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2013-2018

STATE STRATEGY ON MIGRATION
ACTION PLAN 2013-2018

September 2013

Prishtina

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Abbreviations

KIA	Kosovo Intelligence Agency
KAA	Kosovo Anticorruption Agency
KTA	Kosovo Tax Administration
EU	European Union
KP	Kosovo Police
KC	Kosovo Customs
DCAM	Department of Citizenship, Asylum and Migration
DOC	Directorate of Organized Crime
EULEX	European Union Rule of Law Mission in Kosovo
ICITAP	International Criminal Investigative Training Assistance Program
IOM	International Organization for Migration
KJC	Kosovo Judicial Council
KPC	Kosovo Prosecutorial Council
CCK	Criminal Code of Kosovo
CPCK	Criminal Procedure Code of Kosovo
MEST	Ministry of Education, Science and Technology
MJ	Ministry of Justice
MD	Ministry of Diaspora
MEI	Ministry of European Integration
MF	Ministry of Finance
IBM	Integrated Border Management
MIA	Ministry of Internal Affairs
MFA	Ministry of Foreign Affairs
MLSW	Ministry of Labor and Social Welfare
MH	Ministry of Health
MTI	Ministry of Trade and Industry
OSCE	Organization for Security and Cooperation in Europe
UNHCR	United Nations High Commissioner for Refugees
PMO	Prime Minister's Office

I. EXECUTIVE SUMMARY

Strategy on Migration 2013-2018 addresses the commitment of the Government of Kosovo to prevent illegal migration and reinforces the regular migration by advancing and facilitating the legal migration and at the same time turning the migration into a positive factor of economic development and expresses the readiness to get into the regional and international cooperation in order to identify the common priorities and address the common challenges in order to enforce the bilateral and regional management of migration.

The Strategy and Action Plan for Migration 2013-2018 aims the administration of migration and interinstitutional cooperation with neighbouring countries with the main purpose; to prevent and fight irregular migration and smuggling with migrants. Also the strategy aims at including in this vision the respective international organizations and civil society.

This strategic document is divided in two parts: Strategy for Migration and Action Plan, which contains objectives and activities that are planned to be completed in a five years period 2013 – 2018.

Strategic and specific objectives and the activities are presented in details in the Action Plan that contains the responsible institutions, the budget and measurable and concrete indicators.

Completion of the mission of this strategy is planned to be achieved through accomplishing the following strategic objectives:

- Prevention and fight of the irregular migration;
- Improvement of the legal and circular migration management;
- Transforming and developing the migration into a positive economical factor;

Furthermore each of the three strategic objectives has in itself the specific objectives which are described at the general part of the strategy.

II. INTRODUCTION

Migration as a permanent process of movement of people and the constant increase of the number of migrants and the problems associated to this, has determined the migration to be the main focus in many countries of the world. Almost all countries without exception are facing challenges associated to migration, regardless of the countries of origin, transit or final destination of the migration. This is becoming more actual, taking into consideration the fact that it is estimated that nowadays nearly 2014 million people outside the country of birth or 3% of the total number of population. This number has increased enormously especially the last 20 years. During 1965-1990 the number of migrants internationally has increased for 45 million, with an increasing scale of 2.1% per year, while the actual scale is 2.9% per year. Also the total

number of migrants in global level has increased in recent years from around 150 million in 2000, to 214 million nowadays, meaning that every 33rd person today is a migrant (while in 2000, it was every 35th)¹.

This increase of migrants was noticed even in Western Balkans and in Republic of Kosovo as a part of it, where there was a considerable increase of irregular migrants mainly from countries like: Afganistani, Pakistani, Bangladeshi, Algeria, Maroku, Kongo, Siria, etj. This increase of migrants according to this report comes mainly through Turkey to Greece and then from Greece to Albania or Macedonia towards other countries including republic of Kosovo².

Based on all this, Republic of Kosovo has undertaken a series of measures with the purpose of managing the migration more efficiently and reducing and preventing the negative effects that result particularly from irregular migration. In this aspect, Republic of Kosovo drafted and approved several laws and secondary legislation, strategic documents, action plans and other documents. It is worth mentioning among these; the Law on Asylum, Law on Foreigners, Law on Border Control, Strategy for Integrated Border Management, Strategy for Fighting of Trafficking with Humans, and amended numerous laws including the ones mentioned above and some other laws, among them worth mentioning; Law for Prevention and Fight of Trafficking in Human Beings, and Protection of the Victims of Trafficking. Also the Government of Republic of Kosovo has concluded several bilateral agreements with many countries for repatriating the persons and also police cooperation and it is in process of negotiating a number of such agreements with some other countries.

The government of Republic of Kosovo is aware about the negative and positive effects of the migration for Republic of Kosovo. The negative effects are more associated with the national security, involvement of the migrants and others in different criminal activities and other negative effects for Republic of Kosovo.

Anyhow, Government of the Republic of Kosovo is aware about and interested also to empower the positive effects of the migration and especially those related to development, an aspect that is going to be treated in this strategy.

¹ This figure is an approximate figure given by IOM. These data may be found in the IOM website: <http://www.iom.int/cms/en/sites/iom/home/about-migration/facts--figures-1.html>. These data are reflected even in COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS - Maximising the Development Impact of Migration The EU contribution for the UN High-level Dialogue and next steps towards broadening the development-migration nexus. Brussels, 21.05.2013.

² This report can be found in FRONTEX website: http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/WB_ARA_2012.pdf.

III. Leading Principles

In order to achieve the strategic objectives, the institution of the Republic of Kosovo will be based on the below mentioned principles.

1. Principle of Lawfulness: this principle means that undertaken actions by the institutions of Republic of Kosovo in managing the migration must be based on the foreseen provisions in the Constitutions of Republic of Kosovo, applicable legislation and international agreements.

2. Principle of Integration: through public awareness, and active role of governmental and nongovernmental institutions, enabling the facilitation of the integration of the foreigners in Kosovo Society

3. Principle of International Cooperation: through which the dialogue and cooperation with international as well as governmental and nongovernmental organizations, and with other countries is ensured, with the intention of facilitating and coordinating migration policies and activities.

4. Principle of Protection of Human Rights: This principle means guaranteeing human rights and freedoms during all stages of engagement of the institutions in managing the migration in compliance with the applicable local and international laws.

5. Principle of Cooperation and Coordination: this principle means internal interinstitutional cooperation and coordination including, social partners, academical networks, international organizations both governmental and non-governmental, and other domestic organizations in order to combat irregular migration and promote regular migration.

6. Principle of Transparency: this principle means a proactive approach in informing the civil society about the importance of drafting of a state policy on migration for development and wellbeing of Kosovo. There must be different campaigns organized in order to fight xenophobia and promote the cultural diversity.

IV. Legal Basis

Republic of Kosovo has a legal framework which directly or indirectly regulates the issue of migration in Kosovo. Based on the roadmap for visa liberalization process, the legislation has been harmonized in accordance with the EU legislation regarding to the issue of migration and asylum. Harmonization of legislation is a key element in implementing the common policy on migration and ensuring efficient management of migration in all the stages, proper treatment of the third country nationals with regular residency in Kosovo and preventing and combating irregular migration and trafficking with humans.

In this context, Government of Republic of Kosovo reviewed the following laws:

Law on State Border Control and Surveillance

This law regulates border control, competencies of police within the country, cooperation among state institutions authorized in managing the border. Border control is conducted in order to prevent, detect the irregular migration and includes the measures for preventing the illegal border crossing and other illegal activities throughout the border.

Law on Foreigners

Law on foreigners regulates the conditions of entry, movement, residence and employment of the foreigners in the Republic of Kosovo. This law has been completely harmonized with the EU legislation that regulates this field and regulates regular migration as well; it sanctions the irregular migration and contains provisions for integration of the foreigners in Kosovo society.

Law on Asylum

This law regulates granting asylum and recognition the status of a refugee, giving the status of additional or temporary protection, to the persons in need and their return to their country of origin or to a third country.

Law on Preventing and Combating Trafficking in Human Being and Protecting Victims of Trafficking

The purpose of this Law is to determine the legal provisions through which competent authorities are given rights, obligations and responsibilities for preventing and combating trafficking in all its forms, protecting the victims of trafficking, and establishes national and international cooperation in order to prevent and combat trafficking in human beings as well as protection and assistance of trafficked victims.

Law on Readmission

The aim of the law on readmission is to address all issues dealing with readmission procedures of a person who is citizen of the Republic of Kosovo, or a foreigner who meets or does not meet the conditions in force for entry or residing in the territory of requesting country. Readmission is “the act, through which a country accepts re-entry of a person (its own citizen, citizens of third countries or stateless persons) that entered, resides or lives illegally in another country”.

Law on Dwelling and Emplacement

This Law in unique manner regulates registration and de-registration of the dwelling and emplacement of residents, registration and de-registration of guests, change of address of the dwelling, competency and manner of maintaining of appropriate evidence.

Law on Citizenship of Kosovo

Law on Kosovo Citizenship defines the way for the acquisition, loss and reacquisition of citizenship of the Republic of Kosovo and regulates other issues related to the citizenship of the Republic of Kosovo. Furthermore, according to Law no. 04/l-059 for amending and

supplementing law no. 03/I-034 it is regulated the way of granting of Kosovo citizenship for stateless persons. Also, the loss of citizenship for persons below the age of fourteen (14) requires the loss of citizenship by either parent and the agreement of another parent.

Law on Kosovo Diaspora

Law on Kosovo Diaspora facilitates in organizing of Diaspora in different countries where Kosovo Diaspora lives. The aim of this law is to preserve and cultivate the language, cultural and educational identity of members of Diaspora and their relation with the institutions of the Republic of Kosovo. This law also assists the Kosovo Diaspora, encourages and develops intercultural relations between Republic of Kosovo and countries where Kosovo Diaspora is present.

Law on Civil Status

This law regulates the meaning and components of civil status of citizens of Republic of Kosovo, foreign citizens and stateless persons, with temporary or permanent dwelling in Republic of Kosovo. Defines regulations about preserving, maintaining and changing them and organizes the function of the civil registry service in Republic of Kosovo

Law on cooperation between authorities involved in integrated border management

The purpose of this Law is to regulate cooperation between all relevant public authorities involved in the IBM and to implement the joint strategies of such authorities so that the tasks laid down for these authorities and individual measures that are connected with the prevention, detection and investigation of criminal illegal activities, control and monitoring and related international cooperation are carried out in an appropriate, efficient and effective manner.

V. Methodology

All actors, whose institutional responsibilities are affected by migration and its forms, were engaged in drafting process of the Strategy and Action Plan. Collection of documents and materials and studying of problems and issues that resulted from the previous document, are systematized in the Strategy text and they will get further elaborated in the action plan with specific activities and measurable indicators for accomplishing them.

During the first phase of drafting of the strategy, many concerned parties, national and international, are notified with the basic concept of the need for a strategy. During the course of compiling of the strategy, the group was guided by all government documents and strategies that relate to migration, asylum and reintegrating policies in order to decide for its direction.

Consequently, it was decided to conduct the unification of key components of this strategy, migration management and considering migration as an economic factor. As such, this strategy provides a summary of policies and instructions that are reflected on its parts. Furthermore, the group was informed regarding the overall process of developing strategies that are being

prepared and implemented by all ministries, agencies and municipalities. During the course of drafting this strategy, statistical recourses and other resources as well were consulted.

This group appreciates UNHCR, IOM for statistical data in the field of returns and for surveys regarding social-economic conditions (community needs) in Kosovo, conducted through projects. It also reflects the contribution given by ICITAP and EULEX members in drafting this strategy.

Apart from this, many of the studies related to migration in Kosovo were used as analytical and documenting tools. The Ministry wants to thank all those who participated in research and analyses of the migration sector in Kosovo. As a part of consulting exercise, a number of Government institutions, relevant ministries and international partners, provided their contribution in drafting of the strategy.

In the process of drafting the strategy were also taken the practices of countries of the region related to migration management.

During the course of drafting of the strategy, the requirements from visa liberalization roadmap were taken into considerations, as well as findings from the Commission's Communication on feasibility Study for Stabilization and Association Agreement between the EU and Kosovo of 10-th of October 2012 and European Commission report of 8th of February 2012 on progress that Kosovo made on fulfilling the requirements deriving from the visa liberalization roadmap. It is worth mentioning that the Constitution of the Republic of Kosovo is the guiding document for this strategy.

Institutional Mechanisms

Responsible institutions for monitoring and implementation of current policy are comprised of several governmental institutions, all with detailed duties and responsibilities as following:

- 1. National Coordinator** - responsible for coordination, monitoring and reporting of implementation of policies and activities foreseen with the Strategy for Migration.
- 2. Secretariat** – collection of data and reports from other institutions in order to analyze and evaluate them and preparations of reports for National Coordinator. DCAM is currently fulfilling these duties.
- 3. Ministry of Internal Affairs** - MIA has a functional role in achievement of certain objectives in this strategy. Department for Citizenship, Asylum and Migration (DCAM) is the main department for implementing this strategy, laws and policies dealing with migration. DCAM is responsible for coordinating the migration process and for development of migration policies, for regulating and controlling the migration of foreigners residing in Kosovo and accompanying foreigners who are subject to deportation or expelling to the state border.

Division for Asylum - is responsible for granting asylum and the humanitarian status of foreigners in Kosovo. Its responsibilities include taking decisions for refugees in cases of asylum, cooperation with other institutions of Kosovo involved in asylum issues.

Division for Citizenship - its competencies include receiving and verification of request for granting of citizenship with naturalization and also the review of requests for renounce the Kosovo citizenship.

Division for Foreigners - its competencies include processing of requests for residency permit in the Republic of Kosovo and it is a part of decision making process for issuing visas.

Division for Readmission and Return – processing of requests for readmission for Kosovo citizens and for persons from third countries and processing of requests for readmission and return of foreigners to their countries in cooperation with other relevant institutions.

Division for Planning, Strategies and Statistics - is responsible for collecting and systematization of data in the field of migration.

Border Police - is responsible for border management and control against irregular migration and trafficking with humans. Border Police cooperates and interacts with bodies with competencies in asylum, refugees and residency for foreigners, in order to achieve effective migration control and management and also ensures surveillance of the border crossing points and blue and green line. Directorate for migration and foreigners is responsible for filling the initial application for asylum seekers.

Directorate for Trafficking Investigations – as specialized body of Kosovo Police, is in charge with investigation, arrest and prosecution of traffickers and perpetrators of trafficking in human beings offences.

Kosovo National Anti-Trafficking Coordinator – organizes and coordinates cooperation between relevant agencies and organizations for implementation of policies against THB (laws, strategies and action plans of trafficking in human beings). The national coordinator defines and administers implementation of the state policy in combating of trafficking in human beings. The important element of National Coordinator duty is prevention of endangered groups from trafficking in human beings and development of policy for protection, support and reintegration of trafficking victims.

4. Ministry of Foreign Affairs - MFA is responsible for enforcing the visa regime. Department for Consular Affairs within MFA as the central authority, also has the Visa Information Centre in place. According to national legislation, diplomatic and consular missions are responsible for issuing visas. There are exceptions of these general rules in extraordinary cases. Moreover, this ministry is one of the key actors in the processes of agreements for readmission.

5. Ministry of Education, Science and Technology - MEST has several programs in place to encourage Kosovo students to study abroad through different schemes of scholarship grants enabled via bilateral agreements with different countries. Also it encourages foreign students to

come to the Republic of Kosovo through summer academic courses and also through other programs.

6. Ministry of European Integration - monitors and ensures the quality of regular reporting for implementation of the Action Plan for European Partnership, Action Plan on Feasibility Study, and other basic documents related to the process of development and European integration including the developments in the migration field which are deemed to be very important.

7. Ministry of Diaspora - MoD through informing and awareness in the countries where the flux of the migrants emerges, engages in decision making for organizing of the cultural life for citizens living abroad, their identification and other categories.

8. Ministry of Labor and Social Welfare – MLSW is responsible for developing and implementing policies for admitting foreign citizens in the labor market, bilateral agreements for employment and agreements for social insurance with other countries, assisting Kosovo citizens in other Member States as well as assisting citizens of Member States working in Kosovo and their rights to social insurance, and coordination of Kosovo policy for integration of persons from other countries.

Department of Labor – is responsible for implementation of policies for protection of labor market and acceptance of citizens from other countries for employment. The Department, through its regional offices registers foreign job seekers in Kosovo.

9. Central Bank of Kosovo – aims to develop a system of direct payment through commercial banks in Kosovo, which enables persons to support their family members or relatives through remittances.

10. Ministry of Justice – enables mutual judicial assistance between Republic of Kosovo and foreign countries where citizens of Kosovo reside. MJ enables extradition of convicted persons from other countries to Kosovo and the other way around, court documents service/issuance, receives reports concerning criminal behavior of our citizens living in other countries and enables any other assistance with international judicial character.

11. Ministry of Finance – MF is institution responsible for ensuring growth of budget incomes. MF monitors overall correct and transparent financial management of public funds and has a key role in defining and implementation of financial and fiscal policies of the Government of Republic of Kosovo.

12. Judicial Council - as an independent institution responsible for administration of courts, ensures the independence and impartiality of court system, strongly ensures protection of human rights and freedoms in accordance with the Constitution of Republic of Kosovo, laws in force and international conventions for human rights. KJC ensures that courts act carefully and with particular emergence in cases that according to the law require emergent proceedings and also avoid unnecessary delays. Also, it enables implementation of memorandums of understanding

between MJ and ministries of justice of other countries as competent institutions for recognizing of court verdicts with reciprocity grounds.

13. Prosecution Council – is the responsible body for assigning prosecutors and training development in advancement of professional ethics of prosecutors in Republic of Kosovo.

14. Kosovo Intelligence Agency – is an institution responsible for counter-response against the migration pressure in Kosovo accompanied by possible location in the territory of the country of persons that are connected to international terrorist organizations or organized crime formations that operate in the territory of Kosovo.

15. Kosovo Agency for Statistics – as an independent and professional institution of public administration in Kosovo, provides objective statistics and analyses, supports Government departments and provides information from certain areas.

Other institutions with relevant competences in the field of migration are – Ministry of Industry and Trade, Ministry of Health, Ministry of Culture, Youth and Sports and Kosovo Municipalities.

VI: Background – Description and Definition of the Main Issue/Problem

6.1. Explanation

Migration is the process of movement that involves international border crossing as well as movement within one country. This movement of population includes any type of movement of people, despite duration, structure and causes; it includes migration of refugees, displaced people, expelled persons and economic immigrants.³

Migration is characteristic for all societies. For Republic of Kosovo migration is a big challenge because a substantial number of Kosovo citizens are leaving towards Western European countries due to different economic and social reasons.

As it is known, irregular migration is in contradiction with European principles and endangers integration of Kosovo in EU, hence having a negative effect in the visa liberalization process, encourages organized crime through trafficking in human beings, smuggling of migrants, etc. Therefore, prevention of irregular migration gives way to the promotion of legal migration of economic nature with short stays, also promoted through EU policies.

Government of Republic of Kosovo will continue to undertake all politic and social measures on migration management. In this context, Government of the Republic of Kosovo promotes legal migration aiming at facilitating travelling to EU Member States and benefiting from circular migration⁴ that facilitates circulation of citizens between Republic of Kosovo and EU Member

³ Glossary with migration terminology nr.10, International Migration Law, IOM 2007, page-45

⁴ EC statement 2007, circle migration can be defined as: “A form of migration that is managed in a way that it allows some levels of moving up and down between two states”

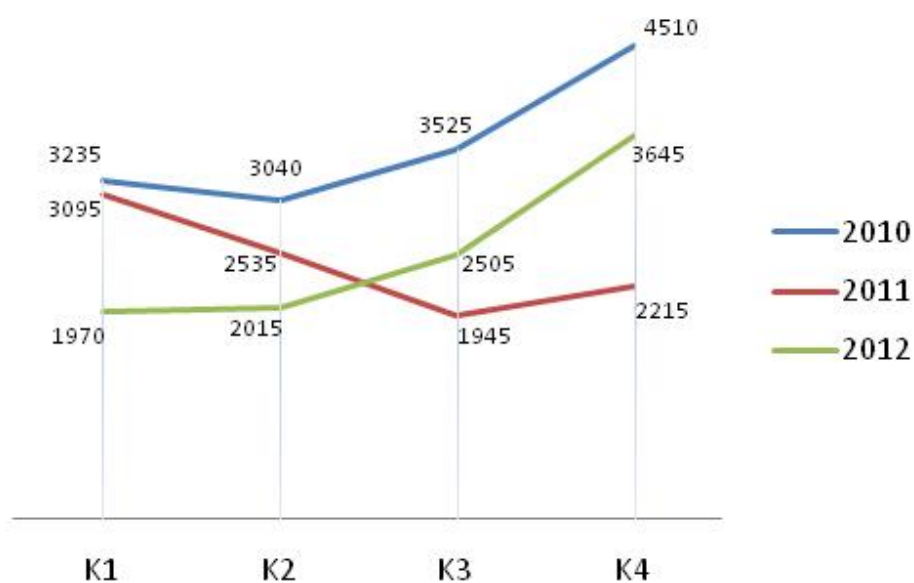
States legally, including migration for study purposes, seasonal employment, experience exchange and different trainings.

That the main reason for migration continues to be unemployment and hope for better life. This is further supported by the data published by Kosovo Agency for Statistics; according to this around 40% of the population is unemployed.

The data from EUROSTAT⁵ (the table below) the number of asylum seekers has decreased for 46. 2%, from 14,310 that were in 2010 to 9,790 in 2011. In the first quarter (Q1) of 2012 the number of asylum seekers was 1,970 while in the second quarter (Q2) 2,015. This reflects an increase of 2,3 %. If this trend continues the number of asylum seekers by the end of 2012 will reach around 8,000 which would reflect a decrease for 18.7% comparing to 2011.

As per data for 2012, compared to data of 2011, there is an increase in 3rd and 4th quarter, 28,8% and 64,6% respectively, as reflected in the graph 1.

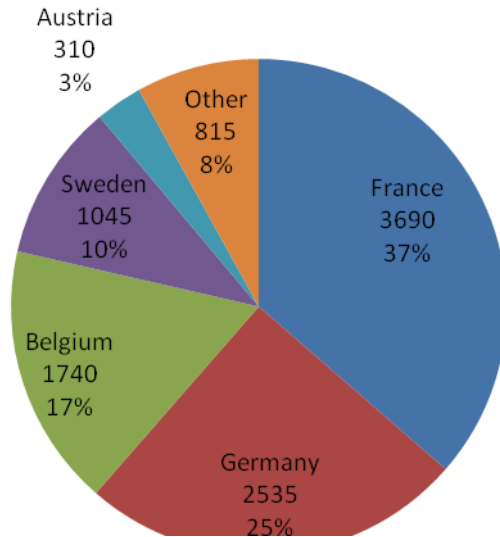
Viti	Total	K1	K2	K3	K4
2010	14310	3235	3040	3525	4510
2011	9790	3095	2535	1945	2215
2012	10135	1970	2015	2505	3645



⁵ Eurostat, Population and Social Conditions

Graph 1

Kosovar Asylum seekers in EU countries , year 2012



Graph 2

Graph 2. reflects the number of Kosovo asylum seekers in EU countries.

6.2. Current Policy

Government of the Republic of Kosovo undertook several actions aiming at migration management by approving the legal framework in the field of migration as to be in line with EU legislation. Furthermore, Government of Kosovo approved strategic documents such as: National Strategy of Republic of Kosovo for Reintegration of Repatriated Persons, State Strategy and Action Plan against Organized Crime 2012 – 2017, State Strategy of the Republic of Kosovo for Crime prevention and Action Plan 2012-2017, National Strategy of Republic of Kosovo for Integrated Border Management 2012 – 2017 and National Strategy and Action Plan on Trafficking in Human Beings 2011 - 2014.

These policies also aim the administration of all forms of migration and strengthening of cooperation with neighboring countries with the intention of preventing irregular migration and trafficking with humans and smuggling of migrants. The problem of irregular migration is also closely linked with the visa liberalization process with the European Union.

6.3. Current program for reintegration

Government of the Republic of Kosovo as of 2007 has developed and approved the policy framework for reintegration of repatriated persons, as well as the Regulation for management of the program for reintegration of repatriated persons.

Government allocated the fund dedicated for supporting sustainable reintegration of Kosovo citizens who were repatriated. This fund was 500,000 Euro for 2010, 3,420,150 Euro for 2011, 3,170,150 for 2012 and the same amount for 2013.

Decision-making and coordinating structures dealing with reintegration of repatriated persons in central and local levels are: Department for Reintegration within MIA, Inter-ministerial Coordination Board for Reintegration and its Secretariat, Municipal Offices for Return and Communities and Municipal Commissions for Reintegration.

6.4. Cooperation with International Organizations

6.4.1. Cooperation with IOM

In order to prevent irregular migration and to promote regular migration, International Organization for Migration (IOM) in partnership with Ministry of Labor and Social Welfare and Ministry of Internal Affairs of the Republic of Kosovo, established Centers for Migrant Services (CIS) in Prishtina, Mitrovica, Gjilan, Gjakova, Ferizaj, Prizren and Peja. These centers provide: information, counseling services, references related to migration in EU, Switzerland, USA, Canada, New Zealand and Australia. They also provide information on visas, working and living conditions, studying abroad, migration programs, rights and support for immigrants, family unification, and reintegration programs for returned immigrants. Also, IOM in cooperation with MLSW planned the establishment of some municipal offices for promoting legal migration.

Since 1999 until 31st of August 2012, 200.147 individuals have voluntarily returned through IOM. The highest number of returnees was from Germany: 42.5% (85,027), Switzerland 17.3% (34,583), Austria (3.9%), Norway (3.6%), Belgium (2.9%), United Kingdom (2.2%), and Netherlands (2.1%) etc. IOM in close cooperation with Kosovo Institutions, implemented different programs for assisting voluntary return and reintegration aiming at preventing irregular migration through sustainable reintegration of returnees.

6.4.2. Cooperation with UNHCR

UNHCR has offered significant support to Kosovo authorities in the field of protection of refugees, as well as in asylum and migration. UNHCR offered technical support through assistance in the development of legislation, capacity building and conditions of admission as well as quality improvements in the process of determination of refugee status in the first and second instance.

UNHCR has also offered support and assistance in drafting of mechanisms and relevant strategic documents with regards to migration, reintegration of repatriated persons mainly returned from the Western Europe.

6.5. Cooperation with Civil society

Regarding to cooperation with civil society in the migration field, there is cooperation in the field of asylum in offering of legal assistance to asylum seekers and their legal representation. Also, when needed psychological advices are provided through local NGOs. Our aim is to strengthen this cooperation in the future and to continue with this cooperation in other areas.

6.6. Border control and visa policy

Fight against the irregular migration is one of the main priorities for security and policies related to administration of migration fluxes.

According to the Border Department, during 2010, 30 cases of trafficking with migrants were detected, 14 cases during 2011 and 12 cases in 2012.

Republic of Kosovo has initiated the visa regime for 87 countries, mainly Asian and African countries. Visa regime is applied as of 1st of July 2013, initially in the diplomatic and consular service of Republic of Kosovo in Republic of Turkey.

6.7. Readmission and Return

Government of the Republic of Kosovo has developed the legal framework in the field of readmission. Law on Readmission defines rules and procedures for readmission of the persons who are Kosovo citizens or foreign citizens, who no longer meet the requirement for entry or residency in the territory of another country. Implementation of the legislation on readmission has priority as far as the cooperation for readmission is concerned with the countries that Kosovo hasn't signed yet a bilateral agreement for readmission.

To date, the Government of the Republic of Kosovo has signed (19) bilateral agreements for readmission with 19 European Member States and Schengen zone countries. Readmission agreements are also signed with Republic of Albania and Republic of Montenegro.

Bilateral agreements for readmission	Date of signature of the agreement
Albania	6 October 2009
France	2 December 2009
Switzerland	3 February 2010
Germany	14 April 2010
Denmark	8 June 2010
Austria	30 September 2010
Norway	15 October 2010
Slovenia	10 May 2011
Benelux	12 May 2011
a)Belgium	
b)Netherlands and	
c)Luxembourg	
Czech Republic	24 June 2011
Montenegro	30 June 2011
Sweden	4 October 2011
Finland	29 November 2011
Hungary	15 May 2012
Bulgaria	19 June 2012
Malta	21 November 2012
Estonia	17 May 2013
Lichtenstein	16 June 2013
Croatia	23 July 2013
TOTAL	19 agreements

Table1: List of countries that Republic of Kosovo has bilateral agreements for readmission

COUNTRIES	CODE	TOTAL	2010	2011	2012	2013 (01 january – 30 june 2013)	TOTAL %
TOTAL		15934	5198	4488	4187	2061	100
BELGIUM	BE	1432	220	567	410	235	8.99
AUSTRIA	AT	1742	888	424	260	170	10.93
B.HERZEGOVINA	BA	7	0	0	6	1	0.06
ENGLAND	UK	129	47	37	40	5	0.81
DENMARK	DK	173	29	76	49	19	1.09

ESTONIA	EE	1	0	0	1	0	0.01
FINLAND	FI	415	213	91	80	31	2.6
FRANCE	FR	1332	377	445	369	141	8.36
GERMANY	DE	2802	935	750	713	404	17.59
GREECE	EL	26	0	0	26	0	0.23
NETHERLANDS	NL	102	35	24	35	8	0.64
HUNGARY	HU	1324	328	363	527	106	8.31
IRELAND	IE	9	3	2	4	0	0.06
ITALY	IT	167	42	59	50	16	1.05
CANADA	CA	98	30	22	33	13	0.62
CROATIA	CRO	206	45	52	78	31	1.29
LUXEMBOURG	LU	230	101	47	65	17	1.44
MEXICO	MX	2	0	2	0	0	0.01
NORWAY	NO	622	274	172	125	51	3.9
POLAND	PL	2	2	0	0	0	0.01
PORTUGAL	PT	1	0	1	0	0	0.01
CZECH	CZ	20	7	5	5	3	0.13
SLOVAKIA	SK	12	4	1	7	0	0.08
ROMANIA	RO	8	0	0	5	3	0.05
USA	US	149	20	31	86	12	0.94
SLOVENIA	SI	134	66	38	21	9	0.84
SPAIN	ES	14	3	2	5	4	0.09
SWEDEN	SE	2300	793	627	556	324	14.55
TURKEY	TU	14	0	6	2	6	0.09
SWITZERLAND	CH	2461	736	644	629	452	15.44

Table 2: Number of readmitted persons, volunteers or deported by countries during years 2010, 2011 and 2013 (January – June 2013)⁶

The agreement for readmission is finalized and is awaiting signatures with the Republic of Latvia, and Italy.

Republic of Kosovo reinitiated attempts to start negotiations for readmission with United Kingdom, Portugal, Latvia, Poland and Ireland.

⁶ Border Police and Department for Citizenship, Asylum and Migration

With regards to the transit countries, the agreement for readmission with the Republic of Macedonia is in the negotiation phase, while the proposal was sent to the Republic of Turkey.

Implementation of agreements for readmission is an important factor of prevention and combating the irregular migration. Analysis on implementation of the agreements for readmission clearly indicates that this instrument contributes to increase the effective cooperation against irregular migration and it eases the deportation of the persons who enter/stay illegally in the territory of one of the contracting countries.

Procedures for involuntarily return of foreigners are in accordance with the national legislation that guarantees the implementation of the principle of non-return according to Convention from 1951 regarding the Status of Refugees and the Implementating Protocol from year 1967.

However, during implementation of procedures of return of refused asylum seekers and of foreigners with irregular residency, competent bodies of Republic of Kosovo faced difficulties in finding of information and defining the identity of persons who have to leave Kosovo.

In order to increase efficiency of these procedures, the cooperation between diplomatic and consular missions of Kosovo with other countries, particularly those that have the highest number of irregular migrants and asylum seekers, need to be strengthened and established where needed. This cooperation should be based in the principle of a unified European policy for voluntary return.

However, Kosovo is determined to sign agreements for readmission with countries of origin and transit countries. Republic of Kosovo proposed the draft agreement for readmission to Republic of Turkey and through diplomatic channels expressed its will to sign such agreements with Afghanistan, Pakistan and Ivory Coast. This is also a request coming from Visa Liberalization Roadmap.

Integrated border management facilitates the prevention of irregular migration, being also an important condition for Kosovo's integration in Euro-Atlantic structures, as well as an important condition in the process of visa liberalization with European Union. The Integrated Border Management Strategy foresees open but controlled and secured borders.

Responsibilities of agencies involved in integrated border management include prevention and combating of irregular migration, trafficking in human beings, threats to public order, threats to legal order, international security and international relations of Kosovo. Also these responsibilities include punishment of perpetrators at the border.

Agencies in charge of implementation of IBM, respect the rights of asylum seekers and rights of trafficked victims that enter Kosovo and provide assistance in accordance with legislation in force and with international standards.

As an integral part of government policy in prevention of irregular migration, is issuance of biometric passports. By issuing biometric passports, MIA fulfills one condition that is very important in the field of security of documents, foreseen with visa liberalization roadmap.

Policies of return are an important element of administration of fluxes of migration and they are based in two key elements: voluntary and obligatory return, also focusing in encouragement of voluntary return.

6.8. Combating trafficking with humans

Protection of human rights of persons that were trafficked is a leading principle in efforts to prevent trafficking in human beings. Main reasons of trafficking are poverty and lack of economic development, low level of education and also the lack awareness of persons who are endangered.

Most sensitive groups for trafficking are young girls from 18 to 30 years, minors and orphans, also men and women who might be exploited for work. Trafficked victims mainly originate from countries with high level of unemployment and low level of economic development. Job offers, education and marriage proposals remain the main attracting tools for traffickers.

Efforts for combating trafficking in human beings are increased with particular attention to an increased number of investigations and trials for such cases.

Main challenge in combating of trafficking in human beings remains capacity building, identification of victims, protection and integration of them and protection of children, especially those who are re-trafficking victims.

In order to prevent and combat the trafficking in human beings a special law on prevention and combating the trafficking in human beings and protection of victims was developed.

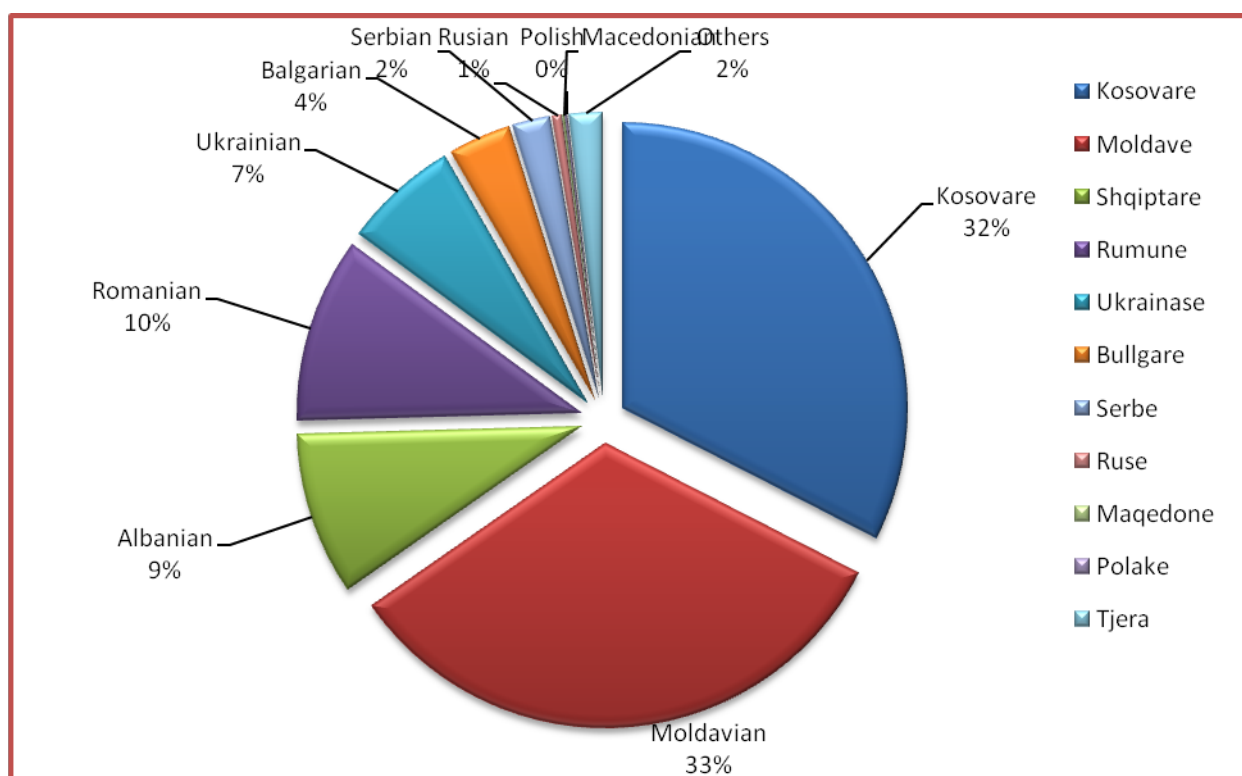
The aim of this law is to define judicial provisions that will give rights, obligations and responsibilities of national competent authorities for: prevention and combating of trafficking in human beings of all forms, protection of victims of trafficking, including ensuring of rights, such as legal assistance, medical assistance, psycho-social assistance, ensuring of the compensation and other rights, for all persons that are supposed to be or that are identified as trafficked, despite age, gender, religion or nationality, through a grounded approach to human rights and with particular focus to the rights of children, which is sensitive in cultural and gender aspects, in full accordance with international instruments and standards for human rights, national and international cooperation with the purpose of prevention and combating of trafficking in human beings and ensuring the assistance and protection of victims of trafficking.

	Kosovar	Moldova	Albanian	Romanian	Ukraine	Bulgarian	Serb	Russian	Macedonian	Polish	Others	Total
2001	5	94	3	46	18	4	/	2	/		/	172
2002	3	32	9	19	20	6	/	/	/		/	89
2003	15	13	4	5	5	3	4	/	/		1	50
2004	11	17	13	4	/	2	/	/	/		1	48
2005	24	6	6	/	/	6	2	/	/		5	49
2006	20	30	6	/	3	2	/	2	/		3	66
2007	18	3	9	/	/	/	1	/	1		1	33

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2008	25	4	3	/	/	1	2	/	/		1	36
2009	16	8	3	/	/	1	1	/	/		/	29
2010	28	1	7				2			1		39
2011	35		1				3					39
2012	29	23	1								1	54
2013												0
Total	229	231	65	74	46	25	15	4	1	1	13	704

Statistic of victims of trafficking identified in Kosovo 2001



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Human trafficking	25	22	11	56	33	36	46	68	34	76	91	121	619
Enabling Prostitution	8	49	19		15	21	4	13	3	13	39	39	223
Prostitution	15	88	33	10	12	12	13	9	9	27	50	61	339
Placement of Slavery			1		1						1		3
Other acts	4	25	6	11	40	28	9	8	6	5	2	7	151

Total Arrests	52	184	70	77	101	97	72	98	52	121	183	228	1335
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Arrests according to criminal acts 2001-2012

6.9. Asylum

Clear procedures for receiving and analyzing of requests for asylum are crucial for effective management of mixed migrating fluxes. In this aspect, Kosovo ensures approach in correct asylum procedures for foreigners requesting protection in its territory, in accordance with international standards set up in Geneva Convention 1951, relating to Status of Refugees and its Protocol in 1967 and respective EU directives.

According to domestic legislation for asylum, the status of the refugee is granted through procedure of individual choice, which is conducted by a full evaluation according to the merits of the request. Law also foresees temporary protection that will be given to groups of people in cases of massive fluxes, to foreigners who are pushed to leave their countries of origin. Similar, additional protection shall be provided for persons that do not meet criteria for status of the refugee, but for whom, return to their country of origin is impossible, because they could be exposed to torture or other inhuman and degrading treatments.

The Center for Asylum Seekers is functional, with capacity for up to 50 asylum seekers, during the time of analyzing of their requests by competent authorities. Center for Asylum Seekers organizes accommodation, medical check, medical and social assistance for persons seeking protection. The center is open, which means that asylum seekers are allowed to move by respecting internal regulations of the Center.

Year	2009	2010	2011	2012	2013*	Total
Number	31	267	189	45	41	573

Table 3: Number of asylum seekers according to decision status (2013*, 1 January– 30 June)⁶

Continent	2009	2010	2011	2012	2013*	Total
Africa	3	60	54	19	16	152
Asia	27	204	135	26	25	417
Europe	1	3	0	0	0	4
Total	31	267	189	45	41	573

Table 4: Number of asylum seekers according to continents (2013*, 1 January– 30 June)⁷

Entrance type	2009	2010	2011	2012	2013*	Totalo
Illegal	20	212	183	45	36	496
Legal	11	55	6	0	5	77
Total	31	267	189	45	41	573

Table 5: Entrance type of asylum seekers in Kosovo (2013*,1 January– 30 June)⁸

6.10. Citizenship and Naturalization

Policies for granting of Kosovo Citizenship are important element for administration of migration processes. This is combined with monitoring and controlling of the process and prevention of acts that represent threats for internal security. It is important in line with legislation to grant citizenship also for persons who get status of the refugee and who could contribute in the development of our society. Biggest number of the requests for giving up the citizenship is from citizens of Kosovo who get citizenship of other countries that do not accept double citizenship. This brings consequently a decrease of population with Kosovo citizenship. Taking into consideration connection of this particular category with Kosovo, their status is fixed according to the law on foreigners. Moreover, it is foreseen the possibility of granting them permanent residency permit.

Regarding the granting of citizenship, a part of requests are made by persons with origin from Kosovo. Law on Citizenship of Kosovo that regulates conditions for granting, losing or regaining of it, is amended on 2011 and now it has been completely revised. These amendments brought facilitations for granting citizenship to persons with origin from Kosovo and facilitated the criteria of residency for granting of citizenship of Kosovo for refugees. In order to prevent the stateless status, law incorporated provisions that allow stateless persons to gain Kosovo citizenship.

6.11. Prevention and combating of irregular migration inside Republic of Kosovo

The main objective of the Strategy and Action Plan is prevention and combating of irregular migration conform EU policies and criteria. In the course of its implementation, harmonization

⁶ Department for Citizenship, Asylum and Migration.

⁷ Department for Citizenship, Asylum and Migration.

⁸ Department for Citizenship, Asylum and Migration.

of legislation on migration has been finalized, as well as the coordination of policies and actions within institutions for combating and eliminating of this negative occurrence of the society.

One of the key issues of this strategic document is advancement of cooperation with regional and international factors in promoting and adopting of common policies for tackling the irregular migration.

Universal principles of human rights, freedom of movement, rights of asylum seekers and refugees, are respected in compliance with the Constitution of the Republic of Kosovo, laws in force and international standards.

The order for deportation was announced to 337 persons.

Citizenship	Nr. of Persons	Citizenship	Nr. of Persons
Albania	195	Philippines	2
Serbia	31	China	2
Romania	18	Bangladesh	1
Bulgaria	18	BiH	1
Macedonia	15	Cameroon	1
Turkey	15	Nigeria	1
Moldova	13	Thailand	1
India	10	Afghanistan	1
France	5	Russia	1
Ukraine	5	Iran	1

Table 7.7.7. Citizenship and number of persons the deportation order was issued.

Prevention and combating of irregular migration within the territory of Republic of Kosovo will be intensified through full implementation of Law on Foreigners that regulates decisively actions to be taken by competent bodies against persons who are staying in the Republic of Kosovo irregularly.

Concrete measures and actions in preventing and combating of irregular migration within the territory of the Republic of Kosovo are foreseen to be undertaken through strategic objectives of the action plan of this strategic document.

VII. Future policies

Government of the Republic of Kosovo through this strategy will enable implementation of priorities and sectorial policies in accordance with State interest and priorities from the EU requirements. Policies foreseen with this Strategy are closely related to basic principles and with overall EU policies in the field of migration and asylum.

7.1 Border Control

Border control is an integral part and key element of an effective migration policy that helps in prevention of irregular migration. Kosovo will fulfill all tasks for implementation of European standards in border control in line with *acquis communautaire*.

Authorities responsible for border management will establish necessary mechanisms and procedures for identification of persons that might be in need of international protection and processing of their requests in line with national legislation and international standards.

Cooperation with FRONTEX is necessary in order to strengthen the capacities of the Border Police through their training programs.

7.2 Visa policy

As an important element of migration policy, the visa policy aims to strengthen security measures, by respecting rights of foreign citizens. Kosovo is aware of the importance of visa policy and will do further efforts for its implementation.

In this respect, the adequate legislation for visa issues is in place and this legislation is harmonized with EU legislation. In order to foresee legal guarantees for protection of national security and prevention of corruption, legislation foresees ways of appeal and inspection of actions performed by competent authorities in cases of refusal.

Furthermore, the information system for implementing the visa regime is established. This system is located, apart from MFA, at border crossing points and at the Division for Foreigners within DCAM.

7.3. Irregular migration and return to the country of origin

The policy of return is an important tool that has an impact in hindering the irregular migration by sending a clear message to potential migrants that respecting legal provisions is the only way to benefit from migration. Optimal results can be achieved only if the policy of return combines with effective management system of the border and the asylum policy, also including the adequate arrangements of integration and legal admission. The issues of return and reintegration go beyond migration policy; they are key elements of policy of foreigners and cooperation with countries of origin and transit countries of international migration fluxes.

Kosovo will follow a transparent, human and balanced policy of return, in accordance with the principle of non-expulsion and by taking into consideration the rights of the person and the situation in the country of origin. Programs for return do not target only irregular migrants and rejected asylum seekers, but they also provide help to legal migrants who want to come back to the country of origin.

The policies of return will give priority to voluntarily return as the first option. This is because voluntary return the person's consent shall contribute in: implementation of policies of return and respect of the dignity of the person who is returning; ensuring of cooperation with the person who is returning and sustainability of measures of return; improvement of the process of return with regards to time and expenses. Mandatory return will be implemented as the last measure if the person avoids voluntary return.

In order to fulfill these measures, Republic of Kosovo will be focused on:

- Continuous commitment for signing readmission agreements with countries of origin and transit of irregular migration fluxes;
- Establishing and improving of inter-institutional cooperation and coordination among institutions responsible for return management;
- Increase of professionalism and continuous training of staff involved in mandatory return and voluntary return;
- Establishment of the Center for Reception of Foreigners;
- Increase of the cooperation with EU countries, FRONTEX, EASO, MARRI and other initiatives;
- Harmonization of policies for return with the EU standards in order to create policies of return and readmission;
- Develop special programs for assistance and voluntary return;
- Increase of cooperation the field of assistance for voluntary return with international and nongovernmental organizations;
- Strengthening of capacities of institutions dealing with enforcing the return regarding protection of data during the process of administration of the migration.

7.4. Combating Trafficking with Humans

Taking into consideration geographic position of Kosovo, combating of trafficking in human beings remains the main focus of migration policy. In order to effectively combat trafficking of human beings, an integrated approach with the following focus is applied:

- prevention of all forms of trafficking and re-trafficking;
- Investigation and sentencing of traffickers;
- Improvement of procedures for return, protection and integration of victims;
- Strengthening of international cooperation;
- Protection of human rights and assistance for victims and witnesses;

- Implementation of anti corruption measures for police officials, prosecutors, judges and other officials are involved;
- Precursory investigations, including improvement of cooperation, collecting and analyzing data from police and other institutions.

7.5. Asylum Policy

Kosovo is determined in developing and strengthening the asylum policies and practices regarding determination of the status of refugee and protection of persons with needs in accordance with EU legislation and international law. Coordination between institutions dealing with protection of fundamental rights and freedoms of foreigners in Kosovo is essential.

Kosovo harmonized the asylum legislation with EU legislation. Fulfillment of one of the criteria from the Visa Roadmap is directly linked to strengthening of cooperation with European Asylum Support Office (EASO). Institutions involved in the process of determining the status of the refugee will be focused in trainings related to information for country of origin, improvement of the quality of the process and procedures of asylum and strengthening of administrative structure. Particular attention will be paid to guaranteeing the right to seek asylum, rights on appeal, respecting of deadlines and strengthening of the independence of the first instance and second instance within asylum process.

7.6. Migration, Development and Integration Policies

Kosovo harmonized the legislation and drafted the policies on entry and residency of foreigners. Taking into consideration the close relation between migration and economic development, this policy aims at establishing a legal framework for legal migration, taking into account also integration into the Kosovo society. Measures for legal migration deal with conditions of entry and residency for some categories of migrants, such as qualified workers, students and scientific researchers. These measures also cover family reunion and the long-term residency.

Kosovo will make further efforts in integration of foreign citizens and this integration policy shall be linked to the market demand for labor. In this direction, an evaluation of employment market and drafting priorities is necessary. Cooperation between countries of origin and transit countries shall strengthen through encouragement and signing of partnership agreement and through the circular migration.

Kosovo will pay particular attention to positive aspect of the relation that exists between migration and development as an element of migration administration.

Competent authorities shall conduct regular analyses regarding the number of persons who were granted the citizenship of Kosovo and their social integration. Kosovo must increase efforts in

order to provide services and support for Kosovo migrants, mainly through consular and diplomatic missions.

Efficient cooperation mechanisms shall be established between Ministry of Education, Science and Technology with universities with the purpose to attract qualified migrants.

It is necessary to follow an effective policy for protection of fundamental rights of migrants by planning measures for legal assistance to some certain groups of interests, by respecting their right for return, interpretation and prevention of xenophobia and discrimination.

7.7. Improvement of Institutional System and Establishment of Mechanisms

Ministry of Internal Affairs, in accordance with its legal competences, plays a leading role in implementing and coordinating the administration of migration. Analyses conducted, priorities as well as policies, express the need for assigning an authority who will be responsible for coordination of structures in the process of migration. Members, functions and responsibilities of this authority are appointed with the decision of the Government of Kosovo. This authority will monitor the achievement of the objectives of strategy and will report to National Coordinator for Migration.

This authority operates as a link between respective institutions, local authorities and nongovernmental sector involved in migration administration.

This authority has implementing and monitoring role related to:

- Continuous monitoring of implementation of migration policies;
- Observation and analyzing objectives of migration policy;
- Providing of expertise regarding legislative amendments;
- Cooperation and coordination with international institutions and organizations with regards to providing technical assistance in the field of asylum and migration;
- Initiation of training courses that aim strengthening of capacities of officials working in the field of migration, asylum and integration;
- Conducting research in the migration field in cooperation with research and scientific institutions and academic networks;
- Exploring modalities of cooperation with regional initiatives in the field of migration, asylum and refugees.

7.8. Legal migration

The approval of the Program of Hague by the Council of Europe resulted in promotion of policies on legal migration by the EU. This program confirms that legal migration plays an important role in the development of the economy based in knowledge and it impacts the achievement of implementation of Strategy of Lisbon.

Legal migration is part of freedom of movement that is one of the basic rights of EU and Universal Declaration on Human Rights that is also guaranteed by the Constitution of the Republic of Kosovo.

Republic of Kosovo is determined to approve and implement legislation on legal migration in accordance with the EU legislation. The policy aims at establishing the framework for legal migration by taking into consideration importance of integration in receiving societies. EU measures for legal migration include conditions of entry and residency for certain categories of migrants such as: laborers with high qualification – subject of the directives of Blue Card of EU, students and researchers. Competent bodies of Republic of Kosovo are obliged to publish information regarding any agreement achieved with EU countries, legal changes and other important information for employment and education.

7.9. Migration Profile

One of the main objectives of the strategy is establishment of effective mechanisms for managing and monitoring migration fluxes. Therefore, the effective management of migration, institutional framework and policies are necessary. Lack of precise information and statistics for number of labor migrants, legal and illegal, hinders the implementation of policies of effective migration management. Understanding of national migration policy requires adequate processing and approach of comparison data of international migration, national coordination of policies and active cooperation between responsible authorities.

Therefore, the need for developing the Migration Profile includes:

- Analyzing current situation in collecting and analyzing of data/statistics;
- Identification of gaps in analyses and development of practical recommendations based on the experience of EU Member States and/or neighboring countries with the purpose of increasing the statistics in the field of migration in the country;
- Strengthening of the Government capacities and evaluation of current and potential resources for regular and irregular migration and national and regional effectiveness of migration policies.

Migration profile shall expand knowledge on migration and develop the evaluation on how migration impacts development, improvement of careful use of delivery of current information on migration between relevant actors.

Migration Profile will also serve as political document with the purpose of identification and orientation of policies in the field of migration with economic character. Transformation of migration movements as well as migration management will serve for the Government of the Republic of Kosovo for accurate evidence for state requirements.

MIA/DCAM will update official data from competent actors by using official information on movements of the asylum-seekers with data from reintegration process and from other migration categories.

VIII. Strategic framework

8.1. Vision

The vision of the Strategy is successful management of migration, prevention of irregular migration and assignment of activities for prevention and reducing irregular migration.

8.2. Mission

The mission of the National Strategy on Migration is prevention of all forms of irregular migration, promotion of legal migration and harmonization of state activities with international ones in order to achieve objectives in the field of migration.

IX. Strategic Objectives

Strategic Objectives will determine concrete ways of activities in achieving results and ensure awareness measures for institutions and institutional mechanisms in the field of migration.

Strategic objectives are:

1. Prevention of irregular migration and promotion of legal migration;
2. Improvement of legal and circular migration management;
3. Transformation and development of migration into positive economic factor.

- 1. Prevention of Irregular Migration and Promotion of Legal Migration:** with intention of preventing all forms of migration, by developing institutional capacities and by creating mechanisms for identification and investigation of persons that facilitate irregular migration and deal with trafficking in human beings.

Specific objectives

1. Awareness raising on risks and consequences of irregular migration;

2. Advancement of system for controlling the entry and residency of foreigners in the Republic of Kosovo;
3. Strengthening capacities of international protection offered by the Republic of Kosovo;
4. Increase the efficiency of border control and surveillance of the Republic of Kosovo;
5. Advancement in combating irregular migration;
6. Advancement in combating trafficking in human beings;
7. Improvement of institutional system for cooperation and coordination in order to administer the migration;
8. Strengthening visa regime system.

2. Improvement of legal and circular migration management: Migration management results with creation of good legal ground according to *acquis communautaire* as well as implementation of legislation through domestic institutions and in cooperation with other countries.

Specific objectives

1. Completion of legal framework and strengthening of capacities on migration managing.
2. Advancement of international cooperation in the field of migration.

3. Transformation and development of migration into positive economic factor: Economic development of the country includes the migration factor, through which by transforming migration to economic factor it reflects economic development of the country through different remittances and through development of effective mechanisms or fiscal policies for migrants in Kosovo.

Specific objectives

1. Promotion of integration of foreigners with legal residency;
2. Development of encouraging policies for attracting foreign citizens with purpose of their integration in Kosovo economy.

X. International Instruments

International Conventions and Acts applied in the Republic of Kosovo defined in the Constitution include, but not limited in the list presented in Annex 11.3.

XI. Implementation, monitoring and evaluation of the strategy

11.1 Role of monitoring system

The process of the implementation of the strategy will be a process of fulfilling the strategic objectives and activities. Monitoring and evaluation of fulfillment of objectives and the efficiency of respective activities, is integral part of the strategy and main components in its implementation process. Monitoring and evaluation will serve to monitor the progress of the strategy, to measure the level of fulfillment of objectives, especially the defined activities.

Monitoring process will be conducted by responsible institutions with wide participation of interested groups.

Main dimensions of monitoring and evaluation of the strategy are:

- Institutional capacities;
- Monitoring indicators during and at the end of the period of five (5) years;
- Sources of information and measuring instruments;
- Distribution and use of results of monitoring and evaluation.

11.2. Institutional structure for monitoring and evaluation

Monitoring and evaluation system will be extended in all responsible institutions for fulfilling objectives defined in the strategy and action plan.

- Ministry of Internal Affairs, is responsible for monitoring and coordination of implementation of objectives;
- National Coordinator is responsible for coordination, monitoring and inter-institutional reporting;
- Secretariat within DCAM will monitor most important indicators that deal with migration and shall prepare periodic reports for the progress of fulfillment of objectives;
- Respective ministries will be responsible for monitoring and evaluating activities when they are key actors or subordinates. These institutions will report periodically to National Coordinator in order to have unified reports;
- Nongovernmental organization will participate in monitoring and evaluation of the strategy in joint roundtables that will be organized by the Coordinator. In these roundtables, civil society will present monitoring reports that are related to projects and programs they completed.

11.3. Selection of monitoring and evaluating indicators

- Decreased number of asylum seekers in EU Member States and in Schengen zone;
- Increased number of returns to the country of origin of asylum seekers who were refused the status of asylum seekers in the Republic of Kosovo and increased number of expelled persons with illegal residency;
- Increased number of Agreements with developed countries on seasonal employment, education and training;
- Reports of monitoring and evaluation of the Strategy;
- Number of awareness raising campaigns for the risks of irregular migration;

11.4. Instruments of monitoring and evaluation

- Standard system of collecting and processing of information;
- Administrative and statistical data of respective institutions;
- National and international referring mechanisms;
- Surveying and Observation of the population on the level of awareness regarding irregular migration and the possibility of circular migration and legal migration.

11.5. Dissemination and use of monitoring and evaluation results

Results of monitoring and evaluation will be disseminated to notify on the progress of regulating legal migration and reducing irregular migration, respectively for achieving strategic objectives and specific objectives. After the progress reports based on data and observation are drafted, they will be disseminated to the following:

- Central and local state institutions;
- International partners;
- Civil society;
- Media;
- Wide Public.

The institution in charge for dissemination of results is MIA. Publication of the results will also be shared through media or by organizing workshops or roundtables in order to make conclusions related to the progress of the strategy.

XII. ACTION PLAN

The action plan will be drafted within the general strategic framework defined in the State Migration Strategy.

Action plan for implementation of this strategy includes:

- Strategic objectives;
- Specific objectives;
- Concrete activities for realizing objectives;
- Responsible institutions;
- Supporting institutions;
- Deadlines for realization of each activity;
- Financial cost;
- Indicators for completion of each objective and activity.

Action plan shall show linkage with the general framework of the State Migration Strategy of the Republic of Kosovo.

XIII. Annexes

13.1 Legal Framework

Republic of Kosovo possesses a wide legislative ground that includes, but is not limited to:

1. Constitution of the Republic of Kosovo;
2. Law on State Border Control and Surveillance;
3. Law on Asylum;
4. Law on Foreigners;
5. Law for Readmission;
6. Law on Dwelling and Residency;
7. Law on Kosovo Citizenship;
8. Law on Kosovo Diaspora;
9. Law on Civil Status;
10. Law on Consular Service of Diplomatic and Consular Missions of the Republic of Kosovo;

11. Law for External Service of Republic of Kosovo;
12. Criminal Code of Kosovo;
13. Criminal Procedure Code of Kosovo;
14. Law on Police;
15. Law on Execution of Penal Sanctions;
16. Law on Kosovo Intelligence Agency;
17. Law on State Prosecution;
18. Law on Courts;
19. Criminal Code for Juveniles.

13.2 International instruments

International conventions and acts that apply in Kosovo include, but not limited to:

1. Universal declaration of human rights;
2. Geneva Convention 1951 related to status of refugees and its Protocol of 1967;
3. New York convention for stateless persons;
4. UN Convention for Elimination of all Forms of Discrimination towards Woman;
5. UN Convention 1984 against torture and cruel treatment of other cruel punishment, inhuman and humiliating;
6. European Convention for protecting of fundamental human rights and freedoms and its Protocols;
7. UN convention on the Rights of Child;
8. International convention for civilian and political rights and its Protocols.