CIVIPOL

Support to Kosovo MIA working group in assessing and drafting a sub legal act/ protocol for the handling, storage and destruction of drugs and drug precursors

HOME AFFAIRS PROGRAMME OF EUROPEAN UNION IN KOSOVO PROJECT

(HAPE)

TERMS OF REFERENCE

Grant contract no. IPA 2022/441510

Contract number 30/2024 HAPE

LIMITE DE CANDIDATURE

21 Janvier 2025

DURÉE DE LA MISSION

Long Terme

ZONE GÉOGRAPHIQUE

Europe Et Asie Centrale

TITLE: Activity 1.1.2.2: Support to Kosovo MIA working group in assessing and drafting a sub legal act/ protocol for the handling, storage and destruction of drugs and drug precursors.

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, confiscation of criminal assets.

One of the aims of the HAPE project under outcome 1, output 1.1.2is to support MIA, mainly all law enforcement agencies and authorities in assessing and drafting of legal/sublegal acts in line with EU Acquis. In particular, the activity 1.1.2.2. foresees support to MIA and other relevant institutions responsible for drafting a sub legal act which will serve as a protocol for the collection, handling, storage and destruction of drugs and drug precursors, in compliance with EU best practices. Such a sub legal act is missing and this has prevented the disposal of seized and confiscated drugs and precursors. As a consequence the amount of stored seized and confiscated drugs has increased significantly during the years making it a health and safety issue.

This protocol/sub legal act aims to establish a comprehensive and well-defined procedure for the secure and legal disposal of confiscated narcotic and psychotropic substances. The primary goal is to safeguard public health and safety by preventing the abuse or illicit return of such substances to the underground market. The procedure will be designed to ensure full compliance with relevant laws, adhering to legal and regulatory standards that govern the proper handling and disposal of these substances, in accordance with EU best standards.

Therefore, HAPE project will recruit and deploy an international short-term expert (STE) to support MIA in drafting a sub legal act which will serve as a protocol for the collection, handling, storage and destruction of drugs and drug precursors, in compliance with EU best practices.

This procedure aims to enhance public health and safety by preventing the diversion or illicit return of these substances to the underground market. The sub legal act will ensure strict compliance with relevant national and EU legal and regulatory standards governing the handling, disposal, and destruction of these substances.

Key specific objectives include:

1. **Standardization and Coordination**: To establish a uniform, well-defined process for the entire disposal cycle, from the collection of confiscated substances to their final destruction, ensuring coordination among all involved parties.

2. **Clarification of Responsibilities**: To clearly delineate the roles and responsibilities of each party engaged in the disposal process, ensuring that all actions are carefully planned, executed, and documented by qualified professionals.

3. **Environmental Responsibility**: To integrate environmentally sustainable practices in the disposal process, ensuring that all steps are carried out in compliance with environmental regulations and minimizing ecological impact.

4. **Secure Transport**: To implement robust protocols for the secure transport of narcotics and precursors between storage and destruction locations, safeguarding the integrity of the substances and preventing unauthorized access.

By adhering to these objectives, the sub legal act will serve as a protocol providing a legal, transparent, and efficient system for the disposal of narcotics, while promoting public safety and environmental sustainability.

DESCRIPTION OF THE ASSIGNMENT

Global objective

The global objective of the assignment is the approximation of Republic of Kosovo legislation with relevant EU Acquis and best practices regarding the collection, handling, storage and destruction of drugs and drug precursors.

Specific objective(s)

The specific objective of the assignment is to establish a comprehensive and standardized procedure for the safe and legal disposal of seized and confiscated narcotic and psychotropic substances in line with EU Acquis and standards.

Requested services and tasks for the contractor

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

- Identification of relevant EU best practices for the secure disposal of confiscated narcotic and psychotropic substances to be incorporated into the sub legal act.
- Review and assess the existing Standard Operating Procedure (SOP) for the secure disposal of confiscated narcotic and psychotropic substances.
- Provide detailed feedback on the current SOP and provide specific recommendations and solutions based on EU acquis and standards.
- Provide suggestions and comments to the working group (WG) which will oversee drafting the sub legal act for the handling, storage and destruction of drugs and drug precursors.
- Participate in workshops and meetings with the working group, as necessary, to facilitate the drafting process.
- Provide any other necessary services to support the successful completion of the tasks outlined above
- Provide feedback and develop specific recommendations/solutions based on EU acquis and standards.
- Provide advice, guidance, and ongoing support to the working group by actively participating in workshops and meetings in the drafting process, as required.
- Support the working group in drafting the SOPs.
- Any other services required to accomplish the above tasks.

REQUIRED OUTPUTS AND DELIVERABLES

The outputs required include:

- Draft SOPs on collection, handling, storage and destruction of drugs and drug precursors prepared in

line with EU Acquis and standards.

- Relevant recommendations on drafting the sub legal act in compliance with EU best practices prepared.
- Final mission report (1/2 pages)

METHODOLOGY

The expert is expected to carry out the assignment in close cooperation and consultation with MIA representative/working group 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 relevant EU Acquis, EU best practices and necessary literature, etc.
- Desk collection, review of Kosovo laws and sub legal acts.
- Meetings, discussions and consultation with the working group and relevant MIA personnel.
- Interviews, questions and on-site visits.
- Use different assessment methodologies.
- Workshops, etc., if necessary.

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

Qualifications and skills

- 8+ years of extensive work experience
    - Demonstrated experience and strong working knowledge on the area of drug enforcement at national and European level.
    - Demonstrated experience on the implementation of relevant EU acquis
- Fluency in both written and spoken English.

Preferred Qualifications

- Relevant University Education.
- 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 5 years’ experience working in the field of drug enforcement.

Working language(s)

English

LOCATION AND DURATION OF THE ASSIGNMENT

- **Starting date: 27 January 2025**

- **Duration of assignment and termination date**

The duration of the assignment is a total of 10 working days, of which 5 days to be performed in Kosovo and 5 days to be performed home-based.

- **Detailed work plan**

Starting Date: 27 January 2025	**Jan.**	**Feb.**	**Mar**
Identification of relevant EU best practices for the secure disposal of confiscated narcotic and psychotropic substances to be incorporated into the sub legal act			
Examine SOP for the secure disposal of confiscated narcotic and psychotropic substances.			
Provide detailed feedback on the current SOP and provide specific recommendations and solutions based on EU acquis and standards			
Provide suggestions and comments to the working group (WG) which will oversee drafting the sub legal act for the handling, storage and destruction of drugs and drug precursors			
Participate in workshops and meetings (online/on sight) with the working group, as necessary, to facilitate the drafting process			
Provide beneficiaries with the results of its work (develop specific recommendations/solutions based on EU acquis and standards) and participate inside workshops.			
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**

Republic of Kosovo and Home based.

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, stressing also some recommendations, shall be submitted at the latest two weeks after the end of the period of implementation of the overall mission.

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