with the strategic priorities in the fields of labour, social policy, gender equality and occupational health and safety at work. This unit is participating in the elaboration of Strategic Coherence Framework and OP HRD. The monitoring and implementation unit participates in the drafting of the project ToRs, monitors the financial and technical implementation of IPA according to the PRAG method, and participates in the definition of evaluation ToRs for projects

Both units report to the Ministry for Labour and Social Policy and to NIPAC.

A representative of the second unit will be part of the Steering Committee of the project

ANNEX IV: Reference to laws, regulations and strategic documents

Reference list to Laws	
<i>Constitution of the Republic of Serbia</i> Official Gazette of the Republic of Serbia, No. 98/06	The Constitution of the Republic of Serbia contains that many norms which for taking roots by the basic constitutional values such as human rights human freedom, the rule of law, market economy, social justice, parliamentary, territorial autonomy, and local self-government. In such a way almost all freedoms and rights in the sphere of individual and political rights are elaborated in the Constitution. The Constitution also provides protection of the moveable and immoveable property.
<i>Law on Refugees</i> Official Gazette of the Republic of Serbia, No. 18/92 and 45/02.	This law regulates conditions for acquisition and termination of refugee status as well as measures for protection during displacement and return
<i>Public Information Law</i> Official Gazette of the Republic of Serbia, No. 43/03 and 61/05	This law regulates the right to freedom of information as well as the rights and obligations of all actors in the process of information provision.
<i>Regulation on Taking Care of Refugees</i> Official Gazette of the Republic of Serbia, No. 20/92, 70/93, 105/93, 8/94, 22/94, 34/95 and 36/04	This by-law regulates different types of care and assistance to refugees, including accommodation and material aid
<i>Regulation on Taking Care of Expelled Persons</i> Official Gazette of the Republic of Serbia, No. 47/95	This by-law regulates different types of care for expelled persons
<i>Law on the Citizenship of the Republic of Serbia</i> Official Gazette of the Republic of Serbia, No. 135/04 and 90/07	This law regulates issues related to Serbian citizenship and the conditions for acquisition of it by refugees
<i>Law on Property owned by the Republic of Serbia</i> Official Gazette of the Republic of Serbia, No. 53/95, 3/96, 54/96,32/97,44/99 and 101/05.	This law regulates management, ownership and use of public resources in Serbia.
<i>Law on Planning and Housing</i> Official Gazette of the Republic of Serbia, No.72/09	This law regulates procedures for issuing building certificates and permits. Articles 161, 162, 163 and 164 are related to the legalization of constructions

<i>Law on Public Procurement</i> Official Gazette of the Republic of Serbia, No.116/08.	This law regulates public procurement for selection of the bidders for construction of the housing units
<i>Law on Local Self Government</i> Official Gazette of the Republic of Serbia, No. 9/02,33/04, 135/04 and 129/07.	This law regulates the jurisdiction of local self-governments that is important for refugees and IDPs as it enables forcible eviction of illegal occupants, issuing construction permits, legalisation of illegal construction, primary health protection, education, agricultural land and free legal aid

Reference list to strategic documents

<i>European Partnership of 18 February 2008</i>	<p>This project fiche addresses number of key objectives of European Partnership, primarily those concerning rights of IDPs, refugees, with a special emphasis on displaced RAE community.</p> <p>The project fiche address following sections of the document:</p> <p>Short term priority Political criteria / Democracy and the rule of law / <i>Human rights and protection of minorities</i> EP document in this section require from GoS to “<i>Ensure compliance with the human rights provisions of the new constitution</i>”.</p> <p>In same section under the <i>Civil and political rights</i> EP requires “<i>development of civil society organizations and regular dialogue with civil society on policy initiatives</i>” and under chapter <i>Minority rights, cultural rights and protection of minorities</i> reaffirms needs of Roma integration, as well as to “<i>ensure that constitutional provisions on cultural and minority rights and protection of minorities are observed and to fully implement the strategies and action plans relevant to integration of Roma, including returnees and to implement the EU-Serbia agreement on readmission</i>”.</p> <p>Short-term priority Political criteria /<i>Regional issues and international obligations.</i> This section requires from all stakeholders to “<i>ensure adequate cooperation and the legislative basis for and practical protection of the rights of refugees and internally displaced persons</i>” as well as to “<i>ensure right of a real choice between sustainable return and integration</i>”.</p> <p>Medium-term priorities Political criteria/Democracy and the rule of law/<i>Public administration</i> EP also requires “<i>Further strengthen European integration capacity within the public administration, embedding the necessary structures within line ministries and throughout government, and improve cooperation mechanisms with all departments dealing with European integration</i>”.</p> <p>Political criteria/Democracy and the rule of law/<i>Regional issues</i></p>
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and international obligations

This section requires “Facilitation of integration of refugees who choose not to return” and “Providing sustainable solutions for integration of readmitted persons”.

European standards/*Employment and social policies/* section require “*Further development of social inclusion and social protection policies*”.

MIPD 2009-2011

The project is in line with the objectives of the *MIPD 2008-2010*, namely with:

Under political criteria, section 2.3.1.1, the objective pertaining to fighting discrimination and promoting human and minority rights, including Roma aims at “supporting IDP return and refugees return as well as reintegration through cross boundary/border initiatives, durable solutions (housing schemes, employment) legal assistance and income support with strong inter-ministerial support and facilitating integration and full participation in political, civil, economic, cultural and social life”, as well as to “supporting Commissariat for Refugees, Minority National Councils, Agency for Human and Minority Rights and NGO in order to support vulnerable groups' rights.”

Under socio-economic criteria, section 2.3.2.1, the objective pertaining to enhancing access to employment and participation in the formal labour market foresees that “particular attention should be given to young people, women, elderly people, vulnerable groups (such as long term unemployed, redundant workers, persons with special needs, Roma, refugees and IDPs, etc.)” Project fiche fully corresponds with main priority through number of activities. Expected results include provision of housing, income-generation, free legal aid/assistance and dissemination of information relevant for refugees/IDPs. (pages 18-19.)

Under Section 2.3.1.3 Ability to assume obligations of membership: “Serbia’s **asylum, migration and visa** policies further in line with the EU *acquis*. The visa regime aligned with the *acquis*, while the EU-Serbia agreements on visa facilitation implemented. Support provided to the implementation of the roadmap for visa liberalisation. Asylum legislation adopted and implemented, while a functioning centre for asylum-seekers and an operational body for asylum applications are established. EU-Serbia agreement on readmission implemented. A strategy for reintegration of returnees is adopted, which also includes addressing their socio-economic situation.” (pages 30-31.)

*Stabilisation and
Association Agreement*

The Stabilisation and Association Agreement (SAA) between the EU and Serbia was signed on 29. April 2008.

Articles No 82 and 83

related to management of regular and irregular migrations and envisage obligations in order to ensure adequate standards in treatment of readmitted persons, asylum seekers, refugees and

National Programme for Integration with the European Union (NPI)

migrant workers

Within the scope of the National Programme for the Integration of the Republic of Serbia into the European Union, within chapter 1.3.1 it is indicated as priority to provide refugees with the right to a real choice between integration and sustainable return and to fully implement the Sarajevo Declaration, facilitating the integration of refugees who decide not to return, to maintain the bilateral cooperation among the countries in the region aiming at the development of good neighbourly relations and achieving the respective rights of refugees.

Under chapters 3.19.5 and 3.24.2 capacity building of institutions for efficient reintegration of returnees is stressed as priority, both on national and local level. Housing schemes and employment are foreseen as needed projects.

In the field of employment priority is to achieve the employment of hardly employable persons and encourage the employment of persons with disabilities, Roma, refugees and displaced persons, returnees under the readmission as well as women.

National Plan for Approximation to the Acquis

N/A

National / sectoral Investment Plans

Poverty reduction strategy paper (PRSP)

PRSP priorities section 10 and Annex: Refugees

According to economic and social position, refugees and internally displaced persons belong to particularly vulnerable groups in Serbia, and compared to other vulnerable groups, Roma are the poorest and most vulnerable and project fiche will fully take in to consideration specific needs of this groups

Migration Management Strategy (MMS)

The Project is designed in order to directly support MMS and its strategic goal 2:

Specific objective 2:

“ to create conditions to sustainable return and the integration of refugees; the sustainable return of IDPs and the livelihood enhancement of IDPs while in displacement; the reintegration of returnees on the basis of the readmission agreements “

National strategy for resolving the problems of refugees and internally displaced

The Strategy is a framework for generating initiatives and implementation of activities in connection with refugee and IDP issues. The return of refugees/IDPs, integration of refugees and IDP livelihood enhancement are contained in the Strategy as basic directions aiming at resolving problems of refugees and IDPs. The Project fiche relays on Section 4 of the Strategy, “Legal, property

and information aspects of integration and return”. The Strategy requires that media campaign and continuous informing should be undertaken in respect of all refugee and IDP issues (sections 4.1.2.2(7) and 4.2.2 (4), respectively) as a necessary precondition to its successful implementation. It further emphasizes (Section 4.2.1) that “[t]he international community must recognize, protect and return the rights to mobile property and real estate that the IDPs owned in Kosovo and Metohija pursuant to the established standards and norms of the international law, irrespective of current residence of the displaced persons. The right to property may not be conditioned by a physical return of the displaced”.

Sustainable Return and Subsistence Strategy

The Government of the Republic of Serbia has adopted the *Sustainable Return and Subsistence Strategy*. The aim of this strategy is to support the sustainable return of IDPs in Kosovo and through the increased engagement of domestic and international state and non-state actors, to strengthen administrative structures and accountability mechanisms and to help support sustainable and socio-economic development of Serbian and other non-Albanian communities in Province.

The Strategy foresees the implementation of different long-term projects for housing and income generation activities, development and strengthening of educational and health institutions, and undertaking of different community development initiatives.

Strategy for Integration of Returnees admitted through Readmission Agreements

The goal of the strategy is to integrate the returnees into the society through effective government policy, in an effective, efficient, sustainable and comprehensive way, with full enjoyment of their rights and active participation of the returnees themselves.

The Strategy for Improving the Situation of Roma in the Republic of Serbia

Separate chapters are Roma IDP and Roma returnees. Employment, housing and access to rights are common activities for both.

National Investment Plan

This project is clearly linked with the *National Investment Plan* (NIP), a strategic national instrument intended to encourage the overall economic development of the Republic of Serbia. Specifically, one of the NIP’s strategic priorities is creation of conditions for sustainable economic development and poverty reduction in the country and support for return of IDPs to their places of origin.

*Link with National
Economic Development*

N/A

Strategy (NEDS)

ANNEX V: Details per EU-funded contract where applicable:

Component 1 will be implemented by one Grant scheme

Component 2 will be implemented by one Grant scheme and one Service contract

Component 3 will be implemented by one service contract.

1. Grants Contract (Call for proposals)

Housing solutions and economic strengthening of refugees, IDPs and returnees

For the Component 1 Grant contracts will be awarded to organizations that will be responsible for implementing the income-generation and housing component.

Specifically, the outputs will include the following:

- Providing of 200 different housing solutions
- Delivery of 100 sets for income-generating activities

Clear criteria for the Call for Proposals will be developed by the Commissariat for Refugees and Ministry for Labour and Social Policy and approved by the European Union Delegation in Serbia.

Follow-up, monitoring and evaluation of the activities supported by the grant funds will also be the responsibility of grant awardees, in cooperation with the Commissariat and the Ministry for Labour and Social Policy.

Applicants for Grants will have to demonstrate that they have an active working partnership with the Commissariat and with the Ministry for Labour and Social Policy, local governments, NGOs, other relevant stakeholders involved in addressing refugee, IDP and returnee issues and sound experience in implementation of similar actions within grants schemes

Procurement by grant beneficiaries will be done in accordance with procurement procedures of the Practical Guide to Contract procedures for EU external actions.

2. Service Contract

Managing Grant scheme for Local Action Plans

A service contract for Technical Assistance will be awarded for the implementation of Grant scheme for Local Action Plans under Component 2. The team will be contracted to provide assistance to the Commissariat for refugees and Ministry of Labour and Social Policy in implementation of Component 2, which comprises managing the Grant contract for the supporting Local Action Plans in at least 20 municipalities.

This team will perform the following:

1. Prepare the technical documentation for the Call for Proposals for grants to municipalities within Serbia, based on clear criteria, developed by Commissariat and Ministry for Labour and Social Policy:
2. Design and deliver public announcements of grant scheme (Call for Proposals);
3. Provide support to selected municipality

4. Support follow-up and provide mid-term and final monitoring of grant activities and funds in each of the selected municipalities in Serbia, and elaborate technical and financial reports;
5. Develop and implement public awareness strategy.

3. Grant Contract (Call for proposals)

Local Action Plans

For the Component 2 Grant contracts will be awarded to municipalities with adopted Local Action Plans that foreseen activities in line with national strategic documents, especially in the field of employment, housing and social inclusion.

Applicants for Grants will have to demonstrate that they have clear plan for implementation of the grant and to prove sustainability of action. Local Councils for migration management and an active working partnership within the local stakeholder will be essential.

Follow-up, monitoring and evaluation of the activities supported by the grant funds will be the responsibility of Commissariat and Ministry of Labour and Social Policy.

Successful grantees (municipalities) will be awarded grants to 85,000 Euro maximum.

4. Service Contract

Legal Assistance/Representation

For implementation of Component 3 a service contract for Technical Assistance will be awarded for the legal assistance and representation.

The implementing agencies will do the following for the *Legal Aid component*:

1. Engage short-term experts that possess formally required qualifications for the provision of legal aid and coordinate legal aid/assistance offices that will receive refugees, IDPs and returnees seeking legal aid/assistance on a daily basis, register the cases and undertake the most appropriate legal actions/assistance, legal representation, legal counselling and assistance in obtaining documents necessary for the realization of their rights to property, health, education, employment and social welfare and undertake regular case follow-up and inform individual legal aid/assistance seekers on the actions performed;
2. Create a legal database for registering cases received and conducting regular case follow-up;
3. Establish a thematic working group for horizontal co-ordination aiming at more efficient delivery of legal aid/assistance and advocacy activities;
4. Increase capacities of local governmental and non-governmental stakeholders, included in delivery of legal aid/assistance and advocacy activities, by organizing human rights trainings, thematic workshops and round tables related to issues of forced displacement.
5. Undertake systematic field research with an aim to identify information gaps among the refugee IDP and returnee population.