Stabilisation and Association Process Dialogue

Agriculture, Rural Development, Fisheries, Forestry and Food Safety (ARDFFFS) Sectorial Meeting

Prishtina, 16 – 17 March 2010

Conclusions

INTRODUCTION

The meeting was held in Prishtina, on 16 – 17 March 2010.

It was co-chaired by the Director of Human and Physical Development Directorate at the Agency for Coordination of Development and European Integration (ACDEI), Mr Albinot Bimbashi, for the Kosovo side, and Mr Nicholas Cendrowicz, Sectorial Desk Officer at DG ELARG Kosovo Team, on behalf of the European Commission (EC).

Kosovo was represented by the Ministry of Agriculture, Forestry and Rural Development (MAFRD), the Food and Veterinary Agency (FVA) and ACDEI. The EC was represented by DG ELARG, DG AGRI, DG SANCO and the ECLO (for a detailed list of participants, please see Attachment 1).

During the meeting, the achievements of MAFRD and FVA were assessed as well as their future plans, in particular in the legislative field. The key challenge remains capacity-building in order to implement and enforce the legislation adopted. Also, considering the low budget that is allocated to MAFRD and FVA, there is a need to prioritise their needs and to consider whether the low budget allocation reflects Kosovo’s needs.

The EC pointed out that a number of these areas, as well as being complex and costly, were also linked to Kosovo’s ability to negotiate a trade agreement with the EU.

I. AGRICULTURE

MAFRD reported that the amendment of the Law on Irrigation of Agricultural Land has been adopted by the Government on 1 March 2010, while the draft Laws on Land Consolidation, Livestock, Seeds, Advisory Services and Tobacco Production, Processing and Marketing are still under drafting procedure. Furthermore, six administrative instructions have been adopted, and two others are being finalised. MAFRD also reported on its plans to amend the Law on Wine, in order to harmonise fully it with the Acquis, with its implementation to be regulated through subsidiary legislation.

Regarding the Law on Organic Agriculture, EC asked MAFRD to ensure harmonisation of this law with Acquis during the amendment procedure, bearing in mind that new Acquis in this area was adopted last year. It was also required given that organic agriculture is of growing importance for the agriculture sector. MAFRD and the EC agreed to improve coordination and cooperation with ACDEI in drafting Acquis-compliant relevant legislation.

The EC reiterated that legislation must be implemented taking into account the priority areas of the Ministry, while MAFRD must harmonise its activities and its planning with official documents of the Government (MTEF, EPAP).
The statistical data for Farm Accountancy Data Network (FADN) must be continuously published and improved.

The EC appreciated the Ministry’s work in developing a system to distribute rural grants and subsidies and noted that this scheme would be extended with EC support.

Statistical data for the trade of agricultural products, presented during the meeting, was prepared better than previously (notably that presented at last year’s STM sectorial meeting for agriculture). However, a further improvement is needed, and a TAIEX mission is planned as soon as possible. The EC recommends inviting again the Statistical Office of Kosovo to the next ARDFFS SAPD sectorial meeting to discuss agricultural statistics.

**Follow-up actions:**

- MAFRD to present its budget according to a form that will be sent by EC (by SAPD Plenary);

- MAFRD to consult the EC on compatibility of the *Acquis* of the Amendments to the Law on Livestock, Amendments to the Law on Wines, Amendments to the Law on Organic Agriculture, and the Draft Law on Tobacco (before the SAP Plenary in July) as well as the Amendments to the Law on Seeds and the Amendments to the Law on Organic Agriculture before the cut-off date of the 2010 Progress Report. These drafts to be presented in the form of tables of concordance.

- MAFRD to consult EC and ECLO on the revision of the vineyard zones and will request a TAIEX assistance for the viticulture sector (by cut-off date for 2010 Progress Report);

- MAFRD to continue the work in collecting the statistical data for FADN, and publish the findings (continuously);

- The EC to consider the possibilities to enhance the deployment of a TAIEX expert to support drafting the statistical data for the trade of agricultural products between Kosovo and EU (by SAPD Plenary);
II. RURAL DEVELOPMENT

In order to implement the Law on Agriculture and Rural Development, a working group within MAFRD has been created to draft the secondary legislation. Two sub legal acts are already in the procedure of finalisation. New structures within the MAFRD have been established, which will implement the Agricultural and Rural Development Plan according to IPARD criteria. A Payment Unit has already been established according to the Law via the Administrative Instruction 01/2010. This unit has benefited from necessary trainings for its staff through the EU twinning project at MAFRD and it is the basis for any future Payment Agency. In addition, a managing authority was set up in the ministry to develop the measures accompanying the various priorities of the Agriculture and Rural Development Plan (ARDP), such as support to the agricultural advisory services, the development of irrigation systems and support for farm diversification. A monitoring committee was established, consisting of all relevant stakeholders (both public and private) to monitor the implementation of the ARDP. It has not met yet.

A challenge for the implementation of the Law on Agriculture and Rural Development are the costs, coupled with the lack of the MAFRD’s administrative capacities. The EC pointed out that the budget of the MAFRD is the second lowest of any Ministry in Kosovo, which does not reflect the importance of Kosovo’s rural economy. This is Kosovo’s political choice, but with such limited budgets, it is all the more important to prioritise Rural Development actions.

In order to implement the Law on Agricultural Land, the Ministry has drafted the Strategy on Land Consolidation, and it will be adopted after taking into account the EC’s remarks. A Kosovar project on land consolidation has started in the municipalities of Obiliq and Vushtrri. The EC recommends improving coordination and cooperation between MAFRD and other governmental institutions in the process of land consolidation.

The Agricultural and Rural Development Plan (ARDP) 2009-2013 has started implementation based on the priorities of this plan and in harmonisation with the MTEF.

At present, existing credit schemes have a high rate of interest and to assess the current situation TAIEX assistance is needed. This issue must also be supported at a political level.

The internal re-organisation of the Ministry has not been carried out yet. The EC encourages the Ministry to finalize its decision on its new internal structure taking into account the recommendations of the FRIDOM project for the functional review of public administration and the recommendations of the EU twinning project at the MAFRD.

The EC recommends MAFRD to prepare projects and apply for EU Technical Assistance, particularly TAIEX. These projects should be as specific as possible and linked to European Integration priorities.

**Follow-up actions:**

- MAFRD to adopt the Strategy on Land Consolidation (by cut-off date for 2010 Progress Report)
- MAFRD to set the main priorities of ARDP 2010-2013 (by cut-off date for 2010 Progress Report)
- MAFRD to prepare a list of its needs for TAIEX (continuously);
III. FORESTRY AND FISHERIES

In the field of fisheries, MAFRD will send again the filled in questionnaire on fish produce in Kosovo to the European Commission.

The amendment of the Law on Forests has been adopted by Kosovo Assembly and is waiting for enactment by Kosovo President. It envisages, in accordance with the Ahtisaari Plan, the decentralisation of Kosovo Forest Agency (KFA) competencies to the municipalities. However, there is a need to take account of the capacities of some municipalities to exercise these competencies. Because of this, KFA must keep some of its current competencies and envisage a progressive decentralisation so that the implementation of this law will be more effective. A completely new law on forestry will also be drafted to reflect all modifications to the existing legislative framework. EC urges that it be consulted during the drafting and the adoption of the laws that cover forestry field to ensure harmonisation with the Acquis.

The Forest Development Strategy has been approved by Kosovo Government. It will be the basis for the Kosovo authorities’ actions in the field of forestry. To monitor and coordinate the implementation of the Action Plan of this strategy, a Management Board will be created within the Office of the Prime Minister.

KFA has drafted some forest management plans which will be financed by Kosovo budget and donations.

The work of the KFA is well co-ordinated with that of other institutions. Moreover, cooperation with the neighbouring countries is increasing.

Forestry has benefited quite well from IPA and TAIEX. The EC encourages KFA to present its needs for assistance from EU.

**Follow-up actions:**

- MAFRD to submit the filled in EU questionnaire for Kosovo's fish production to EC (by SAPD Plenary)

- Kosovo Government to create the Management Board within the Office of the Prime Minister for monitoring and coordination of implementation of Action Plan of the Forest Development Strategy (by cut-off date for 2010 Progress Report)

- ACDEI to coordinate regular meetings with donors to set out the priorities in the field of forestry (continuously)
IV. FOOD SAFETY

With the enactment of the Food Law, the Food and Veterinary Agency (FVA) was transferred to the Office of the Prime Minister, and was allocated an individual budget. However, a Steering Board that would monitor FVA (as set out by Food Law) has not yet been appointed. A Scientific Council is also foreseen. The Commission encourages the FVA to use TAIEX assistance and make use of the scientific advice of the European Food Safety Agency pending the creation of Kosovo’s own Scientific Council. Finally, the mandate of the CEO of the FVA has expired, this needs to be rectified.

The first draft of the secondary legislation ‘Food hygiene package’ will be finalised by June 2010. FVA will send its legislation to the EC for assessment. The Commission recommends that all present legislation and future legislation also be reviewed by the twinning experts.

The FVA needs to apply Kosovo’s own anti-corruption Strategy as well as to develop its own procedures in this area. There is a need to ensure maximum transparency as regards import and export procedures from Kosovo, as well as the FVA’s inspection regime. A manual that includes these procedures has been published on the FVA website; however, the website is currently not functioning well.

There has been progress with regard to animal identification, registration and movement control. However there are many problems that need to be addressed. As has already been noted, Kosovo legislation for animal identification, registration and movement control is in accordance with the Acquis even if this is not applied. A new IPA project will support the identification and registration of animals by involving a GIS system; New software for cattle, sheep, goats and swine will be provided, and an update of the current data for all farms will be carried out. The EC encourages FVA to take part in the future IPA projects.

In the field of phytosanitary services, there has been progress in enforcing the domestic legislation and in the approximation of legislation with the Acquis. There is a need to refurbish/equip the border crossing points, including laboratories for rapid testing. This does not mean that each border post should have its own phytosanitary laboratory, only the capacity to process samples and to send them to a laboratory. FVA needs EU assistance for phytosanitary equipments.

The FVA in cooperation with the twinning project ‘Meeting EU Standards on Food Safety and Veterinary Services’ has carried out a pre-feasibility study for the disposal of animal by-products in existing landfill areas until a specialised rendering plant will be build. Commission recommends that the findings of the pre-feasibility study to serve as the basis for applying for IPA and TAIEX assistance.

The EC asked for a revision of the EU questionnaire on the export of the living animals by FVA.

Supported by TAIEX, a group of experts has been created to draft a strategy for upgrading of agro-businesses and to carry the evaluation of the current enterprises.

The illegal trade of the animals is still a problem, linked to because of the difficulties of the border points with Serbia.

The FVA budget is increasing; as are its incomes.
Follow-up actions:

- FVA to send three drafts of the texts to transpose the ‘Hygiene package’ to EC. These concern imports/exports of live animals and conditions for import/export of food of animal and plant origin (as soon as possible)

- FVA to submit the filled-in EU questionnaire on export of live animals to EC. The revision must consider EC’s remarks (by SAPD Plenary)

- FVA to approve its new organigramme (by SAPD Plenary)

- FVA to update the database for cattle (by cut-off date for 2010 Progress Report)

- The transfer of the municipal inspectors to FVA (by cut-off date for 2010 Progress Report)

- FVA to continuously update the website with the necessary information for the stakeholders and public. Particular attention should be given to provision of information related to requirements for import-export and transit of goods.

- Establishment of the Steering Board of FVA and the Scientific Board; FVA to request TAIEX assistance so that both can be operational as quickly as possible (by cut-off date for 2010 Progress Report)

- Kosovo Government to approve FVA CEO according to the law (by cut-off date for 2010 Progress Report)
Attachment 1

List of participants

Government of Kosovo

1. Fikrim Damka, Deputy Minister, MAFRD
2. Hysni Thaçi, Acting Permanent Secretary, MAFRD
3. Frymëzim Isufaj, Political Advisor, MAFRD
4. Xhevat Lushi, Political Advisor, MAFRD
5. Shefki Zeqiri, Legal Department, MAFRD
6. Shqipe Dema, Policy Department, MAFRD
7. Fluanza Balaj, Department of Administration, MAFRD
8. Bajram Imeri, Department of Livestock, MAFRD
9. Isuf Cikaqi, Department for Plant Production and Protection, MAFRD
10. Hysen Abazi, Department of Forestry, MAFRD
11. Shaban Dreshaj, Department of Rural Development, MAFRD
12. Sebahate Haradinaj, Office for European Integration and International Cooperation, MAFRD
13. Agron Bërdyna, Office for European Integration and International Cooperation, MAFRD
14. Nesim Morina, Sector of Viticulture, MAFRD
15. Ylber Kuçi, Sector of Viniculture, MAFRD
16. Habil Zeqiri, Sector of Horticulture, MAFRD
17. Lulzim Shamolli, Policy Department, MAFRD
18. Hakile Xhaferi, Policy Department, MAFRD
19. Bekim Hoxha, Cabinet of the Permanent Secretary, MAFRD
20. Ekrem Gjokaj, Policy Department, MAFRD
21. Idriz Gashi, Department of Rural Development, MAFRD
22. Tahir Ahmeti, Department of Forestry, MAFRD
23. Muzaffer Luma, CEO, KFA
24. Selajdin Shehu, Department of Administration, KFA
25. Qaush Kabashi, CEO, FVA
26. Valdet Gjinovci, Deputy CEO, FVA
27. Gani Kamberi, Legal Office, FVA
28. Milazim Xani, Phytosanitary Inspection, FVA
29. Mentor Zeka, Animal Identification and Registration Unit, FVA
30. Bafti Murati, Animal Health Unit, FVA
31. Fahrije Asllanaj, Sector of Finance, FVA
32. Flamur Kadriu, Veterinary Public Health, FVA
33. Albionot Bimbashi, Director, Human and Physical Development Directorate, ACDEI
34. Florim Canoll, ACDEI
35. Fatos Kryeziu, ACDEI

European Commission

36. Nicholas Cendrowicz, DG ELARG, EC
37. Matthias Langemeyer, DG AGRI, EC
38. Agnieszka Rutkowska, DG ELARG, EC
39. Vincent Aubin, DG SANCO, EC
40. Freek Janmaat, ECLO
41. Iva Stamenova, ECLO
42. Arton Osmani, ECLO