# Assessment report on the approximation of the current draft Law on amending and supplementing Law on Civil Use of Explosives with relevant EU directives on civil use of explosives.

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**Support the beneficiary institutions in assessing and drafting of legal/sublegal acts**

LIMITE DE CANDIDATURE

22 Février 2024

DURÉE DE LA MISSION

Court Terme

ZONE GÉOGRAPHIQUE

Europe Et Asie Centrale

Home Affairs Programme of European Union in Kosovo, or HAPE, as is known by its acronym, is an EU-funded technical assistance project conceived to support and assist key Kosovo law-enforcement agencies and ministries, in particular the Kosovo Ministry of Internal Affairs (MIA), Kosovo Police (KP), Special Prosecution of Republic of Kosovo (SPRK), in achieving their objectives and bringing their performance closer to EU standards.

The Grant Contract No. IPA/**2022/441510**, for the implementation of HAPE project, was awarded by the EU Office in Kosovo to the Ministry of Interior (MoI) of the Republic of Italy, as the lead partner. MoI of the Republic of France and Belgian Federal Police are the other two implementing partners of the project. The project started the implementation period on the 1st of March 2023 and is expected to last for 40 months.

The **specific objective** number 1 of HAPE is to strengthen the capacities and improve the performance of MIA and its dependent institutions to align effectively with the EU Acquis (chapter 24). The **specific objective** number 2 is to strengthen the investigative and operational capacities of the KP, SPRK and Kosovo Academy of Public Safety (KAPS), in the fight against Serious Organized Crime (SOC), corruption, terrorism, cyber-security, forensic, border management, migration, seizure and confiscation of criminal assets.

One of the aims of the HAPE project under outcome 1/output 1.1.2 is to support the beneficiary institutions in assessing and drafting of legal/sublegal acts. In particular, the output 1.1.2 requires support MIA in in assessing and drafting the Law on amending and supplementing Law no. 04-L-022, on Civil Use of Explosives, in compliance with EU relevant Directives (on civil use of the explosives). This new law is in the MIA's legislative priorities for 2024.

Therefore, HAPE project will recruit and deploy an international short-term expert (STE) to support MIA to finalize and approximate the draft Law on Civil Use of Explosives with relevant EU Directives and best standards, in compliance with the Kosovo legislative drafting priorities, before MIA submits for public consultation and Parliament.

# DESCRIPTION OF THE ASSIGNMENT

- **Global objective**

The global objective of the assignment is to support MIA in the process of approximation of legislation with relevant EU Acquis.

- **Specific objective(s)**

The specific objective of the assignment is to review the current law and to assess the new draft Law on the Civil use of Explosives with the relevant EU Directives in the area.

- **Requested services and tasks for the contractor**

The international STE is expected to carry out the following services and tasks:

- Review and analyze the current Basic Law no.04-L-022 (2011) on Civil Use of Explosives;
- Review and analyze and comment the Draft Law on Civil Use of Explosives;
- Identify relevant EU acquis and EU Directives;
- Identify potential norms that are not aligned with EU Acquis and relevant Directives on the civil use of the explosives;
- Identify potential gaps in the current draft law visa-a-vis EU Acquis and relevant Directives
- Draft relevant proposals and recommendations to ensure the approximation of the current Draft Law with EU Acquis and relevant Directives on the civil use of explosives and the best practices.
- Collect feedback on the draft law in a systematic manner to improve the assessment.
- Any other service necessary for the completion of the tasks above.

1. **REQUIRED OUTPUTS AND DELIVERABLES**

The outputs required include:

- The current and the draft law on Civil Use of Explosives reviewed and assessed.
- Assessment report including findings and recommendations in order to ensure the approximation of the current draft law on the civil use of explosives with relevant EU Acquis and Directives.
- Final Mission Report (max 2-3 pgs.).

2. **METHODOLOGY**

The expert is expected to carry out the assignment in close cooperation and consultation with MIA relevant representative and HAPE project. In performing the above-mentioned services, the expert may employ some or all of the methods below:

- Desk collection, review, and analysis of the Basic Law and the new Draft Law on civil use of explosives against EU relevant Directives and best practices and necessary literature, etc.
- Online meetings, discussions and consultation with the relevant actors in charge of drafting the Draft Law in MIA or other Stakeholders.
- Remote interviews, questions and inquiries;
- Use different assessment methodologies.

3. **EXPERTS PROFILE (to be used for publication of the position)**

- **Qualifications and skills**
- University degree on the relevant area
- 8+ years of extensive work experience
  - Demonstrated experience and strong working knowledge on the area of the EU relevant standards for the civil use of explosives.
  - Demonstrated experience on the implementation of relevant EU Directives on civil use of explosives.
- Fluency in both written and spoken English.
- **Preferred Qualifications**
- Professional experience in preparing and contributing to laws, regulations, and relevant experiences in the area.
- Professional Experience in international cooperation.
- **General professional experience**
- Strong professional background and highly skilled in legal drafting and report writing.
- **Specific professional experience**
- Minimum 8 years' experience in working in the area.
- **Working language(s)**

English

4. **LOCATION AND DURATION OF THE ASSIGNMENT**

- **Starting date: 26th of February 2024**

- **Duration of assignment and termination date**

The duration of the assignment is a total of 15 working days of which all the work will be performed home- based (6 days for the review of the current law, 6 days for the review of the new law and 3 days for finalizing the report).

- **Detailed work plan**

| **Starting Date: 26th of February 2024** | **Feb** | **Mar** |
|---|---|---|
| Review and analyse the current Law no.04-L-022 on Civil Use of Explosives | | |
| Review and analyse the current Draft Law on Civil Use of Explosives | | |
| Identify potential norms that are not aligned with EU Acquis relevant Directives on the civil use of the explosives | | |
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|---|---|---|
| Identify relevant proposals and recommendations to ensure approximation of the current Draft Law with EU relevant Directives on the civil use of the explosives and best practices. | | |
| Any other service necessary for the completion of the tasks above | | |
| Final Mission Report | | |

*Due to the needs of HAPE Project and beneficiaries, the above listed days may be modified or redistributed internally upon approval of the HAPE Team Leader, although the total number of days for the assignment will not be reduced.*

- **Location(s) of assignment**

Home based.

## 5. REPORTING

A detailed work-plan of the inputs, outputs, activities, and reports shall be submitted for approval to the HAPE Team Leader within the 1st day of commencement of the contract.

A Final Mission Report (max 2,3 pgs.), also stressing some recommendations, shall be submitted at the latest two weeks after the end of the period of implementation of the overall mission.

## 6. CONTACT

CV should be submitted in English to: angulo.m@civipol.fr; philippe.marie@experts.civipol.fr

