

ANNEX C1

STANDARD TWINNING PROJECT FICHE

1. Basic Information

1.1 Publication notice reference: EuropeAid/ 138-269/DH/ACT/XK

1.2 Programme: 2015 Annual Programme for Kosovo¹(IPA 2015 038-066, objective 2)

1.3 Twinning Number: KS 15 IPA AG 01 16

1.3 Title: Support to strengthening Kosovo's plant production and protection system and capacities

1.4 Twinning Sector: Agriculture and Fisheries (Food and Veterinary Agency- Phytosanitary sector)

1.5 Beneficiary country: Kosovo*

2. Objectives

2.1 Overall Objective(s):

The overall objective is to strengthen the implementation and operational capacity of the institutions (Phytosanitary Sector) responsible for plant health in Kosovo in order to ensure the effective control system of the harmful organisms to plant and plant products in accordance with EU Phytosanitary standards.

2.2 Project purpose:

To upgrade and strengthen the capacity (administrative and technical) of the Phytosanitary sector for successful implementation of national and EU legislation in phytosanitary area - plant health, plant protection products, food safety, seed and propagating material, plant variety rights and inspections.

2.3 Contribution to National Development Plan/Cooperation agreement/Association Agreement/Action Plan

The Stabilization and Association Agreement (SAA) between Kosovo and the European Union was signed on 27 October 2015, in Strasbourg and entered into force on 1 April 2016. Acquis Chapter 12: Food Safety, Veterinary, and Phytosanitary Policy of the agreement provides for developing all priority areas related to the Community Acquis in the field of

¹ *This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

agriculture, as well as Phytosanitary domains. Current IPA II Action shall lead to achievement of Indicative Strategy Paper (ISP) overall objective, IPA II and Kosovo Agriculture and Rural Development Programme (ARDP) priorities by modernizing agro-food processors and rural producers for improving their productivity and achieving standards (on food safety, animal welfare, environment etc.), by supporting investments tackling the climate change and by strengthening the rural economy through rural diversification projects. Therefore the Action is also in line with EU 2020 Strategy for Smart, Sustainable and Inclusive Growth, particularly being in convergence with these strategy objectives on jobs and climate change.

3. Description

Background and justification:

The strategic goal of Kosovo is full EU Membership. In order to fulfill this self-determined goal, Kosovo is putting a lot of effort into the proper implementation of the SAA with the aim to meet all EU membership. Since Kosovo is fully aware of all its duties arising from the membership, it has focused its attention on harmonization of all Kosovo legislation and Strengthening the capacity of its institutions in charge of implementing the adopted regulations and those in charge of supervising their application. On the way of preparation of the Republic of Kosovo for integration with the EU, European Commission indicated within the European Partnership the short and medium term priorities which are expected to be accomplished within a certain time period. So, in the Phytosanitary sector a short term priority relates to the continuous improvement of administrative structure and development of comprehensive strategy in the field of phytosanitary policy, while medium term priority relates to the necessity of significant upgrading inspection structures. The European Commission's Progress Report October Brussels, 10.11.2015 stated that "In the phytosanitary sector, although the law on plant protection was amended, the plant disease surveillance programme has not yet been set up. Further updates are needed to the list of plants and plant products".

Phytosanitary sector is generally regulated by the Food Law 03/L-016 and Law No. 04/L-120 on plant protection. According to the above legal acts, competent authority for designing policies and legislation in the area of plant protection and production is the Ministry of Agriculture, Forestry and Rural Development (MAFRD) whereas the implementation agency responsible for safety of plants and plant products is Kosovo Food and Veterinary Agency (KFVA), the structure which is linked to Prime Minister Office.

While significant progress is made in establishing basic legislative acts in place and certain plant control system, much remains to be done in completing the legal framework with the secondary legislation and, more importantly, implementation of the legislation.

Major improvements, that can be also characterized as challenges of the sector are:

- Completion of legal framework;
- Clear definition of tasks and responsibilities between policy making and executive bodies;
- Definition of measures for the prevention of introduction and spread of harmful organisms in plants, plant products and other objects and for their eradication;
- Production and transfer of plants and plant products;
- Design and implementation of surveillance system for harmful organisms, using scientific methods for risk assessment and establish proper risk management in place;

- Data collection, maintenance and exchange of information both within Kosovo and whenever applicable with the countries in the region;
- Increase technical capacities of the staff working in the MAFRD and KVFA;
- Introduce and implement EU compliant rules and regulations on production and placing on the market of plants and plant products;
- Increase technical capacities and supply with the necessary equipment Kosovo Institute for Agriculture which is the only institute in Kosovo accredited for the controlling the quality of agriculture inputs, researches for varieties (wheat, barley, maize and potatoes) in Kosovo climatic conditions, research work in line of establishing new varieties for wheat and maize hybrids, assessment of quality and prolificacy of land in Kosovo, identification and inventory of harmful biological agents (insects, diseases, weeds etc) in Kosovo.

Phytosanitary sector provides inspection controls inside the country and on the borders by border phytosanitary inspectors. Phytosanitary sector is responsible for implementing of legislation.

Weaknesses and threats are: insufficient informative knowledge of employees, poor experience in use EU standards from phytosanitary area, import of plant shipments represents potential hazards for spreading of plant harmful organisms and in finally represent a high risk for the public health, some facilities for phytosanitary controls are still in unsatisfactory conditions, a relatively large quantity of phytosanitary goods, which come into Kosovo, may be a source of infection, often latent, and may cause considerable damages in plant production. In order to prevent the spread of plant harmful organisms, they can be put in quarantine under special conditions, until the attendance or absence of the quarantine harmful organisms is confirmed.

In order to enforce the newly adopted legislation in the phytosanitary area in compliance with EU standards and best practices, it is necessary to continue with the strengthening and modernization of appropriate infrastructure facilities, both administrative and technical.

This project should help to address these weaknesses and optimize the use of existing capacities.

This project is necessary for the Phytosanitary sector in Kosovo in order to provide employees with modern know how which should result in more effective work. The setting up of an integrated information system within the Phytosanitary sector (PHS) should provide for better communication and exchange of information among staff.

3.1 **EU funded projects:**

Regarding Phytosanitary sector there haven't been any projects funded by EU, so this project will be useful on strengthening Phytosanitary services with technical assistance and preparing proposals for the organization of the future Phytosanitary sector.

3.2 **Results:**

The project will achieve the following results:

Result 1: National implementation in the Phytosanitary area is harmonized with EU legislation.

Indicators:

- Inspection control, prevention, administrative control, urgency and other types of measures regularly implemented: control of import, export and production in accordance to EU standards, information exchange with Phytosanitary directorates of other countries, custom offices and other related institutions.
- Phytosanitary legislation in force reviewed, gaps are identified and drafting of the relevant and missing legislation to be adopted by the relevant executive and legislative institutions is supported;

Result 2: Inspection and other administrative and operational procedures in the Phytosanitary area developed and adopted

Indicators:

- Registries developed and functional (keep records about producers, importers, exporters etc.);
- Publications issued (instructions for administrative staff, inspectors, importers, exporters, and measures against harmful organisms etc.);
- Publishing manuals and training manuals with procedure for:
 - a. inspections, notification of interception, sampling;
 - b. identification plant harmful organisms according annexes of Council Directive 2000/29/EC of 8 May 2000;
 - c. monitoring pesticide residues;
 - d. placing on the market PPP;
 - e. marketing and production of seeds and propagating material;
 - f. plant variety rights.

Result 3: Set up and improved information system

Indicators:

- manuals for mandatory exchange of information published;
- new software installed and functional and connected with web side;
- staff trained;
- other institutions - users of information system acquainted with the system;
- stakeholders and public are familiar.

3.4 Activities:

Member State(s) id kindly requested to develop activities in the submitted proposal which are needed in order to achieve the results stipulated in the fiche.

3.5 Means/ Input from the MS Partner Administration:

3.5.1 Profile and tasks of the **Project Leader**

The **Project Leader** (PL) must have at least 5 years of relevant practical working experience and be official from a Member State (MS) law enforcement body with broad knowledge and practical experience in Phytosanitary field in EU, New Member States or Candidate Countries. The PL will provide overall guidance on project orientation and focus and ensure that contract objectives are met. The PL should have proven management skills and experience.

Requirements:

- University level education or equivalent professional experience of 10 years in public administration
- Minimum 5 years of experience in public administration
- High-ranking official
- Experience in project management
- Computer literacy
- Working level of English language
- Proven contractual relation to public administration or mandated body, as defined under Twinning Manual 5.4.5

Tasks of the Project Leader:

- Overall coordination and managing of the implementation of the project in cooperation with the BC Project Leader
- Ensuring sound implementation of the envisaged activities
- Monitoring and evaluating the needs and priorities in the respective sector, project risks, progress against the project budget, benchmarks, and outputs, and taking any necessary remedial actions if needed
- Coordination of MS experts' work and availability
- Providing efficient leadership of the project
- Ensuring backstopping and financial management of the project in the MS
- Participation in Steering Committee meetings
- Organization of study visit
- Project reporting

3.5.2 Profile and tasks of the **Resident Twinning Adviser (RTA)**

The **Resident Twinning Adviser (RTA)** will be a senior officer with at least 3 years of professional experience in Phytosanitary areas covered by this assignment:

He/she will ensure timely identification of short term and other expert requirements, determine their profiles and inputs, supervise and coordinate their actions and ensure quality control of all team outputs. Besides the management aspects, he/she will particularly responsible for:

- Support in drafting the legislation and relevant administrative instructions;
- Upgrading and preparation (where needed) of the control plans for inspection;
- Upgrading and preparation (where needed) of the contingency plans;

The required qualifications, skills and experience include:

- university degree in a relevant Phytosanitary discipline, along with strong communication and leadership skills;
- at least 3 years of professional experience in the Phytosanitary sector preferably gathered in the EU and in CEEC/transition economies;
- excellent practical experience in phytosanitary inspections, policy and strategy formulation;
- excellent understanding of Phytosanitary issues, including related EU standards and best practices;
- very good command of English, both spoken and written;
- excellent analytical, evaluation, management and planning skills;
- excellent communication skills in terms of interpersonal communications, mediation and report writing;
- ability to adapt quickly to the local environment and understand constraints and opportunities of it;

The duration of the RTA secondment is 24 months.

3.5.3 Profile and tasks of the short-term experts

Short-term experts (STEs) will cover the activities in the following fields:

1. plant health
2. plant protection products
3. pesticide residue
4. seeds
5. propagating material
6. phytosanitary inspection
7. IT
8. relevant laboratories

3.5.3.1 The **STEs in the field of plant health, plant protection products, pesticide residue, seeds, propagation material and phytosanitary inspection** should have:

- relevant University degree;
- minimum of 5 years professional experience in the respective field;
- very good written and oral command of English;
- up to date and in depth knowledge of the EU legislation, relevant procedures and institutional structures in the respective field required to implement the relevant policy;
- excellent knowledge on the issues in the relevant field in transition economies;
- previous experience in assessing third country legislation and institutional arrangements (including inspection, laboratory control etc.) for compliance with EU requirements in the relevant field is desirable, as experience in having assisted in defining relevant policy strategy and worked in legal alignment and institutional reform projects including laboratory control and accreditation in new Member States or Candidate Countries;
- previous experience in needs analysis related to training and capacity building; and in building effective training programmes based on participatory training approaches;
- to be experienced in provision of training and consultancy in relation to the standards in the relevant field as well as public health, consumer protection, inspection and similar.

The STEs shall be responsible for:

- activities related to the approximation of the legislation of Kosovo to the Union acquis: analysis of the current state of play in comparison with the acquis, drafting of legislative proposals and recommendations, providing consultation and training of a group of national experts on legislative drafting in relation to the relevant field, developing and implementing all capacity building measures – consultancy, on-going support and training activities, assessment of the needs related to human resource management and development, as well as for drafting of operational rules and procedures.

3.5.3.2 The specific task of the **STE for phytosanitary inspection** shall be:

- analysis of the current state of play in comparison with the EU best practice, drafting of annual control plans for inspection, implementing activities related to the manuals for the phytosanitary inspection, providing consultation and training of phytosanitary inspectors in relation to perform control in phytosanitary field (plant health, seeds, propagating material and plant variety rights, pesticide etc.)

3.5.3.3 The **STE for IT** should have:

- previous experience in evaluation of the IT needs and developing IT systems, preferably for the needs of the phytosanitary systems in the EU or candidate countries.

The STE shall be responsible for:

- assessment of the IT needs of the relevant institutions and the establishment of an IT system.

3.5.3.4 The STEs **for laboratories** (seed laboratory, phytosanitary laboratory etc.) shall be responsible for:

- activities related to trainings in diagnostic methods in the field of mycology, virology, entomology, nematology, bacteriology etc.

3.5.3.5 The number of STEs, allocation of the working days and the time table of the activities should meet the absorption capacities of the Phytosanitary Directorate administration.

4. Institutional Framework

The only authority for Implementation of phytosanitary area in Kosovo is Food and Veterinary Agency respectively the Phytosanitary sector (Phs) under the supervision of Office of the Prime Minister.

The Phytosanitary Sector of Kosovo was established by MAFRD, started with work in 2001. The Phytosanitary Sector also provides inspection controls inside country and on the borders by phytosanitary inspectors.

The Phytosanitary Sector is responsible for implementation of legislation Regarding:

- plant health protection,
- plant protection products,
- plant nutrition products,
- seeds and propagating material,
- GMO,
- plant variety rights,
- plant genetic resource,
- food safety.

At the central level the Phytosanitary Sector has:

- phytosanitary sector for internal control which has chief of Phytosanitary Inspectors
- phytosanitary sector for border control control which has chief of Phytosanitary Inspectors

The professional and technical support to the Phytosanitary sector (laboratory analysis, job of public interest) in phytosanitary area is provided by:

- 1) Institute of Agriculture in Peja
- 2) Public Health Institute and
- 3) Private laboratories

5. Budget

The budget allocated for this Twinning Contract is € 1,200,000.00.

*Please note that the awarding of the twinning contract is subject to the conclusion of a financing agreement **between the European Commission and Kosovo** for the Annual Action Program for 2015, which does not modify the elements of the twinning procedure. If the precedent condition is not met, the contracting authority may cancel the call for proposal without the candidates being entitled to claim any compensation.*

6. Implementation Arrangements

6.1 Implementing Agency responsible for tendering, contracting and accounting

The EU Office in Kosovo is the Contracting Authority responsible for tendering, contracting and managing the Action. The European Union Office in Kosovo will manage the procurement, implementation, quality control, reporting. A Project Steering Committee will be responsible for the overall direction of the project and comprise of representatives from the beneficiary institutions and the EU Office and other relevant institutions. Monitoring will be performed centrally by the European Commission. The project may be evaluated at the interim or ex-post stages under the supervision of the Commission's Evaluation Unit. The project may be audited by the Court of Auditors in line with the standard European Commission procedures.

Contact person: Arton Osmani, Programme Manager, EU Office

6.2 Main counterpart in the BC, including contact person and contact details.

BC Project leader

Dr. Valdet Gjinovci

Chief Executive Officer, Food and Veterinary Agency

The Government of Kosovo

RTA counterpart

Naim Delijaj,

Phytosanitary Inspector- Food and Veterinary Agency

The Government of Kosovo

6.3 Contracts

It is envisaged that the project will be implemented through one Twinning Contract with the maximum amount of €1,200,000.00.

7. Implementation Schedule (indicative)

7.1 Launching of the call for proposals: July 2016

7.2 Start of project activities: May 2017

7.3 Project completion: May 2019

7.4 Duration of the implementation period (24 months)

8. Sustainability

The sustainability is a key topic for which Kosovo has a specific interest, as its objective is to make the best use of the available funds for its fast development. Thus, the strong political commitment, of Kosovo to implement reforms, proved along the last years, is an important horizontal factor.

Considering the type of the proposed actions, for ensuring the sustainability of the support, Kosovo shall assign a special consideration for:

1. Increasing the human resources institutional capacity for a better absorption of the know-how - in case of in case of technical assistance projects;

Ensuring clear provisions for the type of investments that needs to be supported based on clearly identified needs and absorption capacities. Further support to Agri-food producers and processors towards meeting requirements set in the food legislation is essential. Introduction of cross compliance requirements in the preconditions to qualify for subsidies will greatly assist fulfilment of Animal Health requirements.

9. Crosscutting issues

Equal opportunities and gender mainstreaming

Equal opportunity will be taken into account at all stages and aspects during the implementation of the project.

Proposed projects will also provide an opportunity for the qualified woman to get involved in the activities which are traditionally done by man e.g. Inspection services, auditing of food processing plants etc.

In this regards woman will be particularly encouraged to attend training programmes and they will also have an advantage under training of trainer's scheme and leadership role in the functioning of regional office of the Kosovo Food and Veterinary Agency.

Engagement with civil society:

Civil society is actively involved in programming and implementation of the KVFA projects, mostly through Kosovo Chamber of Veterinarians who are the key counterpart of the KVFA. Public consultations and information sharing campaigns are also organized for other stakeholders such as food producers and processors. Trainings are provided through various EU funded projects to the representatives of the Industry, mostly in the implementation of provisions listed in the Food Law and adopted regulations deriving from the new hygiene package.

Environment and climate change:

The Agriculture and Rural Development Support Programme shall finance environmental related investments, such as: water treatment facilities for the agri-food processors, manure storages for farmers, renewable energy and energy efficient equipment and machinery etc. At the end of the investments, the entire enterprises shall meet the EU relevant legislation environment.

Minorities and vulnerable groups

Specific arrangements shall be made that all the projects are equally implemented in the Minority areas. Specific component in the Action 1 is included in the north since it was impossible to implement it up to date. Regional office of Mitrovica will be given a priority in terms of functionalization.

10. Conditionality and sequencing

N.A

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. List of relevant laws and regulations
3. Organogram of the Food and Veterinary Agency

1. Logical framework matrix in standard format (compulsory)

Overall objective	Objectively verifiable indicators	Sources of Verification	-
<p>The overall objective is to strengthen the implementation and operational capacity of the institutions (Phyosanitary Sector) responsible for plant health in Kosovo in order to ensure the effective control system of the harmful organisms to plant and plant products in accordance with EU Phytosanitary standards.</p>	<ul style="list-style-type: none"> - ensured safety plant origin food - secured safe trade - provided a legal implementation framework - checked movements of plants - controlled harmful organisms - Implemented preventative measures against the introduction and spread of organisms harmful to plants or plant products within Kosovo - contributed plant health protection through sustainable production - ensured quality conditions for the sale of seeds and propagating material - Covered the intellectual property rights granted to plant varieties 	<ul style="list-style-type: none"> - Official Gazette - Government monitoring reports - EU monitoring reports - Quarterly experts' reports - Feedback requested from applicants on their opinion of changes implemented - - 	<p>-</p>
Project purpose	Objectively verifiable indicators	Sources of Verification	- Assumptions

<p>To upgrade and strengthen the capacity (administrative and technical) of the Phytosanitary sector for successful implementation of national and EU legislation in phytosanitary area - plant health, plant protection products, food safety, seed and propagating material, plant variety rights and inspections.</p>	<ul style="list-style-type: none"> - relevant EU legislation in the Phytosanitary area adopted - EU requirements from phytosanitary area are prepared for implementation: - output control of national producers - upgraded plant health protection - harmonized system of PPPs in Kosovo with EU - harmonized system of quality of seeds and propagating material - harmonized system of plants variety rights - upgraded inspections controls 	<ul style="list-style-type: none"> - Phytosanitary Sector web-site - EC progress report - Media 	<ul style="list-style-type: none"> - Sufficient number and quality of scientific staff and well trained personnel - Continuing good relations and coordination with other services and institutions
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Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>1. National legal framework in the phytosanitary area is harmonized with EU legislation</p>	<ul style="list-style-type: none"> - Phytosanitary legislation adopted by the relevant executive and legislative institutions - Inspection controls, prevention, administrative control, urgency and other types of measures regularly implemented: control of import, export and production in accordance to EU standards, information exchange with phytosanitary directorates, custom offices and other related institutions 	<ul style="list-style-type: none"> • Official Gazette. • Manuals • Project reports • Media • Phytosanitary sector web-site 	<ul style="list-style-type: none"> • Continuing Government support • Phytosanitary Sector capable of retaining key staff • Systems and procedures in place are accepted, evaluated and applicable • Acceptance of employees and other related institutions and public service of new information system
<p>2. Inspection and other administrative and operational procedures in the phytosanitary area developed and adopted</p>	<ul style="list-style-type: none"> - Registries developed and functional (keep records about producers, importers, exporters...) - Publications issued (instructions for administrative staff, inspectors, importers, exporters, and measures against harmful organisms...) - Published manuals for procedures: <ul style="list-style-type: none"> - inspections, notification of interception, sampling, - plant harmful organisms - registration of operators - import from third countries - pesticide residues - placing on the market PPP - seeds and propagating material 		

	- plant variety rights		
3. Inspectors, administration and laboratory staff need to be capable to properly carry out related duties in accordance to the acquis	- Inspectors, administration and laboratory staff need to be trained		
4. Set up and improved information system	Manuals for mandatory exchange of information published New software installed and functional Staff trained Other institutions – users of information system acquainted with the system Stakeholders and public are familiar		

Activities	Means	Costs	Assumptions
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<p>Activities to be elaborated by the MS(s).</p>	<p>Twinning contract – IPA funds</p> <p>Supply contract(s) – National contribution</p>	<p>Total : € 1.200,000.00</p>	<ul style="list-style-type: none"> • Good level of cooperation between twinning partners • Availability of qualified staff retained • Continuing support by the relevant Government institutions <p>Preconditions</p> <ul style="list-style-type: none"> - sufficient number of employees - available national budget - adequate office space and basic equipment available
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2. List of relevant Laws and Regulations (optional)

1. Law on Planting Material No.2004/13

2. law No. 03/1-016 on food

3. law No. 03/1-029 on agriculture inspection

4. law No. 02/1-122 on organic farming

5. law No. 02/1-98 on protection of plants varieties

6. law No. 04/L-120 on plant protection

7. law No. 2003/5 seed law of kosovo

8. law No. 03/1-042 on plant protection products

❖ Administrative Instruction No.12/2004 for registering planting material producers.

❖ Administrative Instruction No .14/2004 for registering, licensing and determination of the fee for importers, exporters and traders of planting material.

❖ Administrative Instruction No. 4/2008 on controls of the planting material.

❖ Administrative InstructionNo.05/2005 “Setting standards for tree planting material”

❖ Administrative InstructionNo. 27/2005 “Packaging and labeling of planting material.”

❖ Administrative Instruction No.20/2007 on the determining of criterions for official control of quality, package, labelling, marketing and other necessary categories of planting material.

- ❖ Administrative Instruction No .15/2008 on registration and licensing of matrix orchards for rootstock and graft wood for fruits and grape-vine.
- ❖ Administrative Instruction No 07/2007 for content, form and record procedures on quantity, type and variety of planting material produced, marketing and destructed.





