



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

**ADMINISTRATIVE INSTRUCTION (GRK)-NO. 05/2023 ON MEASURES
FOR THE PREVENTION AND PROTECTION OF CHILDREN AGAINST
DRUG ABUSE¹**

¹ Administrative Instruction (GRK)-No. 05/2023 on Measures for the Prevention and Protection of Children Against Drug Abuse, has been approved in the 145th Meeting of the Government of the Republic of Kosovo, with the Decision No. 08/145, dated 07.06.2023.

The Government of the Republic of Kosovo,

Pursuant to Article 93 (4) of the Constitution of the Republic of Kosovo, in accordance with Article 43 (4) of Law No. 06/L-084 on Child Protection (Official Gazette, No. 14, July 17, 2019), and Article 19 (6.2) of Regulation No. 09/2011 of Rules and Procedure of the Government (Official Gazette, No. 15, September 12, 2011),

Approves:

ADMINISTRATIVE INSTRUCTION (GRK)-NO. XX/2023 ON MEASURES FOR THE PREVENTION AND PROTECTION OF CHILDREN AGAINST DRUG ABUSE

CHAPTER I - GENERAL PROVISIONS

Article 1 Purpose

1. With this Administrative Instruction, in order to protect the child from drug abuse, the following are defined:
 - 1.1. preventive and protective measures,
 - 1.2. measures for advocating a healthy lifestyle and discouraging any kind of drug abuse, as well as
 - 1.3. duties and responsibilities of relevant institutions.

Article 2 Scope

1. This Administrative Instruction shall be implemented:
 - 1.1. by the institutions and by the physical and legal persons, who work with the child and for the child, and who have responsibility for their protection from any kind of drug abuse, in accordance with their obligations arising from the relevant legislation in force as well as this administrative instruction, and
 - 1.2. for the child with Kosovar citizenship, without citizenship, unregistered, asylum seeker, refugee or with foreign citizenship, within the territory of the Republic of Kosovo.

2. The provisions of this administrative instruction cannot be construed as a limitation or reduction of the existing rights of the child defined by the Constitution of the Republic of Kosovo, Law on Child Protection, Convention on the Rights of the Child or International Instruments that regulate this field, as well as other relevant applicable legislation.

Article 3

Definitions

1. Terms used for the purpose of this Administrative Instruction shall have the following meaning:
 - 1.1. **Child** – means any human being under the age of eighteen (18);
 - 1.2. **Institution** - means all institutions, authorities, public bodies, at the central and local level, private persons as bearers of public authorities as well as other legal and private persons in the Republic of Kosovo, who have responsibility for the protection of children from drug abuse;
 - 1.3. **Criminal Code** – means the Code No. 06/L-074 Criminal Code of the Republic of Kosovo (Official Gazette, No. 2, January 14, 2019);
 - 1.4. **Municipality** – means the Unit of local self-government, within the territory and within the administrative boundaries defined according to Law No. 03/L-041 on Administrative Municipal Boundaries (Official Gazette, No. 26, June 2, 2008);
 - 1.5. **Convention** – means the Convention on the Rights of the Child, 20 November 1989;
 - 1.6. **Constitution** – means Constitution of the Republic of Kosovo;
 - 1.7. **Law on Narcotic Medicaments** – means the respective Law on Narcotic Medicaments, Psycho-Tropes and Precursors;
 - 1.8. **Law on Child Protection** – means the respective Law for Child Protection;
 - 1.9. **Law on Health** – means the respective Law on Health;
 - 1.10. **Law on Social and Family Services** – means the respective Law on Social and Family Services;
 - 1.11. **Ministry** – means the relevant Ministry of Health;
 - 1.12. **Narcotics** - means Narcotic Medicaments, Psycho-Tropes and Precursors, which are defined as such according to the Law on Narcotic Medicaments.
 - 1.13. **At all stages** - includes all procedures in which the child is in contact with relevant institutions or child protection professionals;
 - 1.14. **CSW** - Center for Social Work.
2. The other terms used in this administrative instruction shall have the same meaning as in the definitions set out in the Law on Child Protection, Law on Narcotic Medicaments, Law on Health and the Law on Social and Family Services.

CHAPTER II - THE RIGHTS OF CHILD TO PREVENTIVE AND PROTECTIVE MEASURES AGAINST DRUG ABUSE AND THE GENERAL PRINCIPLES FOR THEIR IMPLEMENTATION

Article 4

The rights of child to preventive and protective measures against drug abuse

1. Children enjoy the right to protection and care necessary for their wellbeing.
2. Every child has the right to health care, to preventive and protective measures against drug abuse.
3. Protecting the life and rights of the child is the main obligation, to the maximum extent possible, for any person or institution.
4. Institutions, in accordance with their responsibilities, are obliged to take the necessary preventive and protective measures against drug abuse, in accordance with the relevant legislation in force, this administrative instruction as well as the policies and priorities determined by the Ministry.
5. Preventive and protective measures must be adequate, continuous, for everyone and without discrimination, in accordance with ethical and professional rules.

Article 5

The purpose of preventive and protective measures

1. The purpose of preventive and protective measures against drug abuse is to:
 - 1.1. protect the child from the causes that enable the use of narcotics and addiction to them;
 - 1.2. raise the level of knowledge and make the population aware of the dangers of drug use, and the consequences that drug abuse brings to society;
 - 1.3. ensure effective and informative communication about the harmful health consequences, the nature of addiction, the deadly threats posed by the consumption of narcotics;
 - 1.4. give advice against the use of drugs;
 - 1.5. encourage users to stop using drugs;

- 1.6. promote a healthy lifestyle;
 - 1.7. discourage any kind of drug abuse, and
 - 1.8. reduce the number of children who abuse drugs.
2. Through preventive and protective measures against drugs, the main objective of the institutions should be to ensure, to the maximum extent possible, the survival, development and well-being of the child.

Article 6

Responsibilities in the implementation of preventive and protective measures

1. Parents or guardians of the child, institutions and all physical and legal persons who work with the child, have the responsibility to take care of the child's health and protect him from drug abuse.
2. The actions undertaken to prevent and protect against any kind of drug abuse must be based on the provisions provided by the Constitution, legislation in force, international agreements, and the freedoms and rights of all persons must be guaranteed.

Article 7

Provision of preventive and protective measures without discrimination

1. Children have the right to equal access to preventive and protective measures against drug abuse.
2. The provision and implementation of preventive and protective measures, undertaken by institutions, with the aim of protecting the child from drug abuse, must be in accordance with the principle of equal treatment, so that the child is protected from all forms of discrimination, according to the meaning of any of the grounds defined in the relevant provisions of the Law on Protection from Discrimination.
3. Any person who considers that the principle of equal treatment has not been applied to the child, during the provision and implementation of preventive and protective measures against drug abuse, may initiate proceedings and present facts to the competent body, in accordance with the provisions of the Law on Protection from Discrimination.

Article 8

The best interest of the child when implementing preventive and protective measures

All preventive and protective measures, undertaken by institutions, with the aim of protecting the child from drug abuse, must be in the best interest of the child and the best interest of the child must be the predominant consideration, in accordance with, and with respecting the rights and freedoms of the child provided for in the Constitution, the Convention, the Law on Child Protection and the relevant legislation in force.

CHAPTER III - PREVENTIVE AND PROTECTIVE MEASURES AGAINST DRUG ABUSE

Article 9

Education of the child

Families, institutions and professionals for child protection must ensure that children are educated and prepared in order to protect them from drug abuse.

Article 10

Prevention and protection of children against drug abuse

1. Institutions, in the area of their responsibility, must develop measures and undertake actions to prevent and protect children from drug abuse.
2. Preventive measures and actions against drug abuse should:
 - 2.1. be based on the child's needs;
 - 2.2. be accessible, on time;
 - 2.3. have a long-term positive effect;
 - 2.4. ensure optimal development of the child;
 - 2.5. promote or advocate a healthy lifestyle;
 - 2.6. discourage any kind of drug abuse;
 - 2.7. support the relationship between the child and the persons who raise the child;
 - 2.8. promote or carry out awareness raising campaigns directed at the general public, by providing information on the phenomenon of drug abuse and on the preventive measures that can be taken;
 - 2.9. protect the child from entering night clubs, as well as adult entertainment centers and alike;
 - 2.10. include the media, information channels and social networks, to inform the population about ways to prevent and fight drug addiction;

- 2.11. protect the child from possible negative influences from publications, films, video games, music, websites, broadcasts or other types of mass communication, which endanger and harm the health and life of the child and which promote the use of narcotics.
3. Preventive measures and actions against drug abuse, implemented by the institutions, to achieve the appropriate efficiency, shall be supported by law enforcement officials.

Article 11

Family responsibility for the care of the child against drug abuse

1. The family has the primary responsibility for the child's growth, well-being, education and protection, as well as to ensure the child's life, safety, health, well-being, upbringing, education, legal representation, as well as the protection of the child from all acts and situations that put the child at risk, from the use or abuse of narcotics.
2. The relevant institutions for the protection of the child, in the area of their responsibility, shall help and intervene in the family, based on the referral or in cases when the family is unable or when there is a reasonable suspicion that the family is unable to protect the child from the risk of using narcotics.

Article 12

Supporting families in caring for the children against drug abuse

1. Institutions, in the area of their responsibility, must undertake all the necessary measures to ensure the integration of the child in the family and society and promote the well-being of the child in the context of his biological family, through the provision of care, protection and social counseling, to prevent the use of narcotics.
2. Institutions shall be obliged to:
 - 2.1. provide a network of quality and accessible child care services;
 - 2.2. develop programs to improve parenting skills and promote a healthy and positive family environment to prevent and protect children against drug abuse and promote a healthy lifestyle ;
 - 2.3. develop and promote positive parenting;
 - 2.4. recognize the child as an individual in his own right.

3. Institutionalized care should only be used in the best interests of the child, as a matter of last resort, for the shortest possible period of time, and with the primary objective of the child's successful integration and/or reintegration in society.

Article 13

Information and Awareness Campaigns

1. Institutions, in the area of their responsibility, shall develop information and awareness campaigns, which focus especially on raising the awareness of:
 - 1.1. parents about the risk of using narcotics by children, and
 - 1.2. children about the risk of using narcotics.
2. Information and awareness campaigns should be comprehensive and coordinated in terms of delivering the message to the interest groups and mobilizing them for the cause of protecting the child from the use of narcotics.

Article 14

Encouraging civil society and the private sector in implementing policies to protect children against drug abuse

Institutions, in the area of their responsibility, should encourage civil society as well as the private sector to participate in the design and implementation of policies for the protection of children against drug abuse, as well as to finance, where possible, projects and programs carried out by civil society and the private sector.

Article 15

Encouraging the media to inform about the harmful effects of drugs

1. Institutions, respecting the independence of the media and the freedom of the press, in accordance with their rights and obligations, should encourage the media to influence the education of children and adults and provide appropriate information about the harmful effects of drugs.
2. Institutions can fund programs and campaigns to advocate a healthy lifestyle and discourage any type of drug abuse.

Article 16

Child participation in the development and implementation of policies for protection against drug abuse

Institutions, in the area of their responsibility, shall encourage the participation of the child, in accordance with their developmental capacity, in the development and implementation of policies, programs or other initiatives for the protection of the child against drug abuse.

Article 17

Narcotics abuse reporting

1. Any person working with and for the child, who suspects or has evidence that the child is involved in an unauthorized manner in the purchase, possession, distribution, sale, production, and other criminal offenses defined in Chapter XXIII (Narcotics offences) of the Criminal Code, is obliged to report the case to the Police or the Center for Social Work.
2. The relevant Ministry of Internal Affairs, in accordance with the relevant legislation in force, must take the necessary measures to:
 - 2.1. ensure the increased awareness of reporting by any person who knows or suspects that a child is a victim of drug abuse;
 - 2.2. ensure that any reporting of drug abuse cases will remain confidential, and
 - 2.3. provide protection for persons who report cases of drug abuse.
3. Failure to report the cases defined in paragraph 1 of this article is sanctioned according to the provisions of the law in force.
4. The Ministry shall, in cooperation with the relevant Ministry of Social Welfare, the relevant Ministry of Internal Affairs and the relevant Ministry of Justice, issue guidelines for the implementation of this article.

Article 18

Training on aspects of child protection against the use of narcotics

1. The institutions shall organize and oblige the employees, who have direct responsibility in the protection of the child, to participate in trainings on aspects of the protection of the child against the use of narcotics.

2. The employees who have direct responsibility for child protection are obliged to follow the training defined in paragraph 1 of this article, as well as to put to use in their daily work, the insights and the knowledge acquired.
3. The professional working for and with the child who abuses with narcotics should be offered specialized training and regular and continuous training to develop their skills and improve their theoretical and practical knowledge.
4. The Kosovo Institute for Public Administration, the Academy of Justice, the Academy for Public Safety, in cooperation and coordination with the Ministry and the relevant associations of health professionals, shall prepare special programs for raising professional capacities in the field of child protection against the use of narcotics.

Article 19

Advocating for a healthy lifestyle and discouraging any kind of drug abuse

1. Advocating for a healthy lifestyle and discouraging any kind of drug abuse:
 - 1.1. should not only consist of a negative attitude towards narcotics and discouraging any kind of abuse with them, but also of promoting a healthy lifestyle, social formation, acquisition of useful skills and ways of self-realization;
 - 1.2. must be "child friendly";
 - 1.3. can be organized through various art, culture and sports events, in advocating a healthy lifestyle and discouraging any kind of drug abuse.

CHAPTER IV - THE ROLE AND RESPONSIBILITIES OF INSTITUTIONS IN PROVIDING AND IMPLEMENTING PREVENTIVE AND PROTECTIVE MEASURES AGAINST DRUG ABUSE

Article 20

Coordination and cooperation between institutions

1. In order to protect the child from drug abuse, institutions, in accordance with their scope, shall be obliged to:

- 1.1. undertake the necessary measures to ensure coordination and cooperation at the country level as well as at the regional and international level in order to protect the child from drug abuse;
 - 1.2. exchange information, experiences, form working groups necessary for the prevention and effective fight against drug abuse as well as the prevention, treatment and successful rehabilitation of addiction diseases;
 - 1.3. encourage cooperation and coordination between competent state authorities, civil society, media, private sector, and work intensively and share positive practices and models regarding child protection against drug abuse.
2. Child protection from narcotics is a responsibility of all institutions that must build a comprehensive approach for all members of society.

Article 21

The role and responsibilities of the Inter-ministerial Committee on the Rights of the Child

1. The Interministerial Committee on the Rights of the Child, established under Article 16 of the Law on Child Protection, in order to ensure the prevention and protection of children from drug abuse, shall undertake the following actions:
 - 1.1. defines the priorities and the necessary measures to be taken by the relevant institutions, for the improvement of the situation regarding the prevention and protection of the child from the harmful influence of narcotics, according to the proposal of the Ministry
 - 1.2. supports the development and implementation of promotional campaigns to raise awareness of child health protection against drug abuse;
 - 1.3. facilitates and monitors the implementation of policies, programs and other approved measures related to prevention and protection against narcotics;
 - 1.4. according to the need and/or the proposal of the Ministry, establishes working groups necessary to deal with the issues of protecting the child's health from the harmful influence of narcotics;
 - 1.5. according to the proposal of the Ministry, approves the Action Plan for the prevention, treatment and rehabilitation of the child abusing drugs.

Article 22

The role and responsibilities of the Committee on Narcotics

1. The Committee on Narcotics, established according to Article 6 of the Law on Narcotic Medicaments, in order to ensure the prevention and protection of children against drug abuse, shall undertake the following actions:

- 1.1. informs the public about the consequences of drug abuse in children;
 - 1.2. collects and processes data regarding the nature and territorial extent of the use and abuse of narcotics by children;
 - 1.3. coordinates and supports the activities of non-governmental organizations and other organizations in the prevention and protection from drug abuse by children.
2. The Committee on Narcotics shall cooperate with the Interministerial Committee on Children's Rights and reports to the Committee as needed and requested.

Article 23

The role and responsibilities of the Council on the Rights of the Child

1. The Council on the Rights of Child, established under Article 18 of the Law on Child Protection, in order to ensure the prevention and protection of children from drug abuse, shall undertake the following actions:
 - 1.1. advises the Committee on the necessary measures to be taken for the prevention and protection of the child against drug abuse;
 - 1.2. in cooperation with the Ministry, carries out information campaigns and other promotional projects to increase awareness of the dangers of drug abuse by children;
 - 1.3. carries out advocacy campaigns for a healthy way of life and discouraging any kind of drug abuse.

Article 24

The role and responsibilities of the Ministry

1. Ministry, for the prevention and protection of children from drug abuse, shall undertake the following actions to ensure:
 - 1.1. raising awareness, through means of public information and media campaigns, with special emphasis on the harmful effects that narcotics have on children;
 - 1.2. expansion of detoxification services in psychiatric wards of regional hospitals;
 - 1.3. continuous training for health personnel for the control and treatment of children who have abused narcotics;

- 1.4. designing programs that prevent the use of narcotics and that encourage the child to stop using them;
- 1.5. drafting of guidelines and relevant clinical protocols, necessary in the prevention and protection of children from drug abuse;
- 1.6. drafting and supervision of Standard Operating Procedures, including inspection as needed, through the pharmaceutical inspectorate and the health inspectorate;
- 1.7. drafting the guidelines necessary for the implementation of this administrative instruction, and
- 1.8. drafting and implementation of the Action Plan for the prevention, treatment and rehabilitation of the child abusing drugs.

Article 25

The role and responsibilities of the National Institute of Public Health

1. The National Institute of Public Health, for the prevention and protection of children against drug abuse, shall undertake the following actions to ensure:
 - 1.1. data collection and analysis on drug users and abusers, including children;
 - 1.2. creation of a database for registration of drug users;
 - 1.3. coordination with health and non-health institutions and workers, for preventing the spread of narcotic addiction diseases;
 - 1.4. designing of programs, compiling, publishing and distributing informative, educational and advisory materials (IEA), related to the causes and consequences of the use of narcotics among children;
 - 1.5. health promotion and education to prevent the spread of narcotic addiction diseases among children;
 - 1.6. promotion and education for a healthy way of life and discouraging any type of drug abuse;
 - 1.7. organizing debates in order to inform and raise awareness about the phenomenon of narcotics.

2. The institutions, which deal with the identification, treatment and rehabilitation of addiction diseases, are obliged to report to the National Institute of Public Health, the cases of drug users, including children who use narcotics.

Article 26

The role and responsibilities of the relevant Ministry of Education

1. The relevant Ministry of Education, for the prevention and protection of children against drug abuse, shall undertake the following actions to ensure:
 - 1.1. designing and implementing school curricula in order to educate and raise awareness among students to inform and warn children and young people about the health hazards of narcotics;
 - 1.2. inclusion of the rights of the child in school programs and the promotion of an approach to the rights of the child at all levels of education;
 - 1.3. organizing meetings with parents, with the aim of informing them about their role in the field of preventing the consumption of narcotics;
 - 1.4. training of teachers regarding the early identification of drug-using children.
 - 1.5. information to students about the dangers and consequences of narcotics, as well as about the means to protect themselves, adapted according to their developmental capacities;
 - 1.6. that the institutions dealing with the child's education undertake activities that promote child's awareness of the harm caused by narcotics.

Article 27

The role and responsibilities of the relevant ministry for social welfare

1. The relevant ministry for social welfare, for the prevention and protection of the child against drug abuse, shall undertake the following actions to ensure:
 - 1.1. identification and evidence of children using narcotics, of families that are beneficiaries of social assistance and services;
 - 1.2. drawing up plans for the protection of children, from among families or individuals who are drug users;

- 1.3. regular and continuous trainings for the prevention and protection of children from drug abuse, for all employees of the CSW, who work with and for children;
- 1.4. the support of responsible institutions at the central and local level, as well as other organizations that provide protection for children, in the process of drafting and implementing policies in the field of child protection against drug abuse.

Article 28

The role and responsibilities of the relevant Ministry of Internal Affairs

1. The relevant Ministry of Internal Affairs, through its organizational units, is the responsible government institution that leads in the drafting and monitoring of policies and legislation in the field of general security and narcotics.
2. Through its mechanisms and agencies, the relevant ministry of internal affairs should undertake activities in the prevention, protection, pursuit and response to all anti-narcotics activities.

Article 29

The role and responsibilities of the Police of the Republic of Kosovo

1. The Police of the Republic of Kosovo, through the Directorate for the investigation of narcotics trafficking and other supporting structures within the Kosovo Police, has the main responsibility in combating misuse of narcotics, and for this purpose, they shall carry out the activities determined according to official duties:
 - 1.1. increase police actions in order to prevent the offer and supply of narcotics in school premises and in their security zone;
 - 1.2. make evidence of the reported criminal and minor offenses related to narcotics;
 - 1.3. cooperate with agencies and organizations of other countries to identify, combat and prevent misuse of narcotics.
2. The police through the Directorate for the investigation of narcotics trafficking, for the protection and prevention of drug abuse have responsibilities, which include but are not limited to the following:
 - 2.1. identification of the child in need of protection and timely referral to the CSW;

- 2.2. protection of the child in immediate danger and their referral to the CSW;
- 2.3. obtaining the Protection Order for the child at high or immediate risk in cooperation with the CSW;
- 2.4. prevention of drug abuse, through the support of the CSW for preventive activities;
- 2.5. the support of the CSW when necessary, during family visits, during the identification and management of cases of a child who is at high or immediate risk of using narcotics.

Article 30

The role and responsibilities of the municipality

1. Each municipality, within its territory, is responsible for providing preventive, protective and reintegrative services and measures to protect the child from the harmful influence of narcotics, according to the standards and policies determined by the Government or relevant ministries.
2. The municipal bodies and administration, within its territory, must take steps to identify the nature and dimensions of the need to protect the child from the harmful influence of narcotics. In this regard, they should:
 - 2.1. develop programs and projects to prevent and protect children from the harmful influence of narcotics;
 - 2.2. take steps to identify the nature and need to protect the child from the use of narcotics;
 - 2.3. develop measures to prevent risks to the child's well-being and development, the child's need for help and to reduce existing problems;
 - 2.4. develop programs and projects for the prevention and reduction of factors that put children at risk from the use of narcotics;
 - 2.5. promotional, educational and training meetings for the protection of children from the use of narcotics;
 - 2.6. promote a healthy lifestyle and discourage any kind of drug abuse;
 - 2.7. create a system to be closer to the child;
 - 2.8. support the execution of diversity measures and educational measures for children who have abused narcotics;
 - 2.9. develop practices of good parenting and health promotion;
 - 2.10. communicate and may create partnerships with central institutions and independent organizations and institutions, civil society organizations, youth groups and the media to promote children's rights and measures to prevent and protect children from drug use, in order to ensure a safe environment for children in the municipality.

3. For the most efficient and effective exercise of child protection from the use of narcotics, the municipality has the right to enter into cooperative relations with two or more municipalities of the Republic of Kosovo, in accordance with the forms, conditions and procedures defined by the Law on Inter-municipal Cooperation.

Article 31

The role and responsibilities of the Center for Social Work

1. CSW shall provide social care and/or counseling in circumstances where a child is in need of social and family services, and must take every step necessary to maintain the child's safety and ensures that the services provided are in accordance with the responsibilities contained in the Law for Social and Family services, the Law on Child Protection and relevant legislation in force.
2. CSW identifies cases of a child who has abused, or is at risk of abusing drugs, through information obtained by CSW itself, referrals received from other institutions, community members, the public, the children themselves and the media.
3. The CSW, according to the responsibilities defined in Article 15 of the Law on Child Protection, must:
 - 3.1. implement national and local policies for the protection of children from the use of narcotics;
 - 3.2. serve as an information center, where children and families within the municipality can be informed or referred to other support services or institutions for the prevention and protection of children from narcotics, according to their needs;
 - 3.3. manage the emergency case of the child drug user, in cooperation with the police and other necessary actors, even outside the official working hours;
 - 3.4. undertake initial assessments for all child cases referred to the CSW;
 - 3.5. organize in-depth and comprehensive evaluations for the drug user child
 - 3.6. develop and review individual child drug user plans and monitor implementation until case is closed;
 - 3.7. report to the police the cases of child abusing drugs;
 - 3.8. act as a Case Manager and be responsible for the implementation and monitoring of the Child Protection Program, even in cases where the child is in a residential institution or in any type of temporary accommodation;
 - 3.9. keep accurate and factual data on all managed and referred cases of the child who has abused narcotics, at the CSW;

- 3.10. organize promotional and awareness campaigns to prevent the use of narcotics, and
- 3.11. exercise any other competence, in fulfilling its mandate, according to the legislation in force.

Article 32

The role and responsibilities of the Team on the Rights of the Child

1. The Team on the Rights of the Child, established according to Article 20 of the Law on Child Protection, in all Municipalities of the Republic of Kosovo, is responsible to:
 - 1.1. define the priorities of the municipality and the necessary measures to be taken for the prevention and protection of the child from narcotics;
 - 1.2. develop the programs to prevent the child's involvement in drug abuse;
 - 1.3. recommend the mayor of the municipality to undertake further actions, necessary to realize the protection of the child from the use of narcotics.

Article 33

The role and responsibilities of the relevant Municipal Directorates for Education and schools

1. The role and responsibilities of the relevant municipal directorates of education and schools include, but are not limited to:
 - 1.1. prevention and education of the child to avoid dangerous situations from the use of narcotics;
 - 1.2. identification of children who have abused narcotics and timely referral to CSW;
 - 1.3. facilitation and support for school attendance by children who have abused narcotics;
 - 1.4. participation in the meeting of the Multidisciplinary Roundtable and support for the development and implementation of individual plans designed for the child who has abused narcotics.
2. The relevant directorates of education at the municipal level, in coordination and cooperation with schools, must organize special trainings with all school staff, at all levels of pre-university education, with the aim of informing about the dangers of using narcotics.
3. Schools should engage psychologists with special emphasis to support children who have developed addiction to the use of narcotics.

4. The principal of the school together with, and in coordination with the class teacher must ensure that the possession and use of narcotics is not allowed within the school premises and identify and immediately refer the case to the police and/or CSW.

Article 34

The role and responsibilities of the Health Care Provider

1. The role and responsibilities of the health care provider include, but are not limited to:
 - 1.1. identification of the child abusing narcotics and immediate referral of the case to the police and/or CSW;
 - 1.2. compilation of medical reports on the health condition of the child abusing or alleged to be abusing narcotics;
 - 1.3. priority provision of health care, including relevant controls and analyzes of the child who has abused narcotics;
 - 1.4. Multidisciplinary Roundtable meetings, support for the development and implementation of individual plans drawn up for the child.

Article 35

Individual responsibility

1. Every natural and legal person bears responsibility based on the provisions of this administrative instruction and the relevant legislation, for the protection of the child from the use of narcotics, when with their actions or inactions, have violated the relevant provisions in force and have not performed their duties and responsibilities.
2. Institutions for the protection of the child are obliged to take all the necessary measures for the performance of all their duties and responsibilities after the entry into force of this administrative instruction.
3. Failure or obstruction to fulfill any of the obligations defined in this administrative instruction and the relevant legislation in force, will be taken as a basis for undertaking punitive and disciplinary measures in accordance with the laws applicable in the Republic of Kosovo.

Article 36
Cooperation with Non-Governmental Organizations for child protection

1. Municipal bodies and administration and other institutions shall:
 - 1.1. cooperate with non-governmental organizations for the prevention and protection of child from the use of narcotics, as well as for the provision of services necessary for their protection and treatment, in accordance with this administrative instruction and the relevant legislation in force;
 - 1.2. ensure, encourage and support the participation of non-governmental organizations in child protection matters and in planning and implementation activities, and provide advice and guidance to organizations seeking to undertake such activities.
 - 1.3. maintain regular communications with civil society organizations in order to ensure a clear situation of children in the municipality from another perspective.
2. Non-governmental organizations licensed by the relevant Ministry of Social Welfare provide the relevant services necessary for the protection of the child, either on their own initiative or by contract.
3. Administration and municipal bodies can enter into contracts with non-governmental organizations for the provision of special social and family services within their territory. Such contracts must be in accordance with the municipality's annual plans for social and family services, in accordance with the relevant legislation in force.

CHAPTER V - ACTION PLAN FOR THE PREVENTION, TREATMENT AND REHABILITATION OF CHILD ABUSING DRUGS

Article 37
Action plan for the prevention, treatment and rehabilitation of the child abusing drugs

1. The Ministry, after the entry into force of this administrative instruction, shall draw up the Action Plan for the prevention, treatment and rehabilitation of the child abusing drugs.
2. Action plan for the prevention, treatment and rehabilitation of the child abusing drugs must be:
 - 2.1. with realistic objectives;
 - 2.2. supported by sufficient human and financial resources;
 - 2.3. based on current scientific knowledge;
 - 2.4. systematically monitored and evaluated by the relevant unit of the ministry, and

- 2.5. with activities for a determined period, taking into account concrete and real needs and specifics, as well as taking into account budget opportunities and available time.
3. The Interministerial Committee on the Rights of the Child, according to the proposal of the Ministry, approves the action plan for the prevention, treatment and rehabilitation of the child abusing drugs.

Article 38

A process of drafting and implementing the Action Plan for the prevention, treatment and rehabilitation of the child abusing drugs

During the drafting of the Action Plan for the prevention, treatment and rehabilitation of the child abusing drugs, the Ministry must ensure the participation of relevant central and local level institutions, independent institutions for human rights, professionals who work for and with children, researchers, civil society and the media should be involved in the drafting and evaluation of the Action Plan.

Article 39

Monitoring and evaluation of the Action Plan for the prevention, treatment and rehabilitation of the child abusing drugs

1. Monitoring and evaluation of the Plan must be carried out regularly by the relevant unit of the Ministry, in order to identify the policies and measures that are appropriate and effective in preventing and protecting the child from the use of narcotics.
2. The institutions responsible for implementing the Plan are obliged to report to the relevant unit defined in paragraph 1 of this Article, according to the manner and deadlines defined in the Plan.

CHAPTER VI - TRANSITIONAL AND FINAL PROVISIONS

Article 40

The relevant unit for the rehabilitation and treatment of drug users

1. After the entry into force of this administrative instruction, at the latest after 1 year, the Ministry must present to the Government the need for the establishment and operationalization of a relevant National Unit for the Rehabilitation and Treatment of Drug Users, where special emphasis must also be presented on the role of this unit in the treatment of children's addiction to narcotics.

2. Through the proposal, the Ministry must present the positions related to the establishment and operationalization of the relevant national unit for the rehabilitation and treatment of drug users, offering the relevant model that suits the needs and capabilities of Kosovo by taking into account the experiences of regional and wider countries.
3. During the drafting of this document, the Ministry must:
 - 3.1. take into account the actual situation on the ground and the experiences of the University Clinical Center of Kosovo, Clinic of Psychiatry, Health institutions and other non-governmental organizations that deal with the psycho-social treatment of children addicted to narcotics;
 - 3.2. submit the necessary budget for the establishment of the relevant national unit for the rehabilitation and treatment of drug users,
 - 3.3. present the situation and the needs for professional staff to operationalize the relevant national unit for the rehabilitation and treatment of drug users, the way and place of providing space for the establishment of the unit as well as other issues that it deems necessary.

Article 41
Entry into force

This Administrative Instruction shall enter into force seven (7) days after its publication in the Official Gazette of the Republic of Kosovo.

Albin KURTI

Prime Minister of the Republic of Kosovo
03/07/ 2023