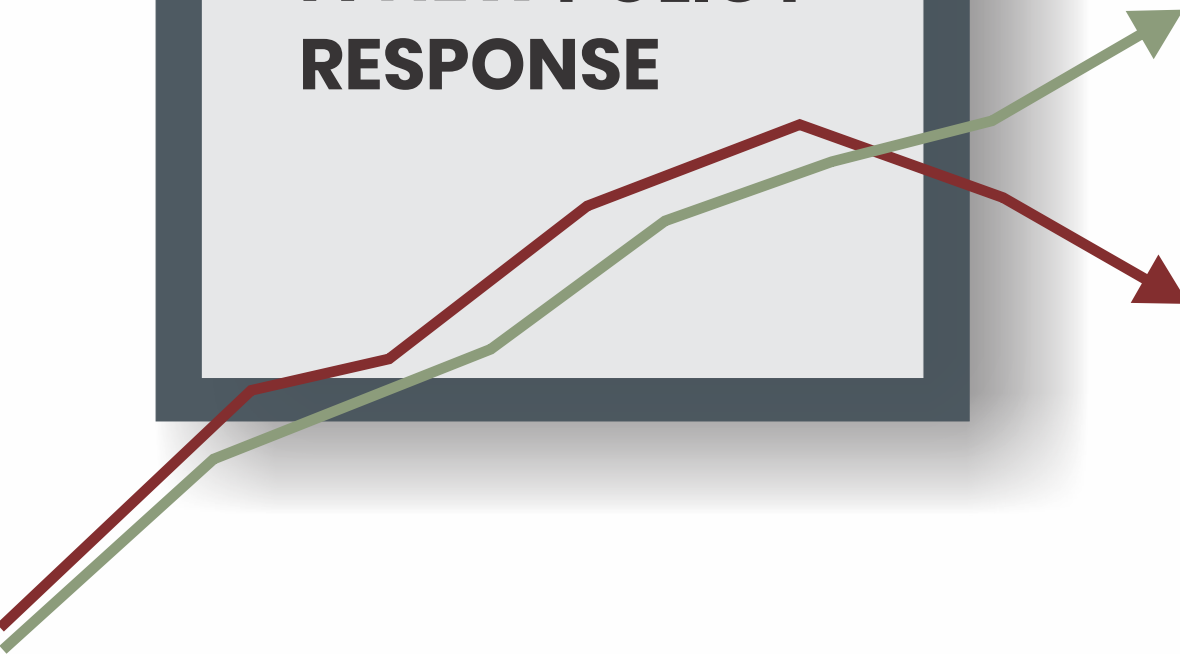


KOSOVO

**MIGRATION
TRENDS REQUIRE
A NEW POLICY
RESPONSE**



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This report is supported by:



Norwegian Embassy

Royal Norwegian Embassy

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Author: Balkans Policy Research Group (BPRG)

ACRONYMS

DCAM	Department for Citizenship, Asylum and Migration (MIA)
EC	European Commission
EEA	European Economic Area
EU	European Union
EURODAC	European Asylum Dactyloscopy Database
FDI	Foreign Direct Investment
GAM	Government Authority on Migration
GCM	Global Compact on Migration
GCS	Government Coordination Secretariat
GIZ	German Corporation for International Cooperation
ICITAP	International Criminal Investigative Training Assistance Program
ICMPD	International Centre for Migration Policy Development
IOM	International Organization on Migration
KAS	Kosovo Agency of Statistics
MH	Ministry of Health
MIA	Ministry of Internal Affairs
MIMAK	Strengthening Migration Management Authorities in Kosovo
NCM	National Coordinator on Migration
NDS	National Development Strategy
OSP	Office of Strategic Planning
SAA	Stabilisation and Association Agreement
SDC	Swiss Agency for Development and Cooperation
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
VET	Vocational Education and Training

CONTENTS

EXECUTIVE SUMMARY	4
RECOMMENDATIONS	5
INTRODUCTION	7
MIGRATION GOVERNANCE	8
ANALYTICAL OVERVIEW OF MIGRATION TRENDS AND DEVELOPMENTS WITH A FOCUS ON EMIGRATION	12
IRREGULAR EMIGRATION	14
REGULAR EMIGRATION	17
INTERNAL MIGRATION	22
LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK	24
THE NEW DRAFT STATE STRATEGY ON MIGRATION (2020–2024)	28
MODIFYING THE STRATEGY	32
STRATEGY ON DIASPORA	36
CONCLUSIONS	38
APPENDIX	39

EXECUTIVE SUMMARY

Migration is an international phenomenon that concerns people's movement and has important implications for countries of origin, transit, and destination. Several reports from international organisations and agencies show that migration (irregular or regular) is increasing and shaping global developments.

Kosovo has long been affected by migration, but as a specific policy area, it is relatively new for its institutions, only emerging after the declaration of independence in February 2008. Due to the Stabilisation and Association Agreement and the Visa Liberalisation Dialogue with the EU, Kosovo has put migration at the centre of policy development. As a result, Kosovo has a solid legal and strategic framework on migration management, including institutional mechanisms tasked with coordinating and implementing migration policies. This framework focuses on managing migration, strengthening institutions, and the systems that govern migration policies.

Migration remains an important yet challenging element for Kosovo's institutions and its society in general. Its historical roots and causes have had significant effects on Kosovo's political and social development, including its state-building process. Migration was influenced by numerous push and pull factors in different phases, but these are changing rapidly. New migration trends suggest an increase in regular forms of emigration, predominantly for employment purposes, family reunification, and education. Among push factors are the high unemployment rate, low private-sector wages, and inadequate public services, including poor healthcare and education. On the other hand, pull factors are also changeable, driven by the EU Member States; many seek and attract labour from the Western Balkan.

The increase in Kosovars' regular emigration for employment purposes remains unaddressed by the public institutions, who fail to tackle these trends or adopt measures to manage the effects in the country. Migration and mobility can play an essential role in developing local communities. To utilise these benefits, institutions should collect evidence and data on recent migratory trends and interlink them with sector policies. The Government is encouraged to undertake an in-depth study of push and pull factors that trigger migration. It should focus on the recent trends of emigration, regular analysis of domestic labour market needs, and investing more in innovative programmes to domestically raise citizens' employability, focusing on women and youth.

Equally, there is an immediate need to consolidate the institutional mechanism for developing migration policies, including the monitoring and impact assessment of such policies. Consequently, the Government needs to apply a multi-sector approach to migration policy development, and improve coordination and monitoring mechanisms, such as the Government Migration Authority, to ensure successful implementation. All this must be foreseen in the next four-year strategy on migration that will be put forward soon.

The Draft State Strategy on Migration 2020-2024 builds upon the previous strategy and, compared to the previous one, also addresses internal migration. Nevertheless, it requires further revisions before it is adopted. Although it identifies the links between migration and economic development, it does not provide a clear vision or any concrete measures or activities to develop and use them. In this context, a clear picture is needed for interlinking migration and development. The recommendations proposed in this report address the missing links between migration management, respectively migratory trends, with a focus on regular emigration and development.

RECOMMENDATIONS

To enhance migration management and governance, and better respond to recent migratory movements for the benefit of socio-economic development, Kosovo institutions are encouraged to undertake the following institutional and policy interventions:

Strengthen the functioning and mandate of the Government Authority on Migration through legal acts to serve as the central institutional mechanism for migration policy-making and coordination by clearly defining its duties and responsibilities and that of its members;

Establish a secretariat (or a mechanism) under the Government Authority on Migration (GAM) to monitor the implementation of migration policies, including impact assessments of the legal, policy, and institutional measures undertaken by the respective institutions and international partners;

Provide capacity building on policy cycle management as well as targeted migration-related training for members of the Government Authority on Migration and the proposed Secretariat;

Improve cooperation and communication with civil society and academia, including but not limited to extending an invitation for a representative to join the Board of the Government Migration Authority as well as promoting public discussions on migration-related issues and their effect on the country's overall socio-economic development;

Improve the systemic approach to migration governance by clearly defining vertical and horizontal hierarchical structure for migration policy issues and design;

Conduct an in-depth analysis of push and pull factors of migration and to identify local-level variables associated with a rural decline to facilitate the creation and implementation of evidence-based public policies in areas affected by migration patterns.

Review the current framework and propose legislative, structural and capacity-building measures to consolidate internal migratory movement monitoring systems and integrate the overall effects of internal migration on socio-economic planning development;

Undertake a systematic analysis of domestic labour market needs and target investment on innovative programmes to domestically increase the employment and participation rate in the labour market, with a focus on women and youth;

Involve external actors to support domestic authorities to monitor and implement migration-related policies effectively;

Define a clear vision on migration for the benefit of the country's economic development and undertake concrete measures aimed to incentivise diaspora investment in various economic sectors, to replace remittances spent mainly on household consumption;

Enhance cooperation and information exchange with destination countries on migration profiles, including employment-driven purposes and most attractive economic sectors;

Seek to establish bilateral agreements with the EU Member States on migration partnerships, similar to the one signed with Switzerland;

Integrate objectives of the Global Compact on Migration with a particular focus on the most relevant objectives for Kosovo.

Specific Recommendations for the new Migration Strategy

Develop a comprehensive 'umbrella' policy framework on migration covering relevant policy areas, such as border and migration management, internal migration, reintegration, readmission, integration of foreigners, diaspora, human trafficking, migrant smuggling, etc.

Reorganise the strategy under separate sections to cover all essential sub-sectors of migration including emigration, immigration, and trafficking;

Adopt a cross-sectoral approach and include migration-related development components as well as sections for policies/programmes for employment support, training and reintegration for returning migrants.

Strengthen monitoring and reporting on the strategy's implementation by improving the exchange of information and inter-institutional coordination under the leadership of the Government Authority on Migration.

INTRODUCTION

Migration policy and governance cover emigration, immigration, and integration. International organisations and specialised agencies have made endeavours to address the global trends, debates, and challenges through various instruments and initiatives; the most recent one is the Global Compact on Migration.¹ Migration has always played an essential role in Kosovo, primarily due to the large diaspora that contributes to the country's socio-economic development and social well-being.

Legislative, strategic, and institutional development policies on migration have emerged at different stages of Kosovo's state-building process, culminating in the framework of the reform processes deriving from the Stabilisation and Association Process and Visa Liberalization Dialogue with the EU.² In addition to challenges noted in the European Commission's Progress Report, these critical processes urged Kosovo authorities to respond to EU requirements by undertaking policy measures to address specific issues, including migration.³ These measures include drawing a clear distinction of responsibilities among state institutions regarding migration, strengthening inter-institutional cooperation and coordination in migration, and further functionalising the Government Authority on Migration. Also, Kosovo needs to consolidate its asylum system, its system in dealing with foreigners, and sustainable return and reintegration for them to be in full compliance with international standards.

Yet, despite the progress, Kosovo's institutional set up which governs migration has its shortcomings: it remains complex and has been ineffective. The Kosovo government tends to

¹ On 19 September 2016, Heads of State and Government came together for the first time at the UN General Assembly to discuss migration and refugees' issues. 193 UN Member States recognised the need for a comprehensive approach to human mobility and enhanced cooperation at the global level by committing to the New York Declaration for Refugees and Migrants, see more here, https://www.un.org/pga/72/wp-content/uploads/sites/51/2018/07/180713_Agreed-Outcome_Global-Compact-for-Migration.pdf

² Within the benchmarks of the Visa Liberalisation Dialogue and SAA process, Kosovo has aligned its legislation with the EU Acquis, including Schengen Catalogue on External Borders Control, Return and Readmission, Single Permit Directive (Directive 2011/98/EU), the Directive on the conditions of admission of third-country nationals for studies and training (Directive 2004/114/EC), the Directive on admitting third-country nationals for research (Directive 2005/71/EC), the Directive on the right to family reunification (Directive 2003/86/EC), the Directive on long-term residents (Directive 2003/109/EC) and the Blue Card Directive (Directive 2009/50/EC), Return Directive (Directive 2008/115/EC), the Directive on assistance in case of removal by air (Directive 2003/110/EC), Directive providing for minimum standards for sanctions against employers of illegally staying third-country nationals (Directive 2009/52/EC), Directive on reception conditions for asylum-seekers (Directive 2003/9/EC), the Qualification Directive (Directive 2004/83/EC and Recast Directive 2011/95/EU) and the Asylum Procedures Directive (Directive 2005/85/EC);

Also the Articles 85-88 of the EU-Kosovo SAA Agreement highlight all relevant the migration-related requirements: <http://data.consilium.europa.eu/doc/document/ST-10728-2015-REV-1/en/pdf>

³ European Commission, Kosovo* 2011 Progress Report, Brussels, October 2011, pg. 54 at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2011/package/ks_rapport_2011_en.pdf and Kosovo* 2018 Report, Strasbourg, April 2018, pg. 33 at <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-kosovo-report.pdf>

respond to migratory trends and movements through ad hoc actions, such as creating additional mechanisms rather than building strategic and institutional memory. This practice results in weak strategic planning, coordination, and monitoring. Also, developing public policies based on migratory trends aimed at economic growth and development depends more on the officials' capacity and commitment, rather than the system itself. Specific objectives within strategies jump between emigration, immigration, and trafficking, making the strategic document more complicated for departments and officials in charge of implementing them

MIGRATION GOVERNANCE

In terms of institutional coordination, the Deputy Minister of Internal Affairs is assigned as a National Coordinator on Migration, mandated to coordinate, monitor, and report on the implementation of related policies. Another body charged with coordinating and monitoring migration policies is the Government Authority on Migration, established in 2013.⁴ GAM brings together officials of key institutions and agencies affected by migration issues.⁵ Its establishment was a positive development, and since then, it has offered analysis on migration trends and produced yearly migration profiles. Yet, recommendations derived from migration profiles did not return policy developments in migration; hence policy proposals provided by GAM were not included or reflected in sector strategies of the respective institutions.

On the other hand, despite better coverage of the issues, GAM and its members' mandate is not entirely clear, and this has affected its composition, sustainability, and commitment of its members. The European Commission's Kosovo 2019 Report noted that 'the exchange of information on migration and inter-institutional coordination should be further improved'.⁶ Several members acknowledged that other institutional members' participation and contribution were not satisfactory, affecting some activities related to developing migration profiles, developing the **Draft State Strategy on Migration 2020-2024**, and others that were

⁴ Government Authority for Migration (GAM) is a permanent inter-institutional body established with Government Decision on 29 November 2013 tasked to coordinate and monitor migration-related policies. For more see: https://kryeministri-ks.net/wp-content/uploads/docs/Vendimet_e_mbledhjes_se_158-te_te_Qeverise_2013_.pdf. Since 2017, GAM has been supported by the Swiss funded Project 'Strengthening Migration Management Authorities for Migration (MIMAK), implemented by ICMPD and Maastricht University. Decision establishing GAM can be found at, http://kryeministri-ks.net/wp-content/uploads/docs/Vendimet_e_mbledhjes_se_158-te_te_Qeverise_2013_.pdf (in Albanian)

⁵ Other institutions involved in developing and implementing migration policies are, Ministry of Internal Affairs, Ministry of Foreign Affairs, Ministry of Labour and Social Welfare, Ministry of Education, Science and Technology, Ministry of Diaspora and Strategic Investments, Ministry of Health, Ministry of Local Government Administration, Ministry of Communities and Returns, Ministry of Economic Development, Ministry of European Integration, Ministry of Finance, Kosovo Police, Kosovo Agency of Statistics and the Kosovo Central Bank

⁶ European Commission, Kosovo* 2019 Report, Brussels, 29 April 2019, pg. 39, available at, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf>

supported by international partners.⁷

It is recommended that a strong secretariat is attached to GAM to provide regular reporting by implementing institutions, preferably involving non-governmental actors and international partners to increase transparency and accountability.

Migration governance should function through tracking, monitoring, and coordination mechanisms and several institutions mandated to develop and implement migration-related policies. However, there is a need for better functioning institutional structures and enhanced inter-institutional coordination to implement migration policies effectively.

In terms of migratory movements, in the last several years, outwards migration has been more prominent, particularly the irregular emigration, which peaked in the winter of 2014/2015.⁸ During that period, the number of asylum-seekers in the EU countries from Kosovo significantly increased, from 38,445 in 2014 to 73,240 in 2015.⁹ Between then and now, irregular emigration and the number of asylum-seekers have fallen sharply, with just 3,490 asylum applications in 2019.¹⁰

Trends shifted from late 2015 onwards, with regular migration increasing and irregular emigration decreasing. Factors contributing to the decrease included a change of asylum policies in the EU Member States, mainly shortening asylum-seeking procedures and Western Balkans countries' designation as safe countries of origin by the EU Member States.¹¹ Other factors may also include information campaigns and outreach activities on the consequences of irregular migration undertaken by the Kosovo authorities.¹² As highlighted by the 2015 EC

⁷ Interview with the GAM official, Prishtina, 2 August 2019

⁸ European Commission, Kosovo* 2015 Report, Brussels, 10 November 2015 pg. 57 available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2015/20151110_report_kosovo.pdf

⁹ Data from Ministry of Internal Affairs, Extended Migration Profile 2013-2017, December 2018, Prishtina, 2018, pg. 71

¹⁰ Data from Eurostat, available at http://ec.europa.eu/eurostat/product?code=migr_resfirst&language=en&mode=view

¹¹ Despite the efforts made by EU institutions and the Member States under the EU Agenda for Migration to adopt legislation establishing EU's common list of the safe countries of origin, this regulation is yet to be adopted due to some differences among member states. Nevertheless, all EU Member States and the EU Council suspended this until further notice. However, most of the EU Member States have designated Western Balkan countries as safe countries of origin and the unification of safe country of origin lists in EU member states. For more info, please refer to <https://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-european-list-of-safe-countries-of-origin>

¹² In 2017, the EU-funded Twinning Project 'Strengthen Kosovo institutions ineffective management of migration' implemented by the respective authorities of the Netherlands, Austria, and Sweden has supported the Government of Kosovo in conducting an awareness-raising campaign on the prevention of irregular migration. The campaign's objective has been to increase public awareness about the risks of irregular migration and the potential benefits of regular migration are among Kosovo citizens and, in particular, potential migrants.

Progress Report, 'Kosovo Institutions have undertaken some effective short-term measures to curb irregular migration early in 2015. Reinforced checks on buses in Kosovo, stringent checks of licenses of bus companies, awareness-raising, and Serbian border control measures at the border with Hungary resulted in a significant decline in irregular migration'.¹³ Also, the effective implementation of readmission agreements contributed to this decline in numbers of irregular migrants originating from Kosovo as confirmed by the European Commission 'many of the migrants who left Kosovo have since been returned. A functioning readmission process is in place, and the acceptance rate from Kosovo is high (97 % in the first half of 2015). Kosovo readmitted 4,610 people in 2014, whereas in the first half of 2015 Kosovo readmitted 12,330 people'.¹⁴

The Draft State Strategy on Migration 2020-2024 envisages addressing both regular and irregular migration, international protection, internal migration, and migration governance consolidation.¹⁵ Strategic Objective 1 and 2 refer to managing regular migration movements and guaranteeing safe and regular migration. Strategic Objective 3 contains provisions on international protection. In contrast, as indicated in Strategic Objective 4, the Kosovo government, for the first time, aims to address internal migratory movements. Given that there is little evidence that Kosovars register changes of address, there are obstacles for developing evidence-based policies in vital sectors at a central and municipal level that would contribute to socio-economic development. Also, Strategic Objective 5 refers to strengthening migration governance and regional and international cooperation in the field of migration.

The Draft State Strategy on Migration 2020-2024 is more coherent and better structured than previous strategic documents in the field of migration. However, it still needs to be reviewed and modified in line with the latest developments, both in a domestic and global context, including the Global Compact on Migration as well as the potential impact of Covid-19 in the overall economic growth of the country respectively impact on the labour market, remittances, FDI's, etc.

Also, the draft strategy should address the missing links between migration and development, to promote regular emigration and maximise the potential of the diaspora for the benefit and economic development of the country. The strategy also needs to put in place effective implementing, monitoring, and reporting arrangements. Adding these additional elements can transform the strategy into a more robust and compelling response to migration issues. A further criticism of the draft strategy is that it has been 'drafted without any prior in-depth

¹³ European Commission, Kosovo* Report 2015, pg. 58

¹⁴ Ibid.

¹⁵ The draft strategy was finalised in 2019 and sent to the Office of Strategic Planning for further consideration and preparing for Government approval. It is expected that the Government will approve this strategy soon.

evaluation of the 2013-2018 strategy'.¹⁶

However, since the draft strategy's finalisation and submission to the Office of Strategic Planning in 2019, there have been three different Kosovo governments in a short period. The political instability has prolonged the draft strategy's approval. There are already indications that an entirely new strategy is planned to be drafted by the current Government by the end of the year.

The soon-to-be drafted Strategy on Migration 2021-2025 will also integrate the Strategy on Reintegration as well as the Strategy for the Diaspora. With recent developments and Covid-19 global pandemic, this strategy will also seek to address the shifting landscape in the field of migration.

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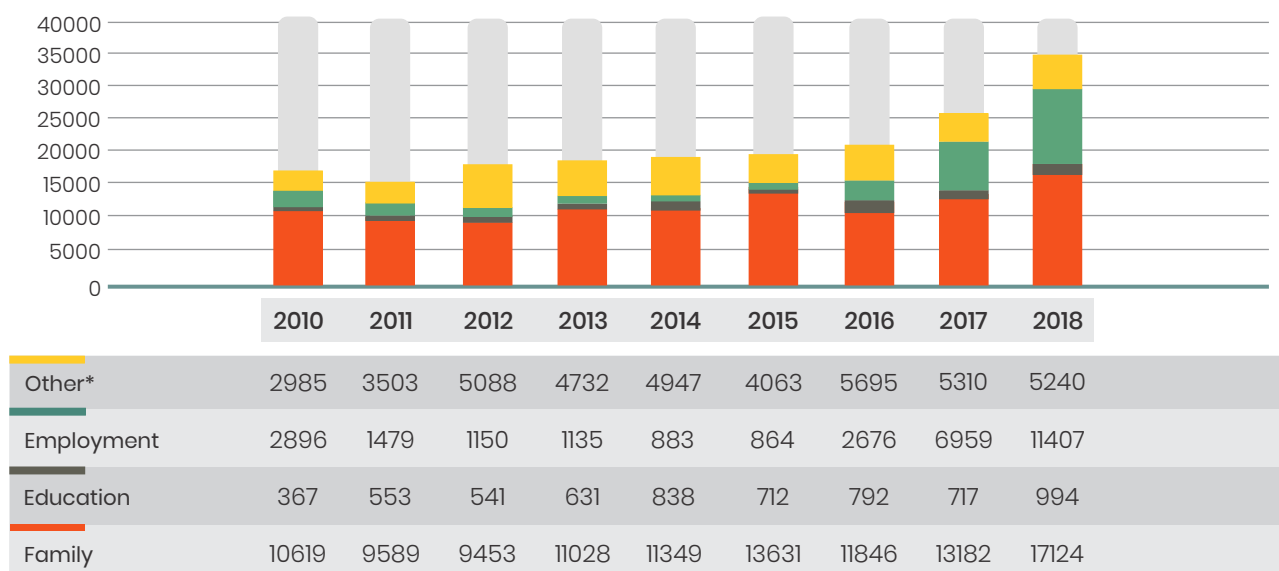
¹⁶ European Commission, Kosovo* 2019 Report, Brussels, 29 April 2019, pg. 39

¹⁷ Office of the Prime Minister of Kosovo, Plani i Dokumenteve Strategjike 2020-2022 ['Strategic Documents Plan 2020-2022'] 25 June 2020, available at <https://kryeministri-ks.net/wp-content/uploads/2020/06/PLANI-I-DOKUMENTEVE-STRATEGJIKE-2020-2022.pdf>

¹⁸ Interview with migration expert, Prishtina, 2 September 2020

ANALYTICAL OVERVIEW OF MIGRATION TRENDS AND DEVELOPMENTS WITH A FOCUS ON EMIGRATION

NUMBER OF PERMITS BY REASON ISSUED TO KOSOVARS WITHIN EU-28



Source: Eurostat in http://ec.europa.eu/eurostat/product?code=migr_resfirst&language=en&mode=view

*The 'Other' Category includes: diplomat, consular officer treated as exempt from control; retired persons of independent means; all other passengers given limited leave to enter who are not included in any other category; non-asylum discretionary permissions.

Current and historical migration trends are mostly dominated by the outwards migration of Kosovars towards EU and western countries, rather than the immigration of foreigners. By the end of 2018, an estimated 854,198 citizens of Kosovo live abroad; Germany and Switzerland are hosting most of them.¹⁹ Recent data shows that the regular migration of Kosovars has increased significantly, mainly for employment purposes.²⁰

These rapid changes in emigration imply the need to promote the concept of regular and circular migration. In light of this, the Kosovo government is encouraged to devise an information profile system for those leaving Kosovo and develop programmes for their preparation before

¹⁹ Data from the Kosovo Agency of Statistics (KAS)

²⁰ Regular migration is predominately defined as a migratory movement that occurs in compliance with the laws of the country of origin, transit and destination, from <https://www.iom.int/key-migration-terms>. Global Compact for Migration refers to regular migration in Objective 5, para. 21. In this Objective, States have committed to: "adapt options and pathways for regular migration in a manner that facilitates labour mobility and decent work reflecting demographic and labour market realities, optimises education opportunities, upholds the right to family life, and responds to the needs of migrants in a situation of vulnerability, intending to expand and diversify availability of pathways for safe, orderly and regular migration" (Global Compact for Safe, Orderly and Regular Migration, in General Assembly Resolution 73/195, adopted on 19 December 2018, UN Doc. A/RES/73/195 (19 January 2019), at https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195)

immigrating to a particular destination country as well as using the skills gained during their stay at the destination country for the country's development. This form of circular migration is defined as 'repetition of legal migration by the same person between two or more countries'.²¹ As such, this form of migration is beneficial for both countries of origin and destination and migrants.

Kosovo's emigration, irregular or regular, is attributed to push factors driven by youth unemployment, high level of corruption and nepotism in the public sector, and inadequate healthcare and education policies, among others.²² So far, authorities have failed to address youth emigration issues in particular and were unable to address push factors.²³ Pull factors include receiving countries changing their domestic policies to attract labour forces, predominantly from the Western Balkans.

Migration will continue to play a significant role in the future, not only in the region but for the rest of the world. With the global population recently projected 2 billion lower in 2100 than previous UN forecasts and lower birth rates, many countries will face policy dilemmas between more open immigration and migration curbs.²⁴

Continued emigration to high-income economies with liberal migration policies can have adverse effects on Kosovo's economy. The current situation may appear stable, but population estimates in the Western Balkans have been dwindling since 2015. However, this can change if there is an increase in the quality and the standard of living domestically.

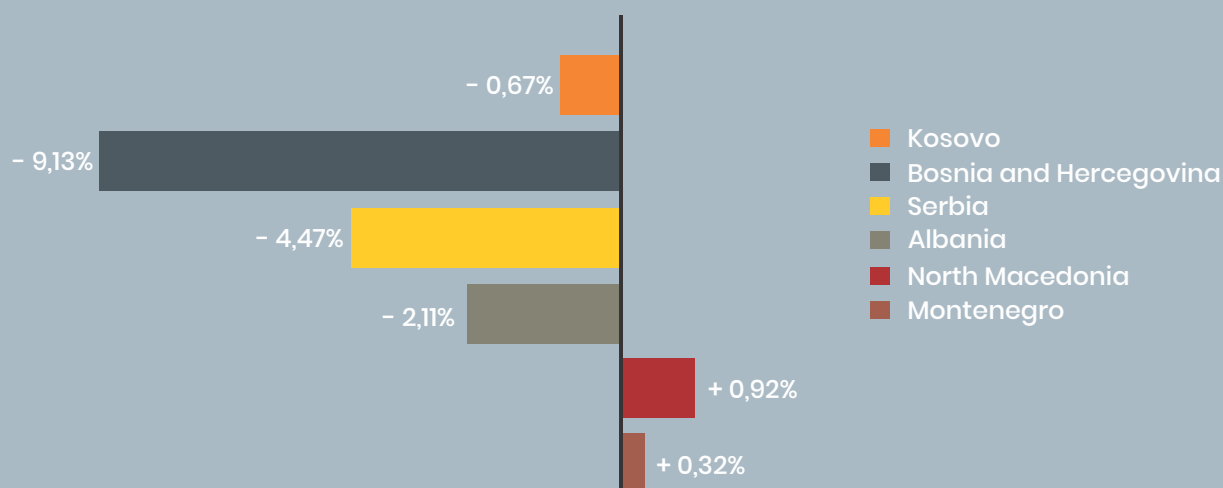
²¹ European Commission, "Migration and Home Affairs", available at https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_search/circular-migration_en

²² NDI report, Kosovo Public Opinion Survey, March 2019, available at, <https://www.ndi.org/sites/default/files/NDI%20Kosovo%20Public%20Opinion%20Poll%202019.pdf>

²³ Push factors include unemployment, job security, long working hours, and low pay. See more in Balkan Insight, "Leaving Kosovo: Legal Migration Upsurge Causes Depopulation Fears", 25 April 2019, available at, <https://balkaninsight.com/2019/04/25/leaving-kosovo-legal-migration-upsurge-causes-depopulation-fears/>

²⁴ Prof S. E. Vollset et al., Fertility, mortality, migration, and population scenarios for 195 countries and territories from 2017 to 2100: a forecasting analysis for the Global Burden of Disease Study, The Lancet, 14 July 2020, available at [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)30677-2/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)30677-2/fulltext)

POPULATION CHANGE IN WESTERN BALKANS 2011-2020, %



Source: Eurostat available at:

http://ec.europa.eu/eurostat/product?code=demo_gind&language=en&mode=view

IRREGULAR EMIGRATION

*Four categories define an irregular migrant:*²⁵

Refused entry at the border or captured at the border;

Foreigners who have been caught staying irregularly inside the territory of a country;

Foreigners ordered to leave the country;

Foreigners returned from the country of destination based on expulsion orders.

Whereas, an 'asylum-seeker' is a special category of a migrant defined by international standards for the protection of migrants.²⁶ In that regard, Kosovo is listed as a 'safe country of origin' since 2015, which makes claiming that status substantially more complicated.²⁷ However, until then, irregular migration from Kosovo relied mainly on the pretext of seeking asylum. For

²⁵ Eurostat defines 'irregular migration' as: 'Movement of persons to a new place of residence or transit that takes place outside the regulatory norms of the sending, transit and receiving countries', available at, https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_search/irregular-migration_en

²⁶ Definition of asylum-seeker as per UN Refugee Convention (1951) and Protocol (1957), 'An asylum seeker is a person who flees their home country, enters another country and applies for asylum, i.e. the right to international protection, in this other country'.

²⁷ In response to the refugee crisis, President of the European Commission, Jean Claude Juncker, in his September 2015 State of the Union Address suggested that EU countries form a safe list of countries, which included Western Balkan countries, to speed up the application process for asylum seekers, see the full speech here https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_15_5614

this reason, data regarding Kosovar asylum seekers serves as the most accurate indicator of irregular migrants.

Since 2009, more than 10,000 migrants have left Kosovo each year to reach Western Europe.²⁸

DEMOGRAPHIC INDICATORS	2013	2014	2015	2016	2017	2018	2019
POPULATION	1,820,631	1,804,944	1,771,604	1,783,531	1,798,506	1,795,666	1,782,115
NATALITY	29,723	32,087	31,116	30,069	30,025	29,154	25,795
MORTALITY	8,317	8,165	8,884	9,202	9,619	10,592	10,501
NATURAL GROWTH	21,406	23,922	22,232	20,867	20,406	18,562	15,294
IMMIGRATION	3,864	5,724	18,862	13,072	5,832	6,762	6,066
EMIGRATION	20,246	45,333	74,434	22,012	11,263	28,164	34,911
NET MIGRATION	-16,382	-39,609	-55,572	-8,940	-5,431	-21,402	-28,845
ABSOLUTE GROWTH	5,024	-15,687	-33,340	11,927	14,975	-2,840	-13,551
GROWTH AS %	0.3	-0.9	-1.9	0.7	0.8	-0.16	-0.76
URBAN	38.9	39.0	38.9	38.8	38.3	-	-
RURAL	61.1	61.1	61.1	61.2	61.7	-	-
AVERAGE AGE	30.6	30.8	30.2	30.4	30.2	-	-
LIFE EXPECTANCY	76.8	76.8	76.7	76.7	76.7	-	-

Source: Kosovo Agency of Statistics²⁹

This linear irregular migration increased from year by year, reaching its peak at the end of 2014 and the beginning of 2015.³⁰ These years are considered as a mass wave of emigrations, and the causes can be interpreted in many different ways; but predominantly focusing on three factors: 1.) poor economic conditions and high level of unemployment; 2.) largely unimpeded migration routes (Kosovo-Serbia-Hungary); and 3.) cross-national criminal organised groups smuggling migrants. Also, factors such as perceptions of high-level corruption often exacerbated by bribery of high government officials, nepotism in the public sector, and an insecure environment for business activities were to blame.³¹ The 2015 EC Country Report noted

²⁸ 2009 is the reference year since before then, Eurostat included Kosovo in the same category as other countries when counting administrative data.

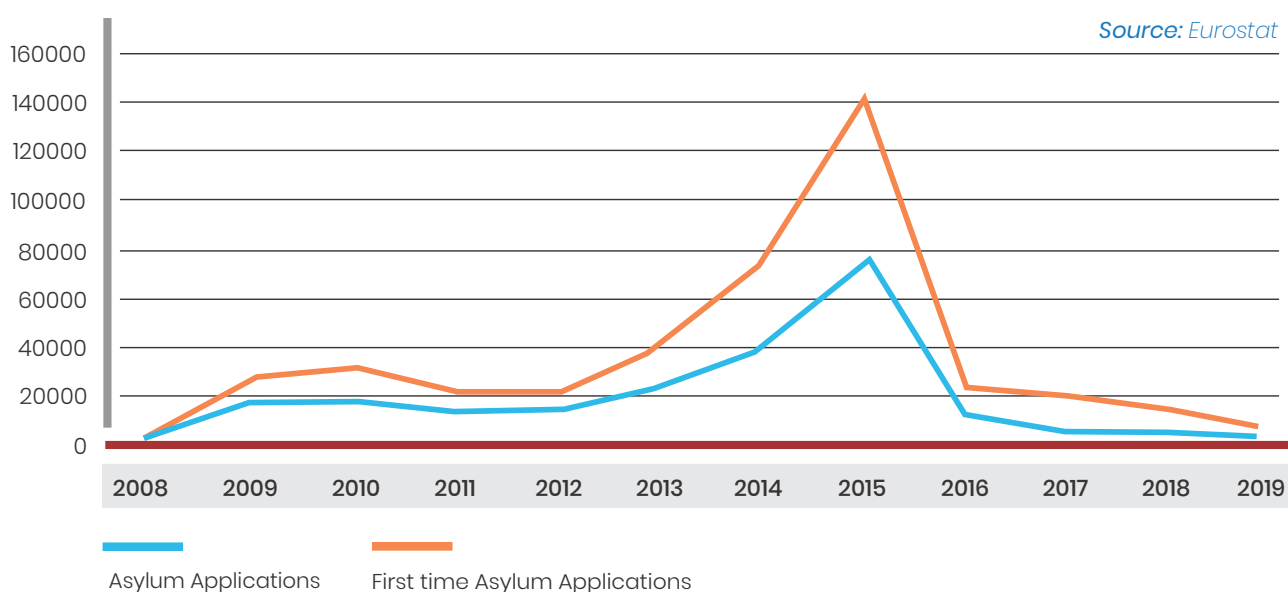
²⁹ Demographic Indicators for 2013-2017 and additional data from the Kosovo Agency of Statistics

³⁰ Ministry of Internal Affairs, Kosovo Extended Migration Profile 2013-2017, December 2018, available at, [https://mpb.rks-gov.net/Uploads/Documents/Pdf/EN/41/EXTENDED%20MIGRATION%20PROFILE%202013-2017_final%20II%20\(1\).pdf](https://mpb.rks-gov.net/Uploads/Documents/Pdf/EN/41/EXTENDED%20MIGRATION%20PROFILE%202013-2017_final%20II%20(1).pdf)

³¹ See KIPRED Policy Report, Kosovo to EU: The challenge of irregular migration, March 2015, pg. 7, available at, http://www.kipred.org/repository/docs/1_April_2015_Kosovo_to_EU_The_Challenge_of_Irregular_Migration_FINAL_680809.pdf

at that time that 'limited job opportunities, especially for young people (61% youth unemployment), are also putting a strain on social cohesion and encouraging emigration'.³² From a domestic point of view, Kosovars' inability to travel freely to the EU and the Schengen Area associated countries was another push factor that drove many Kosovars to take routes of illegal migrations.³³ These push factors in conjunction with pull factors, including lengthy asylum application review procedures and the fact that the EU Member States did not consider Kosovo as a safe country of origin, contributed towards generating false hopes for asylum recognition.

NUMBER OF ASYLUM APPLICATIONS AND THE NUMBER OF FIRST-TIME APPLICANTS



According to Eurostat, after the peak in 2014 and 2015, irregular migration has dropped significantly; the year 2019 marked the lowest number of asylum-seekers since data collection started in 2009.³⁴ These trends show that push and pull factors are changing over time, or measures taken by the Government and countries of destination in the last few years have contributed to the decrease in irregular emigration.

The following factors may have contributed to the significant decrease of the asylum-seeker applications to EU and Schengen countries:

Effective implementation of readmission law and readmission bilateral agreements by national authorities;

³² European Commission, Kosovo* 2015 Report, Brussels, 10 November 2015, pg. 32

³³ Group for Legal and Political Studies Report, Migration 2.0 : Who are the Kosovars Most Willing to Migrate to EU countries?, February 2015, pg. 5, available at <http://www.legalpoliticalstudies.org/wp-content/uploads/2015/02/Policy-Report-Who-are-the-Kosovars-Most-Willing-to-Migrate-GLPS.pdf>

³⁴ Data from Eurostat, available at <http://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/database>

- *Effective implementation of the reintegration policy and programme for readmitted citizens;*
- *Enhanced border control at exit points by Kosovo Police;*
- *Information and awareness campaigns of consequences of irregular migration as well as outreach visits of public figures to municipalities across Kosovo;*
- *Police operations targeting criminal groups that facilitate the smuggling of migrants;*
- *Resolution of the Assembly on prevention of illegal migration for citizens;*
- *Inclusion of Kosovo in the EU list of safe countries of origin.*

Even though irregular emigration of Kosovars is decreasing, there is always a risk that these trends might change. The Government should closely monitor the movements and carefully analyse the push factors, particularly in the wake of the eventual visa waiver by the European Union and in cases where visa-free travel rules might be abused by overstaying the 90-day limit.

REGULAR EMIGRATION

Kosovo is no longer threatened by irregular migration. New trends of regular emigration towards EU countries have become regular. These appear in the form of residence permits for family reunification, employment, education, and other purposes. Also, data published by Schengen Visa Info shows that out of 90,840 visa applications in 2018, 71,257 visas were issued for Kosovars, whereas 19,631 visas were denied.³⁵

SCHENGEN VISA APPLICATION IN KOSOVO - 2018				
SCHENGEN STATE	VISA APPLICATIONS	VISAS ISSUED	VISAS DENIED	NOT ISSUED RATE FOR UNIFORM VISAS
Germany	32,529	25,098	7,431	22,8%
Switzerland	30,712	24,694	6,018	19.6%
Greece	6,922	6,353	569	8.2%
Italy	5,657	4,366	1,291	22.8%
Slovenia	4,692	3,421	1,271	27.1%
Hungary	4,013	2,815	1,198	30%
Finland	3,927	2,563	1,348	34%
Norway	2,205	1,801	468	21%
Slovakia	183	146	37	20%
TOTAL	90,840	71,257	19,631	

The year 2019 offers an increase. This increase has contributed to the rapid reduction of irregular migration trends. This is a clear example of how the free visa regime would end the irregular migration of people. However, the loss of qualified people from key sectors will

³⁵ Data from Schengen Visa Info Website, available at, <https://statistics.schengenvisainfo.com/>

directly affect the local economy. There are growing discussions and concerns that qualified citizens, particularly from the health sector, are rapidly departing for employment purposes, mainly to Germany. On one occasion, the Minister of Health Uran Ismaili raised the issue in a cabinet meeting and requested a proactive package of

FIRST-TIME RESIDENCE PERMITS ISSUED BY THE EU MEMBER STATES FOR THE WESTERN BALKAN CITIZENS			
	2016	2017	2018
ALBANIA	59,376	51,851	62,480
BOSNIA AND HERCEGOVINA	26,395	36,365	53,762
KOSOVO	21,009	26,168	34,778
MONTENEGRO	2,205	2,452	3,057
NORTHERN MACEDONIA	14,336	16,917	24,401
SERBIA	31,289	40,350	51,942

Source: Eurostat

measures to retain health professionals and improve the public health sector's services.³⁶ Officials have indicated that in the last decade, more than 1,000 doctors have already emigrated³⁷, whereas data from the Kosovo Chamber of Doctors confirmed that the number of doctors who have applied for certificates for employment purposes outside Kosovo is 110 in 2018, and 115 in 2019, respectively.³⁸

As observed above, regular migration is continually increasing as the number of residency permits issued has gradually increased. A recent report published by the Kosovo Agency of Statistics on the population estimation shows that 28,164 citizens emigrated (both legal and illegal) in 2018, which marks an increase compared to 2017.³⁹ Also, more than 26,168 first-time residence permits were issued for Kosovo citizens in 2017, and 34,778 were issued in 2018, as recent Eurostat data confirm.⁴⁰ It is essential to highlight that 52% of the residence permits are issued for family reunification, 30% for employment purposes, 3% for education, and 15% for other purposes. Germany registered 18,986 (54.25%) Kosovo citizens with valid residence permits, Slovenia registered 3,819 (10.9%), Italy registered 2,842 (8.1%), Croatia registered 2,065 (5.9%), and other countries registered the remaining 20%.⁴¹

³⁶ Government Session, 6 July 2018

³⁷ For more, see MONITOR, 6 April 2019, available at <https://www.monitor.al/pagat-u-rriten-per-te-frenuar-ikjen-e-mjekeve-ne-gjermani-2/>

³⁸ Radio Free Europe, "Papunësia rrit interesimin e mjekëve për ta lëshuar Kosovën" ["Unemployment increases doctors' interest in leaving Kosovo"] 5 January 2020, available at <https://www.evropaelire.org/a/papunesi-ikja-e-mjekeve-/30361156.html>

³⁹ Data from Kosovo Agency of Statistics, available at <http://ask.rks-gov.net/media/4892/vler%C3%ABsimi-i-popullsis%C3%AB-2018.pdf>

⁴⁰ Eurostat Database for First-Time Permits by Reason, Length of Validity and Citizenship for 2017 and 2018, available at https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_resfirst&lang=en

⁴¹ Government Authority for Migration, Light Migration Profile 2018, 2018, pg. 18, available at <https://mpb.rks-gov.net/Uploads/Documents/Pdf/EN/36/Light%20Migration%20Profile%202018.pdf>

As the table shows, emigration for employment purposes has marked a significant increase from 2,770 in 2016 to 11,444 in 2018. This increasing trend means that many people active in the labour market and qualified in different sectors are leaving the country. Kosovo is at risk of facing a massive 'brain drain', potentially leading to a lack of skilled personnel and appropriate active labour force.⁴²

FIRST-TIME RESIDENCE PERMITS ISSUED TO KOSOVARS IN THE EU-28 AND EEA										
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
BELGIUM	998	721	476	403	395	471	377	393	496	446
BULGARIA	10	15	11	16	23	41	34	46	45	41
CZECHIA	108	36	102	133	123	249	264	153	205	377
DENMARK	71	52	47	62	63	52	40	71	59	42
GERMANY	3.735	3.303	6.346	7.846	8.260	8.260	10.020	14.480	18.986	-
ESTONIA	0	0	0	0	4	0	5	5	4	1
IRELAND	18	38	27	42	23	41	24	15	27	-
GREECE	16	41	22	26	65	49	42	54	42	40
SPAIN	0	0	0	0	0	0	0	0	0	0
FRANCE	1.194	1.647	1.864	1.528	1.576	1.740	2.094	2.044	2.002	1.942
CROATIA	-	-	-	193	195	185	195	339	2.065	6.369
ITALY	5.978	4.126	2.961	2.461	2.078	2.786	2.599	2.677	2.842	2.329
CYPRUS	0	0	0	0	0	0	0	0	0	-
LATVIA	2	2	1	1	0	0	0	0	1	0
LITHUANIA	2	2	1	2	0	0	0	1	3	1
LUXEMBOURG	49	102	127	148	113	133	153	132	100	114
HUNGARY	198	284	369	0	0	0	0	0	526	-
MALTA	0	0	0	0	0	0	0	11	2	3
NETHERLANDS	62	72	79	111	75	62	102	85	98	116
AUSTRIA	1.614	1.988	2.198	1.713	1.763	1.877	1.844	1.316	1.293	1.096
POLAND	175	22	18	24	34	40	97	478	289	-
PORTUGAL	4	3	1	2	3	11	1	16	7	1
ROMANIA	0	0	0	0	0	0	0	0	0	0
SLOVENIA	1.118	1.075	15	1.246	1.555	1.612	1.397	2.016	3.819	5.862
SLOVAKIA	0	0	9	7	8	5	14	12	7	26
FINLAND	185	224	249	336	372	326	352	414	376	-
SWEDEN	1.012	1.048	1.095	1.016	986	1.018	1.014	1.175	1.335	-
UNITED KINGDOM	318	301	214	210	348	312	341	235	136	-
ICELAND	15	7	8	10	9	9	9	9	15	23
LIECHTENSTEIN	-	-	-	34	17	23	17	22	25	-
NORWAY	106	165	205	147	150	187	227	167	191	135
SWITZERLAND	-	-	2.301	2.619	2.020	2.282	2.256	2.339	2.490	-

Source: Eurostat

⁴² World Bank and the Vienna Institute for International Economic Studies, Western Balkans Labor Market Trends 2020, March 2020, pg. 50 available at <https://wiiw.ac.at/western-balkans-labor-market-trends-2020-dlp-5300.pdf>

The emigration trend for employment purposes is expected to intensify due to Germany's "Skilled Immigration Act" for non-EU citizens, one of the most liberal immigration laws to date, which is in force since March 2020.⁴³

FIRST TIME RESIDENCE PERMITS ISSUED BY THE EU MEMBER STATES FOR EMPLOYMENT PURPOSES			
	2016	2017	2018
ALBANIA	4,171	5,622	9,922
BOSNIA AND HERCEGOVINA	11,383	20,251	33,044
KOSOVO	2,770	7,060	11,444
MONTENEGRO	539	733	1,138
NORTHERN MACEDONIA	2,718	4,610	9,863
SERBIA	9,358	17,333	27,381

Source: Eurostat

On the other hand, trends and statistics do not provide profiles of Kosovars emigrating for labour purposes, nor do they provide an overview of the economic sectors in countries of destination where they are employed. However, there are indications that various professions are among those most attractive in the labour market of EU countries, although priorities may differ from one country to another. Professional preferences include medical personnel, IT, construction, food and drinks, and tourism. The cooperation agreement signed between the Ministers of Health of Kosovo and Germany in healthcare aims, among others, to certify and recognise diplomas of skilled professionals in particular nurses, thus facilitating their access to the German labour market.⁴⁴ On the other hand, the Government's approach in addressing this issue was criticised by the opposition parties and became the subject of discussions and animosities expressed in the public discourse.⁴⁵

Nevertheless, the Government is encouraged to explore modalities to negotiate migration partnership agreements with European countries focusing on employment, mutual recognition of qualifications, diplomas, certifications, ensuring social and health protection, etc. Also, there is an urgent need to develop an approach, legal or policy, to seek information from the leading countries of destination on Kosovars' profiles for employment purposes and the most attractive economic sectors. Senior officials in the Department for Citizenship Asylum and Migration (DCAM) in Ministry of Internal Affairs have confirmed that they have made numerous requests to embassies (including the German, Croatian and Slovenian) to share statistics and necessary information on the profiles of citizens emigrating for employment purposes. However, to this date, they have yet to receive this data.⁴⁶ These arrangements will be vital in understanding

⁴³ DW, "Germany's new labour immigration law explained", 1 March 2020 available at <https://www.dw.com/en/germanys-new-labor-immigration-law-explained/a-52575915>

⁴⁴ In July 2019, Kosovo Minister for Health and the German Minister for Health signed an agreement that would simplify the process of recognising professional qualifications from Kosovo and allow more people to travel to Germany to work in the health sector, see Teller Report, Nursing Care: Spahn Recruits Specialists from Kosovo, 15 July 2019, available at, <https://www.tellerreport.com/news/2019-07-15---nursing-care--spahn-recruits-specialists-from-kosovo-.rJxfekrqbr.html>

⁴⁵ Koha, "S'ka strategji për ndaljen e ikjes së stafit mjekësor jashtë Kosovës" ["There is no strategy to stop medical staff from leaving Kosovo"], 7 July 2018 ,available at <https://www.koha.net/arberi/103681/ska-strategji-per-ndaljen-e-ikjes-se-stafit-mjekesor-jashte-kosoves/>

⁴⁶ Interview with GAM official, Prishtina, 2 August 2019

which professional profiles are departing and planning for the compensation of the ‘brain drain’ in Kosovo more effectively.

The authorities also need to assess the domestic labour market needs and invest more in innovative employability programmes.⁴⁷ The unemployment rate remains high, particularly among women and youth (aged 15-24), standing at 34.4% and 49.4%, respectively, in 2019.⁴⁸ This is a clear indication that the Government should develop policies to increase women’s and youth’s employability and develop educational and training programmes that include these groups in the labour market. The repeated increases of public sector salaries have not been reflected in the private sector, leaving it with much lower wages, with no social protection; and labour law that is barely implemented, with 50% of the employees in the private sector work without contracts and facing unsafe working conditions⁴⁹ As a result, the public sector remains significantly more attractive for employment and guarantees fundamental rights as per the labour law.⁵⁰ This continues to drive the youth toward European countries for better economic and social perspectives.⁵¹

Pull factors come from destination countries, particularly the demand of foreign workers for their labour markets in selected economic sectors. Kosovars migrate to Croatia and Slovenia

to replace and compensate the local labour force departing to other EU countries. A member of the Croatian Parliament stated during an official trip to Kosovo that Croatians are migrating to Germany, Austria, and Ireland. By doing so, they are vacating around 16,000 positions to be

KOSOVO'S LABOR FORCE	
MALE (aged 15-64)*	22.6%
FEMALE	34.4%
YOUTH UNEMPLOYMENT (aged 15-24)	49.4%
UNEMPLOYMENT RATE	25.7%
INACTIVITY RATE	59.5%
EMPLOYMENT RATE	30.01%

*Fifteen (15) is the legal minimum working age as per the Law No. 03 / L-212 on Labour

Source: Kosovo Agency of Statistics, Labour Force Survey 2019

⁴⁷ Citizens want the Government to attract investment and create jobs, NDI, Public Opinion Survey, March 2019 at <https://www.ndi.org/sites/default/files/NDI%20Kosovo%20Public%20Opinion%20Poll%202019.pdf>

⁴⁸ Kosovo Agency of Statistics, Kosovo Labour Force Survey 2019, April 2020, available at <https://ask.rks-gov.net/media/5412/labour-force-survey-2019.pdf>

⁴⁹ GAP Institute report, The emigration of Kosovo’s labour force to Germany, A brief assessment of positive and negative returns, February 2020, pg. 20, available at https://www.institutigap.org/documents/38227_emigration-.pdf

⁵⁰ Average salaries in the private sector are under 350 EUR, and the minimum wage has not been revised since 2011. Read more at *Ekonomia Sot*, “Sektori privat nuk po mund ta ndjek trendin e rritjes së pagave” [“The private sector is unable to follow the trend of wage growth”], *Ekonomia Sot*, 5 March 2020, available at, <http://ekonomiasot.com/sektori-privat-nuk-po-mund-ta-ndjek-trendin-e-rritjes-se-pagave/>

⁵¹ Economic Expert, Safet Gerxhaliu and The American Chambers of Commerce in Kosovo are concerned that the salary increase for the public sector will negatively impact the private sector, see *Albinfo*, “Rritja e pagave në Kosovë, goditja më e rëndë për sektorin privat ” [“Raising Salaries in Kosovo, Worst Hit for the Private Sector”], 6 February 2019, available at, <https://www.albinfo.ch/rritja-e-pagave-ne-kosove-goditja-me-e-rende-per-sektorin-privat/>

filled mainly by Kosovars.⁵² Parallel to that, a large number of Kosovars reach Germany directly, whose key sectors lack personnel due to an ageing workforce (i.e., health sector, construction, food, and drinks, etc.). As a result, eight out of ten, or 79% of the jobs registered with the Federal Employment Agency in Germany, were advertised occupations with skills shortages.⁵³ Reports suggest that Germany lacks more than one million skilled workers to keep its economy growing, and the expectation is to fill this gap with the recently introduced ‘Skilled Immigration Act’.⁵⁴

Therefore, the Government’s focus should prioritise tracking the migrant profiles of human capital that are leaving the country and undertake measures to close the gap in the sectors most affected by these new trends of migratory movements. On the other hand, the Government has to act promptly to change the outlook of public institutions, by employing structural policy and institutional reforms to address the ‘dysfunctional healthcare, social protection, and inclusion, education systems, the untaxed shadow economy, a slow and often ineffective judiciary, weak public administration which all require major interventions’.⁵⁵ A living wage (minimum) for private-sector employees should be enacted to allow people to earn decent earnings inside the country. Utilising the capital and skills of the diaspora can stimulate job creation, growth, and sustainable development.

INTERNAL MIGRATION

As in most countries, internal migration in Kosovo is characterised by the migration from rural to urban areas and other small urban settlements to the capital of Prishtina. Such movements generally occur for employment, education, and marriage. This is not a new phenomenon; however, an increase in city dwellers can cause a strain on municipal services if they are not planned for properly. This significantly affects planning for education, healthcare, urban planning, public utilities, etc. Municipal budgets need to know how many people they are catering to when allocating resources. When people move out of a municipality or move house, they are

⁵² Croatian MP, Ermina Lekaj-Përlaskaj speaking about work opportunities for Kosovars in Albania, see Telegrafi, “Deputetja shqiptare në Parlamentin kroat u bënë thirrje kosovarëve: Kujdes me kënd lidhni kontratë pune në Kroaci, ka manipulatore” [“Albanian MP in the Croatian Parliament called on Kosovars: Be careful with whom you sign an employment contract in Croatia, there are manipulators”], 21 June 2019, available at <https://telegrafi.com/deputetja-shqiptare-ne-parlamentin-kroat-u-bene-thirrje-kosovareve-kujdes-kend-lidhni-kontrate-pune-ne-kroaci-ka-manipulatore/>

⁵³ KOFA, Fachkräfteengpässe in Unternehmen [‘Skilled labour Shortages in Companies’], February 2019 at <https://www.kofa.de/service/publikationen/detailseite/news/kofa-studie-22019-fachkraefteengpaesse-in-unternehmen>

⁵⁴ DW, “Germany’s new labour immigration law explained”, 1 March 2020, available at <https://www.dw.com/en/germanys-new-labor-immigration-law-explained/a-52575915>

⁵⁵ Balkans Policy Research Group report, Kosovo 2020 – A Complex Agenda for the New Government, December 2020, available at <https://balkansgroup.org/blog/post/publications/kosovo-2020-complex-agenda-new-government>

obliged by law to register their new address. However, this is not always the case, as stated in the **Draft State Strategy on Migration 2020-2024** and the Extended Migration Profile.⁵⁶ For this reason, data on internal migration has been collated from marriage records and pupil registration records for 2018 and is conservatively estimated at 8,967, though is assumed to be much higher.⁵⁷ This is a long-standing problem in Kosovo. Voter lists do not provide any clarity since it includes most of the diaspora in Kosovo as registered voters and as such is larger than the estimated population. The diaspora of Kosovo was excluded from the 2011 Population Census, but they are still legally registered in the civil registry.⁵⁸

An influx of newcomers can burden host cities through over-urbanisation, leading to rural decline and resulting in emptied villages. Kosovo's capital and largest city, Pristina, is the most attractive for internal mobility and maintains a positive internal migration balance.⁵⁹ Though official figures place the resident population of Pristina at around 200,000, the population is closer to 400,000.⁶⁰ Larger secondary towns also have a similar balance, especially Mitrovica, Prizren, Gjakova, Peja and Gjilan as gravitational centres from rural areas.⁶¹ Such trends need to be monitored and planned for in collaboration with other rural development programmes and to develop linkages between rural and urban areas through integrated development and the use of intermediary cities.⁶² These cities can provide industrial and agricultural opportunities for rural development and transformation by connecting the sparsely-populated regions with larger cities. Other countries have addressed the challenges of over-urbanisation by relocating the seat of Government from their largest cities to other regional cities to offset their decline and spur their development.⁶³

⁵⁶ Ministry of Internal Affairs, Extended Migration Profile 2013-2017, December 2018, Prishtina, available at [https://mpb.rks-gov.net/Uploads/Documents/Pdf/EN/41/EXTENDED%20MIGRATION%20PROFILE%202013-2017_final%20II%20\(1\).pdf](https://mpb.rks-gov.net/Uploads/Documents/Pdf/EN/41/EXTENDED%20MIGRATION%20PROFILE%202013-2017_final%20II%20(1).pdf)

⁵⁷ Kosovo Agency of Statistics, Estimation Kosovo Population of 2018, Prishtina, June 2019, pg. 8, available at <https://ask.rks-gov.net/media/4892/vler%C3%ABsimi-i-popullsis%C3%AB-2018.pdf>

⁵⁸ European Union Election Observation Mission, Kosovo 2019 Final Report, Early Legislative Elections – 6 October 2019, 24 January 2020, available at http://www.epgencms.europarl.europa.eu/cmsdata/upload/1e4f1465-9cdd-4565-a837-a0487b092e51/Kosovo_early-legislative-elections_6-October-2019_final-report.pdf

⁵⁹ See Appendix for Kosovo's Internal Migration Balance by Municipality 2017-2019 from the Kosovo Agency of Statistics

⁶⁰ Radio Free Europe, "Zbrazen fshatrat, dynden qytetet" ["Villages emptying, cities are flooded"], 31 July 2018, available at <https://www.evropaelire.org/a/29400370.html>

⁶¹ Ibid.

⁶² For more, see UCLG, Intermediary Cities Planning and Management of Sustainable Urban Development, March 2016, available at https://www.uclg.org/sites/default/files/uclg_frame_document_ic.pdf

⁶³ Notable cases include: Ankara, Brasilia and Nur-Sultan (formerly Astana)

The **Draft State Strategy on Migration 2020-2024** is the first strategic document that addresses internal migration. As such, it has outlined legal, institutional, and capacity building interventions aimed at building a reliable system to monitor the internal migratory movements and develop relevant policies based on data. These interventions include but are not limited to the following: 1.) advancing the existing registration systems within municipalities by developing new modules related to changes of address; 2.) creating and functionalising a unique database for internal migration based on the Law No. 02/L-121 on Dwelling and Emplacement; 3.) organising awareness campaigns on obligations to register and announce changes of residence from one municipality to another and 4.) capacity-building programmes for officials at the central and local level, responsible for the changes of address registration as well as data analysts.

In this context, the Government and GAM are encouraged to undertake a detailed assessment of the current system, which can be considered as fragmented, and use this benchmark to implement measures for its consolidation. Civil society groups are also encouraged to contribute to raising public awareness for the importance of documenting address changes as stipulated by the Law on Dwelling and Emplacement.

LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK

The development of the legal and strategic policy framework for migration has been influenced and closely associated with fulfilling requirements deriving from the Stabilisation and Association Process and Visa Liberalization Dialogue with the EU. Kosovo institutions have good standing in developing legal and strategic documents as per assessment from the EC Progress and Assessment Reports. Nevertheless, the track record of implementing these strategic documents is not at a satisfactory level. The legal architecture dealing with migration includes the following:

LEGAL FRAMEWORK ON MIGRATION	
Law No. 04/L-219 on Foreigners	Regulates conditions of entry, movement, residence, and employment of foreigners
Law No. 04 / L-217 on Asylum	Regulates the conditions and procedures for recognition of refugee status, subsidiary protection, temporary protection, status, rights, and obligations of asylum seekers, persons with the refugee status, and persons granted supplementary protection and temporary protection.
Law No. 04/L-215 on Citizenship of Kosovo	Determines the conditions for the acquisition, loss, and reacquisition of citizenship as well as regulating other issues related to the citizenship of the Republic of Kosovo
Law No. 03/L-208 on Readmission	Determines the rules and procedures for readmission of Kosovo citizens and foreigners that do not fulfil or who no longer fulfil the requirements for entry or residence in the territory of a requesting State.
Law No. 04/L-214 on the Control and Supervision of the State Border	Defines responsibilities of Police and other institutions responsible to manage, control and surveillance of the state border.

Law No. 04/L-216 on Cooperation Between Authorities Involved in Integrated Border Management	Regulates cooperation between all authorities involved in the Integrated Border Management, aiming at having an open but secured and controlled border.
Law No. 04/L-218 on Preventing and Combating Trafficking in Human Beings and the Protection of Victims of Trafficking	Aims at preventing and combating the trafficking of human beings in all its forms.
Law No 04/L-076 on the Police	Regulates among others, responsibilities of the Kosovo Police in border management and migration-related issues in particular related to control and surveillance of the state border, threat and risk analysis to prevent cross-border crime, including illegal migration and human trafficking; detection and prevention of migrants smuggling and trafficking of persons, early identification and protection of victims of trafficking, etc.
Law No. 04/L-095 on Diaspora and Migration	The purpose of this Law is the preservation and cultivation of national identity, language, culture, and education of the emigrants, creating the conditions for the participation of the diaspora in the political and social life and their representation in decision-making institutions and involving them in the socio-economic development of the country while facilitating their integration in their countries of residence.
Law No. 04/L-003 on Civil Status	Regulates the registration and maintenance of the personal data of citizens, foreign citizens, and stateless persons with temporary or permanent residence, certifying their birth, family status, and death.
Law No. 02/L-121 on Dwelling and Emplacement	Regulates the registration and de-registration of dwelling and emplacement of the residents, registration, and de-registration of guests, change of dwelling address,
The Law No. 04/L-205 on Employment Agency of the Republic of Kosovo	Regulates the establishment, organisation, functions, duties, responsibilities, and funding of the Employment Agency of the Republic of Kosovo. Also, this Law offers services and advice to unemployed nationals, job seekers, employers, employees, and foreign nationals who intend employment in Kosovo.

In addition to legislation, Kosovo has developed a sound strategic framework relevant for migration, such as the Strategy Against Trafficking in Human Beings, Strategy on Integrated Border Management, Strategy for the Reintegration of Repatriated Persons, Visa Regime Policy, etc. Nevertheless, the key strategies relevant for the migration and development concept are the following: **National Development Strategy**, **Strategy on Migration**, and **Strategy on Diaspora**.

The **National Development Strategy (NDS) 2016–2021** aims to guide the country's' sustainable development by addressing key obstacles and factors that limit economic growth and improve the standard of living. The document prioritises and dedicates four pillars to employment,

but the plan does not extend to combating emigration.⁶⁴ Instead, other strategic documents, including the **Draft State Strategy on Migration 2020-2024**, are shaping decision-making and institutional measures related to migration.⁶⁵ A large number of documents, each covering multiple sectors, need to be thematically streamlined into a comprehensive and coherent vision for the country's sustainable development.

Between 2009 and 2018, the Government had adopted two migration strategies.⁶⁶ Both are aimed at the following objectives:

- 1 - Preventing irregular and promoting legal migration;**
- 2 - Improving legal and circular migration management;**
- 3 - Transforming migration into a positive economic development factor**

Therefore, the Government's focus has been mainly the prevention of irregular migration and promotion of legal and accepted paths of regular and circular migration, as well as to transform migration into an opportunity for the socio-economic development of the country. Both documents have largely failed to achieve their aims and objectives. Firstly, the Ministry of Internal Affairs was unable to deal with the growing irregular emigration waves of 2014 – 2015. The Government adopted and invested a lot in preventing irregular migration through readmission and reintegration of repatriated people; however, the massive upsurge of migrants demonstrated that both were insufficient.

Addressing irregular migration at the time was more reactive than proactive. In this regard, even though most activities in the **State Migration Action Plan 2013-2018** did address irregular migration, with a focus on prevention, it did not tackle push and pull factors. Furthermore, an Assembly Resolution on preventing irregular migration called for awareness and outreach campaigns to inform citizens of the consequences of irregular migration and the efficient and effective implementation of readmission and reintegration policies, enhanced border controls, investigation and prosecution of individuals as well as groups facilitating the smuggling of migrants, among others.⁶⁷

⁶⁴ Government of Kosovo, National Development Strategy 2016-2021, available at <https://kryeministri-ks.net/en/documents/national-development-strategy-2016-2021-nds/>

⁶⁵ Other Strategies include the Strategy for Sustainable Reintegration of Repatriated Persons in Kosovo (2018-2022), Strategy of the Republic of Kosovo and Action Plan on Integrated Border Management (2013-2018), Strategy against Trafficking in Human Beings, and Action Plan (2015-2019) and Strategy on Diaspora (2019–2023)

⁶⁶ These strategies highlight migration and economic development linkages but do not mention any specific measures related to migration-related development policies. See State Strategy on Migration 2013 – 2018, available at, http://www.kryeministri-ks.net/repository/docs/STATE_STRATEGY_ON_MIRGRATION_ACTION_PLAN_2013-2018.pdf

⁶⁷ On 2 February 2015, the Assembly passed a Resolution on the Prevention of Illegal Migration which, among others, aimed to create jobs and provide resources for tackling illegal migration, see more here

Secondly, other institutions mandated to lead and manage regular and circular migration, i.e. the Ministry of Labour and Social Welfare and that of Foreign Affairs, failed to negotiate bilateral agreements on circular and labour migration. The Government lacked a vision of achieving them while the EU Member States were also reluctant to negotiate such agreements.⁶⁸ However, after the massive migration of Kosovars of 2014-2015, some European countries, i.e. Germany, promptly engaged Kosovo authorities and negotiated legal migration agreements. There are also unconfirmed reports that Kosovo, respectively the Ministry of Labour and Social Welfare have started negotiations with the respective authorities of Germany on concluding bilateral agreement related to regular and circular migration. Still, due to their sensitivity, these negotiations have been kept out of public discourse for the time being. This agreement may determine the key aspect of regular emigration of Kosovars, including recognition of diplomas, and benefits for Kosovo, etc.

In addition to this, in the past five years, Germany has invested massively in attracting Kosovo's skilled professionals. Through its development agencies the German Government has supported Kosovo authorities in building the skills of potential migrants by providing institutional support for the Employment Agency and its regional offices, enhancing economic cooperation through the German Chamber of Commerce; supporting VET institutions in matching their programs with the demands of the labour market, increasing the number of visas issued for employment purposes, etc. Moreover, with 'Skilled Immigration Act' entering into force, Germany aims to facilitate the immigration of qualified professionals from non-EU countries to fill its massive shortage of skilled workers, which will undoubtedly increase the number of skilled professionals from Kosovo emigrating in Germany for employment purposes.⁶⁹

Third, both of the migration strategies mentioned above between 2009 and 2018 lacked any monitoring and evaluation instruments. Both had foreseen this responsibility to the Secretariat of Strategies (attached to the Ministry of Internal Affairs) that would regularly monitor the implementation of strategy and produce reports every quarter. As stipulated in the Government Regulation No. 36/2013 on the Internal Organization of the Ministry of Internal Affairs (MIA), Article 44 defines the duties and responsibilities of the Secretariat namely on monitoring, evaluating and reporting on the level of implementation of all strategic documents under the mandate of MIA.⁷⁰ The MIA already has a large number of strategies, and the Secretariat of Strategies was able to monitor only a few selected strategic documents efficiently due to limited

Lajmi.net, Resolution on the Prevention of Illegal Migration (Document in Albanian), 5 February 2015, available at <https://lajmi.net/rezoluta-per-parandalimin-e-migrimit-ilegal-dokument/?page1=19538>

⁶⁸ Interview with GAM official, Prishtina, 5 August 2019

⁶⁹ DW, "Germany's new labour immigration law explained", 1 March 2020, available at <https://www.dw.com/en/germanys-new-labor-immigration-law-explained/a-52575915>

⁷⁰ Regulation (GRK) Nr. 36/2013 on The Internal Organization and Systematization of Jobs in the Ministry of Internal Affairs of Kosovo, available at <https://gzk.rks-gov.net/ActDetail.aspx?ActID=9002>

capacity and unclear monitoring arrangements. **The State Strategy on Migration 2013-2018** was not one of them.⁷¹

Although GAM made endeavours to monitor and report regularly on the strategy's implementation and produced some reports, the overall arrangement was not well-organised and coherent. As a result, the **State Strategy on Migration 2013-2018** was poorly implemented and was not adequately monitored or reported.⁷²

THE NEW DRAFT STATE STRATEGY ON MIGRATION (2020 – 2024)

In 2019, the Kosovo government initiated the work on developing the **Draft State Strategy on Migration and Action Plan 2019-2023 (now updated to 2020-2024)**, which was presented in June 2019 but not adopted due to political developments with the resignation of the Prime Minister and dissolution of the Assembly. This document and the accompanying Action Plan were developed with the support of donors.⁷³ The strategy is currently being scrutinised by the Strategic Planning Office of the Prime Minister and will be proceeded for adoption soon. The document has five strategic objectives, 14 specific objectives and 69 implementing measures:

1. Manage regular migration movements - Manage the process of regular migration; develop policies and schemes aimed at managing immigration for employment purposes and create conditions for attracting immigrants with qualifications based on labour market needs and consolidate the system for integration of foreigners. This objective foresees measures related to managing regular migration, including the emigration of Kosovars and foreigners' immigration.⁷⁴ More specifically, activities under this objective are focused on initiating and concluding bilateral agreements in the field of regular emigration (circular/seasonal migration); providing adequate counselling and information services for potential migrants, developing professionals skills for citizens aimed at labour markets in the EU Member States; determining annual quotas for employment of foreigners and redefining the institutional mechanism for granting work permits; Attracting immigrants with specific skills based on labour market needs; consolidating system for integration of foreigners, etc.

⁷¹ Interview with migration expert, Prishtina, 17 September 2020

⁷² Interview with officials of MIA, Prishtina, 7 August 2019

⁷³ The Draft State Migration Strategy 2020-2024 was created with the support of EU, GIZ, SDC, ICITAP, IOM and UNHCR. These organisations have also pledged support to help reach specific objectives. Objective 1 will involve GIZ, and Objective 2 will involve the EU (through the regional project), SDC, GIZ, UNHCR, ICITAP, IOM, and Objective 3 will involve UNHCR, while SDC and the Swiss funded Project 'Strengthening Migration Management Authorities for Migration (MIMAK) will be involved in Objectives 4 and 5.

⁷⁴ Immigration in Kosovo: 5,832 in 2017, 6,762 in 2018 and 6,066 in 2019. Data from Kosovo Agency of Statistics

2. Ensure safe and regular migration - Tackle the issue of irregular migration (both irregular immigration and emigration) and undertake measures such as information campaigns on the rights and obligations of visa-free travel in the Schengen Area as well as other actions related to the management of the post-visa liberalisation situation such as enhanced border control, etc. Also, this objective builds on the already well-established system of preventing irregular migration since the number of irregular migrants using the Balkans Route is increasing as Kosovo being a transit country⁷⁵. Under this objective several interventions are foreseen aimed at strengthening the cooperation on return and readmission with countries of origin; advancing equipment for obtaining biometric data of migrants and refugees; preparing the infrastructure to integrate into EURODAC⁷⁶; advance the Border Management System; investigate and prosecute cases involving smuggling of migrants, specialised training aimed at early identification of potential victims of trafficking among migrants, etc.

3. Strengthen the system for international protection - Build on the system already developed for international protection by investing in enhancing capacities related to the decision-making process's quality and duration. This objective contains one measure on further strengthening the asylum system through enhancing capabilities of authorities dealing with migration and focusing on vulnerable groups in need of international protection, in line with the recommendation from the 2019 EC Country Report.⁷⁷

4. Manage internal immigration - Draft public policies in the areas of education, employment, social welfare, budget planning, external investment, etc. aimed at sustainable socio-economic development reflecting internal migratory movements in the country. This objective sets the action to conduct a comprehensive review of the current system aimed at identifying legal, procedural, institutional and capacity related gaps related to internal migration movements and followed by other interventions related to legal, institutional and IT-related infrastructure, to address the lack of administrative data related to internal migration within the country. Specific activities are also foreseen with capacity building for officials at a local level in charge of implementing legislation related to the registration of changes of residence and awareness-

⁷⁵ About 8,500 refugees and migrants are estimated to have arrived in the Balkan Countries in the first quarter of 2019, which makes it the most travelled route to Europe, Save the Children, Refugees and Migrants at the Western Balkans Route, Regional Overview, January – March 2019, 2019 available at, https://resourcecentre.savethechildren.net/node/15379/pdf/refugees_and_migrants_balkans_regional_overview_q1_2019_sc_bmdh_data.pdf In the first two months of 2020 over 900 immigrants entered Kosovo, most do not seek asylum applications, read more at Gazeta Express, How Immigrants are Staying in Kosovo Illegally, 2 March 2020, available at, <https://www.gazetaexpress.com/si-po-qendrojne-ilegalisht-emigrantet-ne-kosove/>

⁷⁶ EURODAC is European Asylum Dactyloscopy Database, at https://ec.europa.eu/knowledge4policy/dataset/ds00008_en

⁷⁷ 'For asylum procedures, the competent authorities have improved their capacity to evaluate asylum claims based on the merits of the application, but further training is required to ensure better assessments on merits. Also, additional capacity should be provided for procedures concerning unaccompanied minors' from European Commission Kosovo* Report 2019, Brussels, 29 May 2019, pg. 41

raising actions to encourage citizens to comply with the legal provisions in place. A properly functioning internal migration system contributes to central budget planning and facilitates an accurate allocation for municipalities. It is worth noting that the 2020-2024 strategy tends to address internal migration challenges from a strategic perspective.

5. Improve Migration Management System - Further, enhance capacities and inter-institutional coordination in the field of migration by advancing the role and scope of work of the Government Authority on Migration (GAM). This objective echoes the need to strengthen migration management from a structural viewpoint by enhancing inter-institutional cooperation and coordination in the framework of GAM. Measures are foreseen under this objective, such as the adoption of GAM Regulation and working procedures; functionalising Migration Management System and interlinking with other databases relevant for migration management; organising thematic roundtables on migration-related issues, initiating membership application in international initiatives/organisations such as the Budapest Process, Global Forum on Migration and Development, General Directors of Immigration Services Conference, Prague Process, etc.; aim to bolster the role of the GAM by strengthening legislation, propose evidence-based policy development including an increase of its visibility both domestically and internationally.

The adoption of the strategy is pending. With the fall of the Government and other developments, this is unlikely to come back on the new Government's agenda anytime soon. However, some of the measures and activities within different objectives have already been implemented, including:

- *Adoption of the regulation for the integration of foreigners (Activity 1.3.1)*
- *Border Management System advanced to automatically calculate the duration of stay of foreigners (Activity 2.3.2)*
- *Management Information System on Migration designed and tested and is now in the process of interlinking with other relevant databases (Related to Objective 5.2)*
- *Terms of reference for the feasibility study on internal migration developed (related to activity 5.2.2)*

It has become a frequent occurrence with public institutions in Kosovo when designing strategies to add pre-planned or ongoing activities to strategic objectives to improve assessments of the implementation. As a result, the activities mentioned above were able to be implemented before the strategy's adoption. Such developments will imply the need to update the draft strategy and revise the budget before it is adopted. This can also be an opportunity to modify some sections of the strategy and action plan in line with the latest developments.

Monitoring and reporting were one of the weakest elements of the previous strategy. Efforts have been made to ensure that the draft strategy contains quality and useful monitoring and

reporting, especially for a cross-cutting policy such as migration. This includes a monitoring and reporting process with responsibilities and a calendar, as seen below:

MONITORING AND REPORTING MECHANISMS ACCORDING TO THE NEW DRAFT STATE STRATEGY ON MIGRATION		
Monitoring and Reporting Mechanism	Responsible Authority for Drafting the Report	Finalisation of the Report
6-month Implementation Report	Secretariat for Strategies at the Ministry of Internal Affairs	Government Authority on Migration/Secretariat of Strategies at the Ministry of Internal Affairs
Annual Implementation Report	Secretariat for Strategies at the Ministry of Internal Affairs	Signed by the Secretary General of the Ministry of Internal Affairs
Final Report	Secretariat for Strategies at the Ministry of Internal Affairs	Signed by the Minister of Internal Affairs

The Secretariat of Strategies at the Ministry of Internal Affairs requests and collates all data and information for line ministries and other institutions. In turn, line ministries and institutions provide information on problems and risks as well as possible further steps to resolve them. These will be subsequently discussed and analysed by GAM and reported to the National Migration Coordinator. Furthermore, there is a template describing what each report shall contain, along with deadlines and tools to be used in monitoring and reporting.

INSTITUTIONAL MECHANISMS INVOLVED IN MIGRATION ACCORDING TO THE NEW DRAFT STATE STRATEGY ON MIGRATION 2020–2024		
National Coordinator on Migration	Government Authority on Migration	Ministry of Internal Affairs
Ministry of Foreign Affairs	Ministry of Diaspora and Strategic Investments	Ministry of Labour and Social Welfare
Ministry of Education, Science and Technology	Ministry of Communities and Return	Ministry of Economic Development
Ministry of European Integration	Ministry of Finance	Kosovo Agency of Statistics
Central Bank of Kosovo (CBK)		

While the templates provide a structure, they do not resolve some of the key problems found these reports such as the descriptive-administrative information and a lack of analysis. The template also neglects key evaluation dimensions, as per the *Manual for Planning, Developing and Monitoring Strategic Documents and their Action Plans*, such as relevance, effectiveness,

efficiency, impact and sustainability.⁷⁸ Also, given the insufficient involvement and contribution of other institutional members in the past and the poor coordination between centre-of-government institutions regarding policy planning and implementation, this mechanism of monitoring and reporting may continue to be a problem in practice.

MODIFYING THE STRATEGY

The draft strategy meets all legal and other requirements under the *Administrative Instructions on Planning and Drafting Strategic Documents*, including defining baselines, clarifying budgeting, and setting target values.⁷⁹ Yet, the document requires further improvements; it does not contain the 'development' components interlinked with migration and fails to address the most critical issues based on a cross-sectorial approach. Currently, there are several policies related to migration and the diaspora, but those policies are somewhat fragmented and do not contribute to the socio-economic development of the country. One of the primary deficiencies of the **Kosovo National Development Strategy**, which is the main policy document in the area of development, is related to the fact that it completely neglects migration as a development tool. In a similar note, the **Strategy on Diaspora** focuses mainly on social, political and cultural inclusions of the diaspora. Still, it does not provide for policies that would encourage greater engagement by the diaspora in the economic and social development of the country.

Therefore, the Kosovo government needs to review current policies and develop new strategic documents based on the concept of migration and development that aim to maximise the potential of the diaspora in Kosovo's economic growth. These strategies should be harmonised so that activities and measures can be coordinated among ministries and institutions. In the meantime, the Government is encouraged to start planning and develop in the next 3-5 years a comprehensive 'umbrella' strategy on migration covering relevant policy areas, such as border and migration management, internal migration, reintegration, readmission, integration of foreigners, diaspora, trafficking in human beings, smuggling of migrants, etc.

The draft strategy also needs further alignment with new global initiatives and policies on migration, such as the Global Compact on Migration (GCM).⁸⁰ The GCM is the first inter-

⁷⁸ Office of Strategic Planning, *Manual Për Planifikimin, Hartimin dhe Monitorimin e Dokumenteve Strategjike dhe Planeve të tyre të Veprimit* [Manual for Planning, Developing and Monitoring Strategic Documents and their Action Plans], January 2019, available at <http://kryeministri-ks.net/wp-content/uploads/2019/02/MANUAL-P%C3%8BR-PLANIFIKIMIN-HARTIMIN-DHE-MONITORIMIN-E-DOKUMENTEVE-STRATEGJIKE-DHE-PLANEVE-T%C3%8B-TYRE-T%C3%8B-VEPRIMIT.pdf>

⁷⁹ Administrative Instruction (GRK) 07/2018, available at <http://kryeministri-ks.net/wp-content/uploads/2018/04/UDH%C3%8BZIMI-ADMINISTRATIV-QRK-NR.-07-2018-P%C3%8BR-PLANIFIKIMIN-DHE-HARTIMIN-E-DOKUMENTEVE-STRATEGJIKE-DHE-PLANEVE-T%C3%8B-VEPRIMIT-28-03-2018.pdf>

⁸⁰ This process concluded on 10 December 2018 with the Global Compact's adoption by the majority of UN Member States at an Intergovernmental Conference in Marrakesh, Morocco, followed closely by a [formal endorsement by the UN General Assembly on 19 December](#).

governmentally negotiated agreement, prepared under the United Nations' auspices, covering all dimensions of regular and orderly migration holistically and comprehensively. GCM is a non-binding document that respects states' sovereign right to determine their national migration policy, their prerogative to govern migration. It demonstrates a commitment to international cooperation on migration.

Global Compact for Safe, Orderly and Regular Migration (GCM)

Objectives

1. *Collect and utilise accurate and disaggregated data as a basis for evidence-based policies;*
2. *Minimise the adverse drivers and structural factors that compel people to leave their country of origin;*
3. *Provide accurate and timely information at all stages of migration;*
4. *Ensure that all migrants have proof of legal identity and adequate documentation;*
5. *Enhance the availability and flexibility of pathways for regular migration;*
6. *Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work;*
7. *Address and reduce vulnerabilities in migration;*
8. *Save lives and establish coordinated international efforts on missing migrants;*
9. *Strengthen the transnational response to smuggling of migrants;*
10. *Prevent, combat and eradicate trafficking in persons in the context of international migration;*
11. *Manage borders in an integrated, secure and coordinated manner*
12. *Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral;*
13. *Use migration detention only as a measure of last resort and work towards alternatives;*
14. *Enhance consular protection, assistance and cooperation throughout the migration cycle;*
15. *Provide access to basic services for migrants;*
16. *Empower migrants and societies to realise full inclusion and social cohesion;*
17. *Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration;*
18. *Invest in skills development and facilitate mutual recognition of skills, qualifications and competences;*
19. *Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries;*
20. *Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants;*
21. *Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration;*
22. *Establish mechanisms for the portability of social security entitlements and earned benefits;*
23. *Strengthen international cooperation and global partnerships for safe, orderly and regular migration;*

Kosovo, due to its international status, has not been invited to sign the declaration; nevertheless, it can unilaterally endorse the GCM and its principles/objectives. In this context, Kosovo authorities should consider the following GCM objectives of particular importance to ensure safe, orderly and regular migration.⁸¹

GLOBAL COMPACT ON MIGRATION OBJECTIVES RELEVANT TO KOSOVO	
OBJECTIVE 1	Collect and utilise accurate and disaggregated data as a basis for evidence-based policies;
OBJECTIVE 2	Minimise the adverse drivers and structural factors that compel people to leave their country of origin
OBJECTIVE 3	Provide accurate and timely information at all stages of migration;
OBJECTIVE 5	Enhance the availability and flexibility of pathways for regular migration;
OBJECTIVE 6	Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work;
OBJECTIVE 12	Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral;
OBJECTIVE 14	Enhance consular protection, assistance and cooperation throughout the migration cycle
OBJECTIVE 15	Provide access to basic services for migrants;
OBJECTIVE 18	Invest in skills development and facilitate mutual recognition of skills, qualifications and competences;
OBJECTIVE 19	Create conditions for migrants and diaspora to fully contribute to sustainable development in all countries;
OBJECTIVE 20	Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants;
OBJECTIVE 21	Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration;

Although it seeks to adopt the Global Compact's objectives mentioned above on migration, its broad scope can prove to be problematic in implementation, especially with Kosovo's limited capacities. The present situation requires further strengthening of migration management structures, particularly the role of GAM, as evident by the draft strategy's objectives. There are also several obstacles to international cooperation that need to be taken into account, especially on a large scale as required by the GCM, in particular coordination, monitoring and reporting, and financing. However, it is recommended that focus be directed towards the most feasible objectives and which will address Kosovo's most pressing issues such as youth emigration and 'brain drain'. These objective can guide the Government's approach to migration.

⁸¹ Interview with migration expert, Prishtina, 26 February 2020

Unlike its predecessor, the draft strategy does not indicate, at least in detail, any avenue for cooperation with experts and civil society. Relationships with the latter have previously been noted as beneficial in the previous strategy, specifically in offering legal assistance to asylum seekers and psychological counselling where required. It is recommended that this cooperation is reinforced and expanded into other broad areas related to migration such as public information campaigns, anti-trafficking, labour migration, human rights of migrants, etc.

The draft strategy is heavily influenced by the events of the migrant crisis of 2014 and 2015, which revealed Kosovo's migration management inefficiencies and is an attempt to bolster them, primarily focused on preventing irregular migration and effectively managing regular forms of migration. As a result, it does not mention any specific activities or measures related to migration-related development policies, although it acknowledges the linkages between migration and economic development. Furthermore, the Government is well aware of the increasingly worrying situation of the 'brain drain', cursorily mentioned in the draft strategy itself.⁸² Yet, measures or mechanisms to directly address it are missing. If unaddressed, 'brain drain' can lead to a loss of the overall available labour force in Kosovo.

The Government must exercise caution in perceiving circular migration as a simple solution to more complicated problems in migration and migration-related development. There are advantages for sending countries through circular migration such as 'knowledge transfers' and remittances, but migration does not remain in permanent stasis and is unpredictable in the long term.

As a document produced mainly by the Ministry of Internal Affairs, the strategy maintains a narrow focus on managing the movement of migrants as a security-related issue, rather than a more comprehensive policy approach addressing the far-reaching consequences of migration in various areas including healthcare, education, labour, and safety. As such, the draft strategy does not include ways to reduce drivers of emigration through potential activities for tackling dominant push factors in inefficient public services and the lack of job opportunities. For the draft strategy to be more comprehensive and with a broader policy approach, the participation of higher-level inter-institutional members earlier on in the policy-making process is needed, especially if it involves policies to support job creation and improvements to education and healthcare. These will extend the draft strategy beyond the notion of circular migration and towards tackling the push factors of migration mentioned earlier.

Currently, the only mechanism in the draft strategy, which brings migration to the centre of the discussion at the centre of government is the final report submitted to the Strategic Planning Committee. There are opportunities for line ministries to inform the Office for Strategic Planning (OSP) regarding any problems which may arise during implementation or a change in

⁸² Ministry of Internal Affairs, State Migration Strategy 2019-2023, pg. 10

circumstances, which in turn propose actions to the Strategic Planning Committee.

Migration governance in Kosovo lacks the vertical and horizontal structure required to resolve policy issues and implement new policies, and this is not discussed in the draft strategy. The strengthening of Government Authority on Migration is a step in the right direction, but it must go further, especially in terms of its composition and mandate. The current composition of the Government Authority on Migration consists of members who serve in a secondary capacity to their main duties and responsibilities at their respective institutions. This leads to the numerous difficulties mentioned throughout the report. To resolve these difficulties, the members of the Government Authority in Migration should serve in a primary capacity and as their only set of duties and responsibilities. This requires for GAM to be given more prominence, legally and politically, as the central institutional mechanism for migration through legal acts.

STRATEGY ON DIASPORA

Another document is the **Draft Strategy on Diaspora for 2020-2024**, currently under public consultation. This document has three strategic objectives:

Preserving and developing the diaspora members' identity;

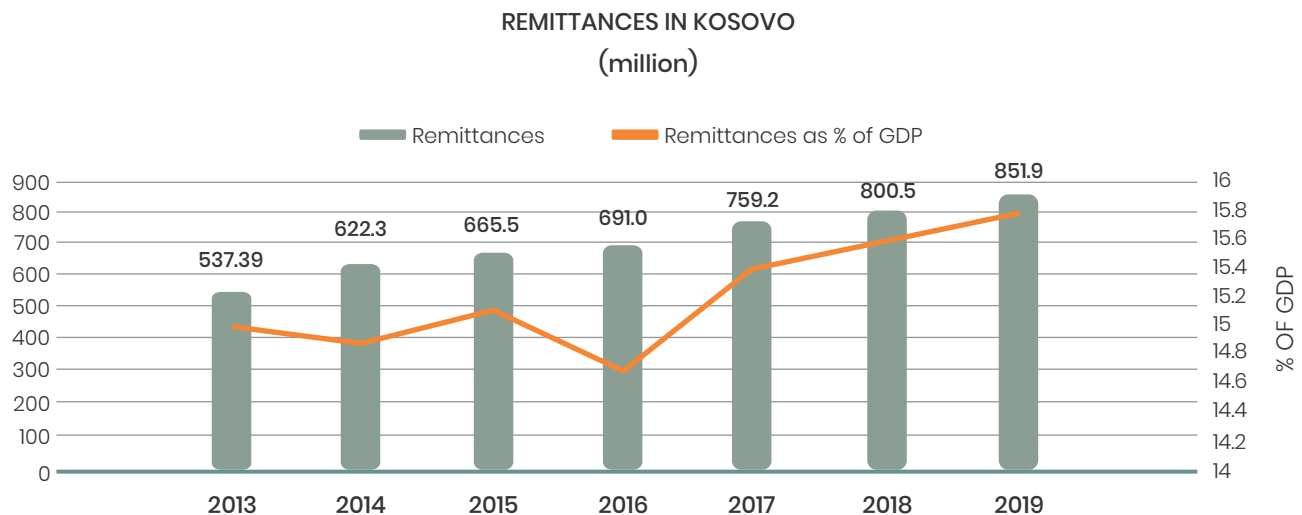
Promote and advance political and social rights of the diaspora;

Diaspora's role in socio-economic development;

The document primarily aims at maintaining ties between the diaspora and Kosovo. It focuses mainly on social, political and cultural inclusion of the diaspora; nevertheless, it does not provide the platform for diaspora's contributions to the economic development of Kosovo, taking into account both remittances and contributions to Foreign Direct Investment (FDI). Around 60% of FDI goes to the construction sector, coming predominantly from countries where most diaspora is hosted.⁸³ In 2018, 800.6 million euro was received in the form of remittances, up from 759.2 in 2017.⁸⁴

⁸³ See Ministry of Internal Affairs, Kosovo Migration Profile Light 2017, pg. 40, available at, [https://mpb.rks-gov.net/DocumentsShpalljet/LIGHT%20MIGRATION%20PROFILE%202017%20\(ENG\).pdf](https://mpb.rks-gov.net/DocumentsShpalljet/LIGHT%20MIGRATION%20PROFILE%202017%20(ENG).pdf)

⁸⁴ Figures gathered from Kosovo Central Bank Annual Reports available at, <https://bqk-kos.org/eag/>



Source: Central Bank of Kosovo and the World Bank

On the other hand, even though the Central Bank of Kosovo has not published its data for 2019, the preliminary findings suggest that remittances for 2019 exceeded €800 million. Nevertheless, the current situation with the outbreak of Covid-19 most probably will impact remittances. It is already evident when compared with the remittances received in March 2020 (64 million €) to those in March 2019 (72 million €).⁸⁵

It is worth noting that remittances are primarily used for consumption and form a vital contribution for the domestic households. In this regard, the Government needs to explore developing suitable policies and interventions that could help transform diaspora remittances flows from social support and consumption to a private sector investment tool, which would support economic growth and job creation in the medium to long term.

The Government needs to define a clear vision of migration for the benefit of the country's economic development and undertake concrete measures to incentivise diaspora investments in various economic sectors. On the other hand, the Government sees migration mostly in terms of the diaspora. While they form a significant and vital component of Kosovo's society, the Government needs to refocus and create conditions that entice people to stay in the country and support its development from inside rather than outside.⁸⁶

⁸⁵ MONITOR, "Diaspora e prekur nga koronavirusi, miliona euro më pak të dërguara në Kosovë" ["Diaspora affected by coronavirus, fewer millions of euros sent to Kosovo"] 24 April 2020, available at <https://www.monitor.al/diaspora-e-prekur-nga-koronavirusi-miliona-euro-me-pak-te-derguara-ne-kosove/>

⁸⁶ The New Government Plan 2020 announced on 6 March 2020 includes border management mechanisms, migration management flow, anti-smuggling protection, immigrant welfare packages (accommodation and food) and strengthening GAM. In another section, it looks at migration only in terms of diaspora. But regular emigration of Kosovo citizens and the brain drain is not included.

CONCLUSIONS

Migration has far-reaching effects for all spheres of society. With this in mind, there is a need for a comprehensive policy and public discussion and debate related to migration trends affecting social and economic developments. While regular migration benefits countries of destination and origin, it also affects demographic structures and the socio-economic perspective. In this regard, the Government needs to develop evidence-based policies and conduct an in-depth analysis of push and pull factors that trigger citizens' emigration for employment purposes in EU countries. Lack of employment opportunities and a weak economy may well be significant push factors, but it should be noted that countries of destination seek Kosovars for employment in specific sectors. In line with this, an in-depth labour market needs assessment, with a focus on women and youth, interlinked with educational and training programmes would stimulate employment.

On a positive note, since 2016 irregular emigration of Kosovars has decreased from a year to year; nevertheless, measures intended to address irregular emigration causes should remain (remain or enforced) in place, as the new National Strategy on Migration 2020-2024 has envisaged. Kosovo is in the process of visa liberalisation with the European Union, and an eventual visa-free regime will apply in the future. National authorities need to take measures to manage the process, in particular, to avoid exceeding the 90-days stay in Schengen countries, as its abuse would automatically fall under the category of 'irregular migration'.

Kosovo applies international and EU standards on migration and domestic legislation, even though its policy framework is fragmented. Its implementation is also insufficient due to inoperable monitoring mechanisms, in particular when it comes to the migration strategy. In this regard, the proper functioning of the Government Authority on Migration and its proposed Secretariat is of the utmost importance.

GAM has developed several policy proposals and recommendations related to migration and migration profiles. Still, other public institutions have not addressed such recommendations and policy proposals or reflected in sector strategies impacted by migration. Likewise, the monitoring mechanism should ensure a sectorial approach to policy development.

APPENDIX

KOSOVO INTERNAL MIGRATION BALANCE BY MUNICIPALITY

Source: Kosovo Agency for Statistics

	2017	2018	2019
DEÇAN	-44	-42	-44
GJAKOVË	-100	-96	-98
GLLOGOC	-163	-163	-166
GJILAN	-54	-83	-84
DRAGASH	-83	-82	-84
ISTOG	26	30	31
KAÇANIK	-113	-109	-111
KLINË	-39	-33	-34
FUSHË KOSOVË	633	729	742
KAMENICË	-157	-155	-157
MITROVICË	-94	-82	-83
MITROVICË E VERIUT	3	-2	-2
LEPOSAVIQ	1	2	2
LIPJAN	-34	-104	-106
NOVOBËRDË	74	34	34
OBILIQ	-9	-24	-24
RAHOVEC	-98	-102	-104
PEJË	-19	-31	-32
PODUJEVË	-673	-648	-660
PRISHTINË	1074	1036	1054
PRIZREN	282	281	286
SKENDERAJ	-330	-302	-308
SHTIME	-16	-4	-4
SHTËRPECË	-24	-16	-16
SUHAREKË	-68	-68	-69
FERIZAJ	175	171	175
VITI	-66	-71	-72
VUSHTRRI	-77	-66	-67
ZUBIN POTOK	-1	-1	-1
ZVEÇAN	-3	-3	-3
MALISHEVË	-92	-82	-84
JUNIK	13	9	10
MAMUSHË	0	0	0
HANI I ELEZIT	-8	-6	-6
GRAÇANICË	73	73	75
RANILUG	3	3	3
PARTESH	1	1	1
KLLOKOT	7	6	6

The Balkans Policy Research Group is an independent, regional think-tank based in Prishtina, Kosovo. We provide timely policy analysis and recommendations on a wide array of state building issues; institutional and democratic consolidation; minority integration and good neighbourly relations: European integration and policy change. We have decades of experience in policy reporting and development, strategic thinking and advocacy with governmental, international and non-governmental organisations.

Our rigorous, detailed, impartial reporting, always based on in-depth fieldwork, is the core of our work. We go beyond mainstream positions and seek to make change through creative, feasible, well-measured and forward-looking policy recommendations with the aim of helping develop strong, vibrant democracies, prosperous states and societies based on rule of law in the Western Balkans.

We engage in high-level advocacy, domestically, regionally and internationally, impacting policy discussions and options with regard to the home affairs and European policies toward the Western Balkans.

Balkans Group has developed other tools and platforms to achieve this change:

The Policy Dialogue promotes Kosovo's domestic dialogue, cohesion and reform-making agenda.

The Policy Forum (a Think-Tankers High-level Advocacy Forum) committed to enhancing the dialogue between the civil society and the institutions.

The Kosovo Serbia Policy Advocacy Group (a forum for Cross-Border Civil Society Cooperation) that aims to communicate, promote and enhance dialogue toward full normalisation between Kosovo and Serbia, and their societies.

Women in Politics promotes the empowerment of women and girls; their security and inclusiveness; and is committed to strengthen the Women Caucus' impact and reach throughout Kosovo

The Dialogue Platform promotes the dialogue process between Kosovo and Serbia, by informing the wider public and generating debate about the agreements, benefits and challenges of the Dialogue.



Norwegian Embassy