Project Fiche – IPA National programmes / Component I

1 IDENTIFICATION

Project Title	Police reform and migration management
CRIS Decision number	2012/022-967
Project no.	02
MIPD Sector Code	2. Justice and Home Affairs
ELARG Statistical code	01.24
DAC Sector code	15130
Total cost (VAT excluded)	EUR 4.11m
Indicative EU contribution	EUR 3.91m
Management mode	Centralised
Centralised mngmt: **EU Delegation in charge** *Decentralised mngmt:* **Responsible Unit or National Authority/Implementing Agency**	EU Delegation to the Republic of Serbia
Implementation management	Ministry of Interior
Implementing modality	Stand-alone project
Zone benefiting from the action(s)	Republic of Serbia

2 RATIONALE

2.1 PROJECT CONTEXT: ISSUES TO BE TACKLED AND NEEDS ADDRESSED

Justification of this project comes from the need of the Serbian administration to ensure: responsible public administration reflected among other by an accountable and capable police; the fight against irregular migration as well as strengthening migration management.

On a strategic level, the Ministry of Interior (MoI) has taken steps to prepare a comprehensive strategy regarding its overall reform, identifying modernisation of the Human Resources Management (HRM) aspect of its work as one of the priorities. Implementation of this project should bring the MoI in line with the central government public administration reform process, as envisaged by the EU integration strategy. It should secure that all required legal frameworks and internal procedures for the functioning of a modern HRM are adopted and implemented – including a revision of the Law on Police 2005; that modern HRM organisational units are restructured and supported in line with HRM strategic documents, i.e. strategy and supported by new HR IT system and that modern HRM procedures and practices are promoted and implemented throughout the Ministry and Police Service, in line with relevant international HRM standards and best practices.

With regards to legal migration monitoring, Serbia is facing numerous challenges in the area of management of migration flows and all forms of migration while trying to further align with EU standards. As a consequence of fulfilment of the obligations relating to the Visa liberalisation Road Map with EU as of January 1, 2010 and entering the Schengen White List regime, the number of irregular migrants and asylum seekers in Serbia from the Far and Middle East and North Africa has significantly increased. Enhancing border management and migrations management has been recognised as priority in national and EU strategic documents. This project aims to strengthen the existing capacities of Serbian MoI and Ministry of Foreign Affairs (MFA) for management of legal migration by ensuring the implementation of clear policies and coordination procedures.

2.2 LINK WITH MIPD AND NATIONAL SECTOR STRATEGIES

MIPD 2011-2013 (page 9/10) states: "The public administration needs to turn into an efficient, merit-based and accountable civil service, fully capable of coping with the alignment and implementation of the EU acquis." This priority will be addressed by providing assistance to the sectors of Justice and Home Affairs and Public Administration Reform." The MIPD also recognises the need for further strengthening the functioning of border controls and the customs administration, to improve the fight against irregular migration as well as strengthening migration management and the asylum system. Through further strengthening of the integrated information system as well as introduction of new model of national visa issuing system, project will enable management of the migration in comprehensive manner in accordance with the EU policy on managing migration flows.

Project is in line with Priority 1 of the Rule of law sector in **Needs assessment of the Republic of Serbia for International Assistance in the period 2011-2013:** Improvement of overall security and efficiency in fighting crime, corruption and terrorism and Measure 1.4. Enhancing border management and migrations management mechanisms. This project can also be recognised under two priorities of the Public administration reform sector of this document: *Priority 1*: Enhance professional development and institutional capacity of the civil service at all levels, to be realised through measure 1.3, which stresses improving the functioning of public administration bodies and strengthening their capacities. *Priority 4*:

Reengineer administrative processes through introduction of new IT solutions, through measure 4.2, aiming to establish high quality ICT infrastructures.

Development Strategy of the Ministry of Interior 2011 – 2016 (p.19): "The analysis shows that the biggest challenge is to establish a modern system for managing Human Resources. It is necessary to develop the capacity for workforce planning and for selection of candidates, tracking and career management in employment, basic and specialised training. In all these areas were achieved initial reform steps, but the important issues of Human Resources for the success of police reform is so well expressed, that these issues require constant attention. "(p. 10)

Strategy for the Integrated Border Management in the Republic of Serbia ("Official Gazette of the Republic of Serbia", No. 11/06) Chapter 9. stresses the necessity to establish a unified database on all the data regarding legal and irregular migrants, thus enabling more efficient monitoring.

Strategy for the Suppression of Illegal Migration in the Republic of Serbia for the Period 2009-2014 ("Official Gazette of the Republic of Serbia", No. 25/09) foresees proactive measures of improvement of modern technology implementation in the irregular migration suppression.

Strategy for the Migration Management 2011 – 2012 analyses the overall situation and problems inherent in migration. Specific Objective 2 of the Strategy envisions ensuring the implementation of clear policies in the field of migration management, thus enabling integration of the strategic, legal and institutional framework for the joint migration management.

2.3 LINK WITH ACCESSION PARTNERSHIP (AP) / EUROPEAN PARTNERSHIP (EP) / STABILISATION AND ASSOCIATION AGREEMENT (SAA) / ANNUAL PROGRESS REPORT

In regards to the **European Partnership with the Republic of Serbia of 18 February 2008**, it is recognised as a priority to fully implement the integrated border management (IBM) strategy and strengthening cooperation between relevant IBM agencies as well as alignment of the visa regime with the *acquis* and implementation of EU-Serbia agreement on visa facilitation. It also fully pledges to continue full implementation of civil service and public administration laws, implement measures to develop Human Resources (HR) in the civil service, strengthen the policy-making and coordination capacity of the public administration at government and local levels.

This project relates to **Stabilisation and Association Agreement (SAA)** in Articles 80, 82 and 114, which are covering justice, freedom and security, cooperation between institutions involved in these areas, capacity building on national and regional levels, development and implementation of the full range of HRM functions, including the transparent and impartial recruitment procedures, career development for the public service, continued training and the promotion of ethics within the public administration, etc.

The amended **National Programme for Integration** of the Republic of Serbia into the European Union (December 2009) provides priorities for the period 2010-2012 ensuring better efficiency of public administration (section 1.1.4). By fulfilling priorities set in sections 3.24.3 Visa Policy and 3.24.3.1 Visa information system it will contribute to the accomplishment of Schengen *acquis* thus contributing to overall accession process.

European Commission Opinion on Serbia's application for membership of the European Union from October 2011 on page 12 states as follows: "Serbia has built up a positive track record in implementing its obligations under the Stabilisation and Association Agreement and the Interim Agreement. Serbia would be in a position to take on the obligations of membership in the medium term, in nearly all acquis fields, provided that the alignment

process continues and that further efforts are made to ensure the implementation and enforcement of legislation. Particular attention needs to be paid to the areas of agriculture and rural development, judiciary and fundamental rights, justice, freedom and security and financial control."

2.4 PROBLEM ANALYSIS

The Serbian Government adopted in November 2004 a Public Administration Reform Strategy with a particular section dealing with HRM, which is identified as a clear priority area of overall reform. Although the Serbian MoI is an organisational unit of the public administration of the Republic of Serbia, the HRM functions of the MoI are regulated by a separate law, the Law on Police (2005). This means the Ministry is in many respects a separate system within the overall public administrative system, something which this project aims to alleviate.

On a strategic level, the MoI has taken steps to prepare a comprehensive strategy regarding the Ministry's overall reform. This strategy has identified as a priority the modernisation of the HRM. In addition to this, a Gap analysis (2010) has been funded by Norway and expert facilitation by UK (2011).

Based on these analysis, in December 2011, the MoI initiated a SIDA funded HRM project. The aim of the project is to prepare the ground for required legislative and organisational changes envisaged to take place under this proposed IPA project.

SIDA funded project would prepare the ground for coming reform of HRM system within MoI, in sense of raising awareness (what HRM really is and what it should be like), trainings, drafting strategic documents in this particular area (which do not exist at this time at all) so as a practical guidebooks and proposal on future organizational scheme of HRM unit. Also it deals with introducing new ways of communication between MoI and it's employees, as a tool to gain mutual trust. Last, but not the least, SIDA project should introduce quality management in the HR area by presenting internationaly recognized standard.The Ministry of Interior of the Republic of Serbia currently employs some 45,000 personnel, of which 36,000 are police officers – making it one of the largest employers in the country. The Ministry's Sector for Finance, Human Resources and Joint Affairs is in charge of HR matters. However, the Directorate does not strategically manage HR in terms of a systems approach. This has a negative impact on the quality, cost-effectiveness and, ultimately, on sustainability of the police reform process. The MoI, in consultation with external experts, considers that the Ministry's HRM System is insufficiently developed and will need to be modernized in order to best meet future requirements.

Amongst other, the Ministry has identified the following shortcomings:

- Lack of a strategic management recognition as well as long-term planning of HR development at systems level;

- No overall information management system to support HRM;

- Inadequate training of relevant staff to enable implementation of latest standards relating to HRM, in line with latest EU regulatory practice;

- Lack of defined and transparent criteria and procedures for recruitment and career development;

- Lack of transparent and efficient procedures and practices for performance evaluation and promotion;

- Lack of managers' capacity to appraise subordinates and contribute to harmonised, merit-based career development.

All these issues have negative effect with respect to compliance with the EU *acquis* related to justice freedom and security.

Shortcomings with regards to Schengen *acquis* should also be tackled in the upcoming period. By fulfilling all obligations of Visa liberalisation Road Map with EU, as of January 1st, 2010 Serbia entered the Schengen White List regime. As a result of this, the number of irregular migrants and asylum seekers from the Far and Middle East as well as North Africa has significantly increased. At the same time the number of Serbian citizens with unfounded asylum requests in EU states increased as well. Irregular migrants (the majority coming from Afghanistan and the Middle East) continue attempts to transit through Serbia, following the main routes from Turkey. This increasingly affects neighbouring EU Member States. From October 2009 to August 2010, charges were filed against some 3,400 foreign citizens for illegally entering Serbia. A significant number of persons indicating their intent to file an asylum request at the border never do so, but disappear after entering Serbia in order to stay as irregular migrants or travel further. Serbian authorities don't have a unified visa information system that could provide opportunities for border police to do prompt check on all suspicious individual cases of border crossing or transiting through Serbia.

For this reason, it is very important to continue to strengthen the integrated information system (IT network) on the state border by establishing an internal IT network between the headquarters of the Border Police and the regional police departments. The main pillars of the visa information system should be the MoI and MFA. This is precondition for the successful establishment of a central database for foreigners that can be used by all relevant institutions as envisaged by the Law on foreigners.

The central data base will not incorporate refugees and asylum seekers. It is envisaged by the Law on foreigners what kind of data should be maintained in this data base (Article 79 - Data from the registers referred to in Article 78 hereof shall be entered in the central database kept by the Ministry) (See Annex 8).

The new visa system would facilitate a standardised, reliable and effective operation of Serbia's diplomatic and consular missions and the border crossings, and a safe verification and issuance of visas. This will prevent and considerably reduce irregular migration and other associated illegal activities on legal border crossing.

The establishment of a visa information system would bring the necessary functional connection of all stakeholders (state bodies) included in the process of visa issuing to foreign nationals. In this sense, diplomatic- consular representations of the Republic of Serbia abroad, where a foreign national applies for visa and the procedure for visa issuing begins, would interconnect by establishing the mentioned system, up to border crossing point, where a foreigner enters the Republic of Serbia.[1]

Apart from technical shortcomings, there is still a lack of capacities within the MFA and MoI for a specialised detection of irregular migrants. Training of the border police, with regards to

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[1] Namely, after the application for visa issuing is filed by a foreign national, together with other anticipated documents, it is being added to the information system by an officer of a consular- diplomatic representation abroad and all submitted documents scanned and forwarded to the Republic of Serbia Ministry of Foreign Affairs, which will send this application to the Republic of Serbia Ministry of Interior, Border Police Directorate. After receiving the application, the Border Police Directorate sends it to the respective local police department, i.e. the line of work in charge for movement and stay of foreign citizens in the country, for the purpose of performing necessary field checks. After these checks are being performed, the Border Police Directorate submits its opinion upon the filed application to the Republic of Serbia Ministry of Foreign Affairs, which forwards it further to the diplomatic-consular representation where the application has been originally filed.

the detection of counterfeit documents and profiling of immigrants who indicate some other reason for entering, will play a special role in improving capacity.

Persons whose legal stay in Serbia has expired are equally perceived as irregular migrants. In this case the problem is the shared jurisdiction over the issuance of residential permits and working permits for foreigners between the MoI and Ministry of Economy and Regional Development (MERD). To that end, it is necessary to merge the data on residential permits issued (and the basis for their issuance) and the number of issued working permits.

Problems related to the possibility of abuse of the time limit set for the departure from the territory of the Republic of Serbia, as well as the inexistence of obligations to keep records and control the departures, will be overcome by establishing an efficient system for monitoring foreigners who should abide by departure order.

As a part of this project, it is foreseen to address the question of cooperation and coordination between the three Ministries that are involved as a key prerequisite to effective migrations management system in line with EU standards.

IT equipment necessary for operating of central data base on foreigners will be placed in, used and maintained by the MoI.

2.5 LINKED ACTIVITIES AND DONOR COORDINATION

The following IPA funded projects are relevant for this proposed project:

In 2010, the MoI in cooperation with Norwegian MFA (and the OSCE Mission to Serbia as implementing agent) conducted an **HRM gap analysis within the MoI**, i.e. an assessment of requirements relating to further modernisation and upgrade of HR functions within the MoI. This report has been received by the MoI and represented the 1st step in addressing HRM reform requirements.

Summarised conclusions of the Norwegian funded HRM gap analysis are: HR structures must be empowered both in procedures and in practice. This means that present HR Directorate needs to benefit from capacity building without delay, and also that legislative framework and internal regulations must be amended in line with Law on Civil Servants and with European and international standards. One of the main purposes of changing legislative framework is introducing merit system in the area of HRM system in MoI. HRM functions are dispersed throughout the various organisational units within the MoI. Achieving full effectiveness in this particular area can be done by unifying all of these functions in one unit, that should be on strategic level. Present situation could not be satisfactory, because HR Directorate, which would be the core of the future HRM Sector, is at the executive level, dealing with the executions of other organisational units' decisions.

With funding from SIDA, a large, first stage preparatory reform project is underway with the following objectives: drafting of a **Strategy for HRM, significant awareness raising and basic introductory HRM training courses,** and an introduction to relevent international HRM standards. The project will be conducted between September 2012 to mid 2013 (up to the period of the beginning of the implementation of the HR twinning) thus ensuring maximum complementary and benefit. This project will represent the second stage of reform, thus building upon this strategy, facilitating improvement of the legal framework and its implementation through re-organisation of HRM functions in line with relevant international HRM standards and practices. The activities of SIDA project and avoidance of overlapping are described under annex 7.

EU as, by far, the most significant donor in the area of border management is supporting implementation of Serbia's *Integrated Border Management* strategy on an annual basis.

CARDS 2006 – "Implementation of Integrated Border Management Strategy" twinning project had the goal to analyse the current Human Resources Management system, including the legal framework, design a new Human Resources Management System, carry out training of the key personnel and develop the curricula for education and training of the staff involved in the Integrated Border Management activities. This project was completed in February 2011.

IPA 2011 – "Support to the implementation of reforms related to good governance"; focuses on establishing adequate video surveillance techniques in border control operations as well as introduction of additional risk assessment methodologies in line with EU standards. It will provide necessary technical IT equipment and software specifications for the proposed IPA 2012 project.

IPA 2010 – "Establishment of Efficient System for Suppression of illegal Migrations on the Territory of the Republic of Serbia" focuses on measures for tracking high-tech crime within the process of overall irregular migration prevention as well as development of the Illegal Migrants Database that could correspond to relevant EU FRONTEX standards. The proposed IPA 2012 project should build upon the outcomes of this project and take next step in rounding up Serbia's IBM capacities by developing database on foreigners.

IPA 2010 - "Capacity building of institutions involved in migration management and reintegration of returnees in the Republic of Serbia" aims to strengthen existing institutions' capacity in order to achieve EU standards in Migration Management and reintegration of returnees upon readmission. Proposed project links with this one in the aspect of overall migrations monitoring and reporting.

IPA 2008 - "Development of the Information System for Border Crossing Control" aims to provide adequate technical infrastructure for border crossing checks, including development of an integrated information system for the Border Police Directorate. The proposed IPA 2012 project is a natural continuation of the results to be achieved in IPA 2008 project as it will provide basic infrastructure for establishment of interoperable data bases such as irregular migrants (IPA 2010) and foreigners (IPA 2012) databases.

IPA 2007 – "Improving Border Control Standards" focused on assessing available IT infrastructure resources of border services and state bodies, and securing a synchronized development of telecommunication and information technologies in terms of a support system to the integrated border management. It has been envisaged as the initial action of the assessment of the ICT infrastructure and establishment of necessary preconditions for development of the Border Police Department's integrated information system to be developed in later IPA projects.

2.6 Lessons learned

When it comes to professional advancement of MoI and overall Police personnel, experience gained while implementing previous projects, showed that a too ambitious and intense capacity building programs could became counterproductive to overall objective since they put excessive burden on staff who have to leave their regular duties often in order to take part in training program. Due to this, realistic and specifically tailored programs should be conducted through this project. On a strategic level of project implementation, special attention should be paid to the upcoming large SIDA funded HRM project that the MoI initiated in December 2011, which will include preliminary work on preparing the ground for required changes under this proposed IPA.

Bearing in mind legal migration monitoring: the project, "Development of the Information System for Border Crossing Control" IPA 2008 is the bases for all additional development of

Border Police infrastructure. It is important that the IT system envisaged by this IPA 2008 project proposal should be the basis for all IT solutions envisaged in proposed project with special attention to interoperability within the system.

3 DESCRIPTION

3.1 OVERALL OBJECTIVE OF THE PROJECT

Strengthening institutions in the area of justice, freedom and security in line with EU *acquis* through police reform and migration management.

3.2 SPECIFIC OBJECTIVE(S) OF THE PROJECT

Component 1: Development of overall institutional capacity to manage the HR system effectively **and efficiently.**

Component 2: Management of migration through effective policies and coordination procedures.

3.3 RESULTS

Component 1

Result 1.1: All required legal framework and procedures for the functioning of a modern HRM system adopted and implemented.

Indicators:

▪ Analysis of legal and regulatory framework prepared and adopted;

▪ Revision of the Law on Police in line with the Law on Civil Servants and other related public administration legislation;

▪ Number of classified HRM-related internal regulations and guidelines: decreasing, target 0 by end of the twinning project;

▪ Number of users of intranet resource and satisfaction rate increase throughout project duration For example, the number of complaints and law suits would be decreased, if we gain to re-establish the trust between the employees and the MoI, as an employer. By that we consider vast number of complaints, disputes etc, which leads to conclusion that employees' satisfaction is not at high level at all. We think of reestablishing mutual trust as a path to get motivated employees. Also, the tool for measuring employees' satisfaction could be surveys on their attitudes towards their job;

▪ Percentage of open positions filled by internal/external open fair and transparent competitions: 80% by end of project.

Result 1.2: Modern HRM organisational units restructured and supported in line with HRM strategic documents, i.e. strategy and action plan and supported by new HR IT system.

Indicators:

- HR software operational and in use for all key HRM functions (including job descriptions, staff assessments, promotions/career development, organisation charts, leave, absences, vacancies)

- New organisational structure and job descriptions approved and implemented by end of Year 1;

- Rate of HRM employees' and HRM service users' satisfaction with new HRM service structure and processes is increased Surveys of HRM staff and HRM service user's satisfaction that are mentioned above;

- IT equipment, with installed software and required training used on daily basis thus introducing cost-effectiveness and efficiency in terms of: reducing the spread of the HR functions into a single organisational structure;

- Reduction in the number of business processes relating to HRM up to 30% by the end of the project implementation;

- Average timing for processing of HR standard routine procedures by HRM services decreased by 50%.

Result 1.3: Modern HRM procedures and practices promoted and implemented throughout the Ministry and Police Service, in line with the relevant HRM international standard.

Indicators:

- Guidelines and procedures for both internal and external recruitments – subject to objective, merit based criteria – prepared and adopted;

- Staff evaluation and career management systems developed and in operational usage;

- The Ministry will apply for mock test regards a relevant HRM International standard accreditation ;

- Level of efficiency and user's satisfaction with new office software, measured with Surveys;

- 100% of HRM Department staff trained within prepared training module.

Component 2

Result 2.1. New model of national visa issuing system prepared according to EU best practices

Indicators:

- Analyses of visa issuing system completed and adopted by second quarter of project;

- New model of visa issuing system prepared and adopted by MoI in line with EU models.

Result 2.2. A Central database on foreigners operational for the purposes of the MoI and Ministry of Foreign Affairs as well as for the external users.

Indicators:

- Central database on foreigners in place by the end of the project;

- The database is in line with the Directive on Data Protection;

- Data from the central database are used by both Ministries without difficulties;

- Time necessary for data transmission concerning visa issuing procedures between the Border Police (headquarters), the border police stations and regional police departments decreased by 30 % (from 7 days to 3 days);

- Time for checking foreigners entering the country is reduced.

Result 2.3. Diplomatic – consular mission officers and border police officers use new IT skills and gained knowledge as well as coordination methods to detect potential irregular migrants, counterfeited documents and abuse of working permits

Indicators:

- Training of trainers in use of relevant software and necessary equipment and manuals prepared thus enabling continued training for relevant personnel;

- Staff (250 diplomatic consular mission officers and 500 border police officers) trained by the above trained trainers in use of software and necessary equipment and manuals prepared;

- Time for exchange of data between MoI and MFA reduced by 50%.

Result 2.4. System for monitoring foreigners with departure orders operational

Indicators

- Data on the issued documents exchanged between MoI, MFA and Ministry of Finance and Economy on regular bases

- Reporting mechanism on executed departure orders is fully operational in practice.

3.4 MAIN ACTIVITIES

Component 1: HR system in MoI

Activities related to result 1.1:

1.1.1. Prepare analysis of the existing strategic and normative framework including also internal regulations, job descriptions and performance appraisal procedures, draft amendments and new regulations, including the Law on Police (2005)

1.1.2. Support declassification of relevant HRM regulations and draft new such documents where required;

1.1.3. Development of intranet support system as means for faster communication regarding new normative framework.

Activities related to result 1.2:

1.2.1. Conduct re-assessment of HRM services' functions, business flows and capacities, in line with previous studies in this area;

1.2.2. Support implementation of micro-organisational structure and job descriptions based on previous SIDA project analyses and recommendations;

1.2.3. Design and deliver on-the-job specialised training for Sector staff;

1.2.4. Train staff in using new software/hardware for the proposed new HRM functions at the head office and at the level of district police departments (27) (approximately 300 persons);

1.2.5. Support continuous monitoring and evaluation of HRM service's new structure and performance.

Activities related to result 1.3:

1.3.1. Define tools enhancing HRM administration flows throughout the MoI, including General Office practice;

1.3.2. Define model guidelines for managerial competency in the process of recruitment of new managers, managerial staff planning, performance appraisal, career development, etc.;

1.3.3. Develop and deliver modules and training materials for all management levels, on new legal and regulatory framework, HRM, team management, performance appraisal, recruitment, etc and conduct training of trainers;

1.3.4. Support MoI in preparation of IIP (Investors in People) International Recognition Panel assessment leading to relevant HRM international standard accreditation

1.3.5. Follow up relevant HRM standards capacity development and provide direct mentoring support over 12 month throughout the MoI to ensure that standards are maintained.

Component 2: Legal Migrations Management

Activities related to result 2.1:

2.1.1. Prepare all relevant analysis of Serbia's current visa issuance and propose new model of national visa issuing system procedure in compliance with EU standards.

Activities related to result 2.2:

2.2.1. Procure and test software solution and necessary equipment for establishment of central database on foreigners[2];

2.2.2. Deliver training and prepare guidelines for the use of data from the central database;

2.2.3. Prepare protocols on information exchange between the MoI and MFA;

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[2] Technical specification of the necessary equipment will be prepared through IPA 2011 project "Strengthening the Rule of Law in Serbia, Component II: Establishment of stationary and mobile video surveillance system for state border protection".

2.2.4. Create a link for the use of the database and data exchange between MoI, MFA and other external users and conduct the necessary software upgrades in MoI's internal network.

Activities related to result 2.3:

2.3.1. Develop curriculum and deliver training on detection of potential irregular migrants, counterfeit documents and EU best practices for the officers of diplomatic and consular missions and border police;

2.3.2. Prepare protocols and guidelines for coordinated issuing of work and residence permits, and regular, smooth exchange of data between relevant institutions.

Activities related to result 2.4:

2.4.1. Recommend best possible solutions for monitoring and control of the realisation of decisions of departure orders;

2.4.2. Create procedures, protocols and other necessary means for monitoring foreigners who are required to leave the country in accordance with the decision of departure orders.

3.5 ASSESSMENT OF PROJECT IMPACT, CATALYTIC EFFECT AND CROSS BORDER IMPACT (WHERE APPLICABLE)

Catalytic Effect

By the establisment of transparent and merit based procedures for recruitment and career development within MoI, in line with the overall public administration reform effort in this area, the project will contribute to overall corruption prevention efforts and increase the quality and capacity of police forces for combating crime and corruption.

This project will also facilitate better cooperation between the relevant institutions contributing to better visa/working permit issuance management and control, thus enhancing work force management and analyses in Serbia.

Cross Border Impact

Serbia's geographical location connects the Western Europe to the Eastern Europe and Far East. In addition to that, Serbia neighbours with EU Members states. This position has made her suitable for migration activities, whether to stay or as transit through the territory.

Proper control of documents at the border and monitoring the flow of foreigners in the territory will not only contribute to achievement of state security, but also prevent immigrants in transit who may intend to migrate to the EU territory, through Serbia.

This project is therefore expected to have direct regional impact, as capacity built for Serbian institutions dealing with migration impact on border management with bordering countries.

3.6 SUSTAINABILITY

Sustainability of new practices and procedures in HRM will be secured by providing direct mentoring support over 12 months after a relevant international HRM standard is first introduced to ensure best practices and standards are maintained. This will allow enough time for the MoI to establish a sustainable HRM system in the long run.

Furthermore, the MoI will assume ownership of the IT system procured for legal migration monitoring, thus securing regular maintaining, management and updating. The training programme is aimed at developing specific capacities of the targets, including knowledge transfer and thus will secure development of sustainable capacities within relevant ministries. Continuity in capacity building will be secured through preparation of the guidelines and protocols that will be available for use by all staff.

3.7   ASSUMPTIONS AND PRE-CONDITIONS

For effective implementation of the project it will be crucial to have a new career development system in place as well as salary system (performance related incentives system) reformed in order to gain sufficient motivation and support of all employees for new HRM approach. The SIDA project will provide sufficient awarness raising and general understanding of modern HRM to minimise eventual resistance to change which exists in any such reform project. The SIDA project will aslo finalise and present the required HRM IT requirements envisaged in this project.

Prior to initiation of the tendering procedure for supply contract for the legal migration part, technical specification of the necessary equipment should be prepared through IPA 2011 project "Strengthening the Rule of Law in Serbia". These activities will be well sequenced by putting IPA 2011 project as a priority in EUD tendering project pipe line. Assumptions relevant for the project implementation are: availability of the data/information to be analysed for the purpose of the development of the new model of visa issuing system; Sufficiency of the infrastructure requirements for installation of the protected link for the use of database and data exchange between MoI, MFA and external users; Cooperation between and commitment by MoI, MFA and MERD in order to continue with the implementation of a clear migration policy.

4   IMPLEMENTATION ISSUES

Due to the types of the activities foreseen, twinning contract represents the most appropriate method for the provision of services related to capacity building and transferring expertise from relevant Member States in this field of HRM as well as legal migrations management.
Additionally, **two supplies contracts** are envisaged for each MoI department with envisaged national co financing, as note below (one relating to HRM and the other to migration).
All contracts foreseen for the implementation of this project are independent. Technical specification for the **Component 1** supply contract will be prepared by the ongoing SIDA project and technical specification for the **Component 2** supply contract will be provided through IPA 2011 project (for legal migration).

4.1 Indicative Project budget (amounts in EUR) *(for centralised management)*

| PROJECT TITLE | | | TOTAL EXPENDITURE | SOURCES OF FUNDING | | | | | | | | | |
| | | | | IPA CONTRIBUTION | | NATIONAL CONTRIBUTION | | | | | PRIVATE CONTRIBUTION | |
	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Component 1			**1,900,000**	1,810,000		90,000		90,000				
contract 1.1 Twinning	x	–	1,000,000	1,000,000	*100.0*							–
contract 1.2 Supply	–	x	900,000	810,000	*90.0*	90,000	*10*	90,000				–
Component 2			**2,210,000**	2,100,000		110,000		110,000				
contract 2.1 Twinning	x	–	1,000,000	1,000,000	*100*							–
contract 2.2 Supply	–	x	1,210,000	1,100,000	*90.9*	110,000	*9.1*	110,000				–
……												
TOTAL IB			2,000,000	2,000,000	*100.0*							
TOTAL INV			2,110,000	1,910,000	*90.5*	200,000	*9.5*	200,000				
TOTAL PROJECT			**4,110,000**	**3,910,000**	*95.1*	**200,000**	*4.9*	**200,000**				

In case funds provided under contract 1.2. are insufficient to cover hardware and software needs, the beneficiary is committed to provided additional funds to meet all project results.

4.2 INDICATIVE IMPLEMENTATION SCHEDULE (PERIODS BROKEN DOWN BY QUARTER)

Contracts	Start of Tendering/ Call for proposals	Signature of contract	Project Completion
Twinning Contract 1.1.	T +1Q	T +3Q	T +11Q
Supply Contract 1.2.	T +6Q	T +8Q	T +11Q
Twinning Contract 2.1.	T +1Q	T +3Q	T +10Q
Supply Contract 2.2.	T +4Q	T +6Q	T +10Q

The start of tendering for the twinning contracts is envisaged for the first quarter after the signature of the financing agreement. Supply contracts will be launched 6 months after the signature of twinning contract as well as service contracts financed through national funds.

Prior to this, the technical specification of the necessary equipment under component 1 of this project will be prepared through IPA 2011 project "Strengthening the Rule of Law in Serbia, Component II: Establishment of stationary and mobile video surveillance system for state border protection".

Under the centralised implementation system, all calls, procurement process, technical specifications and Terms of references are done by the European Delegation in Serbia, with active participation of the Ministry of Interior. Regular technical support of SEIO will be used.

4.3 CROSS CUTTING ISSUES

4.3.1 Equal Opportunities and non discrimination

Policy of equal opportunities will be taken as one of the overall principles in establishment on modern HRM system in MoI. The project will promote high standards of equality and gender mainstreaming both in designing of criteria for hiring and promotion as well as in its training component.

4.3.2 Environment and climate change

N/A

4.3.3 Minorities and vulnerable groups

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

4.3.4 Civil Society/Stakeholders involvement

Civil Society in the area of Rule of law is represented by the following organisations: Belgrade Centre for Security Policy, Belgrade Centre for Human Rights and Group 484.
These organisations actively participated in the identification of priority areas for preparation of the document Needs Assessment, in cooperation with the Ministry of Interior and Ministry of Justice, through the consultation process organised and coordinated by SEIO. During project preparation, the organisations provided constructive comments of the proposals, which contributed to balance and better project fiche.

During implementation, the civil society will be invited for meetings, and they may suggest improvement of implementation, within the framework of EU project implementation regulations.

Annex 1. Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche:		Programme name and number	
Building capacities in the area of justice, freedom and security		Contracting period expires 3 years after the signing of the FA	Disbursement period expires 5 years after signing of the FA
		Total budget : EUR 4.11m	IPA budget: EUR 3.91m
Overall objective	**Objectively verifiable indicators**	**Sources of Verification**	
Strengthening institutions in the area of justice, freedom and security in line with EU acquis through police reform and migration management.	▪ Positive assessments of reforming Human Resources Management in the Ministry of Interior ▪ Positive evaluation of border management, visa and asylum policy by EU ▪ Reduced number of asylum seekers from Serbia in EU	▪ EU Progress report	
Project purpose	**Objectively verifiable indicators**	**Sources of Verification**	**Assumptions**
Component 1: Development of overall institutional capacity to manage the HR system effectively and efficiently **Component 2:** Management of migration through effective policies and coordination procedures.	▪ Reduced number of complaints / charges of labour dispute for 30-40% ▪ Reduced internal staff turnover by 30-40% Increased confidence and motivation of employees by better planning and career system ▪ The number of detected potential irregular migrants based on forged travel documents and work permits increased by 20%. ▪ Reduced number of asylum seekers from Serbia in EU ▪ Reduced time for control at the border by 15% ▪ Migration Profile of the Republic of Serbia accurate	▪ HR Plan ▪ Revised Law on Police ▪ Reports of labour law services ▪ Regular employees surveys ▪ Regular reports of the Ministry of Interior, Ministry of Foreign Affairs and Ministry of Economy and Regional Development ▪ EC progress reports for Serbia ▪ Migration profile of the Republic of Serbia	▪ Motivation of the entire organization to create a more efficient system of HRM Commitment of staff from the three Ministries (MoI. MFA, MERD)
Results **Component 1: HR in MoI**	**Objectively verifiable indicators**	**Sources of Verification**	**Assumptions**
Result 1.1. All required legal framework and procedures for the functioning of a modern HRM system adopted and implemented. Result 1. 2. Modern HRM organisational units restructured and supported in line with HRM strategic documents, i.e. strategy and action plan and supported by new HR IT system. Result 1.3. Modern HRM procedures and practices promoted and implemented throughout the Ministry and Police Service, in line with the relevant HRM international standard.	▪ Analysis of legal and regulatory framework prepared and adopted ▪ . Revision of the Law on Police in line with the Law on Civil Servants and other related public administration legislation ▪ Number of classified HRM-related internal regulations and guidelines: decreasing, target 0 by end of project. ▪ Number of users of intranet resource and satisfaction rate increase throughout project duration. ▪ Percentage of open positions filled by internal/external open competitions: 80% by end of project. ▪ HR software operational and in use for all key HRM functions (including job descriptions, staff assessments, promotions/career development, organisation charts, leave, absences, vacancies). ▪ New organizational structure and job descriptions approved and implemented by end of Year 1. ▪ Rate of HRM employees' and HRM service users' satisfaction with new HRM service structure and processes is increased ▪ IT equipment, with installed software and required training used on daily basis thus introducing cost-effectiveness and efficiency in terms of: reducing the spread of the HR functions into a single organizational structure ▪ Reduction in the number of business processes relating to HRM up to 30% by the end of the project implementation; ▪ Average timing for processing of HR standard routine procedures by HRM services decreased by 50%. ▪ Guidelines and procedures for both internal and external recruitments – subject to objective, merit based criteria – prepared and adopted; ▪ Staff evaluation and career management systems developed and in operational usage; ▪ The Ministry will apply for mock test regards a relevant HRM International standard accreditation ;	▪ Statistics from Commission for Classified Data. ▪ Interview with MoI leadership following presentation of analysis report. ▪ Official Gazette of R. Serbia; ▪ MoI's Department for Normative and common Legal Affairs reports ▪ Software statistics and online survey. - HRM services' statistics. ▪ Tender documentation ▪ Guidelines and procedure documents ▪ Training reports and evaluations	▪ Procedures (admission to employment, rewarding, evaluation, promotion, transfer) established ▪ Reformed salary system ▪ The willingness and support of management for organizational and legislative changes in the MoI

	▪ Level of efficiency and user's satisfaction with new office software; ▪ 90% of HRM Department staff trained within prepared training module.		
Component 2: Legal Migrations Management 2.1. New model of national visa issuing system prepared according to EU best practices 2.2. A Central database on foreigners operational for the purposes of the MoI and Ministry of Foreign Affairs as well as for the external users. 2.3. Diplomatic – consular mission officers and border police officers use new IT skills and gained knowledge as well as coordination methods to detect potential irregular migrants, counterfeited documents and abuse of working permits 2.4. System for monitoring foreigners with departure orders operational	▪ Analyses of visa issuing system completed and adopted by second quarter of project ▪ New model of visa issuing system prepared and adopted by MoI ▪ Central database on foreigners in place by the end of the project. ▪ Data from the central database are used by both Ministries without difficulties ▪ Time necessary for data transmission concerning visa issuing procedures between the Border Police (headquarters), the border police stations and regional police departments decreased by 30% (from 7 days to 3 days). ▪ Time for checking foreigners entering the country is reduced ▪ The database in line with Directive on Data Protection ▪ Training of trainers in use of relevant software and necessary equipment and manuals prepared thus enabling continued training for relevant personnel ▪ Staff (250 diplomatic consular mission officers and 500 border police officers) trained by the above trained trainers in use of software and necessary equipment and manuals prepared. ▪ Time for exchange of data between MoI and MFA reduced by 50% ▪ Data on the issued documents exchanged between MoI, MFA and Ministry of Economy on regular bases ▪ - Reporting mechanism on executed departure orders is fully operational in practice	▪ Project reports ▪ EC progress reports for Serbia ▪ Reports of the MoI, MFA and MoERD	▪ Required data/information for the study available ▪ Infrastructure requirements for installation of the protected link are met ▪ Cooperation between the three Ministries
Activities		**Costs/ Means**	**Assumptions**
COMPONENT 1 **Activities related to result 1.1:** 1.1.1 Prepare analysis of the existing strategic and normative framework including also internal regulations, job descriptions and performance appraisal procedures and draft amendments and new regulations, including the Law on Police(2005) 1.1.2. Support declassification of relevant HRM regulations and draft new such documents where required 1.1.3. Development of intranet support system as means for faster communication regarding new normative framework **Activities related to result 1.2:** 1.2.1. Conduct re-assessment of HRM services' functions, business flows and capacities, in line with previous studies in this area 1.2.2. Support implementation of micro-organizational structure and job descriptions based on previous SIDA project analyses and recommendations. 1.2.3. Design and deliver on-the-job specialized training for Sector staff 1.2.4. Train staff in using new software for the proposed new HRM organisational unit at the head office and at the levels of district police departments (27) (approximately 300 persons), 1.2.5. Support continuous monitoring and evaluation of HRM service's new structure and performance **Activities related to result 1.3:** 1.3.1. Define tools enhancing HRM administration flows throughout the MoI, including General Office practice 1.3.2. Define model guidelines for managerial competency in the process of recruitment of new managers, managerial staff planning, performance appraisal, career development, etc 1.3.3. Develop and deliver modules and training materials for all management levels, on new legal and regulatory framework, HRM, team management, performance appraisal, recruitment, etc and conduct training of trainers 1.3.4. Support MoI in preparation of International Recognition l assessment, possibly leading to relevant HRM international standard accreditation in the future 1.3.5. Follow up relevant HRM standards capacity development and provide direct mentoring support over 12 month throughout the MoI to ensure that standards are maintained **COMPONENT 2** **Activities related to result 2.1:** 2.1.1.Prepare analyses of Serbia's current visa issuance procedure in compliance with EU standards and propose new model of national visa issuing system **Activities related to result 2.2:** 2.2.1 ,Procure and test software solution and necessary equipment for establishment of central database on foreigners 2.2.2. Deliver training and prepare guidelines for the use of data from the central database 2.2.3. Prepare protocols on information exchange between the MoI and MFA 2.2.4. Create a link for the use of database and data exchange between MOI, MFA and external users and conduct necessary software upgrades in MoI's internal network **Activities related to result 2.3:** 2.3.1. Develop curriculum and deliver training on detection of potential irregular migrants, counterfeit documents and EU best practices for the officers of diplomatic and consular missions and border police 2.3.2. Prepare protocols and guidelines for coordinated issuing of work and residence permits, and regular, smooth exchange of data between relevant institutions **Activities related to result 2.4:** 2.4.1. Recommend best possible solutions for monitoring and control of the realization of decisions of departure orders. 2.4.2. Create procedures, protocols and other necessary means for monitoring foreigners who are required to leave the country in accordance with the decision of departure orders		Component 1: Twinning contract EUR 1.0 m Supply contract EUR 0.81 m (co-financing EUR 0.09 m) Component 2: Twinning contract EUR 1.0 m Supply contract: EUR 1.1 m (co-financing EUR 0.11m)	

Pre-conditions: Technical specification for necessary software and hardware is in place prior to the launch of supplies contract

Annex 2. Description of Institutional Framework

The functioning of the Ministry is regulated by the Law on Ministries (Official Gazette of the RS, no. 19/04, 84/04, 79/05, 48/07) and Law on the Police (Official Gazette of the RS, no. 101/05);

- Sector for Finance, Human Resources and Joint Affairs is in charge of Human Resources matters consists of five organizational units:

•Directorate for Human Resources;

•Directorate for Joint Affairs;

•Directorate for Lodging and Catering;

•Directorate for Professional Education, Professional Development and Science and

•Department for EU Funded Projects.

The current mandate of the Directorate for HR includes primarily simple personnel administration, which includes recruitment and hiring of new employees from an administrative standpoint, formulation of contracts, promotion, disciplinary measures and termination of employment. The Directorate for HR has 27 regional offices in police secretariats throughout the country that deal with similar administrative tasks for the employees in local police stations.

Overall police competencies are performed by the General Police Directorate within the MoI.

It consists of: Border Police Department, Traffic Police Department, Criminal Police Department, Department for security measures, Operative Centre, Department for Common affairs and Department for protection.

Border Police Department has been established as general and centralized service, hierarchically organized at central, regional and local level, and in charge of direct organisation and performance of activities related to control of crossing and securing the state border.

At central level, this authority exercises the above-mentioned function through Department for border, Departments for foreigners, Department for prevention of cross-border criminal and criminal intelligence affairs, then through Department for international cooperation and Duty Operation Centre. At regional level this function is exercised through Border Police Regional Centres established for every neighbouring country. At local level Border Police Authority exercises its function through Border Police stations for control of crossing the state border and its security; their work is coordinated under Regional Centres.

Other institutions and authorities to be involved in implementation of this project are:

▪ MFA, Department for Visa Policy, Migration and Diaspora;

▪ MERD;

- National Employment Agency;

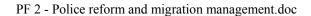- Commissariat for Refugees of the Republic of Serbia.

Steering committee:

For **Component 1,**

The Project Steering Committee (PSC) will be established to monitor progress regarding overall project activity implementation. The members of the PSC will be: MoI SPO, MoI's Sector for Finance, Human Resources and Joint Affairs, representatives of the MFA, Department for Visa Policy, Migration and Diaspora, MERD - National Employment Agency, Commissariat for Refugees of the Republic of Serbia as well as representative of EUD. The PSC will meet quarterly to monitor project progress and give directions for future project activities based on regular project reports.
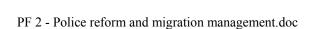
PMU will function within Department for EU Funded Projects of the MoI.

PMU of the MoI is located in Belgrade, Kneza Milosa 86, (contact person Igor Peric, Head of Department for EU funded projects, +381 (0)11 3622233)

Annex 3. Reference list of relevant laws and regulations only where relevant

- Law on Ministries ("Official Gazette of the Republic of Serbia (RS)" No. 19/04, 84/04, 79/05, 48/07;
- Law on the Police (Official Gazette of the RS no. 101/05);
- Civil Procedure Code (Official Gazette of the RS 125/05);
- Criminal Procedure Code (Official Gazette of the RS no.85/05);
- Law on Travel Documents (Official Gazette of the RS no. 90/07);
- Law on Foreigners (Official Gazette of the RS no. 98/2008)
- Law on Personal Data Protection (Official Gazette of the RS no. 98/2008)
- Decree concerning precise conditions for refusal of entry in the Republic of Serbia (Official Gazette of the RS no. 97/08);
- Law on civil servants, (Official Gazette of RS, no. 79/05);
- Labour Law (Official Gazette of RS, no. 54/09).

Annex 4. Details per EU funded contract where applicable

Component 1 of the Project will be implemented through one twinning and one supply contract.

The Twinning contract will include following project activities:

- Expert analysis of existing normative framework by expert team, including legislation, by-laws, internal regulations, job descriptions and performance appraisal procedures;

- Drafting and promotion of legislative amendments and new or amended by-laws and internal regulations;

- Revision of the Law on Police in line with the Law on Civil Servants and other related public administration legislation;

- Declassification of relevant HRM regulations or drafting of new such documents where required;

- Drafting updated job descriptions;

- Drafting internal procedures and criteria for individual performance appraisal;

- Development of intranet enabled support system as means for faster communication regarding new normative framework;

- Development of an evaluation report on the implementation of the MoI HRM Strategy and Action Plan from previous period (snap-shot analysis);

- Expert assessment of HRM services' functions, business flows and capacities, in line with previous studies in this area ;

- Micro-organizational structure and job descriptions implemented from previous analysis (SIDA project) and recommendations[3];

- On-the-job specialized training for Sector staff;

- Analysis of IT requirements and assistance with tendering procedure;

- Evaluation of HRM service's new structure and performance;

- Define tools enhancing HRM administration flows throughout the MoI, including General Office Software;

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[3] Technical specification for IT will be prepared through the SIDA project which started on 19th December 2011

- Define model guidelines for managerial competency in the process of recruitment of new managers, managerial staff planning, managers' performance appraisal, career development and handover procedures;

- Short snap shot of existing HRM related training

- Design and implementation of Train the Trainers Programme within the Ministry;

- Develop modules and training materials for training of all management levels, and carrying out trainings including workshops and short training courses on new legal and regulatory framework, HRM, team management, performance appraisal, recruitment;

- Support to and reparation of a relevant assessment leading to relevant HRM international standards accreditation, based on previous expert analysis and SIDA project work;

- Follow up relevant HRM international standard capacity development and direct mentoring support over 12 month process throughout the Ministry in-depth to ensure standards are maintained;

  In accordance with the activities described above, the Twinning contract related to Component 1 will be implemented with a RTA and a pool of long term and short term experts;

The Supply contract (where co-financing will be EUR 0.09 m) will include the following project activities:

- Provision of new software/hardware for new Division and HRM related personnel (approximately 300 personnel)

- Install a HRM Software (including relevant business processes) and where possible provide links with other Ministries + Training for new HRM Division personnel.

Component 2 will be implemented through one twinning, one IPA funded supply contract (where co-financing will be EUR 0.11 m).

Activities to be implemented through twinning contract:

- Prepare analysis of Serbia's current visa issuance procedure in compliance with EU standards and propose a new model for a national visa issuing system;

- Prepare protocols on information exchange between the MoI and MFA;

- Develop curriculum and deliver training on detection of potential irregular migrants, counterfeit documents and EU best practices for the officers of diplomatic and consular missions and border police;

- Prepare protocols and guidelines for coordinated issuing of work and residence permits, and regular, smooth exchange of data between relevant institutions;

- Recommend best possible solutions for monitoring and control of the realization of decisions of departure orders;

- Create procedures, protocols and other necessary means for monitoring foreigners who are required to leave the country in accordance with the decision of departure orders.

Activities to be implemented through the IPA funded supply contract:

- Procure and test software solution and necessary equipment for establishment of central database on foreigners;

- According to MoI's initial assessment, following items are envisaged to be procured under this contract:

Hardware with licences and installation with OS
- web application servers;
- data base servers;
- storages;
- document readers;
- communication and security equipment etc.
Software
- new web application as a part of the visa information system which takes information from one central data base;
- development tools with licences;
- analytical tools with licences;
- integration with the existing applications and data;

National co-financing will cover part of the activities under result 2.

Annex 5. Project visibility activities

Appropriate visibility activities shall be implemented in accordance with the EC Communication and Visibility Manual. A Communication and Visibility plan shall be prepared, budgeted for and implemented by the Project team. An integral part of the operations to be carried out will be the definition of relevant visibility activities as a cross-cutting mechanisms through various components of the operations. The aim of the visibility activities will be to raise the profile of the IPA funding projects, increase awareness among various target audiences and to ensure successful communication of information about the operations and results that will be accomplished. The planning and designing of possible visibility actions and tools will be fully aligned with the EU visibility guidelines "Communication and Visibility Manual for EU External Actions".

Proposed, visibility actions and tools could include:
- Written materials to be prepared (factsheets, training compendia, etc);
- Production of branded material (panels, folders, promotional material);
- Website: The MoI official website will publish information related to the project activities;
- Events (trainings, workshops, round tables, initial and closing events);

- The main activities through related to capacity building of beneficiaries through which visibility will be achieved are activities 1.2.3., 1.3.3, 2.3.1.

Annex 6. Needs Assessment for Supply contracts

NEEDS ASSESSMENT FOR THE SUPPLY CONTRACTS

OF THE PROJECT FICHE - BUILDING CAPACITIES IN THE AREA OF JUSTICE, FREEDOM AND SECURITY (Component 1 related to Human Resource Management in MoI)

1.   Background

1.1.   Context and rationale

The strategic and legislative framework for the functioning of HRM of Public Administration in Serbia is defined by the Public Administration Reform Strategy (2004) and Law on Civil Servants (2005). Although the MoI is an organisational unit of the public administration, the HRM functions of the MoI are regulated by the separate law, the Law on Police (2005). This means in effect that the MoI HRM can be considered to be a separate system within the overall public administration. In order to strengthen institutional capacities of MoI to manage its HRM, the provision of modern IT solutions is of paramount importance, especially when it comes to the cost-effective and transparent functioning of Human Resources. Without this provision it is not possible to implement the desired introduction of a fully funtioning modern HRM system.

The current situation regarding the IT solutions for the HR functions within the MoI is based on a system which has existed for the past few decades and has evolved over time in not a very planned and structured way. It is not possible to utilise the current equipment in any respect for several reasons, the most important being the inability of this equipment to work on modern software solutions. In other words, this means a full IT systems change is required.

For this reason, there is an urgent need of upgrading and replacement of this system if we have to keep up with modern management methods and international HRM standards

This is fully in line with the ongoing and planned changes envisaged within several system (reform) level projects related to HR, two of which are funded by bilateral donor countries. The first project is funded by SIDA under the name "Introduction of a Modern Human Resources Management Concept to the Ministry of Interior of the Republic of Serbia" and implemented by DCAF-Geneva. The second project is the MIIP3 project funded by the Norwegian government and implemented in Serbia by IMG.

It is important to note that full coordination (including EC Serbia) between these projects is forseen by the MoI and preliminary discussion and assessment has taken place at both senior management and expert levels. It is envisaged that the IPA supply contract would build on the bilateral projects in terms of IT solutions, thus filling in any gaps and providing a fully operational system.

1.2.   Legal context (including requirements from EU *acquis* and new legislation)

EU *acquis*

The supply of required IT equipment will ensure that the MoI and the Police Service is in line with the following EU standards and specific chapters within the EU *acquis,* such as chapter 24 on Justice, Freedom and Security (Justice & Home Affairs) and Chapter 19 on Social Policy and Employment. Specifically, it is anticipated that the provision of IT equipment will positively impact:

- Better civilian oversight of security forces by ensuring effective business processes, strategic planning, coordination and decision making, both internally and externally with relevant public bodies, including the non-governmental sector and parliament;

- Improved public oversight of expenditure, especially when it comes to brining employee pay in line with reform within the civil service and other public government bodies;

- Provision of a more transparent and accountable management of people, i.e. Ministry employees, especially in terms of selection and recruitment, disciplinary procedures and so on;

- Improvement of working relations with the police unions;

- Improved anti-discrimination policy and equal opportunities.

- Relevant National Legislations

- Law on Civil Servants (Official Gazette of RS, No 79/05);

- Law on Police (Official Gazette of RS, No 101/05);

The envisaged procurement will enable a high level of inter-operability with the general public administration practices and procedures, in line with the above laws. In this way IT solutions provided under this supply contract, in addition to new laws are regulations which are planned under the SIDA funded project, will serve as a means to achieve cohesion between the systems, which does not exist at the moment. In other words, the IT solutions will enable the implementation and realization of what the laws and regulations shall prescribe in written form.

1.3.   Institutional context

The IPA unit within the Ministry will be directly responsible for administration of the proposed supply contract. This unit has experience in the management of such projects, as its staff has undergone appropriate training requirements.

The IPA unit is directly responsible to the Assistant Minister, Head of Sector for Finance, Human Resources and Joint Affaires.

Full implementation will be established with relevant Ministry organizational units, i.e. Directorate for Human Resources and Information Technologies and Servers Directorate.

This project has the aim to establish a new sector for HRM within the MoI, according to relevant international standards. In this way, the new HR organizational unit will bring together in one place all HR related functions which are currently spread throughout the MoI,

and it will centralize business process and thus provide a unified, cost-effective solution, including the centralization of the 27 police district. Based on analysis and consultations to date, for a government body such as the MoI of the Republic of Serbia, it is estimated that this sector will require about 300 employees (the exact number to be determined under the SIDA funded project described above).

2. Gap assessment

As explained above, the current IT setup is outdated and inadequate for the planned modern functioning of the new Human Resources model within the Ministry. It is not possible to utilise the current equipment in any respect for several reasons, the most important being the inability of this equipment to work on modern software solutions, primarily in terms of hardware capacity. There is also an inadequate number of such IT platforms and associated office equipment.

Two bilateral projects will have a bearing on this supply contract.

- The MIIP3 Norwegian funded project will provide segments of the Human Resources system, mainly related to legal affairs and selection processes. However, these will only address select (specific) Human Resources IT requirements, and need to be extended, as proposed within this IPA supply contract. The MIIP3 project is estimated to supply 100 work station and some limited software for specific Human Resources functions.

- The SIDA funded project will determine the exact organisational setup of the proposed new Human Resources organisational unit, including the number of personnel, work functions and so on. This will enable the exact calculation not only regards the number of work stations, but also specialised Human Resources software, as well as specific business processes that will need to be implemented. The latter is particularly important when it comes to meeting EU standards and the EU acquis requirements described above.

That is to say that the MIIP3, the SIDA funded project and this IPA project are interlinked and will provide a complete IT system in order to respond to all the expected HR functions for the HR sector.

Detail technical specification for IPA project will be prepared by the SIDA project by May 2012. This means that through IPA 2012 supply contract some 265 IT hardware pieces with appropriate IT software (including fully operational HRM business processes) will be procured, installed and tested, as well as other basic office provisions which would enable basic business functions, such as network printers, presentation equipment, back up provisions and general consumables such as printer cartridges, flip charts and so on. Regarding this supply, approximately 70% of equipment will be allocated at the headquarters of the Ministry, and 30% will be allocated to local units.

This will contribute to the development of a modern HRM system that will furthermore ensure the adherence to professional standards, better employee satisfaction and thus better service delivery in every respect, i.e. both internally and externally.

3. Financial sustainability

The exact requirements cannot be stated as this stage, as the new organisational Human Resources setup is yet to be determined and setup under the Twinning contract. However, based on best EU practices it can be said at this stage that the appropriate number of personnel employed will be approximately 300 (analysis of average number of people employed within HR in similar police forces, figures obtained at a visit to UK Home Office and Scotland Yard in 2011, as well as subsequent market research and consultancy by HR experts). The cost calculations are based on these estimations. The systematisation of the personnel employed mentioned above is in progress.

Financial sustainability will be ensured through the cost-savings predicted with the introduction of more modern, less paper intensive and work intensive processes, enabling the Ministry to finance all relevant servicing and upgrades over the medium to long term. The MoI will take over maintenance of the equipment after the initial extended warranty expires (there will be a request for an extended warranty period of up to 3 years).

The Supply contract will provide training to the users of the IT equipment. Training will be addressed through a requirement of implementation of a train the trainers programme where possible so that in future the Ministry can in the medium to long term run its own training programmes.

4. Indicative list of equipment (incl. estimated prices based on market analysis and locations)

No	Item	A. # of Items	B. Item rate (in EUR)	C. Expected costs (in EUR) C=A x B
1.1.	Desktop work stations, standard system, with monitor and work station	265	600	159,000
1.2.	Laptops for mobile requirements	30	600	18,000
1.3.	Network printers (medium capacity)	30	800	24,000
1.4.	Network printers (large capacity)	10	1,700	17,000
1.5.	Projectors and associated equipment for mobile training and presentation	5	3,400	17,000
1.6.	General office software, MS office, Adobe, etc	250	500	125,000
1.7.	HR specific software, including in house training and set up of business processes management for all key HRM functions	N/A	N/A	450,000
1.8.	Back up solutions and networking	2	40,000	80,000
1.9.	Office consumables	N/A		10,000
Total costs for all items				**900,000**

The prices are based on a market analysis which is open sources and available, although it is possible that up to 10% savings is achieved by the envisaged tendering and bulk buying.

The prices are based, as argued above, on the total number of personnel estimated at this stage at 300 to be required for the new HR organisational unit and on a market research where the average prices are taken as benchmarks. However, total costs of interventions needed to make the new HR organisational setup operational may vary from indicated figures. More reliable information will be available once detailed technical specifications are elaborated. In any case this shall be done prior to start of the implementation of IPA2012 supply contract for component 1, whereby it is most probable that assistance through SIDA project will provide such support to complete detailed technical specification. Any variation from the envisaged amounts for IPA financing shall be mitigated by MIIP3 project which is flexible enough to intervene both prior and post to IPA funded supply.

In case the above funding is insufficient to cover the IT (hardware and software needs), the beneficiary is committed to provide additional national funding.

5. Indicative Timetable/scheduling/sequencing

As already mentioned this supply contract is interlinked with the SIDA and MIIP3 projects. Although inputs from SIDA project are expected before IPA supply is actually launched, those inputs are of crucial importance as they will recommend the optimal HR organisational structure as well as (most probably) provide detailed technical specifications of the complete respective IT requirements. In further sequencing, MIIP3 project will provide certain number of IT hardware which prove to be most urgent for the work of the staff in the HR unit which

will be established. Purchase of IT solutions through IPA2012 will follow and shall take place as indicated in the implementation schedule table (section 4.2). For all the further adjustments and additional supplies which proves necessary the MIIP3 project will be available to complement prior interventions.

NEEDS ASSESSMENT FOR THE SUPPLY CONTRACTS

OF THE PROJECT FICHE "Building capacities in the area of justice, freedom and security"

(Component 2- Management of migration through effective policies and coordination procedures)

1.   Background

1.1.   Context and rationale

By fulfilling all obligations of Visa liberalization Road Map with EU, as of January 1, 2010 Serbia entered Schengen White List regime. Due to this, the number of irregular migrants and asylum seekers from Far and Middle East as well as North Africa significantly increased. At the same time the number of Serbian citizens with unfounded asylum requests in EU states increased as well at the initial phase of implementation of Schengen Agreement. Irregular migrants (the majority coming from Afghanistan and the Middle East) continue their attempts to transit through Serbia, following the main routes from Turkey. This increasingly affects neighbouring EU Member States.

From October 2009 to August 2010, charges were filed against some 3,400 foreign citizens for illegally entering Serbia. A significant number of persons indicating their intent to file an asylum request at the border never do so, but disappear after entering Serbia in order to stay as irregular migrants or travel further.

The link between border control and residence of foreigners is very important, since safety and coordination of both issues is one of the basic preconditions for the successful fight against irregular migration. For this reason, it is very important to continue to strengthen the integrated information system (IT network) on the state border by establishing an internal IT network between the headquarters of the Border Police and the regional police departments.

The main pillars of the visa information system should be the MoI and MFA. This is a precondition for the successful establishment of a central database for foreigners that can be used by all relevant institution as envisaged by the Law on foreigners. The new visa system would facilitate a standardized, reliable and effective operation of Serbia's diplomatic and consular missions and the border crossings, and a safe verification and issuance of visas. This should enable the establishment of efficient and reliable processes and procedures from the moment of submitting a visa application for a foreign until his/her entry in Serbia. This will prevent and considerably reduce irregular migration and other associated illegal activities on legal border crossings.

Apart from technical shortcomings, there is an evident lack of capacities within the MFA for a specialized detection of irregular migrants. Training of the border police, with regards to the detection of counterfeit documents and profiling of immigrants who indicate some other reason for entering, will play a special role in improving capacity.

Persons whose legal stay in Serbia has expired are equally perceived as irregular migrants. In this case the problem is the shared jurisdiction over the issuance of residential permits and working permits for foreigners between the MoI and MERD. To that end, it is necessary to merge the data on residential permits issued (and the basis for their issuance) and the number of issued working permits.

Problems related to the possibility of abuse of the time limit set for the departure from the territory of the Republic of Serbia, as well as the inexistence of obligations to keep records and control the departures, will be overcome by establishing an efficient system for monitoring foreigners who should abide by issued departure orders.

This project will assist the adequate monitoring of irregular immigrants as well as establish a central database for foreigners. As a part of this project, it is foreseen to address the question of cooperation and coordination between the three Ministries that are involved as a key prerequisite to effective migrations management system in line with EU standards.

The IT equipment necessary for operating of central data base on foreigners will be placed in, used and maintained by the MoI.

1.2. Legal context (including requirements from EU acquis and new legislation)

EU acquis and legislation

This supply contract and this project will contribute towards further progress in implementation of the *acquis* in this specific area: free movement of persons (freedom of movement for workers. In order to perform the tasks of the MoI efficiently, adequate equipment indicated in this document is required. Relevant are:

▪ Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment;

▪ Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals;

▪ Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance;

▪ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents;

National legislation:

Reference to laws and regulations

Law on Ministries (Official Gazette of the Republic of Serbia (RS) No. 19/04, 84/04, 79/05, 48/07;

• Law on the Police (Official Gazette of the RS No. 101/05);

- Civil Procedure Code (Official Gazette of the RS No.125/05)

- Criminal Procedure Code (Official Gazette of the RS No.85/05)

- Law on Travel Documents (Official Gazette of the RS No. 90/07);

- Law on Foreigners (Official Gazette of the RS No. 98/2008)

- Law about Personal Data Protection (Official Gazette of the RS No. 98/2008)

- Decree concerning precise conditions for refusal of entry in the Republic of Serbia (Official Gazette of the RS No. 97/08).

- Labour Law (Official Gazette of RS No. 54/09).

Institutional context

The **Ministry of Interior** is in charge of implementation and monitoring of this project. Key beneficiary will be the Border Police Directorate. The work, mandate and competencies of the Ministry are regulated by the Law on Ministries and Law on the Police.

The Police Directorate (Border Police Department, IT Department, Criminal Border Police Department) has been established as general and centralized service, hierarchically organized at central, regional and local level, and in charge of direct organisation and performance of activities related to control of crossing and securing the state border.

At central level, this authority exercises the above-mentioned function through Department for border, Departments for foreigners, Department for prevention of cross-border criminal and criminal intelligence affairs, then through Department for international cooperation and Duty Operation Centre. At regional level this function is exercised through Border Police Regional Centres established for every neighbouring country. At local level Border Police Authority exercises its function through Border Police stations for control of crossing the state border and its security; their work is coordinated under Regional Centres.

Other key institutional Stakeholders

The MFA is responsible for issuing of visas, signing agreements on visa regime with other countries, signing readmission agreements, and for providing representatives to international institutions that deal with migration. Consular missions are also the main link with the Diaspora. Within respect of the MFA, Department for Visa Policy, Migration and Diaspora will be involved in the implementation of this project.

The MFE and the National Employment Agency, are responsible for: the employment in the country and abroad; consigning unemployed citizens to work abroad; monitoring the status and trends in the labour market in the country and abroad; proposing and monitoring the implementation of strategies in the field of migration in the labour market; etc.

The Commissariat for Refugees of the Republic of Serbia is a special institution established by the Law on Refugees in 1992 and is responsible for a variety of tasks related to the protection of the rights of migrants, particularly refugees and IDPs.

2.   Gap assessment

The existing information system in operational usage by the MoI includes files of specific categories of foreigners containing data on foreigners who have legally filed an application for temporary or permanent residence and also those under specific measures ("legal" and "illegal" part).

The MoI needs relevant software which will enable it to exchange data with the MFA, the MERD, National Employment Service and other relevant institutions, i.e. the software which would provide integration with the existent records and technical structure of the MoI, and web services to communicate with adequate records on the side of mentioned institutions, as well.

When it comes to the required equipment, it should be scalable, redundant and highly accessible, in order to meet all the actual conditions in time of the project's realization and future requirements placed before the equipment.

Technical specification of the necessary equipment will be prepared through IPA 2011 project "Strengthening the Rule of Law in Serbia, Component II: Establishment of stationary and mobile video surveillance system for state border protection". It is important that these two activities are well sequenced.

Activities to be implemented through IPA funded supply contract:

- Procure and test software solution and necessary equipment for establishment of central database on foreigners;
- Deliver training and prepare guidelines for the use of data from the central database;
- Develop curriculum and deliver training on detection of potential illegal migrants, counterfeit documents and EU best practices for the officers of diplomatic and consular missions and border police;Prepare protocols and guidelines for coordinated issuing of work and residence permits, and regular, smooth exchange of data between relevant institutions;

3.   Financial sustainability

After project completion the IT system will be maintained, managed and updated by the relevant Ministries, MoI, MFA and the MFE.

As part of the project activities, Trainers of Trainers will be trained, and these will be used to build capacity for future staff, who will not be involved in the trainings within the project time frame. The guidelines to be prepared will be available for use by staff.

These trainings will be included in the existing system of orientation for officers to be deployed to diplomatic missions.

Continuity in the capacity building will be secured through preparation of the guidelines and protocols that will be available for use by all staff.

The total cost of the investment is:

IT equipment = **1,210,000.00 €**EUR, including 110,000.00 €EUR national co-funding.

4. Indicative list of equipment (incl. estimated prices based on market analysis and locations)

No	Item	D. # of Items	E. Item rate (in EUR)	F. Expected costs (in EUR) C=A x B
1.1.	Hardware with licences and installation with OS for overall database usage - web application servers - data base servers - storages - document readers - communication and security equipment etc.			310,000.00 €
1.2.	Software for overall data base usage - new web application as a part of the visa information system which takes information from one central data base - development tools with licences - analytical tools with licences - integration with the existing applications and data			900,000.00 €
Total costs for all items				**1,210,000.00 €**

The prices are based on a market analysis which is open sources and other available technical documents.

5. Indicative Timetable/scheduling/sequencing

The start of tendering for the twinning contract is envisaged for the first quarter after the signing of the financing agreement.

The supply contract will be launched 6 months after signature of twinning contract as well as service contract financed through national funds.

Prior to initiation of the tendering procedure for the supply contract, technical specification of the necessary equipment will be prepared through IPA 2011 project "Strengthening the Rule of Law in Serbia, Component II: Establishment of stationary and mobile video surveillance system for state border protection". It is important that these two activities are well sequenced.

Annex 7
Three relevant donor-funded projects at MoI, which have HR as one of the central themes

Comparison of HR Projects Functionality at MoI

The SIDA and IPA projects will mostly deal with two major groups of required changes to MoI HR organization (legal and organizational). This would allow MIIP3 project to concentrate on alleviation of current HR organization problems with performance, access to information and transparency, through the implementation of specific new HR processes and related IT tools, which would be later incorporated into the new, fully-fledged HRM Information System, but will in the meantime, make HR operate in much more efficient and transparent manner.

Swedish SIDA-funded project "Introduction of a modern HR concept to the MoI of the Republic of Serbia"	Norwegian funded project "Management Information Improvement Project (MIIP) Phase 3"	Proposed IPA-funded HRM project
Encompasses HR issues such as: 1. Raising of awareness at MoI about the comprehensiveness of HR functions; 2. Training of MoI employees to better understand HRM, preparation of a comprehensive MoI HR Strategy; 3. Establishment of internal communications between MoI management and employees, in order to regain mutual respect and confidence, and recognition of the current status and scope of HR at MoI; 4. The SIDA funded project will determine the exact organisational setup of the proposed new Human Resources organisational unit, including the number of personnel, work functions and so on. This will enable the exact calculation not only regards the number of work stations, but also specialised Human Resources software, as well as specific business processes that will need to be implemented. The latter is particularly important when it comes to meeting EU standards and the EU *acquis* requirements;	The project's aim is to support in general the Serbian Government's strategy for growth, structural reform, and poverty reduction, by improving public expenditure management, document and human resources management in theMoI. Improved processes and information systems are required to ensure the alignment of critical resources with MoI strategic priorities and needs. The purpose of Phase 3 of the project is to continue to build on results from Phase 1 and 2, and further improve information for decision-making across MoI regarding the strategic and operational management of resources. This project will cover short term and urgent needs regarding IT in HR Directorate and pilot installation of new improved software for the new HR organizational unit which will be restructured through the forthcoming IPA project, and will focus only on two HRM functions: legal affairs and recruitment process. Hence, these will only address	To follow the two projects in implementation and deal with relevant HRM legal changes to support full implementation, introduction of a merit-based HR organization at MoI, the overall HR reorganization and structural establishment of a high-level HR management, as well as financing additional purchase of IT equipment and accompanying software to support a fully-fledged HRM Information System.

5. Introduce and build awareness regarding HRM international standards; 6. Develop HRM strategic documents.	selected (specific) HR IT requirements, and need to be extended, as proposed within this IPA supply contract.	

SIDA HR PROJECT **Starting: December, 2011** **Length: 30 months**	**MIIP PROJECT, 3** **Starting: 2012** **Length: 36 months**	**IPA 2012, HR PROJECT** **Starting:2014** **Length: 24 months**
Excepted results: - Raised awareness regards HRM and improved internal - Identify HRM related functions - Expert Capacity Development - -Develop proposals for the institutional framework for the HRM organizational unit - Increase awarness and light capacity development regards a relevant HRM insternational standard. - Project Activities effectively and efficinetly implemented	Expected results: - New automated processes and supporting IT HW/SW to manage legal cases, internal complaints, appeals, etc. (Employment RelationsO - New automated system and supporting IT/HW/SW to manage job competition and selection process (e.g. Recruitement and Selection) - Both new systemsto show sustainable value/usage to be included into new HRIS under IPA project	Expected results: - All required legal framework and procedures for the funcionning of a modern HRM adopted and implemented, including the revision of the Law on Police (2005) - Modern HRM organisational units restructured and supported in line with HRM strategic documents (Strategy, action plan supported by new HR IT system) - Modern HRM procedures and practices promoted and implemented throughout the Ministry and Police Service, in line with a relevant HRM insternational standard

*HW/SW – hardware/software
*HRIS – HR Information System

SIDA project started in December 2011

Annex 8. Information related to central database

The central data base will not incorporate refugees and asylum seeekers. It is envisaged by the Law on Foreigners what kind of data should be maintained in this data base (Article 79 - Data from the registers referred to in Article 78 hereof shall be entered in the central database kept by the Ministry) and these are :

1) Foreigners who have been granted permanent residence;

2) International felons who are prohibited from entering the Republic of Serbia;

3) Foreigners who have been granted temporary residence;

4) Foreigners whose temporary residence has been revoked;

5) Prohibitions of foreigners' entry into and exit from the country;

6) Foreigners in respect of whom a protective measure of removal or security measure of banishment is in force;

7) Foreigner travel documents and identity cards issued;

8) Foreigner travel and other documents reported lost and found, in conformity with this Law;

9) Travel documents temporarily confiscated;

10) Registrations of foreigners' stays;

11) Registrations of foreigners' permanent residence, terminations of permanent residence and changes of address;

12) Carriers and tour operators in respect of which a protective measure of prohibition of engagement in commercial activity referred to in Article 81, paragraph 4 hereof has been pronounced;

13) Legal entities and sole traders in respect of which a protective measure of prohibition of engagement in commercial activity referred to in Article 82, paragraph 3 hereof is in force;

14) Foreign travel documents used for entry into and exit from the Republic of Serbia;

15) Foreigners in transit through the territory of the Republic of Serbia;

16) Visas issued at border crossing and rejected applications for issuing visas at border crossing;

And in the competence of the MFA:

1) Issued special identity cards;

2) Issued visas;

3) Rejected visa applications;

4) Issued foreigner's laissez-passers;

5) Foreigner travel and other documents reported lost and found, in conformity with this Law.