

Kosovo's ProgressBAR in 2021

An 8-dimensional assessment of key policy areas



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Balkans Policy Research Group (BPRG)

ACRONYMS

| | |
|---------------|--|
| ACA | Anti-Corruption Agency |
| ALB | Albania |
| ALP | Active Labour Market Policies |
| BCP | Border Crossing Point |
| BiH | Bosnia and Herzegovina |
| BPRG | Balkans Policy Research Group |
| CEC | Central Election Commission |
| CEPEJ | The European Commission for the Efficiency of Justice |
| CERP | Competitiveness and Export Readiness Project |
| CMIS | Case Management Information System |
| CPC | Criminal Procedure Code |
| CSO | Civil Society Organisation |
| CRM | Common Regional Market |
| CVE | Countering Violent Extremism |
| ECAP | Election Appeal and Complaint Panel |
| EnC | Energy Community |
| ENQA | European Network for Quality Assurance in Higher Education |
| ERP | Economic Reform Program |
| EU | European Union |
| ERA | European Reform Agenda |
| FDI | Foreign Direct Investment |
| FTFs | Foreign Terrorist Fighters |
| GDP | Gross Domestic Product |
| GoK | Government of Kosovo |
| ICT | Information and Communication Technology |
| KAA | Kosovo Accreditation Agency |
| KEC | Kosovo Education Centre |
| KESP | Kosovo Education Strategic Plan |
| KIESA | Kosovo Investment and Enterprise Support Agency |
| KIPA | Kosovo Institute for Public Administration |
| KLI | Kosovo Law Institute |
| KJC | Kosovo Judicial Council |
| KPC | Kosovo Prosecutorial Council |
| NERP | National Emission Reduction Plan |
| NPEC | National Energy Climate Plan |
| NPISAA | National Program for Implementation of the Stabilisation and Association Agreement |
| MARRI | Migration, Asylum, Refugee Regional Initiative |
| MECs | Municipal Election Commissions |
| MEST | Ministry of Education, Science and Technology |
| MOJ | Ministry of Justice |
| MNE | Montenegro |
| MVP | Monitoring and Verification Platform |
| MMWP | Municipal Waste Management Plans |
| NCSD | National Council for Sustainable Development |
| NECP | National Energy Climate Plan |
| NMK | North Macedonia |

| | |
|--------------|---|
| NZB | Nearly Zero Energy Building |
| OSCE | Organisation for Security and Cooperation in Europe |
| PHC | Primary Health Care |
| PSCs | Polling Station Committees |
| PEFA | Public Expenditure and Financial Accountability |
| PISA | Programme for International Student Assessment |
| PKEE | Municipal Energy Efficiency Projects |
| RCC | Regional Cooperation Centre |
| RoL | Rule of Law |
| RYCO | Regional Youth Cooperation Centre |
| RLAH | Roam Like at Home |
| RTK | Radio Television of Kosovo |
| SAA | Stabilisation and Association Agreement |
| SDGs | Sustainable Development Goals |
| SEECF | South East European Cooperation Process |
| SMEs | Small and Medium Enterprises |
| TCT | Transport Community Treaty |
| TIP | Trafficking in Persons |
| ToT | Training of Trainers |
| WB | Western Balkans |
| WBF | Western Balkans Fund |
| VET | Vocational Education and Training |

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EXECUTIVE SUMMARY

Kosovo has made considerable progress in establishing functional institutions, consolidating democracy and implementing key EU-related priorities for a prosperous statehood. Kosovo has managed to organise free and fair elections, establish a functioning public administration, enhance the legislative framework pertaining to fundamental rights and freedoms, achieve progress in the fight against terrorism, enhance its capacities to manage illegal migration, work towards creating a functioning market economy, and reach a number of agreements with Serbia within the framework of the Kosovo-Serbia dialogue. Furthermore, it has increased its presence in international and regional organisations and improved policy areas related to sustainable connectivity and the energy sector.

Yet, many challenges remain. Political instability marked by frequent elections has been an ongoing obstacle. The frequent changes in government have affected public administration, where political influence over appointments and dismissals remains a recurring problem.

In 2021, Kosovo continued to further advance the legislative framework with the adoption/amendment of laws and strategies, although their implementation remains a constant challenge. The progress is mostly evident in the rule of law owing to the increased efforts in fighting organised crime and corruption and enhancing the efficiency, accountability and transparency of the judicial system. Similar developments are noted in the areas of democratisation and good neighbourly relations. The Parliament ratified over 13 bilateral and international agreements. However, more efforts are necessary in areas where Kosovo is far off, such as education, human rights, health, economy and sustainable development.

Kosovo will have to considerably boost its efforts to meet such standards, to make more meaningful progress on EU-related agendas. Further enhancing efforts to fight corruption and organised crime, promoting and protecting fundamental rights, especially freedom of expression, freedom of religion, and freedom of media, improving political stability, bringing about election reform, increasing employment and reducing informal employment. Significant efforts are also needed in diversifying the energy supply, improving the air quality, improving the quality of education and healthcare, as well as increasing presence in regional initiatives and accelerating progress in the dialogue with Serbia, are some of the most immediate priorities for the upcoming period.

Kosovo's progress in 2021 is measured through an 8-dimensional approach focusing on the Rule of Law, Human Rights and Fundamental Freedoms, Democratisation, Economy, Sustainable Development, Education, Health and Good Neighbourly Relations. By using 14 indicators, 65 sub-indicators, and 234 means of assessment, a full picture of Kosovo's development in 2021 compared to the previous year (2020) is drawn. Despite the challenges caused by the lack of inter-institutional coordination on data management and sharing, the delayed publication of data, and the lack of aggregated data on specific sectors, this report provides a good basis for pinpointing obstacles and areas of priority.

RULE OF LAW - The overall progress in rule of law is assessed as 'limited' in 2021. Yet its main indicators: Judiciary, the Fight Against Corruption and the Fight Against Organised Crime have recorded different rates of progress individually.

Judiciary - Kosovo's institutions have achieved very good progress in the legal framework following the adoption of the Rule of Law Strategy and Action Plan. Progress in accountability and transparency is also evident as a result of better functioning of the Commission for the Evaluation of Judges' Performance. Some improvements are identified in terms of efficiency and effectiveness, as the ratio of resolved cases reached 50%. Independence and impartiality have upgraded too. Public satisfaction with the work of courts has increased by 44%, whereas 36% with the work of the Prosecutor's Office. On the contrary, access to justice has been limited, especially referring to marginalised groups (LGBTIQ+ and minority communities). The administration of justice has also made minimal progress. The number of judges fell by 5% and the number of prosecutors by 4% in 2021. Yet, no progress has been recorded on the resolution of backlog cases due to the growing number of inherited cases from the previous years.

Fight Against Corruption - The public perception of corruption has improved marginally with Kosovo's Corruption Perception Index (CPI) moving from 36 in 2020 to 39 in 2021. Moreover, assets' confiscation has experienced an increase of 53%. As for the prevention of corruption, cases dealt with by the Anti-Corruption Agency (ACA) have increased by 19%. On the other

hand, no progress was recorded in the measures against high-level corruption. In 2021, only 7 cases were investigated. This is due to the legal framework, specifically the incomplete Draft Criminal Procedure Code. Besides, the Law on the Agency for Prevention of Corruption (Law no 08/L-107) was not formally revised, and there are no developments regarding the Law on Asset Declaration (Law No. 08/L-108).

Fight Against Organised Crime - Some progress is noted in the legal framework for the fight against organised crime with the approval of the draft Criminal Procedure Code (No. 08/L-032). While the New Strategy and Action Plan against Trafficking in Persons (TIP) and the Strategy and Action Plan for Countering Violent Extremism (CVE) are still in the drafting process, the measures against human trafficking have progressed with the filed indictments increasing by 93% in 2021. The same does not stand for measures against organised crime, as the indictments increased by only 11%. The fight against drugs/narcotics is another area that had a decline, specifically the filed indictments by the prosecution in 2021 decreased by 10%. However, no progress is recorded with regard to the Law on Cyber Security and the Law on Prevention of Money Laundering and Financing of Terrorism.

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS - The overall progress on human rights and fundamental freedoms in 2021 is evaluated as 'no progress'. Yet there are different rates of progress recorded in its sub-indicators: civil and political rights, economic, social and cultural rights and legal framework.

Civil and Political Rights - Kosovo has improved its standing in terms of gender equality. Women chair 8 of the 14 functional committees in the assembly, while 6 out of all 18 government members are women, including two deputy Prime Ministers. Kosovo's institutions took some actions in relation to children's rights by establishing a comprehensive, legal framework for guaranteeing and protecting children from all forms of abuse, exploitation, neglect, physical and mental violence, or other actions that could endanger children's life, safety, health, education, or development. The first online Early Childhood Development (ECD) platform was launched, yet the implementation and the decentralisation of services to provide full and equitable rights for children at the local level remains a challenge. Some progress is noted in minority rights. Although a good legislative framework is in place, ethnic minorities continue to face discrimination. Minimal progress is also noticed for marginalised groups (LGBTIQ+). LGBTIQ+ people are politically marginalised and the Civil Code of Kosovo still overlooks same-sex partnerships. Kosovo was classified as 'partly free', based on the Freedom House Index in 2021, with no progress noted on the freedom of expression, freedom of religion, and freedom of association.

Economic, Social and Cultural Rights - Limited progress was noted in economic, social and cultural rights. Kosovo's institutions have advanced the legal framework for the protection against discrimination and concerning the right to work. Equal access [to the labour market] for women, youth, persons with special needs and members of the Roma, Ashkali and Egyptian communities continues to be a challenge. Several problems inhibit this right, such as the lack of contracts for a large share of workers, poor working conditions, lack of insurance and protection as well as a constant risk of contract termination. In addition, slight progress was noticed in the right to access education. Education has been affected by the spread of COVID-19. The government took fast measures but the quality of this distance learning organisation remains debatable. Lastly, Kosovo's score on the Freedom House Index for property rights was 1/4, which indicates no progress from 2020.

Legal framework - Law (No.08/L-013) on Property Rights for Foreign Citizens was not adopted in 2021. The implementation of the Law on Gender Equality is lacking, but there is some progress on the Kosovo Programme for Gender Equality (2020-2024) which was adopted in 2020 (Action Plan is in the drafting process). A new version of Law (No. 02/L-31) on Religious Freedom is to be approved, whereas the Law on the Rights of the Child is adopted but not implemented in practice.

DEMOCRATISATION - The overall progress on democratisation is also evaluated as 'limited'. However, different levels of progress are reported in its main indicators individually: media and civil society, political stability, elections and public administration.

Media and civil society – Some progress is noted in the CSO's consultation. In 2021, public consultations on acts of government continued to take place with over 98% of all primary policy documents and draft laws published. Fair progress is reported on CSO public financing. The reporting is done annually and the information is publicly available. No progress has been

reported in free and independent media in 2021 compared to the previous year. With regard to the public broadcaster, in July 2021, the assembly voted to dismiss all RTK Board members after their refusal to be audited and failure to comply with procurement procedures. Since, both the dismissal and appointment processes were classified as transparent, very good progress has been marked in this regard. On the other hand, limited progress is noted on the harassment of journalists, as the registered cases of threats and attacks against journalists and media increased by 21% in 2021. As for the whistle-blowers, some improvements are evident. However, no progress is reported regarding the legal framework. The draft law on amending and supplementing Law (No. 04/L-44) on the Independent Media Commission will pass to the assembly in 2022. Once this Law is amended, the government will also amend the Law on Radio Television of Kosovo to harmonise them. In addition, in 2021, access to public information and the performance of oversight institutions have deteriorated.

Political stability – Very good progress was reported in the functioning of the government. Although the period from 2019 to 2020 was characterised by political instability and early parliamentary elections, the Kurti II government won 50.3% of the votes cast, gaining 58 seats in the parliament (and later acquiring another MP from the PDK parliamentary group). In addition, public satisfaction with the work of the government increased from 21.3% in 2020 to 59.1% in 2021. The process of government formation and transfer of power was peaceful hence in 2021 Kosovo was placed in the 44.340 percentile rank of the World Bank's Political Stability and Absence of Violence/Terrorism Indicator, which marks a good improvement. When it comes to the relations between the government and the opposition, they were characterised by disagreements resulting in the frequent absence of opposition parties in parliament. This was especially challenging when voting required a 2/3 majority as was the case with international agreements. Political parties have however supported the government in electing the president, marking some progress in their relations. On the contrary, no progress was noted in the functioning of independent institutions, oversight and implementation of laws. In addition, in 2021, there was undue political influence over the appointments and dismissals of senior public officials and civil servants. The following laws were not implemented: the Law on Public Officials, the Law on Conflict of Interest, the Law on Protection of Whistle-Blowers, the Law on Organisation and Functioning of State Administration and Independent Agencies, the Law on Mediation, the Law on Gender Equality, Law on Public Procurement, Law on Protection from Discrimination, Law on Employment, Law on the Use of Languages and further.

Elections - Very good progress was reported in the work of the Central Election Commission (CEC) in organising and conducting the elections of 2021. This progress followed the municipal elections and the Assembly of Kosovo elections of 2021, which were generally calm and with no serious incidents. Good progress was further noted in the 2021 campaigns for local and general elections, with the exception of the Serb-majority populated areas. Some progress is noted in the accuracy of the voters' register which is considered a challenging issue in all elections; a considerable number of deceased persons are still part of the list. As regards the 2021 general elections, the presence of significant vulnerabilities, in particular concerning vote counting was reported. In addition, a large number of recounts were processed which delayed the publication and certification of results. Some improvements were reported in the national elections, although the campaign was not in accordance with the COVID-19 provisions put in place. When it comes to women's representation, limited progress was made in 2021 with only 14, or 8%, of mayoral candidates, being women. In fact, the majority of parties, except for Lëvizja Vetëvendosje, barely passed the 30% quota. No progress was recorded on the revision of the Law on General Elections. The Committee on Budget, Labour and Transfers approved in principle the draft law on Financing of Political Entities in January 2020, but it was not adopted. There is no advancement with regard to amendments to CEC regulations -the amendment/supplementing of the bylaws (Election Rules)- which are planned for the first six months of 2022.

Public administration reform – Solid progress was noted in 2021 in the transparency of public procurement as a result of two new e-procurement modules. Certain achievements are recorded in digitalisation as e-Kosova increased the number of e-services provided to citizens; although they remain limited. Furthermore, information on the fiscal transparency portal of the government is provided and is easily accessible. The Public Expenditure and Financial Accountability (PEFA) assessment of 2021, showed good management of public finance in Kosovo -both internationally and regionally- but outlined a number of weaknesses as well. Overall, there is transparency in terms of the budget and its implementation. The quality of municipal services has dropped by 0.46% compared to the previous year (2020). As for the dismissals, no progress is noted due to

political influence over appointments and dismissals of senior public officials and civil servants. In June 2021, following concerns over political influence and non-merit-based appointments of the Independent Civil Service Oversight Board, the Assembly dismissed all five members of the board. Overall, public satisfaction from the provision of public services experienced a decrease of 6.9% in 2021. The drafting of a new Law on Salaries is in its initial phase but was hampered by the lack of reliable data on salaries both within and outside the civil service. The implementation of the Law on Public Officials started in July 2020 and is still at the very beginning. The new Law on Organisation and Functioning of State Administration enhances lines of accountability but its implementation is lacking. Kosovo still has the highest number of executive agencies subordinated to parliament in the region, noting no progress in this area from last year. The non-harmonisation of special (sector) laws with the Law on General Administrative Procedure has caused legal uncertainties for both citizens and businesses resulting in 0 progress.

ECONOMY - Overall, 'no progress' is reported on the economy in 2021 compared to the previous year. However, some progress is noticed in its sub-indicators individually: macroeconomic stability, business environment, investments, employment and safety at work, human capital and legal framework.

Macroeconomic stability - GDP per capita increased by 8% in 2021. As per the GDP growth, a small improvement is noticeable given the 3% increase. Progress is also evident in the government revenues, which reached 2.6 million EUR in 2021. On the other hand, trade exchanges continued to perform with a negative balance of import over export.

Business environment - Limited progress is present in structural business statistics and some short-term statistics are partially in line with the EU Acquis. Yet, their availability is limited. No progress is noted on the gap between newly registered and terminated firms. In 2021, the number of newly registered firms was 10,649, and that of terminated firms was 1608. A huge concern remains the informal economy, which stands at 30%.

Investments - The FDI inflows in 2021 stood at 421 million EUR representing an increase of 22%. The level of unemployment on the other side decreased marginally by 0.38%. In terms of the reorganisation of the Kosovo Investment and Enterprise Support Agency (KIESA), no progress was reported.

Employment and safety at work - Limited progress is noted with regard to fatal incidents at work as they have decreased by 18% in 2021. On the other hand, no advancement was evident in employment and safety at work. Specifically, the majority of workers in Kosovo were not covered by health insurance and there was an absence of insurance against injuries and related illnesses sustained in the course of performing work.

Human capital - There is no progress reported on the flow of migration. Emigration increased from 8724 in 2020 to 42,728 in 2021. As for the Human Capital Index (HCI), there is no data for 2021 to compare the figures.

Legal framework - Limited progress is noted in the implementation of the Sectoral Strategy 2018-2022. Law on Labour (No.03/L-212), adopted in 2010, is still in force and there is no improvement noted in this regard. In addition, the new Law on Labour and the Law on Socio-Economic Council have not been adopted.

SUSTAINABLE DEVELOPMENT - Overall, 'no progress' is also reported between 2020 and 2021, on sustainable development. However, minimal progress is evident in its indicators individually: energy and environment.

Energy – Kosovo became the first country in the Western Balkans to establish an Energy Efficiency Fund in 2019, although no information is provided on their website since 2020. The government sought to apply environmental measures to improve the Kosovo B coal power plant and decompose non-functional assets of the Kosovo A power plant. Some upgrading is also apparent in the renewable energy produced in 2021, which increased by 16%. In 2021, coal power plants produced 1,833.2 GWh; 2% more than in 2020. Minimal progress is further noted in addressing the commercial losses. The technical losses in the distribution network were 12.46% while the commercial losses stood at 12.11%. On the other hand, progress was lacking in the security of supply since the import of energy increased by 18,6% compared with 2020. Kosovo's electricity system is considered highly inflexible with 98% of electricity generated by two old and highly polluting lignite power plants. There is no data to show any project on energy efficiency in municipalities for 2020 or 2021. Training on the use of MVPs has been provided to municipal

officials in 2020, but there is no progress in this regard. Kosovo continues to produce high CO₂ emissions. In 2020, the annual greenhouse gas is estimated at 10,266 Gg (Giga grams) CO₂ eq (equivalent), or about 10.2 million tons of CO₂ eq. However, there is no data for 2021 to measure the progress, or its lack thereof. As for the legal framework, a new draft Energy Strategy for 2022-2031 was presented, but not adopted by the government. In addition, there has been no progress on adopting a plan for the gradual adjustment of energy tariffs. In October 2021, the Energy Regulatory Office approved retail electricity tariffs, which among others, foresee lower energy tariffs if used in certain time slots during the day. The integrated National Energy Climate Plan (NECP) was not adopted. In the absence of a Law on Climate Change, there is no legal basis for the NECP.

Environment- The real-time monitoring of air quality is effective and accessible, marking very good advancement in this direction. However, the same cannot be said about the quality of air. Many cities in Kosovo have a poor quality of air. The Action Plan for Air Quality, which will provide several measures to replace the use of coal for combustion, is in the revising phase. Some progress is reported in the adoption of modern integrated municipal waste management plans in some municipalities (26 municipalities have drafted these plans while 11 have not). Limited progress is noted in the number of illegal dumpsites, which decreased by 20%. Kosovo continues to rely heavily on coal and is not complying with the emission ceilings established. Kosovo has limited and ineffective measures in place to enforce the ban on coal for heating. In 2021, the trend of the average annual water level was 1926 (cm), which compared to 2020 (2143 cm) marks a negative trend. In 2020, about 96.84% of the population had access to drinking water, whereas, in 2021, 96.88% of the population did. As for water pollution, the problem of widespread pollution is choking the rivers and contaminating the drinking water in Kosovo. Successive governments have done little in this regard. Kosovo has no program or regular monitoring of its water quality, resulting in no progress. As for the legal framework, no progress has been made either. The 2019-2028 Climate Change Strategy is at an early stage. The Law on Waste needs to be further aligned with the Waste Framework Directive and the Forest Strategy and the Forestry Law were not adopted.

EDUCATION - Overall, 'no progress' is reported in education. However, different levels of progress are reported in its main sub-indicators individually: Spending on Education, Access to Education, Governance and Quality of Education and Alignment with the Labour Market.

Spending on education- In 2021, spending on children with disabilities increased by 12%. Minimal progress was also reported on the spending on infrastructure and investment as the spending on gymnastic classes, laboratory equipment and different materials and renovations increased by 10.2%. The same cannot be said for spending on research and spending on education as no progress was made. The expenditure for students remains insufficient.

Access to education- Student enrolment in higher education increased by 26.4% in 2021. Some progress is further noted with regard to the school drop-out rate among RAE community with a decrease of 38%. The drop-out rate among girls also experienced similar success with the drop rate falling by 0.04% in primary education, 0.05% in secondary and 0.5% in tertiary education. As for the graduation rate, limited progress is reported with 6193 students graduating in 2021. The number of preschool institutions also noted an increase with 5 more institutions joining the list.

Governance and quality of education- Kosovo Accreditation Agency's membership in the European Quality Assurance in Higher Education (ENQA) was revoked in 2019, and Kosovo did not regain membership during the reporting period. As for the appointment of school principals, limited advancement is noted with recruitment becoming more merit-based oriented.

Alignment with the labour market- Limited progress is achieved in vocational training through the project Support to Vocational Education and Training in Kosovo, however, there are ongoing challenges that hinder VET schools from aligning their curricula with market needs. On the other hand, no progress on curriculum alignment to improve the quality of vocational training and education has been reported.

HEALTH - Overall, 'no progress' is reported between 2020 and 2021 on health. However, different rates of progress are evident in its sub-indicators individually: Access to Healthcare, Quality of Healthcare, COVID-19 Management, Infrastructure and Legal Framework.

Access to Healthcare- No progress is noted on health protection with the partial introduction of a basic health information system. The government has not introduced a Universal Healthcare

Scheme yet, and the Law on Health Insurance (2013/04-L-249) is still applicable. In 2021, Kosovo allocated 8.2% of its budget to health. The overall budget for health increased by 10% compared to 2020, yet the overall share of health expenditures is around 3% of GDP. This transcribes to no progress. The same stands for the number of specialist doctors, in both public and private hospitals. There were 6.4% fewer specialist doctors in 2021.

Quality of Healthcare- In patient satisfaction with the healthcare system, Kosovo stands at 2.7 which is above average. In 2021, 71.7% of respondents believed that healthcare was affected by corruption, which marks minimal progress compared to 2020 when 73% of respondents did. Corruption in healthcare remains high although it decreased marginally by 1.78% in 2021.

Covid-19 -Management- 50% of the population is partially vaccinated and 45% are fully vaccinated. This marks good progress compared to the previous year. However, the capacities to deal with COVID-19 were insufficient.

Infrastructure- The number of beds in general hospitals increased from 1986 in 2021 to 1975 in 2020, indicating a slight increase in healthcare infrastructure. Furthermore, the number of personnel in all levels of healthcare in 2021 was 13,448, whereas in 2020 this number was 13,518. The budget spent for treatment abroad increased by 17.5%.

Legal Framework- Very good progress is noted with the adoption of the Health Promotion and Education Strategy for 2021. However, the adoption of the Law on Health Insurance is delayed and the 2013 Law is still applicable. Some of the challenges related to the insufficient implementation of the Health Sector Strategy include the lack of access to healthcare for 1/5 of the population, the spending on diagnostic services, the non-reimbursement of medication, and the lack of needs-based allocation of funds.

GOOD NEIGHBOURLY RELATIONS - The overall progress on good neighbourly relations is also evaluated as 'limited'. However, different rates of progress are evident in its sub-indicators separately: bilateral relations, regional cooperation and dialogue with Serbia.

Bilateral relations - Considerable progress is noted in relations with Albania and North Macedonia. The consecutive meetings between Kosovo and Albania resulted in 13 agreements. Several meetings also took place between Kosovo and North Macedonia and they are working on an agreement on the opening of the rail Border Crossing Point (BCP). Work on the Trans-Adriatic gas pipeline expansion and a feasibility study are currently underway. In addition, a significant achievement in the relations with Montenegro is noted, as both countries signed an agreement to eliminate vehicle insurance tax for entering each other's respective territories. As for the relations with Bosnia and Herzegovina, 0 progress was reported.

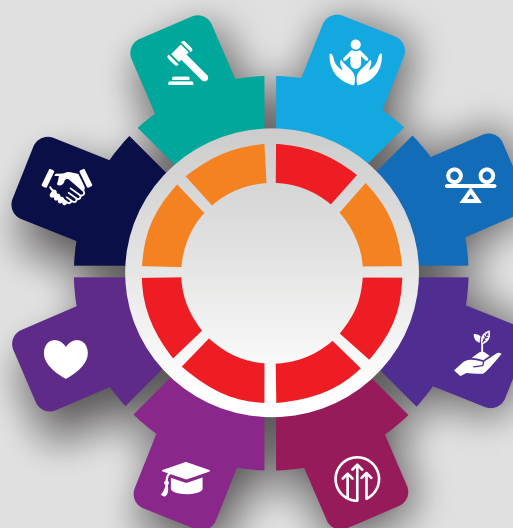
Regional cooperation – Some advancement was reported in 2021 with the implementation of a regional agreement on roaming fees 'roam like at home' (RLAH). Moreover, the Sherpa or Berlin Process's National Coordinator was assigned to facilitate the implementation of the Common Regional Market (CRM). Sherpa coordinated and led four CRM working groups. With regard to the Strategy for membership and participation in new organisations, no progress is evident in 2021. The government did not develop a strategic approach for the country's membership and participation in new organisations and initiatives. Also, no progress was noted in memberships, as Kosovo did not manage to join any regional organisations or regional initiatives.

Dialogue with Serbia - The dialogue between Kosovo and Serbia resumed in 2020 with Kosovo lifting the 100% tariff on imported goods from Serbia. There has been little progress regarding the implementation of reached agreements, minimal progress is noted. Moreover, both countries reached an agreement on licence plates after Kosovo started applying reciprocity measures. The agreement is being implemented and working groups continue to meet in Brussels. On the other hand, progress was lacking in the case of missing persons.

PROGRESS ON ALL EIGHT DIMENSIONS

- Rule of Law
- Human Rights and Fundamental Freedoms
- Democratisation
- Economy
- Sustainable Development
- Education
- Health
- Good Neighbourly Relations

- Limited Progress
- No Progress



INTRODUCTION

The progress of Western Balkan (WB) countries in fulfilling EU -related criteria- as part of their respective paths towards EU integration -is evaluated yearly by the European Commission (EC) through country reports. These reports primarily focus on the extent to which countries implement important reforms in the area of the rule of law (RoL), fundamental freedoms, the functioning of democratic institutions including public administration reform, and socio-economic development, which comprise the ‘fundamentals first’ in the accession track.

For Kosovo in particular, a number of other documents determine its relations with the European Union (EU). Kosovo signed the Stabilisation and Association Agreement (SAA) with the EU in October 2015, opening a new chapter in EU-Kosovo relations.¹ The government introduced the National Programme of the Implementation of SAA (NPISAA), which marked a purely national document with short and midterm priorities distributed along three blocks; Political Criteria, Economic Criteria and European Standards.² In November 2016, the EU and Kosovo introduced a joint initiative, the European Reform Agenda (ERA), aimed to concretise the actions necessary to implement the SAA.³

As an aspiring EU candidate country, much of Kosovo’s progress is inevitably linked to the implementation of EU-related reforms. While the European Commission’s report offers a solid overview of Kosovo’s yearly progress, there is a necessity for a more comprehensive review to reflect the country’s development in all key areas. Hence, this report is much broader and more detailed than the EU’s country report. It assesses institutions’ progress along eight key policy dimensions: the rule of law, human rights and fundamental freedoms, democratisation, economy, sustainable development, education, health and good neighbourly relations. This is done by incorporating 14 indicators, 65 sub-indicators and 234 means of assessment.

The indicators provide an empirical approach to measuring Kosovo’s advancement in critical policy areas. In most instances, the progress is reported quantitatively. In other instances, and due to the nature of the indicators, the progress is reported qualitatively, which mostly stands for legislation and its implementation. While the indicators are rooted in international norms and standards and may be used in other contexts, these are country-specific and do not aim to instruct how assessments may be carried out in other contexts.

¹ Balkans Group report, Kosovo 2020: A Complex Agenda for the New Government, 17 December 2019; and Stabilisation and Association Agreement, 27 October 2015.

² Balkans Group report, Kosovo 2020: A Complex Agenda for the New Government, 17 December 2019.

³ Kosovo – European Reform Agenda (ERA), February 2017.

The report is accompanied by an in-depth methodology about the indicators and sub-indicators and the way they have been measured. In addition, 234 means of assessments, covering local and international sources, were used to measure progress. As such, this report rests on a large amount of data to measure Kosovo's advancement in 2021 compared to the previous year.

METHODOLOGY AND CHALLENGES

Through this report, Balkans Group aims to present Kosovo institutions' yearly progress in meeting EU-related criteria in all key sectors by monitoring, reporting and promoting SAA and ERA.

This report differs from the European Commission's country report in both methodology and substance. Driven by the aim to better measure Kosovo's progress and bring more data to the surface, Balkans Group has developed a monitoring instrument consisting of 8 dimensions: Rule of Law, Human Rights and Fundamental Freedoms, Democratisation, Economy, Sustainable Development, Education, Health and Good Neighbourly Relations. This structure is further divided into thirteen (13) indicators and sixty-five (65) sub-indicators, which use means of assessment, means of verification, and sources of verification from a variety of local, regional and international sources using both quantitative and qualitative data collection methods. By comparing the data with the previous year, the report measures the progress made in the reporting year in form of numbers and percentages. (See Fig. 1 for more clarity on the dimension, indicators, sub-indicators and means of assessment.) By offering simplified and easily understandable data, Balkans Group seeks to turn these indicators into a platform of information for citizens and policymakers regarding Kosovo's progress in key sectors. Moreover, based on this methodology, Balkans Group has further developed a section 'Progress in numbers' which evaluates on a scale from 0-4 the overall progress in a specific dimension, indicator, sub-indicator or means of assessment.

To establish these indicators, various documents have been used such as the EC's yearly Country Report, the European Reform Agenda and the Stabilisation and Association Agreement. Although the list of indicators is long, they are by no means exhaustive and are not intended to be used in measuring progress in other settings. Also, if certain policy areas or dimensions have not been included in this report, it does not mean that they are not important or that Kosovo's progress in those particular areas is not monitored by the EU. Rather, the list of indicators may be expanded in future years and they may also be modified to adapt to new circumstances arising in the future.

The methodology can be summarised as follows:



- For each dimension, a number of indicators and sub-indicators are provided followed by means of assessment-that is how progress on the specific indicator and sub-indicator is to be measured, and the source of verification-that is where the research team looks at when collecting the data.
- For the majority of sub-indicators progress is measured using a four-point scale ranging from 0 - no progress, 1 – limited progress, 2 – some progress, 3 – good progress, and 4 – very good progress.
- An average score for the indicator is derived by taking the average score of progress made from each of the sub-indicators of that particular indicator. For instance, if indicator X has three sub-indicators each scoring 0, 2, and 2, the final score for that indicator will be $(0+2+2)/3 = 1.3$ (limited progress). The same will apply when obtaining an aggregate score for a particular dimension if needed. If dimension Y has four indicators each scoring 1, 0, 3, and 1, the overall score of progress for that dimension will be $(3+0+3+1)/4 = 1.75$ (some progress).
- For other sub-indicators, progress is dichotomous either 0 – no progress, or 4 - very good progress. This is particularly the case with legal framework where the research question concerns only the adoption or not of a specific law or regulation.
- In cases where the expectation is that the indicator or sub-indicator has improved, progress

is measured compared to the previous year's progress.

- Each dimension and indicator also includes an overall qualitative statement illustrative of progress made for that particular dimension or indicator. Both score-based results and statement-based results can only be generated once data have been collected.

The collection of data for the purpose of this report has been very challenging, mainly due to the following reasons:

- Lack of aggregated data on the specific indicators, sub-indicators or means of assessment from Kosovo institutions.
- The unresponsiveness of the institutions, which led to numerous attempts to access what should have been publicly available data.
- The delayed publication of data, i.e., data for X year is compiled or published at the end of the following year.

To mitigate the challenges in this process, Balkans Group recommends the following actions:

- Better inter-institutional cooperation in data management and sharing
- Increase institutions' responsiveness
- Improve data management, quality and the routine of publication.

Balkans Group will continue to publish the same quality reports annually.

THE 8 DIMENSIONAL ASSESSMENT OF KOSOVO'S PROGRESS

| Dimension | Indicator | Sub-Indicator | Means of Assessment |
|-------------|-------------------------------|---|--|
| RULE OF LAW | JUDICIARY | Efficiency and Effectiveness | <ul style="list-style-type: none"> - Resolved Cases - Backlog cases - Application of CMIS - International legal cooperation |
| | | Independence and Impartiality | <ul style="list-style-type: none"> - Public confidence in the work of the judiciary - Impartiality of judges/ prosecutors - Tenure of judges/ prosecutors |
| | | Accountability | <ul style="list-style-type: none"> - Performance monitoring for judges - Discipline - Performance monitoring for prosecutors - Publicly available reports on court spending |
| | | Transparency | <ul style="list-style-type: none"> - Publication of annual reports - Nature of complaints and how they were solved - Court proceedings' openness to the public |
| | | Access to Justice | <ul style="list-style-type: none"> - Provision of free legal aid - Provision of shelter to women victims of domestic violence - Marginalised groups (minorities and LGBTI) |
| | | Administration of Justice | <ul style="list-style-type: none"> - Number of Judges and Prosecutors - Women's representation - Professional staff - KJC and KPC management - Budgetary resources |
| | | Legal Framework | <ul style="list-style-type: none"> - Rule of Law Strategy and Action Plan - KPC and KJC Strategic Plans |
| | FIGHT AGAINST CORRUPTION | Public Perception of Corruption | <ul style="list-style-type: none"> - Level of corruption in public institutions |
| | | Prevention | <ul style="list-style-type: none"> - Anti-corruption Agency - Declaration of assets - Conflict of interest |
| | | Measures against High-Level Corruption | <ul style="list-style-type: none"> - Investigation - Prosecution - Adjudication - Guilty verdicts - Track record mechanism |
| | | Confiscation of Assets | <ul style="list-style-type: none"> - Value of final confiscated assets - Value of sold assets - Confiscation Fund |
| | | Legal Framework | <ul style="list-style-type: none"> - Revision of Criminal Procedure Code - Anti-Corruption legal package - Revision of Law on Political Party Financing |
| | FIGHT AGAINST ORGANISED CRIME | Level of Organised Crime | <ul style="list-style-type: none"> - Overall level of organised crime |
| | | Measures Against Organised Crime | <ul style="list-style-type: none"> - Investigation - Prosecution - Adjudication - Guilty verdicts |
| | | Drugs/ Narcotics | <ul style="list-style-type: none"> - Investigation - Prosecution - Adjudication - Guilty verdicts - Confiscation of Drugs |
| | | Money Laundering | <ul style="list-style-type: none"> - Investigation - Prosecution - Adjudication - Guilty verdicts |
| | | Fight Against Terrorism and Violent Extremism | <ul style="list-style-type: none"> - Investigation - Prosecution - Adjudication - Guilty verdicts - Joint Threat Assessment Centre |
| | | Trafficking in Persons | <ul style="list-style-type: none"> - Investigation - Prosecution - Adjudication - Guilty verdicts |
| | | Legal Framework | <ul style="list-style-type: none"> - Strategy and Action Plan against Organised Crime - Criminal Procedure Code - Law on Money Laundering and Financing of Terrorism - Law on Cybersecurity - Strategy and Action Plan against TIP - Strategy and Action Plan on CVE |

| | | | |
|--|-------------------------------------|--|---|
| HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS | FUNDAMENTAL RIGHTS | Civil and Political Rights | <ul style="list-style-type: none"> - Overall level of civil and political rights - Freedom of expression - Freedom of religion - Freedom of association - Gender equality - Minority rights - Children's rights - Marginalised groups |
| | | Economic, Social and Cultural Rights | <ul style="list-style-type: none"> - Right to work - Property rights - Access to education |
| | | Legal Framework | <ul style="list-style-type: none"> - Law on Religious Freedoms - Law on Property Rights - Law on Gender Equality - Law on Child Protection |
| DEMOCRATISATION | MEDIA AND CIVIL SOCIETY | Freedom of Media | <ul style="list-style-type: none"> - Free and independent media - Harassment of journalists - Public Broadcaster - Protection of Whistle-blowers |
| | | Civil Society | <ul style="list-style-type: none"> - CSO consultations - Promotion of consultation platforms - CSO public financing |
| | | Legal Framework | <ul style="list-style-type: none"> - Law on Independent Media Commission - Law on RTK - Law on Access to Public Documents |
| | POLITICAL STABILITY | Functioning of Institutions | <ul style="list-style-type: none"> - Functioning of the Government - Functioning of the parliament - Functioning of independent institutions - Public satisfaction with the work of the government - Oversight - Implementation of laws |
| | | Security and Public Order | <ul style="list-style-type: none"> - Absence of violence and terrorism - Inter-ethnic violence - Acts of terrorism - Readiness to join protests for political reasons |
| | | Relations Between Government and Opposition | <ul style="list-style-type: none"> - Democratic transfer of power - Opposition presence in parliament - Opposition support to government |
| | | Constitutional and Legal Order | <ul style="list-style-type: none"> - Implementation - Violation of constitutional order - Other violations by political parties |
| | ELECTIONS | Election Administration | <ul style="list-style-type: none"> - Transparency of CEC - Voter register - Election day - Vote counting - Results |
| | | Campaign Environment | <ul style="list-style-type: none"> - Competitive campaigning - Access to media - Covid-19 measures - Political environment |
| | | Legal Framework | <ul style="list-style-type: none"> - Law on General Elections - Law on Local Elections - Law on Financing of Political Entities - Amendment of CEC regulations |
| | | Women's Participation | <ul style="list-style-type: none"> - Women's representation - Visibility of women candidates in campaigns |
| | PUBLIC ADMINISTRATION REFORM | Functioning of Public Administration | <ul style="list-style-type: none"> - Appointments, dismissals and merit-based recruitment - Dismissals - Independent civil society oversight board - Ombudsperson |
| | | Service Delivery | <ul style="list-style-type: none"> - Quality of public services (central level) - Digitalisation - Municipal services |
| | | Public Finances | <ul style="list-style-type: none"> - Public procurement procedures - Budget transparency - Public finance management reform |
| | | Representation | <ul style="list-style-type: none"> - Women's representation - Representation of minority communities |
| | | Legal Framework | <ul style="list-style-type: none"> - Law on Salaries - Law on Public Officials - Law on Organisation and Functioning of State Administration - Harmonisation of laws with Law on General Administrative Procedure |
| | ECONOMY | ECONOMIC DEVELOPMENT | Macroeconomic Stability |
| Business Environment | | | <ul style="list-style-type: none"> - Gap between newly registered and terminated firms - Informal economy - Statistics |
| Investment | | | <ul style="list-style-type: none"> - Flow of FDI - Reorganisation of KIESA |

| | | | |
|--|----------------------|--------------------------------------|---|
| | | Employment and Safety at Work | <ul style="list-style-type: none"> - Health insurance - Fatal incidents at work - Level of unemployment |
| | | Human Capital | <ul style="list-style-type: none"> - Flow of migration - Human capital |
| | | Legal Framework | <ul style="list-style-type: none"> - Strategy on employment and social policy - Law on Labour - Law on Socio-Economic Council |
| SUSTAINABLE DEVELOPMENT | ENERGY | Energy Supply | <ul style="list-style-type: none"> - Reliance on coal - Commercial loss - Security of supply - Planning and investments |
| | | Energy Efficiency | <ul style="list-style-type: none"> - Energy Efficiency Fund - Power plants - Energy efficiency in residential buildings - Energy efficiency projects in municipalities - Monitoring energy savings - Stats on CO2 emissions |
| | | Renewable Energy | <ul style="list-style-type: none"> - Investments - Energy from renewable sources - Energy from alternative sources of energy |
| | | Legal Framework | <ul style="list-style-type: none"> - Energy Strategy - Adjustment of energy tariffs - Integrated NECP |
| | ENVIRONMENT | Air Quality | <ul style="list-style-type: none"> - Air quality plans - Compliance with emission ceilings - Ban on coal for heating - Real-time monitoring |
| | | Water and Land Management | <ul style="list-style-type: none"> - Water supply - Management of water resources - Drinking water - Water pollution - Land quality |
| | | Waste Management | <ul style="list-style-type: none"> - Integrated municipal waste management plans - Illegal dumpsites - Setting up new locations for landfills |
| | | Forest Management | <ul style="list-style-type: none"> - Deforestation - Measures against deforestation - Reforestation |
| | | Legal Framework | <ul style="list-style-type: none"> - Climate Change Strategy - Action Plan on Climate Change Strategy - Harmonisation of Law on Waste - Forestry Law |
| | EDUCATION | EDUCATIONAL PROVISION | Spending on Education |
| Access to Education | | | <ul style="list-style-type: none"> - Student enrolment - Graduation rate - Special needs children - Drop-out rate among RAE - Drop-out rate among girls - Pre-school |
| Governance and Quality of Education | | | <ul style="list-style-type: none"> - PISA Evaluations - Textbooks and curricula - KAA membership in ENQA - Appointment of school principals |
| Alignment with Labor Market | | | <ul style="list-style-type: none"> - Curricula alignment - Vocational training |
| HEALTH | PUBLIC HEALTH | Access to Healthcare | <ul style="list-style-type: none"> - Universal healthcare scheme - Public health information system - Health expenditures - Specialist Doctors |
| | | Quality of Healthcare | <ul style="list-style-type: none"> - Patient satisfaction - Corruption in healthcare |
| | | Legal Framework | <ul style="list-style-type: none"> - Law on Health Insurance - Health Sector Strategy - Health Promotion and Education Strategy |
| | | COVID-19 Management | <ul style="list-style-type: none"> - Vaccination - Healthcare capacities |
| | | Infrastructure | <ul style="list-style-type: none"> - Hospital beds - Personnel - Expenses for treatment abroad |
| GOOD NEIGHBOURLY RELATIONS | COOPERATION | Bilateral Relations | <ul style="list-style-type: none"> - Relations with ALB - Relations with MNE - Relations with NMK - Relations with BiH |
| | | Regional Cooperation | <ul style="list-style-type: none"> - Agreements signed - CRM - Green Agenda for WB - Strategy for membership in regional organisations - Membership in new organisations - Cooperation in regional initiatives |
| | | Dialogue with Serbia | <ul style="list-style-type: none"> - EU-facilitated dialogue - Implementation of agreements - Missing persons |



Dimension I

RULE OF LAW

Summary and Analysis

Rule of law is one of the key criteria for EU membership and rapprochement and one of the main principles of governance globally.⁴ The rule of law is one of the fundamental values of the EU, and a prerequisite for the protection of all the other values, including fundamental rights and democracy.⁵ It is critical for the very functioning of the EU: the effective application of EU law, the proper functioning of the internal market, maintaining an investment-friendly environment and mutual trust.⁶

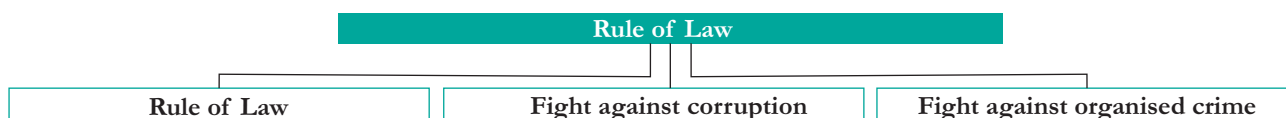
The Stabilisation and Association Agreement (SAA), Article 83, within the area of freedom, security and justice emphasises the importance of cooperation between the parties focused on:

- *strengthening the independence, impartiality and accountability of the judiciary in Kosovo and improving its efficiency;*
- *developing adequate structures for the police, prosecutors and judges and other judicial and law enforcement bodies to deal with and cooperate on civil, commercial and criminal matters and to effectively prevent, investigate, prosecute and adjudicate organised crime, corruption and terrorism cases.*⁷

Moreover, the European Reform Agenda (ERA) I and, in its aftermath, the ERA II, have placed a particular focus on Good Governance and the Rule of Law (Pillar I), including the fight against organised crime and corruption.⁸

Within the rule of law dimension, three indicators are used:

1. Judiciary;
2. Fight against corruption; and
3. Fight against organised crime.



Rule of law and its indicators

By using these indicators, the aim is to measure progress among the most fundamental aspects of criminal justice institutions, such as the police, courts and prosecution and the extent to which key legislation pertaining to RoL is adopted, amended and implemented.

1. Judiciary

A well-functioning judiciary, whose decisions are effectively implemented, is of the highest importance for the maintenance and enhancement of the rule of law.⁹ Judiciary is one of the key areas of the rule of law, often used interchangeably to refer to the latter.

For measuring the progress within the judiciary, the following sub-indicators are used:

- *efficiency and effectiveness*- whether courts and prosecution are capable of meeting their responsibilities in an efficient and timely manner;

⁴ United Nations, What is the Rule of Law, at <https://www.un.org/ruleoflaw/what-is-the-rule-of-law/> and Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

⁵ European Commission, Upholding the Rule of Law, at https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law_en#:~:text=The%20rule%20of%20law%20is,for%20fundamental%20rights%20and%20democracy.

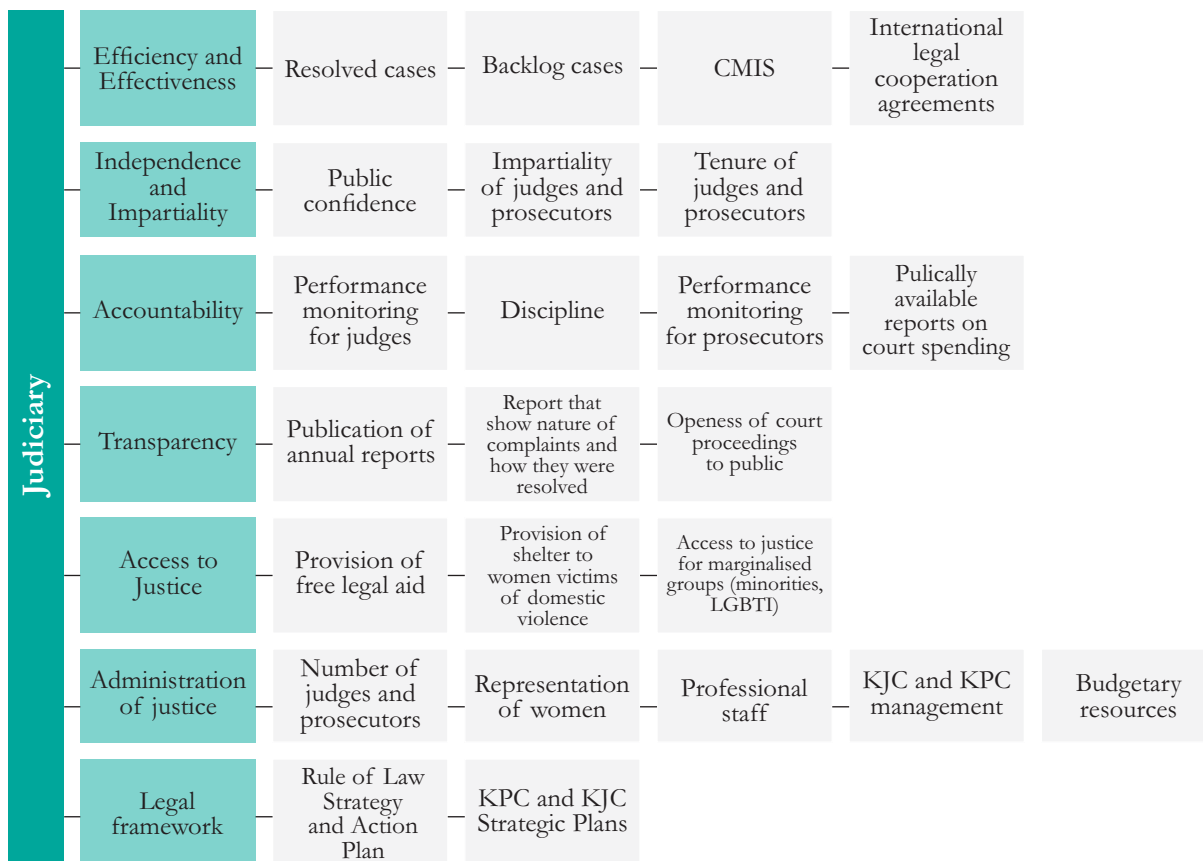
⁶ Ibid.

⁷ Council of the European Union, Stabilisation and Association agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo*, on the other part, 2 October 2015.

⁸ Kosovo – European Reform Agenda (ERA) II, 2020.

⁹ Venice Commission of the Council of Europe, The Rule of Law Checklist, March 2016, at https://www.venice.coe.int/images/SITE%20IMAGES/Publications/Rule_of_Law_Check_List.pdf.

- *independence and impartiality*- whether courts are free from undue influence, judges are unbiased, and citizens have trust in legal institutions;
- *accountability*- whether there are measures to monitor and evaluate the work of judges and prosecutors and take actions/measures in cases of their non-performance;
- *transparency*- whether there is publicly available information about the work of legal institutions;
- *access to justice* - the extent to which vulnerable groups have access to free legal aid and receive protection;
- *administration of justice*; and
- *legal framework*.



Judiciary and its sub-indicators

a) Efficiency and effectiveness

The means of assessing the efficiency and effectiveness of courts include:

- *resolved cases*;
- *backlog cases*;
- *application of the Case Management Information System (CMIS)*;
- *international legal cooperation*.

Resolved cases

Kosovo’s judiciary struggles with a high number of backlog cases, transferred from one year to the next and pending resolution. This has hampered the work of courts, caused delays, hindered the court’s efficiency, and contributed to low public trust.¹⁰

¹⁰ See yearly reports at https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/negotiations-status/kosovo_en.

In 2021, courts resolved 112,168 cases, whereas 224,801 cases remained unresolved.¹¹ In 2020, courts resolved 72,250 cases while 176,052 cases remained unresolved.¹² The ratio of resolved to unresolved cases in 2020 was 41%, whereas, in 2021, it was 50%. **Limited progress**

| Year | 2020 | 2021 |
|------------|----------|----------|
| Resolved | 72,250 | 112,168 |
| Unresolved | 176,052* | 224,801* |
| Ratio (%) | 41% | 50% |

Table 1. The number of resolved and unresolved court cases
* Note: this represents the number of unresolved cases at the end of 2020 and 2021

Backlog cases

In 2020, courts inherited 143,728 backlog (unresolved) cases from previous years. In 2021, this number increased to 174,275.¹³ There was a 21% increase in the number of backlog cases in 2021.¹⁴ **No progress**

| Year | 2020 | 2021 |
|---------------|---------|---------|
| Backlog Cases | 143,728 | 174,275 |
| Ratio (%) | | 21% |

Table 2. The number of backlog cases

Evidently, the courts had a higher resolving rate in 2021, but they performed worse in resolving backlog cases compared to 2020.

Application of Case Management Information Systems (CMIS)

The application of the Case Management Information System (CMIS) is at an advanced stage. CMIS is intended to increase transparency and efficiency in the judicial system by making the data on court cases available to the public and simplifying case flow management.¹⁵ While most courts are already using the system, including the Court of Appeals, Supreme Court, Appeals Prosecution and the Chief State Prosecutor Office are working on the full application of CMIS.¹⁶

CMIS is used in all types of cases including criminal, civil, economic, administrative and minor offences and at all court levels, the Supreme Court, the Court of Appeals and the basic court. The system is in the final stage of development and testing in the Special Chamber of the Supreme Court and its implementation is to commence in the second half of 2022.¹⁷

In addition, ICT/CMIS Project trainers have trained court staff on the use of the CMIS system. There are 372,449 cases registered in the system; of which 172,113 are resolved and 200,336 are unresolved. COVID-19 has caused delays in the full implementation of the system.¹⁸ **Good progress**

¹¹ KJC, Statistical Report on Courts, 2020.

¹² KJC, Statistical Report on Courts, 2021.

¹³ Annual Statistical Report of the Courts, 2020.

¹⁴ Annual Statistical Report of the Courts, 2021.

¹⁵ For more on CMIS, see <https://www.img-int.org/project/case-management-information-system-NOR107>.

¹⁶ European Commission, Kosovo Country Report, 19 October 2021.

¹⁷ Balkans Group interview with an official from Kosovo Judicial Council, Prishtina, February 2022.

¹⁸ Balkans Group interview with an official from Kosovo Judicial Council, Prishtina, January 2022.

International legal cooperation

In 2020, the Ministry of Justice (MoJ) did not sign any international legal cooperation agreements with other countries, which, according to its officials, was due to COVID-19. However, three agreements were signed in 2021.¹⁹ **Very good progress**

Some progress was made in efficiency and effectiveness in 2021.

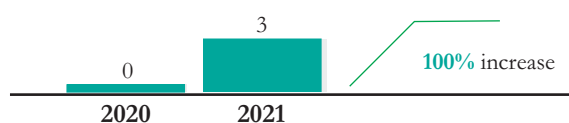


Fig 1. The number of international legal agreements signed²⁰

b) Independence and Impartiality

Means of assessing the independence and impartiality of the judiciary include:

- *public confidence in the work of the judiciary (courts and Prosecutor's Office);*
- *impartiality of judges/prosecutors - the ratio between the number of cases resolved by Appeals Court and the number of appeals made;*
- *tenure of judges/prosecutors - the number of judges and prosecutors appointed for fixed terms.*

Public confidence in the work of the judiciary

In 2021, courts received the highest levels of public satisfaction ever recorded by Public Pulse in Kosovo, with 34.6% of respondents satisfied with their work.²¹ This is used as a proxy for confidence in the work of the judiciary.

Satisfaction levels with the Office of the Prosecutor recorded in 2021 (30.8%) were also higher than in 2020 (22.7%).²² The public satisfaction with the work of the courts increased by 44.8% and public satisfaction with the work of the Prosecutor's Office increased by 35.7%. **Limited progress**

| Year | Courts | | Prosecution | |
|---------------------|--------|-------|-------------|-------|
| | 2020 | 2021 | 2020 | 2021 |
| Satisfaction levels | 23.9% | 34.6% | 22.7% | 30.8% |
| Ratio (%) | | 44.8% | | 35.7% |

Table 3. Public satisfaction with courts and prosecution

The progress, among other factors, can be attributed to the launch of the Kosovo Judicial Council's Performance Dashboard in 2020, which provides public access to court and performance (of individual judges) data.

The increased awareness of the courts' work and judges' performance, might have increased trust in the work of the judiciary.²³ Overall, the transparency of the justice system and public access to information greatly affect citizens' trust in judicial institutions.²⁴

¹⁹ Balkans Group interview with an official from the Ministry of Justice, Prishtina, January 2022.

²⁰ Note: The three agreements signed in 2021 include an agreement with Italy on the transfer of convicted persons, an agreement with North Macedonia on international legal aid on civil matters as well as an agreement with Albania.

²¹ UNNP Public Pulse Brief XXI at <https://www.undp.org/kosovo/publications/public-pulse-brief-xxi>.

²² UNDP Public Pulse Brief XX, 28 July 2021, at <https://www.undp.org/kosovo/publications/public-pulse-brief-xx>.

²³ USAID New online dashboard advances judicial transparency, 5 June 2020, at <https://www.usaid.gov/kosovo/news-information/news/new-online-dashboard-advances-judicial-transparency>.

²⁴ Balkans Group report, Kosovo's judiciary failure to communicate to the public, July 2019.

Impartiality of judge/prosecutors

In 2021, the Court of Appeals received 20,340 cases/appeals, of which 16,087 were resolved.²⁵ In 2020, the court received 14,219 cases, of which 15,048 were resolved. In 2020, the court resolved old cases transferred from 2019.²⁶ The Court of Appeals had a higher success rate (105%) in 2020 when it managed to resolve 79% of the cases it received. **No progress**

| Year | 2020 | 2021 |
|----------------|--------|--------|
| Appeals Made | 14,219 | 20,340 |
| Resolved Cases | 15,048 | 16,087 |
| Ratio (%) | 105% | 79% |

Table 4. The number of appeals made and cases resolved by the Court of Appeals

Tenure of judges/prosecutors

Based on the Constitution of Kosovo, Article 105 ‘*The initial mandate for judges shall be three years. The reappointment mandate is permanent until the retirement age as determined by law or unless removed in accordance with law*’. However, there is no data available on the tenure of judges/prosecutors (for the reporting period) to show the implementation of this provision in practice. **No progress**

No progress was made in independence and impartiality in 2021.

c) Accountability

The means of assessing the accountability of judges and prosecutors include:

- *performance monitoring for judges;*
- *discipline;*
- *performance monitoring for prosecutors; and*
- *publicly available reports on court spending.*

Performance monitoring for judges

Kosovo has performance guidelines and monitoring mechanisms in place to hold judges accountable for potential delays, case backlog and/or absenteeism. There is a Commission for the Evaluation of Judges’ Performance which is made up of 12 members representing various courts, and a chairman elected from among the members of KJC.²⁷

The Commission evaluates the performance of judges with a permanent mandate, judges with an initial mandate and those who are candidates for promotion. Judges elected for a new mandate are evaluated at the end of the initial 12-month training and their evaluation is based on the knowledge gained during the training. Permanent judges are randomly evaluated.²⁸ **Very good progress**

Discipline

Based on international standards, judges enjoy the security of tenure and are not subject to arbitrary removal from office, as a prerequisite for an independent judiciary.²⁹ Legal provisions in Kosovo meet these standards. More specifically, ‘*the President of the Republic of Kosovo based on a proposal by the respective Council shall decide to dismiss a judge or prosecutor and the proposal for dismissal by the*

²⁵ KJC, Statistical Report on Courts, 2021.

²⁶ KJC, Statistical Report on Courts, 2020.

²⁷ Ibid.

²⁸ Commission for the evaluation of the performance of judges, at <https://www.gjyqesori-rks.org/komisioni-per-vleresimin-e-performances-se-gjyqtareve/?r=M&tabId=0>.

²⁹ European Court of Human Rights, Strengthening the confidence in the judiciary, 2019, at https://www.echr.coe.int/Documents/Seminar_background_paper_2019_ENG.pdf.

respective Council should only be made in cases of a serious criminal offence, an international violation of law, or for serious neglect of duties by a judge or prosecutor'.³⁰ **Very good progress**

Performance monitoring for prosecutors

The Commission for Evaluation of Prosecutors' Performance evaluates the performance of prosecutors.³¹ In 2021, the Ministry of Justice (MoJ) drafted a concept document as the basis for the vetting of judges and prosecutors.³² **Very good progress**

Publicly available reports on court spending

Making court spending reports public can be a mechanism for increasing transparency and accountability in the justice system. The Kosovo Judicial Council (KJC) and the Kosovo Prosecutorial Council (KPC) publish general budgetary data in their annual reports (including wages and salaries, goods and services, utilities and capital outlays), but they are not sufficiently detailed. **Some progress**

Good progress was made in accountability in 2021.

d) Transparency

The means of assessing the transparency of the judiciary include:

- publication of annual reports (on the work of courts, prosecution, KPC and KJC);
- nature of complaints and how they were solved; and
- court proceedings' openness to the public.

Publication of annual reports (on the work of courts, prosecution, KPC and KJC)

The annual reports for 2020 and 2021 were published.³³ The KJC has also published the Annual Statistical Report of Courts for 2020 and 2021.³⁴ **Very good progress**

Nature of complaints and how they were solved

In 2020, KJC handled 135 complaints against judges, of which 126 were classified as unfounded and were dismissed.³⁵ In 2020, KJC handled 20 new complaints against judges, of which two were dismissed, 13 were completed, and 5 were still ongoing. As a result of investigative procedures, KJC suspended one judge on the grounds of a criminal offence accusation, issued two non-public written reprimands, and one written public reprimand. For three judges, KJC imposed penalties with reduced salaries for an undefined period.³⁶

In 2021, the KJC handled 121 complaints against judges, of which 106 were classified as unfounded and were dismissed.³⁷ In 2021, KJC handled 11 new complaints, of which 8 were handled and the rest were transferred to 2022. From the investigative procedures, KJC issued three non-public written reprimands, four public reprimands in writing, and one disciplinary violation. Also, KJC imposed one penalty with a reduced salary and a permanent transfer for one judge. In 2021, no judge was suspended or fired from their job as a result of these complaints.

³⁰ See Article 8 of the Law No. 06/L-057 on Disciplinary Liability of Judges and Prosecutors, at <https://md.rks-gov.net/desk/inc/media/9C0BBF11-ECCE-407B-B070-C1105A070746.pdf>.

³¹ See Regulation No. 05/2020 on the evaluation of prosecutors' performance, at <https://prokuroria-rks.org/assets/cms/uploads/files/Dokumente%20Publikime/KPK/Legjislacioni/rregullore/Rregullore%20Nr.05.2020%20për%20Vlerësimin%20e%20Performancës%20së%20Prokurorëve.pdf>.

³² European Commission, Kosovo Country Report, 19 October 2021.

³³ KJC, Work Report, 2021 and KGJK, Work Report, 2020.

³⁴ KJC, Statistical Report on Courts, 2021 and KCJ, Statistical Report on Courts, 2020.

³⁵ Note: this includes complaints from 2019 as well which were passed on to 2020.

³⁶ KJC, Annual Work Report, 2020.

³⁷ KJC, Annual Work Report, 2021.

| Year | 2020 | Ratio (%) | 2021 | Ratio (%) | Increase in handled complaints |
|----------------------|------|-----------|------|-----------|--------------------------------|
| New complaints | 20 | | 11 | | |
| Handled complaints | 13 | 65% | 8 | 72,7% | 11,8% |
| Unhandled complaints | 5 | 38,4% | 3 | 37,5% | |

Table 5. The number of complaints against judges

Not all courts publish information about the nature of complaints against judges and how they were resolved. For instance, while the Basic Court in Prishtina does, the Basic Court in Mitrovica does not.³⁸ There was an increase of 11.9% in handling complaints against judges. **Limited progress**

Court proceedings' openness to the public

The court proceedings should be open to the public, which is not always the case in practice.³⁹ Public access to court hearings, information on specific cases, and court and prosecutorial decisions, especially indictments, are often challenging.

Most of the hearings are held in the judges' offices. The institutions' websites do not provide complete content in all official languages.⁴⁰ Moreover, some judges close criminal hearings to the public arbitrarily (in violation of the law) hence activating accountability mechanisms is necessary.⁴¹ COVID-19 had a detrimental effect on both the holding of court hearings and public access to those hearings.⁴² It led to non-attendance and adjournment of hearings, resulting in protracted court proceedings, protracted trials and prescription.⁴³

Between March and August 2020, only urgent hearings took place, such as cases of domestic violence and detention issues.⁴⁴ Public access to hearings was also sanctioned by the KJC's decisions 52/2020 and 85/2020.⁴⁵ In a few cases, virtual sessions took place; in the Basic Courts of Ferizaj and Gjakova in 2020.⁴⁶

The situation slightly changed in 2021 with the government liberalising COVID-19 restrictions. From June 2019 to July 2021, 26 cases -all related to corruption- did not take place because of judges' and prosecutors' absence.⁴⁷ **No progress**

Some progress was made in transparency in 2021.

e) Access to Justice

The means of assessing access to justice include:

- *provision of free legal aid;*
- *provision of shelter to women victims of domestic violence; and*
- *marginalised groups (LGBTIQ+ and minorities).*

³⁸ For more, see <https://prishtine.gjyqesori-rks.org/vendimet-disiplinore/?r=M&cYear=2021> and <https://mitrovica.gjyqesori-rks.org/vendimet-disiplinore/?r=M&cYear=2022>.

³⁹ Law No. 06/L-054 on Courts, at <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18302> and Law No. 03/L-006 on Contested Procedure, at <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2583>.

⁴⁰ Ministry of Justice, Strategy on Rule of Law 2021-2026, July 2021.

⁴¹ Kosovo Law Institute, Unlawful and arbitrary closure of court hearings to the public regarding criminal cases, August 2019, at <https://kli-ks.org/en/unlawful-and-arbitrary-closure-of-court-hearings-to-the-public-regarding-criminal-cases/>.

⁴² European Commission, Kosovo Country Report, 19 October 2021.

⁴³ ÇOHU, Pandemic Justice: Court monitoring report September 2019 – August 2020, at http://cohu.org/repository/docs/14_-_Pandemi_ne_drejtisi_-_ENG_-_02_449668.pdf.

⁴⁴ Ekonomia Online, Failure to hold sessions caused losses to lawyers, they worked with special permits, 3 March 2021, at <https://ekonomiaonline.com/uncategorized/mosmbajta-e-seancave-u-shkaktoi-humbje-avokateve-punuan-me-leje-te-vecanta/>.

⁴⁵ EULEX, Special report on the impact of COVID-19 in the rule of law in Kosovo: evaluation and recommendations for March 2020 - March 2021, May 2021, at <https://www.eulex-kosovo.eu/eul/repository/docs/Covid%20Report%20AL.pdf>.

⁴⁶ USAID, Kosovo successfully holds its first online court hearing, 10 August 2020, at <https://www.usaid.gov/sh/kosovo/news-information/news/kosovo-successfully-holds-its-first-online-court-hearing>.

⁴⁷ ROLPIK, Judges and prosecutors in annual leave, 26 corruption cases fail, 16 July 2021, at <https://www.rolpik.org/gjyqtaret-dhe-prokuroret-ne-pushime-vjetore-deshtojne-26-seanca-gjyqesore-te-korrupsionit/>.

Provision of free legal aid

In 2020, the Agency for Free Legal Aid handled 5246 cases, of which 1856 were closed, 3390 were ongoing, and 3 were reopened.⁴⁸ In 2021, the Agency handled 4597 cases, of which 1256 were closed and 3341 were in process.⁴⁹ The Agency handled 22.9% fewer complaints in 2021. **No progress**

| Year | 2020 | Ratio (%) | 2021 | Ratio (%) | Increase in the number of closed cases |
|--------------------------------------|-------------|-------------|-------------|-------------|--|
| Closed | 1,856 | 35,4% | 1256 | 27,3% | - 22,9% |
| In Process | 3,390 | 64,6% | 3341 | 72,7% | |
| Other (re-opened) | 3 | 0,06% | 0 | 0 | |
| Total nr. of cases (requests) | 5246 | 100% | 4597 | 100% | |

Table 6. The number of cases (requests) on free legal aid

Provision of shelter to women victims of domestic violence

In 2020, 2069 cases of domestic violence against women were reported, whereas 2432 cases were reported in 2021.⁵⁰

Moreover, in 2020, 751 individuals requested and were provided shelter, of which 630 women and 121 children. In 2021, 595 individuals requested shelter, of which 311 women and 284 children. All individuals who requested, were provided shelter.⁵¹ **Very good progress**

| Year | 2020 | Ratio (%) | 2021 | Ratio (%) | Increase in provided shelters |
|--------------------------------|------------|-------------|------------|-------------|-------------------------------|
| Women | 630 | 83,9% | 311 | 52,3% | |
| Children | 121 | 16,1% | 284 | 47,7% | |
| Total requested shelter | 751 | 100% | 595 | 100% | |
| Total provided shelter | 751 | 100% | 595 | 100% | 100% |

Table 7. The number of individuals who requested and were provided shelter

Marginalised groups (Minorities and LGBTIQ+)

In 2020, 3 crimes were reported against members of vulnerable groups (LGBTIQ+). In 2021, 8 crimes were reported, of which 7 were sent to prosecution and 1 is still under investigation.⁵² As such, 12.5% fewer cases were brought before justice in 2021.

| Year | 2020 | 2021 |
|---|-------------|---------------|
| Reported Cases | 3 | 8 |
| Brought before justice | 3 | 7 |
| Increase in cases brought before justice | 100% | 87,5% |
| Ratio (%) | | -12,5% |

Table 8. The number of Cases Against member of the LGBTIQ+ community brought before justice

As for the minority communities, in 2020, 11 crimes against them were reported. In 2021, 14 cases were reported, 8 of which were sent to prosecution and 6 were still under investigation.⁵³ As a result, 43% fewer cases were brought before justice in 2021 compared to the past year (2020). **No progress**

⁴⁸ See Agency for Free Legal Aid, Division of cases according to the body to which the legal request was addressed, at <https://anjf.rks-gov.net/page.aspx?id=1,18>.

⁴⁹ See Agency for Free Legal Aid at <https://anjf.rks-gov.net/desk/inc/media/EE8A5FB2-9F35-4A83-B842-20B2B03B2195.pdf>.

⁵⁰ Annual Work Report of the Kosovo Police, January-December 2021.

⁵¹ Balkans Group interview with an official from Kosovo Police, Prishtina, February 2022.

⁵² Ibid.

⁵³ Balkans Group interview with an official from Kosovo Police, Prishtina, February 2022.

| Year | 2020 | 2021 |
|--|------|------|
| Reported Cases | 11 | 14 |
| Brought before justice | 11 | 8 |
| Increase in cases brought before justice | 100% | 57 |
| Ratio (%) | | -43% |

Table 9. The number of cases against minority communities brought before justice

Limited progress was made in access to justice in 2021.

f) Administration of Justice

The means of assessing the administration of justice include:

- *number of judges and prosecutors;*
- *women's representation (% of women judges and prosecutors);*
- *professional staff (in courts and prosecution);*
- *KJC and KPC management; and*
- *budgetary resources.*

Number of Judges and Prosecutors

The number of judges and prosecutors in 2021 was less than in 2020. In 2021, there were 396 judges, whereas in 2020 there were 417.⁵⁴ This represents a decrease of 5% in the number of judges in 2021.

In 2021 Kosovo had 182 prosecutors, whereas, in 2020, this number was 190.⁵⁵ This represents a decrease of 4% in the number of prosecutors in 2021. **No progress**

On average, the number of new cases assigned to one judge per month varies between 9 in the Supreme Court to 60 in Basic Courts.⁵⁶

| Year | 2020 | 2021 | Ratio (%) |
|-----------------------|------|------|-----------|
| Number of judges | 417 | 396 | -5% |
| Number of prosecutors | 190 | 182 | -4% |

Table 10. The number of judges and prosecutors

Women's representation

In 2020, of 417 judges, 142 were women. In 2021, of 396 judges, 132 were women. Compared to 2020, the percentage of women judges has decreased by 2.9%. **No progress**

| Year | 2020 | | Total | 2021 | | Total |
|--------------------------|------|-------|-------|------|-------|-------|
| | Men | Women | | Men | Women | |
| Number of Judges | 275 | 142 | 417 | 264 | 132 | 396 |
| Ratio (%) | 66% | 34% | 100% | 67% | 33% | 100% |
| Increase in women judges | | | | | 2,9% | |

Table 11. The number of women judges

⁵⁴ KJC, Annual Statistical Report of Courts 2021 and KJC, Annual Statistical Report of Courts 2020.

⁵⁵ Balkans Group interview with an official from the Secretariat of Kosovo Prosecutorial Council, Prishtina, February 2022.

⁵⁶ KJC, Annual Statistical Report of Courts, 2021.

In 2020, of 190 prosecutors, 79 were women (42% women). Of 182 prosecutors in 2021, 78 were women (43%).⁵⁷ Compared to 2020, the percentage of women prosecutors increased slightly (2.4%). **Limited progress**

| Year | 2020 | | Total | 2021 | | Total |
|-------------------------------|------|-------|-------|------|-------|-------|
| | Men | Women | | Men | Women | |
| Number of Prosecutors | 111 | 79 | 190 | 104 | 78 | 182 |
| Ratio (%) | 58% | 42% | 100% | 57% | 43% | 100% |
| Increase in women prosecutors | | | | | 2,4% | |

Table 12. The number of women prosecutors

Professional staff (in courts and prosecution)

In 2020 the number of professional staff in courts was 1091, of which 156 were professional associates and 390 were legal officers. In 2021 the number of professional staff was 1111, of which 171 were professional associates, and 388 were legal officers.⁵⁸ **Limited progress**

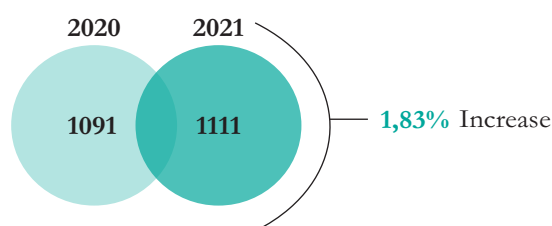


Fig 2. The number of professional staff in courts

The number of professional staff in the prosecutorial system in 2021 was 621.⁵⁹ In 2020, the number was 613.⁶⁰ The professional staff increased by a slight 1.3% in 2021. **Limited progress**

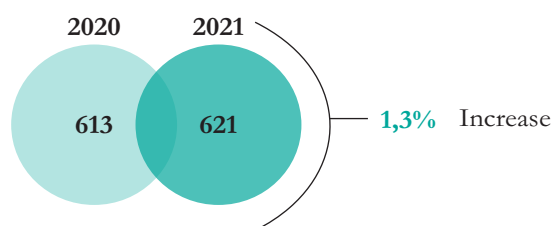


Fig 3. The number of professional staff in prosecution

KJC and KPC Management

The 2 remaining members of the KPC, one representative from civil society and one from the Chamber of Advocates, were not elected. For the CSO representative, the call was issued several times in 2020 and 2021 but not enough candidates applied. No candidate was also nominated by the Chamber of Advocates.⁶¹ A judge from the minority communities was elected to the KPC on 21 January.⁶² **Some progress**

Budgetary Resources

KJC has budget forecasts outlining the main expenditures and sources of financing. The last budget forecast for 2019-2021 stood at EUR 29,980,000; the same amount for both 2020 and 2021.⁶³ **Very good progress**

⁵⁷ Balkans Group interview with an official from Secretariat of Kosovo Prosecutorial Council, Prishtina, February 2022

⁵⁸ Ibid

⁵⁹ Balkans Group interview with an official from the Secretariat of Kosovo Prosecutorial Council, Prishtina, February 2022.

⁶⁰ KPC, Report of work for 2020.

⁶¹ Balkans Group interview with an official from the Committee on Legislation, Assembly of Kosovo, Prishtina, January 2022.

⁶² KJC, Assembly elects the member of KJC from the non-majority community, 21 January 2022, at <https://www.gjyqesori-rks.org/2022/01/21/kuvendi-zgjedh-anetarin-e-kgjk-se-nga-radhet-e-komunitetit-jo-shumice/>.

⁶³ KJC, Framework on Mid-term expenses 2019-2021, at https://www.gjyqesori-rks.org/wp-content/uploads/reports/KGJK_KORNIZA_AFATMESME_SHPENZIMEVE_2019-2021_26_02_2019.pdf.

The Committee on Budget, Finance and Personnel of the KPC conducted eight working meetings in 2020, during which it reviewed and approved: the Financial Report for 2019, the Budget Request of the KPC for 2020 and Early Estimates for the 2021-2022 Budget, Medium Term Expenditure Framework 2021-2023, Budget Demand for 2021, Early Estimates 2020-2023, and Budget Review for 2020.⁶⁴ **Very good progress**

Limited progress was made in administration of justice in 2021.

g) Legal Framework

The means of assessing the legal framework with regard to judiciary include:

- *Rule of Law Strategy and Action Plan; and*
- *KPC and KJC Strategic Plans.*

Rule of Law Strategy and Action Plan

The Functional Review of the Rule of Law Sector resulted in a Rule of Law Strategy and Action Plan which were adopted in August 2021.⁶⁵ The Strategy and Action Plan include specific measures aiming to improve the institutional framework against corruption, the assets declaration system and regulations on the acceptance of gifts.

The implementation of the Strategy commenced in January 2022. The Steering Committee held its first meeting, in which the MoJ provided information on the finalisation of the Code of Criminal Procedure, the finalisation of the Law on Commercial Court, the preparation of laws related to the execution of criminal sanctions, regulation and the appointment of the official responsible for whistle-blowing in the MoJ, finalisation of the Law on Declaration of Assets and Law on the Anti-Corruption Agency, activities for the prevention of domestic violence, by-laws on mediation, and collection of data on the efficiency of the system according to European Commission for the Efficiency of Justice (CEPEJ) methodology.⁶⁶ **Very good progress**

KPC and KJC Strategic Plans

The KJC developed a Strategic Plan for 2020-2022, and the KPC has one for the period of 2019-2021.⁶⁷ A working group has begun work to draft the new Kosovo Prosecutorial Council Strategic Plan for 2022-2024.⁶⁸

For the reporting period, no action was taken to monitor the implementation of the Strategic Plan. KJC has incorporated the requirements arising from its 2020-2021 Strategic Plan in the form of activities in the annual work plan. To evaluate the implementation of the activities foreseen in the work plan, KJC will prepare a comprehensive report in 2022.⁶⁹ - **No data to measure progress**

The level of progress in legal framework - Very good progress.

⁶⁴ KPC, Report of work for 2020.

⁶⁵ Ministry of Justice, Strategy on Rule of Law 2021-2026.

⁶⁶ KJC, The first meeting of the Committee is held after the adoption of the Rule of Law Strategy, 31 January 2022, at <https://www.gjyqesori-rks.org/2022/01/31/mbahet-takimi-i-pare-i-komitetit-drejtues-pas-miratimit-te-strategjise-per-sundimin-e-ligjit/>; and Ekonomia Online, The first meeting of the Committee is held, at <https://ekonomiaonline.com/politike/mbahet-takimi-i-pare-i-komitetit-drejtues-te-strategjise-per-sundimin-e-ligjit/>.

⁶⁷ KJC, Strategic Plan 2020-2022, 26 February 2022.

⁶⁸ ROLPIK, The working group for drafting the Strategic Plan for the Prosecutorial System in Kosovo for 2022-2024 is established, 29 June 2021, at <https://www.rolpik.org/themelohet-grupi-punues-per-hartimin-e-planit-strategjik-te-sistemit-prokurorial-te-kosoves-per-periudhen-2022-2024/>.

⁶⁹ Balkans Group interview with an official from the Kosovo Judicial Council, Prishtina, October 2022.

| Judiciary | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-------------------------------|-------------|------------------|---------------|---------------|--------------------|
| Efficiency and Effectiveness | | | ✓ | | |
| Independence and Impartiality | ✓ | | | | |
| Accountability | | | | ✓ | |
| Transparency | | ✓ | | | |
| Access to Justice | | ✓ | | | |
| Administration of Justice | | ✓ | | | |
| Legal Framework | | | | | ✓ |
| The Overall Progress | | | ✓ | | |

The overall progress for the Judiciary

Some progress was made in Judiciary in 2021.

2. Fight against corruption

Along with an effective and independent judiciary, the fight against corruption is a key component when measuring a country's progress in the rule of law area. As corruption undermines RoL and the stability of democratic institutions, a solid legislative framework and reliable institutions are required to underpin a coherent policy of prevention and deterrence of corruption.⁷⁰

The fight against corruption is placed under Pillar I: Good Governance and Rule of Law, of the ERA II. Among others, the focus is on facilitating the process of tackling cases of high-level level corruption, reducing the effect of the global pandemic on court hearings that treat criminal trials, and adopting and fully implementing legislation on high-level corruption in line with the Venice Commission's opinions.⁷¹ In addition, the fight against corruption is placed under Block I: Political Criteria in the Government's NPISAA.⁷²

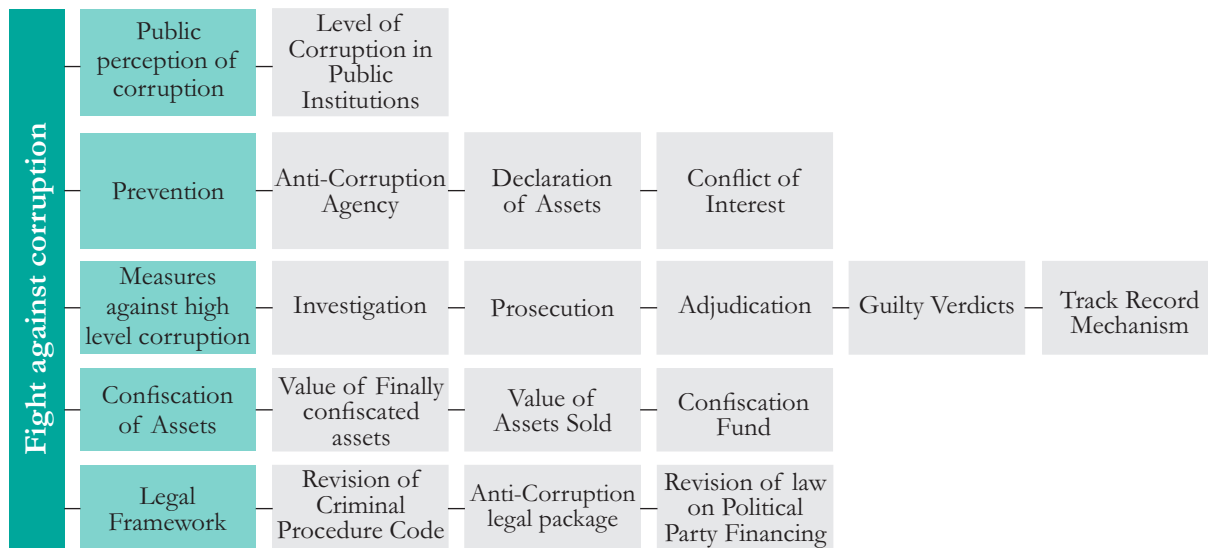
To assess whether Kosovo has achieved progress in meeting the fight against corruption criteria, these sub-indicators were used:

- a) *public perception of corruption*- information on the perception regarding the level of corruption in public institutions;
- b) *prevention*- data on conflict of interest cases, declaration of assets by politicians, and anti-corruption agency activities;
- c) *measures against high-level corruption*- information on the investigation, prosecution, adjudication, guilty verdicts, and track record mechanisms;
- d) *confiscation of assets*- data on confiscation funds, the value of confiscated assets and value of assets sold; *and*
- e) *legal framework*- whether laws and strategies have been adopted and/or are being implemented.

⁷⁰ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

⁷¹ Kosovo-European Reform Agenda (ERA) II, 2020.

⁷² Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.



Fight against corruption and its sub-indicators

a) Public perception of corruption

The means of assessing the public perception of corruption include:

- *level of corruption in public institutions.*

Level of corruption in public institutions

The corruption perception index (CPI) score for Kosovo in 2020 was 36, whereas in 2021 it was 39. This represents an increase of 8% in the CPI index in 2021 compared to the previous year.⁷³

Limited progress

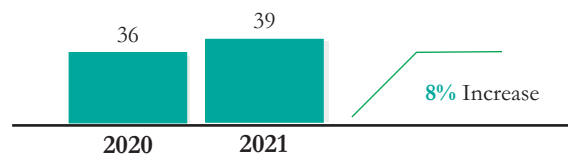


Fig 4. Corruption Perception Index (CPI) scores

Compared to other countries in the region, Kosovo and Montenegro have made progress in their perceived levels of corruption; Kosovo is ranked 87th, Montenegro is the 64th, and other countries of the region fall behind. Yet, the average CPI score for the WB is still lower (38.6) compared to the EU average (64) or the global average (43).⁷⁴

Limited progress was made in public perception of corruption in 2021.

b) Prevention

The means of assessing the prevention of corruption include:

- *the Kosovo Anti-Corruption Agency (ACA)-* or the number of cases dealt with by ACA;
- *the declaration of assets (by officials); and*
- *conflict of interest-* or the number of corruption-related cases sent for further criminal investigation.

⁷³ Transparency International, Corruption Perception Index: Kosovo, 2021, at <https://www.transparency.org/en/cpi/2020/index/ksv>.

⁷⁴ European Western Balkans, Transparency International 2021 CPI: Progress, stagnation and backsliding in the Western Balkan Countries, 27 January 2022, at <https://europeanwesternbalkans.com/2022/01/27/transparency-international-2021-cpi-progress-stagnation-and-backsliding-in-the-western-balkan-countries/>.

Anti-Corruption Agency (ACA)

In 2021, the number of cases dealt with by the Kosovo Anti-Corruption Agency was 374.⁷⁵ In 2020, this number was 313, which marks a 19% increase.⁷⁶ **Limited progress**

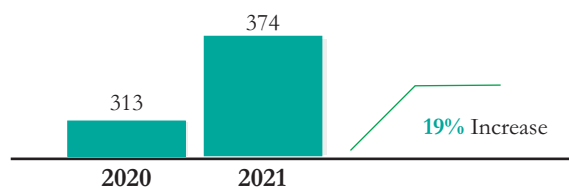


Fig 5. The number of cases deal by ACA

Since 2018, Kosovo does not have an Anti-Corruption Strategy in place. The Anti-Corruption Strategy and Action Plan 2018-2022 were finalised and approved by the government, but not adopted yet. Moreover, the Anti-Corruption Strategy and Action Plan 2021-2023 were not sent to the assembly for approval.⁷⁷

Declaration of assets

All senior public officials have to declare their assets to the ACA.⁷⁸ In 2021, out of 4892 officials, 4783 or 98% declared their assets.⁷⁹ In 2020, out of 4721 senior public officials, 4625 or 98% declared their assets.⁸⁰ Although the number of officials declaring assets is high in both years, no progress is reported for 2021. **No progress**

| Year | 2020 | 2021 |
|--|------|------|
| Number of Public Officials obliged to declare the assets | 4721 | 4892 |
| Number of officials declaring assets | 4625 | 4783 |
| Ratio (%) | 98% | 98% |

Table 13. Declaration of Assets

The following shortcomings are present in the system for declaring and assessing the origin of property belonging to senior public officials, which include: insufficient staff, the need for increased IT resources and training, the introduction of an electronic system for asset declaration, and the need to increase transparency and accuracy in the process of monitoring and verification.⁸¹

Conflict of interest

In 2020, the Kosovo Anti-Corruption Agency handled 313 cases, of which 179 were new and 124 were transferred from the previous year. Out of these, 124 cases were referred to Kosovo Police and the Prosecution Office for further investigation, 16 were submitted to competent administrative bodies for initiation of the disciplinary proceeding, 112 were closed and 61 cases remained ongoing.⁸²

In 2021, ACA investigated 375 cases, of which 61 were carried over from previous years and 314 were new. Out of these, 150 were referred to the Prosecution Office and Police for further investigation, 2 to competent administrative bodies for initiation of the disciplinary proceeding, 71 cases were closed, and 152 cases were ongoing.⁸³ The percentage of closed cases in 2021 decreased by 47.1%. **No progress**

⁷⁵ Balkans Group interview with an official from the Anti-Corruption Agency, Pristina, February 2022.

⁷⁶ Anti-Corruption Agency, Annual Work Report 2020, March 2021.

⁷⁷ European Commission, Kosovo Country Report, 19 October 2021.

⁷⁸ Assembly of Kosovo, Law No. 04/L-050 on Declaration, Origin and Control of Property of Senior Public Officials and one Declaration, Origin and Control of Gifts of all Public Officials, at <http://old.kuvendikosoves.org/common/docs/ligjet/Law%20on%20declaration%20of%20property%20of%20senior%20public%20officials.pdf>.

⁷⁹ ACA, From 4892 officials, 4783 have declared their assets in accordance with the Law on the Declaration of Assets, 27 April 2021, at https://www.akk-ks.org/lajmi_i_plote/49337.

⁸⁰ Anti-Corruption Agency, Annual Work Report 2020.

⁸¹ European Commission, Kosovo Country Report, 19 October 2021.

⁸² Anti-Corruption Agency, Annual Work Report 2020.

⁸³ Anti-Corruption Agency, Annual Work Report 2021.

| Year | 2020 | Ratio (%) | 2021 | Ratio (%) | Increase in closed cases |
|---------------------------|------|-----------|------|-----------|--------------------------|
| Criminal Reports | 124 | 39,6 | 150 | 40 | |
| Administrative Violations | 16 | 5,1 | 2 | 0,53 | |
| Closed Cases | 112 | 35,8 | 71 | 18,93 | -47,1% |
| Cases under Proceedings | 61 | 19,5 | 152 | 40,53 | |
| Total | 313 | 100% | 375 | 100% | |

Table 14. Actions of ACA in cases of conflict of interest

No progress was made in prevention of corruption in 2021.

c) Measures against high-level corruption

The means of assessing measures against high-level corruption include:

- *investigation;*
- *prosecution;*
- *adjudication;*
- *guilty verdicts (in relation to high-level corruption cases); and*
- *track record mechanism - or whether the mechanism has included all high-level corruption cases.*

Investigation

The State Prosecutor has a database that contains information on registered cases of organised crime and high-level corruption. The database includes data on 79 high-profile cases of organised crime and corruption.

In 2021, 10 new cases of high-level corruption were registered, and 7 indictments were made.⁸⁴ In 2020, 8 cases were registered and 10 indictments were made.⁸⁵ This represents a 25% increase in registered cases of high-level corruption. **Limited progress**

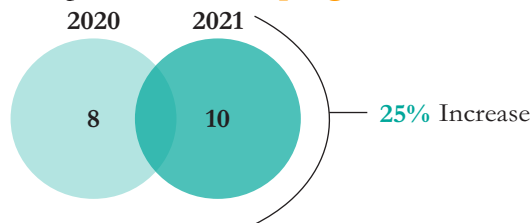


Fig 6. The number of registered high-level corruption case

Prosecution

In 2020, 10 high-level corruption cases were prosecuted, whereas, in 2021, 7 cases were prosecuted.⁸⁶ The prosecuted cases in 2021 dropped by 30% compared to the previous year. **No progress**

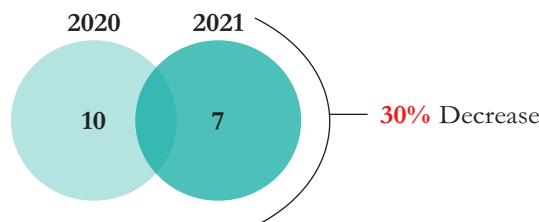


Fig 7. The number of prosecuted high-level corruption cases

⁸⁴ State Prosecutor, Report on the work of State Prosecutor for first six-month period 2021, August 2021.

⁸⁵ State Prosecutor. Report of work 2020, February 2021.

⁸⁶ The report on the work of States Prosecutor, August 2021.

Adjudication

No data was provided by the Kosovo Prosecutorial Council.

Guilty verdicts

No data was provided by the Kosovo Prosecutorial Council.

Track record mechanism

Establishing an inter-institutional track record mechanism to monitor and coordinate high-level corruption and organised crime cases has been a key requirement for monitoring Kosovo's progress in the area of RoL.⁸⁷

Initially, it included only high-level cases, but then it was extended to include all cases. In 2021, Kosovo did not make progress in including all corruption-related and organised crime cases in the inter-institutional track record mechanism. However, limited progress is recorded with the registering of one high-level organised crime case, bringing the overall number to 79.⁸⁸ **Limited progress**

No progress was made in measures against high-level corruption in 2021.

d) Confiscation of assets

The means of assessing the confiscation of assets include:

- *value of final confiscated assets;*
- *value of sold assets; and*
- *confiscation fund.*

Value of final confiscated assets

| Year | 2020 | 2021 |
|-----------------------------|-------------|-------------|
| Value of confiscated assets | 476,490 EUR | 731,236 EUR |
| Ratio (%) | | 53% |

Table 15. Value of confiscated assets

In 2020, the value of confiscated assets was EUR 476,490.⁸⁹ In 2021, this value reached EUR 731,236, which represents an increase of 53% from the previous year.⁹⁰ **Good progress**

Value of sold assets

In 2020, the value of assets sold was EUR 53,354.⁹¹ In 2021, the value of assets sold was EUR 105,397.26.⁹² This represents an increase of 97%. **Very good progress**

| Year | 2020 | 2021 |
|-----------------------------|---------------|----------------|
| Value of confiscated assets | 53,354.00 EUR | 105,397.26 EUR |
| Ratio (%) | | 97% |

Table 16. Value of assets sold

⁸⁷ GLPS, EU's Benchmarking Mechanism on Fundamentals First: Results and Challenges, February 2018.

⁸⁸ State Prosecutor, Report of work 2020, February 2021.

⁸⁹ Ibid.

⁹⁰ Balkans Group interview with an official from the Ministry of Justice, Prishtina, February 2022.

⁹¹ European Commission, Kosovo Country Report, 19 October 2021.

⁹² Balkans Group interview with an official from the Ministry of Justice, Prishtina, February 2022.

The Agency for the Management of Sequestered Assets struggles with managing the [1.6 million in 2020] assets in its portfolio, partially because courts do not allow the sale of assets.⁹³

Confiscation Fund

A Confiscation Fund -as required by the EU- has not been established. The fund is to allocate funds generated out of confiscated assets partly to law enforcement, prosecution, and courts and partly to social projects. A working group was formed, which drafted a concept document on the establishment of the Confiscation Fund. The concept document passed the preliminary and public discussion stage and is soon to be sent to the government for a decision.⁹⁴ **Some progress**

Some progress was made in confiscation of assets in 2021.

e) Legal framework

The means of assessing the legal framework regarding the fight against corruption include:

- *revision of Criminal Procedure Code;*
- *anti-corruption legal package - the Law on the Agency for the Prevention of Corruption and the Law on Asset Declaration; and*
- *revision of Law on Political Party Financing.*

Revision of Criminal Procedure Code (CPC)

The Criminal Procedure Code (CPC) has to be revised to amend the three-month hearing rule, which foresees that a trial has to restart if the hearing does not take place within three months. The Draft CPC (No. 08/L-032) was in principle approved in October 2021, following the approval in the respective committee.

The Code, however, was not formally revised and is still within the working group.⁹⁵ **Some progress**

Anti-Corruption Legal Package

Anti-corruption legal package refers to the adoption of Law on the Agency for Prevention of Corruption (Law no 08/L-107) and Law on Asset Declaration (Law No. 08/L-108). The Law on the Agency for Prevention of Corruption was adopted in principle by the Assembly on 20 September 2021, following the approval by the respective committee.

The law, however, was not formally revised and is still within the working group.⁹⁶ As regards the Law on Asset Declaration, no progress was reported in 2021.⁹⁷ **Some progress**

⁹³ European Commission, Kosovo Country Report, 19 October 2021.

⁹⁴ Balkans Group interview with an official from the Ministry of Justice, Prishtina, February 2022.

⁹⁵ Balkans Group interview with an official from the Committee on Legislation, Assembly of Kosovo, Prishtina, February 2022; and Assembly of Kosovo, Project Criminal Procedure Code, at <https://www.kuvendikosoves.org/shq/projektligjet/projektligji/?draftlaw=271>.

⁹⁶ Ibid., and Assembly of Kosovo, Draft Law Nr.08/L-017 on Kosovo Agency for Prevention of Corruption, at <https://www.kuvendikosoves.org/shq/projektligjet/projektligji/?draftlaw=255>.

⁹⁷ Balkans Group interview with an official from the Committee on Legislation, Assembly of Kosovo, Prishtina, February 2022.

Revision of the Law on Political Party Financing

Amending the Law on Political Party Financing is necessary for the reformation of the election process and is a requirement of the Venice Commission.⁹⁸ In December 2021, a series of public hearings took place, but the law was not adopted.⁹⁹ **Some progress**

| Fight Against Corruption | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|--|-------------|------------------|---------------|---------------|--------------------|
| Public Perception of corruption | | ✓ | | | |
| Prevention | ✓ | | | | |
| Measures Against high-level corruption | ✓ | | | | |
| Confiscation of Assets | | | | ✓ | |
| Legal Framework | | | ✓ | | |
| The overall Progress | | ✓ | | | |

The overall progress in the fight against corruption

Some progress was made in the legal framework in 2021.

3. Fight against organised crime

Along with the fight against corruption, the fight against organised crime is one of the key areas in which Kosovo's progress is measured considering that both can inhibit the rule of law. In the 2020 country report, Kosovo was considered to be at an early stage in the fight against organised crime.¹⁰⁰

The fight against organised crime is placed under Pillar I: Good Governance and Rule of Law within ERA II. Among other issues, the focus is on facilitating the process of tackling high-level organised crime cases, reducing the effect of the global pandemic on court hearings that treat criminal trials, and adopting and fully implementing legislation on high-level organised crime cases in line with the Venice Commission's opinions.¹⁰¹ In addition, the fight against organised crime is placed under Block I: Political Criteria in the NPISAA.¹⁰²

To assess whether Kosovo has made progress in meeting the fight against organised crime criteria, these sub-indicators were used:

- a) *level of organised crime*- information on the overall level of organised crime;
- b) *measures against organised crime*- information regarding the investigation, prosecution, adjudication, and guilty verdicts related to organised crime;
- c) *drugs/narcotics*- data on investigation, prosecution, adjudication, and guilty verdicts related to drugs/narcotics cases;
- d) *money laundering*- data on investigation, prosecution, adjudication, and guilty verdicts related to money laundering;
- e) *fight against terrorism and violent extremism*- information on the investigation, prosecution,

⁹⁸ European Commission, Kosovo Country Report, 19 October 2021, at https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en.

⁹⁹ Telegrafi, Debate on the Law on the Financing of Political Parties in Kosovo, 19 December 2021, at <https://telegrafi.com/debate-per-ligjin-mbi-financimin-e-partive-politike-ne-kosove/>.

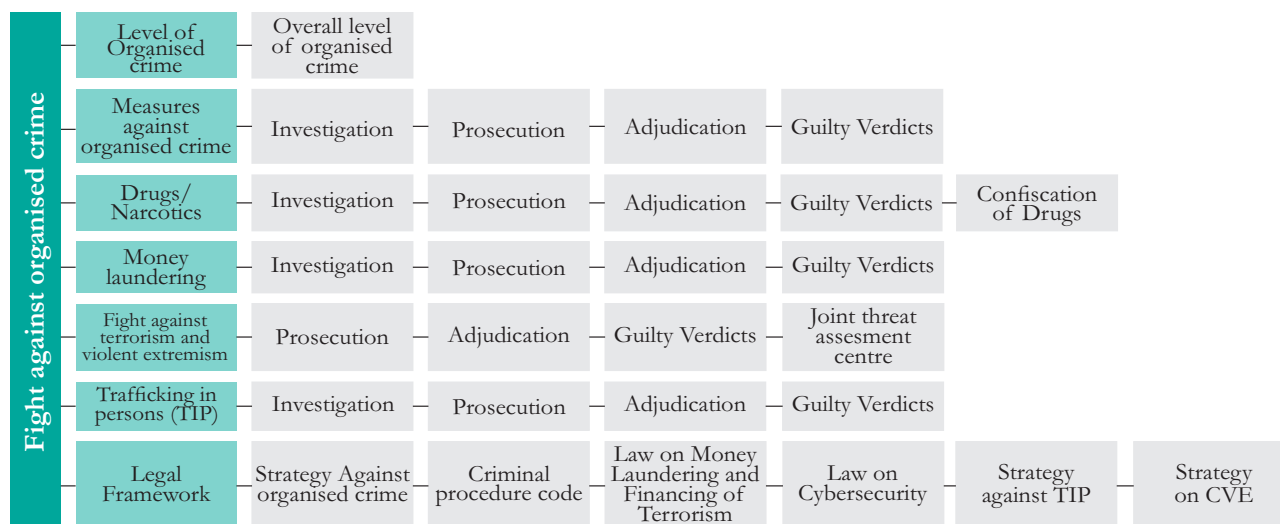
¹⁰⁰ European Commission, Kosovo Country Report, 19 October 2021, at https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en.

¹⁰¹ Kosovo-European Reform Agenda (ERA) II, 2020

¹⁰² Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016, at [National_Programme_for_Implementation_of_the_Stabilisation_and_Association_Agreement.pdf \(rks-gov.net\)](https://www.rks-gov.net/National_Programme_for_Implementation_of_the_Stabilisation_and_Association_Agreement.pdf).

adjudication, and guilty verdicts related to the fight against terrorism and violent extremism cases as well as the establishment of the Joint Threat Assessment Center;

- f) *trafficking in persons*- data on the investigation, prosecution, adjudication, and guilty verdicts related to trafficking; and
- g) *legal framework*- that is whether laws and strategies are being developed and implemented.



Fight against organised crime and its sub-indicators

a) Level of organised crime

The means of assessing the level of organised crime include:

- *the overall level of organised crime.*

Overall level of organised crime

Kosovo ranks quite high on the level of organised crime compared to other countries. In 2021, Kosovo had a 5.19 criminality score on the Global Organised Crime Index along with countries such as Guinea, Benin and Angola.¹⁰³ There is no data for 2020 on the Global Organised Crime Index to compare the progress.

b) Measures against organised crime

The means of assessing the measures against organised crime include:

- *investigation;*
- *prosecution;*
- *adjudication; and*
- *guilty verdicts.*

Investigation

In 2020, 8 new organised crime cases were registered. In 2021, the number reached 19. This marks an increase of 137% in the number of newly registered cases of organised crime.¹⁰⁴ **Very good progress**

¹⁰³ Global Initiative Against Transnational Organized Crime, Global Organized Crime Index 2021, at <https://ocindex.net/assets/downloads/global-ocindex-report.pdf>.

¹⁰⁴ Balkans Group interview with an official from the Chief State Prosecutor, Prishtina, February 2022.

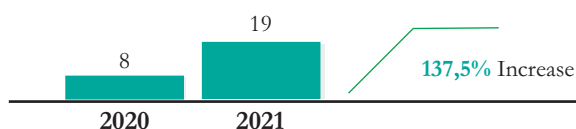


Fig 8. The number of organized crime cases registered

Prosecution

In 2020, there were 42 organised crime cases (including 8 new cases) out of which the number of indictments filed by the Prosecution was 20 (involving 34 persons).¹⁰⁵

In 2021, the number of organised crime cases reached 54 (including 19 new cases), of which the number of indictments filed by the prosecution was 29 (involving 54 persons). This represents an increase of 11% in the number of indictments filed in 2021. **Limited progress**

| Year | 2020 | 2021 |
|-----------------------------|-------|------|
| Number of cases | 42 | 54 |
| Number of indictments filed | 20 | 29 |
| Filed indictments (%) | 47,6% | 53% |
| Ratio (%) | | 11% |

Table 17. The number of indictments filed

Adjudication

In 2020, of all organised crime cases (42 in total) the courts ruled on cases involving 16 persons. In 2021, of all organised crime cases (54 in total), the courts ruled on cases involving 4 persons.¹⁰⁶ The figures show a decrease of 75% in the number of persons with court verdicts in 2021. **No progress**

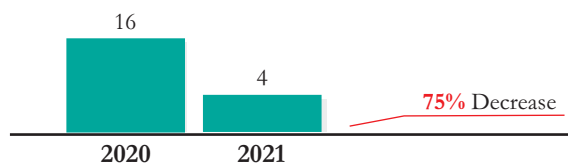


Fig 9. The number of persons with final courts verdicts

Guilty verdicts

In 2020, out of 42 organised crime cases, the courts ruled on cases involving 16 persons, of which 15 were guilty verdicts. In 2021, out of 54 organised crime cases, the courts ruled on cases involving 4 persons, of which 3 were guilty verdicts. In 2021, there was a decrease of 19% in the number of individuals with guilty verdicts. **No progress**

| Year | 2020 | 2021 |
|--|------|------|
| Number of persons with the court verdict | 16 | 4 |
| Number of persons with guilty verdicts | 15 | 3 |
| Persons with guilty verdicts (%) | 93% | 75% |
| Ratio (%) | | -19% |

Table 18. The number of persons with guilty verdicts

Limited progress was made in measures against organised crime in 2021.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

c) Drugs/Narcotics

The means of assessing drugs/narcotics-related cases include:

- *investigation;*
- *prosecution;*
- *adjudication;*
- *guilty verdicts; and*
- *confiscation of drugs.*

Investigation

In 2020, 906 new drug-related cases were registered. In 2021, this number reached 1105.¹⁰⁷ This marks an increase of 22% in the number of new drug-related registered cases. **Limited progress**

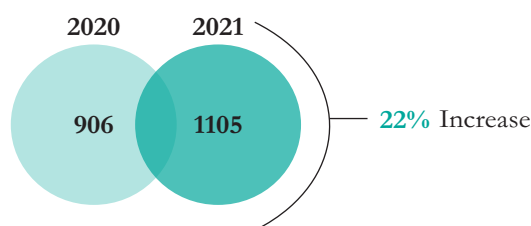


Fig 10. The number of drugs/ narcotics cases registered

Prosecution

In 2020, the number of drug-related cases stood at 1850 (including 906 new cases), of which 933 indictments were filed by the Prosecution.

In 2021, the number of drug-related cases stood at 2133 (including 1105 new cases), of which 1177 indictments were filed by the Prosecution.¹⁰⁸ This represents a decrease of 10% in the number of indictments filed in 2021. **No progress**

| Year | 2020 | 2021 |
|-----------------------------|------|------|
| Number of cases | 1850 | 2133 |
| Number of indictments filed | 933 | 1177 |
| Filed indictments (%) | 50% | 55% |
| Ratio (%) | | 10% |

Table 19. The number of drugs/number of prosecuted cases

Adjudication

In 2020, of 1850 drug related cases, the courts ruled on cases involving 378 persons. In 2021, of 2133 drug-related cases, the courts ruled on cases involving 415 persons.¹⁰⁹ The figures show an increase of 9.8% in the number of persons with final court verdicts in 2021. **Limited progress**

Guilty verdicts

In 2020, out of 1850 drug-related cases, the courts have ruled on cases involving 378 persons, of which 367 were guilty verdicts.

In 2021, out of 2133 drug-related cases, the courts ruled on cases involving 415 persons, of which 390 were guilty verdicts.¹¹⁰ In 2021 there was a decrease of 6% in the number of individuals with guilty verdicts. **No progress**

¹⁰⁷ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹⁰⁸ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

| Year | 2020 | 2021 |
|--|------|------|
| Number of persons with the court verdict | 378 | 415 |
| Number of persons with guilty verdicts | 367 | 390 |
| Persons with guilty verdicts (%) | 97% | 94% |
| Ratio (%) | | -6% |

Table 20. The number of persons with guilty verdicts

Confiscation of drugs

In 2020, 9803.65g of heroin, 2676.85g of cocaine, 225.42g of ecstasy, 256717.9g of marihuana and 5,622 cannabis plants were confiscated. In 2021, 3642.31g of heroin, 414958.18g of cocaine, 0g of ecstasy, 499549g of marihuana, and 2,380 cannabis plants were confiscated.¹¹¹ **Limited progress**

| Year | 2020 | 2021 | % increase | Progress |
|------------------|-----------|------------|------------|--------------------|
| Heroin | 9803.65g | 3642.31g | -62% | No Progress |
| Cocaine | 2676.85g | 414958.18g | 15401.7% | Very good Progress |
| Ecstasy | 225.42g | 0 | -100% | No Progress |
| Marihuana | 256717.9g | 499549g | 94.6% | Very good Progress |
| Cannabis Plants | 5,622 | 2,380 | -57.7% | No Progress |
| Average Progress | | | | Limited Progress |

Table 21. Amount (expressed in grams) of drugs confiscated

No progress was made in fight against drugs/narcotics.

d) Money laundering

The means of assessing money laundering cases involve:

- *investigation;*
- *prosecution;*
- *adjudication; and*
- *guilty verdicts.*

Investigation

In 2020, 15 new money laundering cases were registered. In 2021, 9 new money laundering cases were registered, marking a 40% decrease from 2020.¹¹² **No progress**

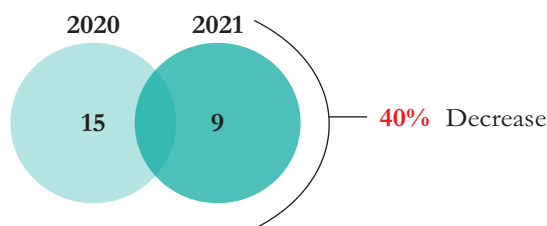


Fig 11. The number of money laundering cases registered

Prosecution

In 2020, the number of money laundering cases stood at 43 (including 15 new cases), of which 33 indictments were filed by the Prosecution.

¹¹¹ Ibid.

¹¹² Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

In 2021, the number of money laundering cases stood at 43 (including 9 new cases), of which 9 indictments were filed by the Prosecution.¹¹³ This represents a decrease of 72% in the number of indictments filed in 2021. **No progress**

| Year | 2020 | 2021 |
|-----------------------------|------|------|
| Number of cases | 43 | 43 |
| Number of indictments filed | 33 | 9 |
| % indictments | 77% | 21% |
| Ratio (%) | | -72% |

Table 22. The number of indictments filed

Adjudication

In 2020, of 43 money laundering cases, the courts ruled on cases involving 3 persons. In 2021, of 43 money laundering cases, the courts ruled on cases involving only 1 person.¹¹⁴ This shows a decrease of 66% in the number of persons with final court verdicts in 2021. **No progress**

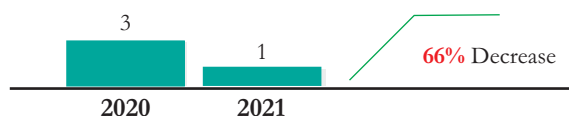


Fig 12. The number of persons with final court verdicts

Guilty verdicts

In 2020, out of 43 money-laundering cases, the courts ruled on cases involving 35 persons, of which 32 were guilty verdicts. In 2021, out of 43 money-laundering cases, the courts ruled on cases involving 4 persons, of which 3 were guilty verdicts.¹¹⁵

Comparing the figures, in 2021 a decrease of 18% in the number of individuals with guilty verdicts is evident. **No progress**

| Year | 2020 | 2021 |
|--|------|------|
| Number of persons with the court verdict | 35 | 4 |
| Number of persons with guilty verdict | 32 | 3 |
| Persons with guilty verdicts (%) | 91% | 75% |
| Ratio (%) | | -18% |

Table 23. The number of persons with guilty verdicts

No progress was made in fight against money laundering in 2021.

e) Fight against terrorism and violent extremism

The means of assessing the fight against terrorism and violent extremism involve:

- *investigation;*
- *prosecution;*
- *adjudication;*
- *guilty verdicts; and*
- *Joint Threat Assessment Centre.*

¹¹³ Ibid.

¹¹⁴ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹¹⁵ Ibid.

Investigation

In 2020, 9 new terrorism-related cases were registered, whereas in 2021 the number was 7.¹¹⁶ This represents a decrease of 22% in the number of terrorism-related cases in 2021. **Limited progress**

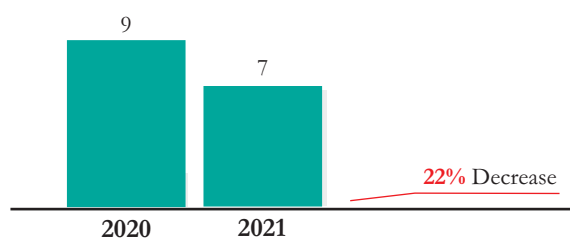


Fig 13. The number of terrorism cases registered

Prosecution

In 2020, there were 72 terrorism-related cases including 9 new cases, of which the Prosecution filed 17 indictments.

In 2021, there were 64 terrorism-related cases including 7 new cases, of which the Prosecution filed 10 indictments.¹¹⁷ This marks a decrease of 30% in the number of indictments filed in 2021.

No progress

| Year | 2020 | 2021 |
|-----------------------------|------|------|
| Number of cases | 72 | 64 |
| Number of indictments filed | 17 | 10 |
| Filed indictments (%) | 23% | 16% |
| Ratio (%) | | -30% |

Table 24. The number of indictments filed

Adjudication

In 2020, of 72 terrorism-related cases, the courts ruled on cases involving 35 persons. In 2021, of 64 terrorism-related cases, the courts ruled on cases involving 4 persons.¹¹⁸ The figures show a decrease of 89% in the number of persons with final court verdicts in 2021. **No progress**

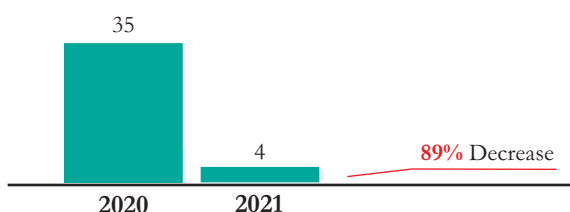


Fig 14. The number of persons with final court verdicts

Guilty verdicts

In 2020, out of 72 terrorism-related cases, the courts ruled on cases involving 3 persons, all of which ended with guilty verdicts. In 2021, out of 64 terrorism-related cases, the courts ruled on cases involving 1 person and which resulted in a guilty verdict.¹¹⁹

Values are 100% in both cases (all individuals with a court verdict were found guilty). **Very good progress**

¹¹⁶ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹¹⁷ Ibid.

¹¹⁸ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹¹⁹ Ibid.

| Year | 2020 | 2021 |
|--|------|------|
| Number of persons with the court verdict | 3 | 1 |
| Number of persons with guilty verdict | 3 | 1 |

Table 25. The number of persons with guilty verdicts

Joint Threat Assessment Centre

Kosovo is required to establish a Joint Threat Assessment Centre, including a threat level grading system, which would facilitate a greater understanding among all agencies of the current operational climate, keep the public informed and improve responses, including the protection of critical infrastructure.¹²⁰ The centre has not been established. **No progress**

Limited progress was made in fight against terrorism and violent extremism.

f) Trafficking in Persons (TIP)

The means of assessing the trafficking in persons cases involve:

- *investigation;*
- *prosecution;*
- *adjudication; and*
- *guilty verdicts.*

Investigation

In 2021, 46 new TIP cases were registered. In 2020, this number stood at 15.¹²¹ This marks an increase of 206% in the number of new TIP cases in 2021 compared to 2020. **Very good progress**

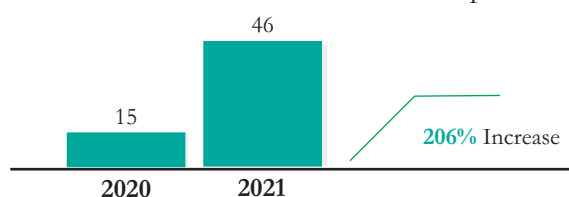


Fig 15. The number of TIP cases registered

Prosecution

In 2021, there were 86 TIP cases, including 46 new cases, of which the Prosecution filed 45 indictments. In 2020, there were 104 TIP cases, including 15 new cases, of which the Prosecution filed 28 indictments.¹²²

This represents an increase of 93% in the number of indictments relative to all cases filed in 2021.

Very good progress

| Year | 2020 | 2021 |
|-----------------------------|------|------|
| Number of cases | 104 | 86 |
| Number of indictments filed | 28 | 45 |
| Filed indictments (%) | 27% | 52% |
| Ratio (%) | | 93% |

Table 26. The number of indictments filed

¹²⁰ European Commission, Kosovo Country Report, 19 October 2021.

¹²¹ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹²² Ibid.

Adjudication

In 2021, of 86 TIP cases, the courts ruled on 7 cases involving 415 persons. In 2020, of 104 organised crime cases, the courts ruled on cases involving 378 persons. The number of cases with final court verdicts is not collected by their Statistics Office. ¹²³ **4 – very good progress**

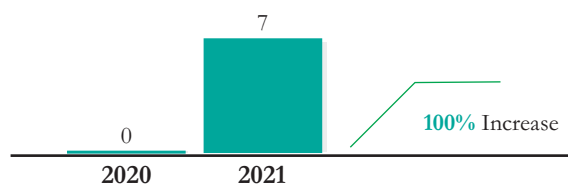


Fig 16. The number of persons with final court verdicts

Guilty verdicts

In 2021, out of 86 TIP cases, the courts ruled on cases involving 7 persons, out of which 4 were guilty verdicts. In 2020, out of 104 TIP cases, the courts have not ruled on any case. ¹²⁴ **Good progress**

| Year | 2020 | 2021 |
|--|------|------|
| Number of persons with the court verdict | 0 | 7 |
| Number of persons with guilty verdict | 0 | 4 |
| Ratio (%) | 0% | 57% |

Table 27. The number of persons with guilty verdicts

Good progress was made in the fight against trafficking in persons in 2021.

e) Legal framework

The means of assessing the legal framework regarding the fight against organised crime include:

- *Strategy and Action Plan against organised crime;*
- *Criminal Procedure Code;*
- *Law on Prevention of Money Laundering and Financing of Terrorism;*
- *Law on Cybersecurity;*
- *Strategy and Action Plan against Trafficking in Persons (TIP); and*
- *Strategy and Action Plan on Countering Violent Extremism (CVE).*

Strategy and Action Plan against organised crime

Many activities remained unimplemented in 2020 and 2021 due to COVID-19. This delayed the planned activities from the Action Plan of Strategy. ¹²⁵ **No progress**

Criminal Procedure Code (CPC)

The draft CPC No. 08/L-032 was in principle approved in the assembly on 19 October 2021, after being approved by the respective committee. However, the Code has not been formally revised and is still within the working group. ¹²⁶ **Some progress**

¹²³ Ibid.

¹²⁴ Balkans Group interview with an official from the Office of the Chief State Prosecutor, Prishtina, February 2022.

¹²⁵ Balkans Group interview with an official from the Ministry of Internal Affairs, November 2022.

¹²⁶ Balkans Group interview with an official from the Committee on Legislation, Assembly of Kosovo, Prishtina, 2 February 2022; and Assembly of Kosovo, Draft Code of Criminal Procedure, at <https://www.kuvendikosoves.org/shq/projektligjet/projektligji/?draftlaw=271>.

Law on Prevention of Money Laundering and Financing of Terrorism

The Law on the Prevention of Money Laundering and Financing of Terrorism has to be amended to be entirely in line with the EU and international standards. Within the reporting period, no progress was made in amending the law.¹²⁷ **No progress**

Law on Cybersecurity

The Law on Cybersecurity has not been adopted yet.¹²⁸ **No progress**

Strategy and Action Plan against Trafficking in Persons (TIP)

A working group (WG) was established. This WG has drafted the new TIP Strategy, which has not been finalised and adopted yet. Its adoption is planned for the second quarter of 2022.¹²⁹ **Some progress**

Strategy and Action Plan on Countering Violent Extremism (CVE)

In 2015, the Law on the Prohibition of Joining Armed Conflicts Outside State Territory was adopted. Kosovo was one of the first in the region to adopt a CVE strategy for 2015-2020. The strategy covered four important pillars such as identification, prevention, intervention and reintegration of returning Foreign Terrorist Fighters (FTFs).

Of over 400 individuals that left Kosovo, 259 have returned including 131 men, 39 women and 89 children. Good efforts were made to rehabilitate and reintegrate returning FTFs and their families, but there is a need to enhance the capacities of the reintegration division within the Ministry of Internal Affairs (MIA) and include municipalities in the planning and implementation of the rehabilitation and reintegration process.¹³⁰

The new strategy, which will combine both the fight against terrorism and violent extremism, is underway. The WG has met and is in the process of drafting the strategy, yet the adoption is planned for the last quarter of 2022.¹³¹ **Some progress**

| Fight against organised crime | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|---|-------------|------------------|---------------|---------------|--------------------|
| Level of organised crime | | | | | |
| Measures against organised crime | | ✓ | | | |
| Drugs/Narcotics | ✓ | | | | |
| Money Laundering | ✓ | | | | |
| Fight against terrorism and violent extremism | | ✓ | | | |
| Trafficking in persons | | | | ✓ | |
| Legal Framework | | ✓ | | | |
| The Overall Progress | | ✓ | | | |

The overall progress in the fight against organised crime

Limited progress was made in the legal framework in 2021.

¹²⁷ Balkans Group interview with an official from the Committee on Budget, Labour and Transfers, Assembly of Kosovo, Prishtina, February 2022.

¹²⁸ Balkans Group interview with an official from the Committee on Security and Defense Affairs, Assembly of Kosovo, Prishtina, February 2022.

¹²⁹ Balkans Group interview with an official from the Ministry of Internal Affairs, February 2022.

¹³⁰ European Commission, Kosovo Country Report, 19 October 2021.

¹³¹ Balkans Group interview with an official from the Ministry of Internal Affairs, February 2022.



Dimension II

**HUMAN
RIGHTS AND
FUNDAMENTAL
FREEDOMS**

Summary and Analysis

Human rights and fundamental freedoms are key EU values enriched in Article 2 of the Treaty of the European Union.¹³² These criteria focus on the enforcement of human rights and fundamental freedoms through implementing legislation, enforcing property rights, improving gender equality and protecting children’s rights.¹³³

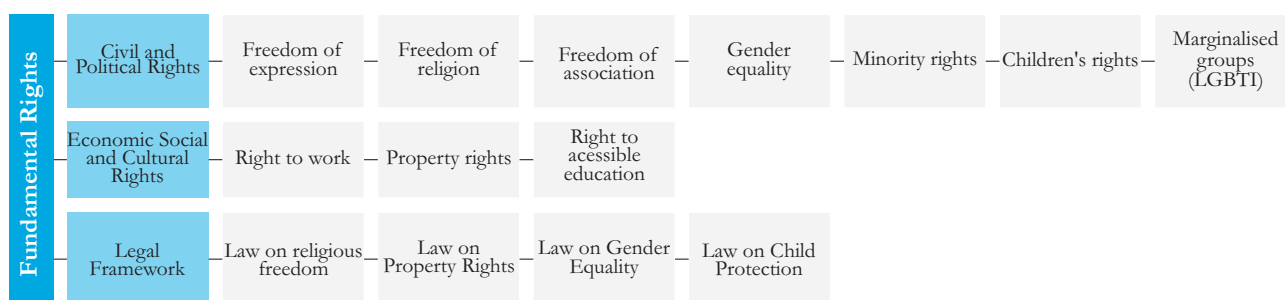
Human rights and fundamental freedoms are placed under Pillar I: Good Governance and Rule of Law within the ERA II. In addition, human rights and fundamental freedoms fall under Block I: Political Criteria in the NPISAA, making it a key component upon which Kosovo’s progress is measured yearly.¹³⁴

To assess whether Kosovo has achieved progress in meeting the human rights and fundamental freedoms criteria, only one indicator is used:

Fundamental Rights

This indicator uses the following sub-indicators to measure progress in this area:

- *Civil and political rights*- more specifically freedom of expression, freedom of religion, freedom of association, gender equality, and rights of marginalised groups;
- *Economic, social, and cultural rights*- the right to work, the right to property rights, and the right to education; *and*
- *Legal framework*- whether laws and strategies are being developed and implemented.



Fundamental rights and its indicators

a) Civil and Political Rights

The means of assessing civil and political rights include:

- *overall level of civil and political rights;*
- *freedom of expression;*
- *freedom of religion;*
- *freedom of association;*
- *gender equality;*
- *minority rights;*
- *children’s rights; and*
- *marginalised groups.*

¹³² European Parliament, Protecting fundamental rights within the Union, at <https://www.europarl.europa.eu/about-parliament/en/democracy-and-human-rights/fundamental-rights-in-the-eu>.

¹³³ Kosovo-European Reform Agenda (ERA) II, 2020.

¹³⁴ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

Overall level of civil and political rights

Kosovo is classified as ‘partly free’ according to the Freedom House Index. In 2020, Kosovo’s overall score was 56/100, the score on civil liberties was 31/60, and the score on political rights was 25/40.¹³⁵ In 2021, the overall score was 54/100, the score on civil liberties was 31/60, whereas the score on political rights was 23/40.¹³⁶

So, while Kosovo’s score on civil and political liberties remained the same, both political rights and the overall score slightly dropped. **No progress**

| Year | 2020 | 2021 | Ratio (%) |
|------------------|--------|--------|-----------|
| Political Rights | 25/40 | 23/40 | - 8% |
| Civil liberties | 31/60 | 31/60 | 0 % |
| Overall score | 56/100 | 54/100 | - 3.6% |

Table 28. Civil liberties and political rights in Kosovo

Freedom of expression

Kosovo’s score on the Freedom House Index for freedom of expression in 2020 and 2021 was 3/4 (75%), indicating that ‘all individuals are free to express their personal views on political and other sensitive topics without fear of surveillance and retribution’.

Also, limited space is opened for discussion on sensitive topics such as ethnic relations and LGBTIQ+ matters, marking an improvement compared to previous years.¹³⁷ Kosovo’s standing in the area of freedom of expression is better than the freedom of media. However, no progress was reported in 2021. **No progress**

| Year | 2020 | 2021 |
|-----------------------|------|------|
| Freedom of expression | 3/4 | 3/4 |
| Ratio (%) | 75% | 75% |

Table 29. Freedom of expression

Freedom of religion

Kosovo’s score on the Freedom House Index for the freedom of religion in both 2020 and 2021, was 2/4 (50%), which refers to ‘whether individuals are free to practise and express their religious faith or non-belief in public and private’.¹³⁸ While Kosovo has the legal provisions in place, further improvements are needed especially in granting religious groups legal status.¹³⁹ **No progress**

| Year | 2020 | 2021 |
|---------------------|------|------|
| Freedom of religion | 2/4 | 2/4 |
| Ratio (%) | 50% | 50% |

Table 30. Freedom of religion

Freedom of association

Kosovo’s score on freedom of assembly in the Freedom House Index for 2020 and 2021 was 3/4, meaning that ‘generally the freedom of assembly is upheld, but that demonstrations are occasionally restricted for security-related reasons’.¹⁴⁰

NGOs function freely, although measures are in place for courts to ban groups that impinge on the constitutional order or incite hatred. The NGOs play an active role as watchdogs over the

¹³⁵ Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹³⁶ Ibid.

¹³⁷ Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021> and Freedom House, Freedom in the World 2020, at <https://freedomhouse.org/country/kosovo/freedom-world/2020>.

¹³⁸ Ibid.

¹³⁹ US Department of State, 2021 Report on International Religious Freedom: Kosovo.

¹⁴⁰ Freedom House, Freedom in the World 2020, at <https://freedomhouse.org/country/kosovo/freedom-world/2020> and Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

work of the government, yet they occasionally experience pressure to curb criticism. In particular, funding remains a concern since donor funding decreased in 2020. However, CSOs still continued their activities even in difficult times.¹⁴¹

As for the freedom of trade unions, employers do not always respect collective bargaining rights. Likewise, difficulties in forming trade unions in the private sector are noted due to the intimidation of workers by employers. Hence, very few private-sector unions exist in Kosovo.¹⁴² On the other hand, public sector unions continue to be active. **No progress**

| Year | 2020 | 2021 |
|--------------------------|------|------|
| Freedom of assembly | 3/4 | 3/4 |
| Ratio (%) | 75% | 75% |
| Freedom for NGOs | 3/4 | 3/4 |
| Ratio (%) | 75% | 75% |
| Freedom for trade unions | 2/4 | 2/4 |
| Ratio (%) | 50% | 50% |

Table 31. Freedom of association

Gender equality

Positive improvements in terms of women’s representation were made in 2021. The current legislature has 40 women MPs; the highest since 2008, with only 1/3 of them needing the legal quota. Women chair 8 of the 14 functional committees in the Assembly. Six out of all 18 government members are women, including two deputy Prime Ministers.¹⁴³ These improvements were followed by increased participation of women in elections as more women were placed at the top of their political party lists and acquired important positions within their parties. However, they received disproportionate financial and logistical support during party campaigns.¹⁴⁴ **Good progress**

Minority rights

The representation of ethnic minorities in parliament was ‘proportionate’ in 2020. However, representatives of minority communities complained about the lack of consultation on important policy matters from the majority parties.¹⁴⁵ Based on the 2021 Freedom House report, covering the 2020 period, Kosovo’s Roma, Ashkali, and Gorani populations continued to face discrimination in education, employment, and access to social services and were particularly affected by the COVID-19 pandemic.¹⁴⁶

The representation of ethnic minorities in parliament was ‘more than proportionate in 2021’ and representatives of minority communities reported better cooperation with the government. Although a good legislative framework is in place, ethnic minorities continued to face discrimination in employment, education, social services, use of language, freedom of movement, and access to education.¹⁴⁷ The 2022 Freedom House report, covering 2021, highlighted the same problems as in the previous year, including the COVID-19 pandemic.¹⁴⁸ **Some progress**

Children’s rights

The Law on Children’s Rights, which entered into force in 2020, marked a milestone achievement in protecting children’s rights. It established a comprehensive, legal framework for guaranteeing and protecting children from all forms of abuse, exploitation, neglect, physical and mental violence, or other threats that could endanger children’s life, safety, health, education, or development.¹⁴⁹

¹⁴¹ Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹⁴² Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹⁴³ Ibid.

¹⁴⁴ European Commission, Kosovo Country Report, 19 October 2021 and EODS, Kosovo 2021 municipal elections report.

¹⁴⁵ US State Department, Kosovo 2021 Human Rights Report.

¹⁴⁶ Freedom House, Freedom in the World 2021: Kosovo, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹⁴⁷ US State Department, Kosovo 2021 Human Rights Report.

¹⁴⁸ Freedom House, Freedom in the World 2022: Kosovo at, <https://freedomhouse.org/country/kosovo/freedom-world/2022>.

¹⁴⁹ UNICEF Kosovo, State of Children’s Rights Report, 2021, at <https://www.unicef.org/kosovoprogramme/media/2646/file/English-2021.pdf>

Moreover, in 2020, the Ministry of Education, Science and Technology (MEST), supported by UNICEF and Save the Children, launched the first online Early Childhood Development (ECD) platform to help support and promote the involvement of parents in early learning and developmental activities for children up to six years old.¹⁵⁰

In 2021, the government, with the assistance of foreign donors, supported 8123 children with didactic packages. The government's Economic and Recovery package provided allowances for children and young mothers, reaching 95,000 beneficiaries. In addition, the government allocated funds to hire 100 assistants for children with disabilities and provided financial support in the amount of EUR 900,000 to 39 NGOs that provide family and social services.¹⁵¹

However, improvements are needed in policy planning and implementation and the decentralisation of services to the local level to provide full and equitable rights for children. **Some progress**

Marginalised groups (LGBTIQ+)

Individuals are largely free to express their political views without fear of retribution. Recently, limited space has opened for discussion on sensitive topics such as ethnic relations and LGBTIQ+ matters, marking a positive improvement compared to 2020.¹⁵²

However, LGBTIQ+ people are politically marginalised, and their interests are not represented in Kosovo politics. Moreover, community members face social pressure to hide their sexual orientation and gender identity as well as obstacles in making legal changes on the matter; the Civil Code of Kosovo continues to exclude same-sex partnerships from legal recognition.¹⁵³

The State Department Human Right's Report for 2021 also notes various discrimination faced by the LGBTIQ+ community such as in employment, housing, access to health care and education.¹⁵⁴ **Some progress**

Limited progress was made in civil and political rights in 2021.

b) Economic, Social and Cultural Rights

The means of assessing economic, social and cultural rights include:

- *right to work;*
- *property rights; and*
- *access to education.*

Right to work

Much of the progress on labour rights over the years is evaluated based on the implementation of the legislative framework. Kosovo institutions have advanced the legal framework for protection against discrimination regarding the right to work but further reforms that may partly redress labour market differences are proposed.¹⁵⁵

Equal access [to the labour market] for groups such as women, youth, persons with special needs and members of the Roma, Ashkali and Egyptian communities has not been attained. Although the right to work is generally upheld, a number of challenges are evident, such as the lack of contracts for a large share of workers in Kosovo, poor working conditions, lack of insurance and protection as well as a constant risk of termination of their working contract.

¹⁵⁰ Ibid.

¹⁵¹ The Prime Minister Office, The meeting of Inter-Ministerial Committee for the Rights of the Child is held, 19 November 2021, at <https://kryeministri.rks-gov.net/en/the-meeting-of-inter-ministerial-committee-for-the-rights-of-the-child-is-held/>.

¹⁵² Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021> and Freedom House, Freedom in the World 2020, at <https://freedomhouse.org/country/kosovo/freedom-world/2020>.

¹⁵³ Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹⁵⁴ US State Department, Kosovo 2021 Human Rights Report.

¹⁵⁵ Regional Cooperation Council, Performance of Western Balkan Economies Regarding the European Pillar of Social Rights 2021 review on Kosovo*, 2021, at <https://www.esap.online/download/docs/ESAP-Social-Rights-Pillar-Report-Kosovo.pdf/f72dc00af90c0fbc60354508cce1c3931.pdf>

In addition, the minimum wage, introduced in 2011, has not been revised, although the revision is to take place at the end of each year.¹⁵⁶ **Some progress.**

Property rights

Kosovo’s score on the Freedom House Index for 2021 on property rights was 1/4, marking no change from 2020. It refers to an individual’s ability to exercise the right to own property and establish a private business without undue interference from state or non-state actors.¹⁵⁷ The legislative framework is mainly in place but the implementation and enforcement of such rights are inadequate. There are issues related to inheritance rights, such as patriarchal attitudes that pressure women to renounce their rights to male members of the family.

The government has initiated a number of policies to provide incentives for women and men for common ownership by liberalising municipal taxes and fees. But this has not increased the number of female property owners.¹⁵⁸ **No progress**

| Year | 2020 | 2021 |
|-----------------|------|------|
| Property rights | 1/4 | 1/4 |
| Ratio (%) | 25% | 25% |

Table 32. Property rights

Access to education

In 2020, the spread of COVID-19 affected the rights to education and the quality of education, as schools were closed and online teaching was provided. A number of students, especially those belonging to vulnerable groups, did not have access to education because of their lack of laptops and other essential IT equipment.¹⁵⁹ The government took measures to provide online teaching through the public broadcaster, RTK and introduced an online learning platform for grades 1 to 9.¹⁶⁰ Although the measures were fast and in accordance with the situation, the quality of distance learning remains debatable, including the quality of the video materials and the teaching approaches.¹⁶¹

Besides, a number of issues affect the extent to which rights to education are upheld including students’ dropping out of compulsory education and challenges in the inclusion of students with special needs.¹⁶² **Limited progress**

Limited progress was made in economic, social and cultural in 2021.

1. Legal framework

The means of assessing the legal framework regarding human rights and fundamental freedoms include:

- *Law on Religious Freedom;*
- *Law on Property Rights;*
- *Law on Gender Equality; and*
- *Law on Child Protection.*

¹⁵⁶ Ibid.

¹⁵⁷ Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>; and Freedom House, Freedom in the World 2020, at <https://freedomhouse.org/country/kosovo/freedom-world/2020>.

¹⁵⁸ Ibid.

¹⁵⁹ KEC, Evaluation of the Implementation of Kosovo Education Strategic Plan 2017-2021 Insufficient Achievement, May 2021.

¹⁶⁰ See platform at <https://emesimi.rks-gov.net/shq/>.

¹⁶¹ KEC, Evaluation of the Implementation of Kosovo Education Strategic Plan 2017-2021 Insufficient Achievement, May 2021.

¹⁶² Office of the High Commissioner, Civil Society Report on Human Rights in Kosovo in 2020.

Law on Religious Freedom

The Law on Religious Freedoms which would regulate the status of religious groups has not been adopted. Law (No. 02 / L-31) on Religious Freedom in Kosovo has been in force since 2007. In 2018, the Draft Law on Supplementing and Amending Law (No. 02 / L-31) on Religious Freedom in Kosovo, was sent to the parliament. The Committee on Human Rights has reviewed, amended and sent it for final approval in the plenary session. However, the Law was not approved in the second reading, as it could not obtain a majority of votes among minority communities.¹⁶³ **No progress**

Law on Property Rights

The Law (No.08/L-013) on Property Rights of Foreign Citizens was not adopted in 2021.¹⁶⁴ **No progress**

Law on Gender Equality

The Law on Gender Equality is in place and institutional mechanisms on gender equality are in line with EU and international standards. Specific government measures taken to support women as part of the economic recovery package have alleviated some detrimental effects.

However, the implementation of the Law on Gender Equality is lacking. In particular, the Law should be further implemented to increase the representation of women in politics by appointing more women to decision-making positions in private and public institutions. Likewise, there is a need for enhanced coordination with gender equality officers in the ministries and municipalities. The Kosovo programme for Gender Equality (2020-2024) was adopted in 2020, and an Action Plan is in the drafting process.¹⁶⁵ **Some progress**

Law on Child Protection

The adoption of the Law on the Rights of the Child is a positive development. The legal framework regarding the rights of children is largely in line with international standards, however, there is a necessity for greater implementation of the Law.¹⁶⁶

In 2021, several challenges were present: the lack of sufficient funds to implement the law, the lack of knowledge of the law (from teachers and social workers), especially in rural areas, the lack of grant schemes to increase the capacities of Centres for Social Work at the municipal level (which would enhance the provision of services for protecting children) and the lack of coordination among ministries on the implementation of the law.¹⁶⁷ **Limited progress**

| Fundamental Rights | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|--------------------------------------|-------------|------------------|---------------|---------------|--------------------|
| Civil and political rights | | ✓ | | | |
| Economic, social and cultural rights | | ✓ | | | |
| Legal framework | ✓ | | | | |
| Overall progress | ✓ | | | | |

The overall progress for Human Rights and Fundamental Freedoms

No progress was made in the legal framework in 2021.

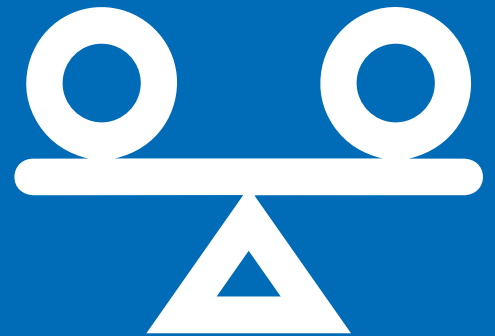
¹⁶³ Balkans Group interview with an official from the Committee on Human Rights, Gender Equality, Victims of Sexual Violence During the War, Missing Persons and Petitions, Assembly of Kosovo, Prishtina, February 2022.

¹⁶⁴ Balkans Group interview with an official from the Committee on Legislation, Assembly of Kosovo, Prishtina, January 2022.

¹⁶⁵ Ibid.

¹⁶⁶ Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹⁶⁷ Save the Children Kosovo, Discussion Table: Law on Child Protection - one year after coming into force at, July 2021, at https://kosovo.savethechildren.net/sites/kosovo.savethechildren.net/files/library/Raporti%20i%20trrezes_final_LO_2.pdf.



Dimension III

DEMOCRATISATION

Summary and Analysis

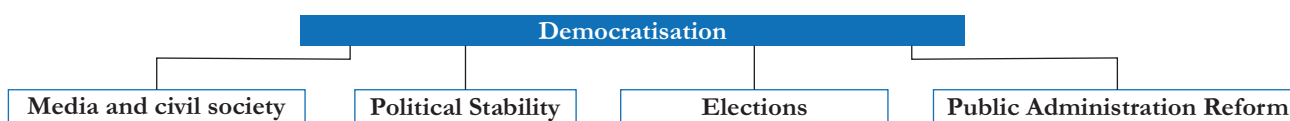
Democracy is another key EU value, enshrined in Article 2 of the Treaty of European Union. Democratisation refers to board participation in political decision-making and local ownership of sectors that are key to sustainable development. Particular emphasis is placed on facilitating the involvement of women and youth in civic and political life.¹⁶⁸

These criteria consist of the Media and Civil Society, Political Stability, Elections and Public Administration Reform and fall within Pillar I: Good Governance and Rule of Law of the ERA II.¹⁶⁹ In addition, it is included under Block I: Political Criteria in the NPISAA.¹⁷⁰

With regard to the media, particular importance is placed on the independent financial and editorial functioning of the public broadcaster and the adoption and enforcement of media legislation in compliance with the standards of freedom of expression and freedom of media. For political stability, the focus is placed on the stability of institutions guaranteeing democracy. And for the elections, the focal point is strengthening the electoral process, enforcing EU recommendations derived from electoral observation missions, and adopting and implementing the legislation on the financing of political entities as per Venice Commission opinion.¹⁷¹

To assess whether Kosovo has achieved progress on democratisation, four core indicators are used:

1. *Media and civil society*;
2. *Political stability*;
3. *Elections*; and
4. *Public Administration Reform*.



Democratisation and its sub-indicators

1. Media and Civil Society

To assess whether Kosovo has achieved progress in meeting the media and civil society criteria, the following sub-indicators were used:

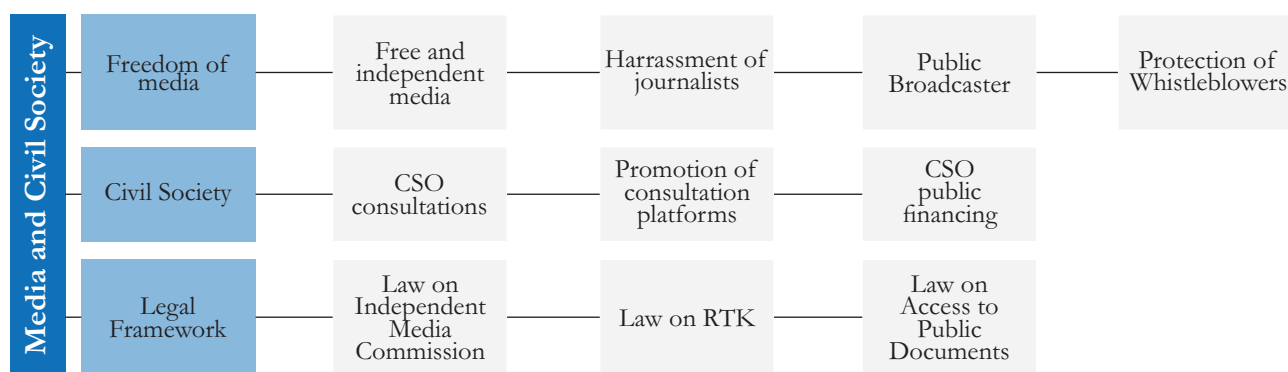
- a) *freedom of media*- or information on whether media is free and independent, harassment of journalists' cases, protection of whistle-blowers, and functioning of RTK;
- b) *civil society*- or information on CSO consultations, CSO's public financing, and promotion of consultation platforms; *and*
- c) *legal framework*- whether laws and strategies are being developed and implemented.

¹⁶⁸ European Commission, Democracy, at https://international-partnerships.ec.europa.eu/policies/peace-and-governance/democracy_en.

¹⁶⁹ Kosovo-European Reform Agenda (ERA) II, 2020.

¹⁷⁰ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

¹⁷¹ Kosovo-European Reform Agenda (ERA) II, 2020.



Media and Civil Society and its sub-indicators

a) Freedom of media

The means of assessing the freedom of media include:

- *free and independent media;*
- *harassment of journalists;*
- *public broadcaster; and*
- *protection of whistle-blowers.*

Free and independent media

In 2020, the media suffered from political influence, harassment and intimidation of journalists. In 2021, most of the obstacles persisted, and the number of threatened/harassed journalists on social media increased. Kosovo’s score on free and independent media remained unchanged (2/4) from 2020 to 2021.¹⁷² **No progress**

| Year | 2020 | 2021 |
|------------------|------|------|
| Freedom of media | 2/4 | 2/4 |
| Ratio (%) | | 0% |

Table 33. Freedom of media

Kosovo has some level of preparation and benefits from a pluralistic and lively media environment. Yet, concerns about public smear campaigns, threats and physical attacks on journalists, as well as a lack of financial self-sustainability were reported. Such influence is also pointed out in relation to the public broadcaster RTK. However, since the reporting period, the Assembly has voted on a new board for RTK.¹⁷³

Harassment of journalists

In 2020, 24 cases of threats and attacks against journalists and media were registered. In 2021 the number increased to 29, representing an increase of 21% in the number of threats and attacks on journalists and media in 2021.¹⁷⁴ **Limited progress**

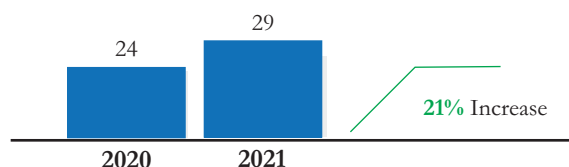


Fig 17. Harassment of journalists

¹⁷² Freedom House, Freedom in the World 2021, at <https://freedomhouse.org/country/kosovo/freedom-world/2021>.

¹⁷³ Gazeta Express: These are the new names of the RTK Board, 6 December 2021, at <https://www.gazetaexpress.com/keta-jane-emrat-e-bordite-ri-te-rtk-se/>.

¹⁷⁴ Balkans Group interview with an official from the Association of Journalists of Kosovo, Prishtina, February 2022.

Public Broadcaster

In July 2021, the assembly voted to dismiss all members of the RTK Board. The dismissal came after the recommendation of the Committee for Public Administration, Local Government, Media and Regional Assembly and was due to RTK's refusal to be audited as well as its failure to comply with procurement procedures. In addition, there were allegations of nepotism such as the employment of family members of the former President of the country.¹⁷⁵ Prior to the dismissal, the Committee on Budget, Labour and Transfers had criticised and rejected RTK's 2020 financial report and recommended the dismissal of the board.¹⁷⁶

Members of the opposition criticised the voting, claiming that the decision was politically influenced. Some others backed the decision by highlighting occurrences of misuse -for decades- and calling on the government to be vigilant in the process of voting for a new board.¹⁷⁷

The assembly elected the new board in November. Upon taking the office, the board dismissed the director citing neglect of irregularities, abuses, lack of work, nepotism and continued biased reporting.¹⁷⁸ Both the dismissal and appointment were transparent and for the first time in 20 years, RTK had a board of media experts with no political affiliation.¹⁷⁹ **Very good progress**

Protection of Whistle-blowers

The Law on the Protection of Whistle-Blowers is largely in line with EU legislation. The secondary legislation has also entered into force and determines the procedure for receiving and handling whistle-blowing cases. However, there is a great necessity for the implementation of mechanisms and protection requirements.¹⁸⁰

Findings in 2020 showed that respondents working at central and local-level institutions were more familiar with mechanisms for reporting threats and damages to the public interest than those from the business sector. The majority of them had complete or considerable trust in the mechanisms. Although the majority of respondents had never received a case of whistle-blowing, the officials' responses show high conformity to the Law on Protection of Whistle-blowers, with placing the anonymity of whistle-blowers and information confidentiality a top priority in their institution.¹⁸¹

In 2021, the Council of Europe (CoE) and Kosovo's Institute for Public Administration (KIPA) provided a Training of Trainers (ToT) program on the topic of whistle-blowers for KIPA members ranging from Kosovo's diverse public institutions. The CoE also started preparing a training manual on the protection of whistle-blowers for Kosovo institutions.¹⁸² **Some progress**

Limited progress was made in freedom of media in 2021.

b) Civil society

The means of assessing civil society include:

- *CSO consultations;*
- *promotion of consultation platforms; and*
- *CSO public financing.*

¹⁷⁵ Public Media Alliance, Kosovo: Public broadcaster RTK's board sacked, 13 July 2021, at <https://www.publicmediaalliance.org/kosovo-public-broadcaster-rtks-board-sacked/>.

¹⁷⁶ Kallxo.com, The annual financial report of RTK is not approved, 16 June 2021, at <https://kallxo.com/lajm/nuk-miratohet-raporti-vjetor-financiar-i-rtk-se/>.

¹⁷⁷ Public Media Alliance, Kosovo: Public broadcaster RTK's board sacked, 13 July 2021, at <https://www.publicmediaalliance.org/kosovo-public-broadcaster-rtks-board-sacked/>.

¹⁷⁸ Prishtina Insight, Kosovo Public Broadcaster Board Sacks Director for Negligence, 21 January 2022, at <https://prishtinainsight.com/kosovo-public-broadcaster-board-sacks-director-for-negligence/>.

¹⁷⁹ Exit news, Kosovo's Public Broadcaster Set for First-Ever Politically Unaffiliated Board of Experts, 18 November 2021, at <https://exit.al/en/2021/11/18/kosovos-public-broadcaster-set-for-first-ever-politically-unaffiliated-board-of-experts/>.

¹⁸⁰ European Commission, Key findings of the 2021 Report on Kosovo, 19 October 2021.

¹⁸¹ Kosovo Democratic Institute, Law on Protection of Whistle-blowers, December 2020.

¹⁸² Council of Europe, Newsroom PECK III Kosovo*: Training of Trainers on whistle-blower protection, 26-28 October 2021.

Civil Society Organizations (CSO) consultations

The government, through its Office for Good Governance, provides an online platform for consultations with the public and CSOs. The majority of ministries and municipalities publish information on acts of government; such as draft laws and regulations, for public review.¹⁸³

In the 2020 consultations, over 1000 individuals participated and made a total of 1898 comments.¹⁸⁴

In 2021, public consultations [on acts of government] continued to take place and over 98% of all primary policy documents and draft laws were published on the consultation platform.

However, not all ministries organise such consultations in line with existing regulations.¹⁸⁵ In particular, the Ministry of Communities and Returns has not published any documents on the platform.¹⁸⁶ **Some progress**

Promotion of consultation platforms

Citizens lack awareness of the consultation platform. Hence, organising awareness campaigns is recommended to encourage citizens to use the platforms and participate in the consultation processes, at central and local levels.¹⁸⁷

Since September 2020 there has been an increased effort to raise awareness on the platform, including social media. Also, there is a tutorial on how to use the platform. **Some progress**

CSO public financing

Reporting on public funding for CSOs takes place annually and the information is publicly available. However, there was a recommendation to complement the data about funding authorities, recipient bodies and the amount disbursed with data about funded sectors and budget.¹⁸⁸ The Office on Good Governance publishes information about funding authorities, recipient bodies and amount disbursed and has begun complimenting the data with information on some, but not all funded projects and sectors.¹⁸⁹ **Very good progress**

Some progress was made in civil society in 2021.

a) Legal framework

The means of assessing the legal framework regarding media and civil society include:

- *Law on Independent Media Commission;*
- *Law on Radio Television of Kosovo; and*
- *Law on Access to Public Documents.*

Law on Independent Media Commission

In 2021, the work on amending the Law on the Radio and Television of Kosovo and the Law on Independent Media Commission stalled; both of which are long-standing issues.¹⁹⁰ **No progress**

Law on Radio Television of Kosovo (RTK)

Once the Law on Independent Media Commission is amended, the government will also amend

¹⁸³ See the platform, at <https://konsultimet.rks-gov.net/>.

¹⁸⁴ Office on Good Governance, Government of Kosovo, Annual Report 2020 for Public Consultations in the Government of Republic of Kosovo, March 2021.

¹⁸⁵ European Commission, Country Report, Kosovo 2021.

¹⁸⁶ Office on Good Governance, Government of Kosovo, Annual Report 2020 for Public Consultations in the Government of Republic of Kosovo, March 2021.

¹⁸⁷ European Commission, Country Report, Kosovo 2021.

¹⁸⁸ Ibid.

¹⁸⁹ See Office on Good Governance, Office of the Prime Minister, at <http://ojqfinancime.rks-gov.net/>.

¹⁹⁰ European Commission, Country Report, Kosovo 2021.

the Law on Radio Television of Kosovo in order to harmonise them, as required by the EU.¹⁹¹ **No progress**

Law on Access to Public Documents

In 2020, the main obstacle to data protection and access to public information was the non-appointment of a Commissioner for Information and Privacy.¹⁹² Following the appointment of the Commissioner, the implementation must commence.¹⁹³

In 2021, the access to public information and the performance of oversight institutions have deteriorated. Moreover, there have been calls for an ex-post evaluation of the Law on Access to Public Documents.¹⁹⁴ **No progress**

| Media and Civil Society | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-------------------------|-------------|------------------|---------------|---------------|--------------------|
| Freedom of media | | ✓ | | | |
| Civil Society | | | ✓ | | |
| Legal framework | ✓ | | | | |
| Overall progress | | ✓ | | | |

The overall progress Media and Civil Society

No progress was made in the legal framework in 2021.

2. Political stability

To assess whether Kosovo has achieved progress in meeting the political stability criteria, the following sub-indicators were used:

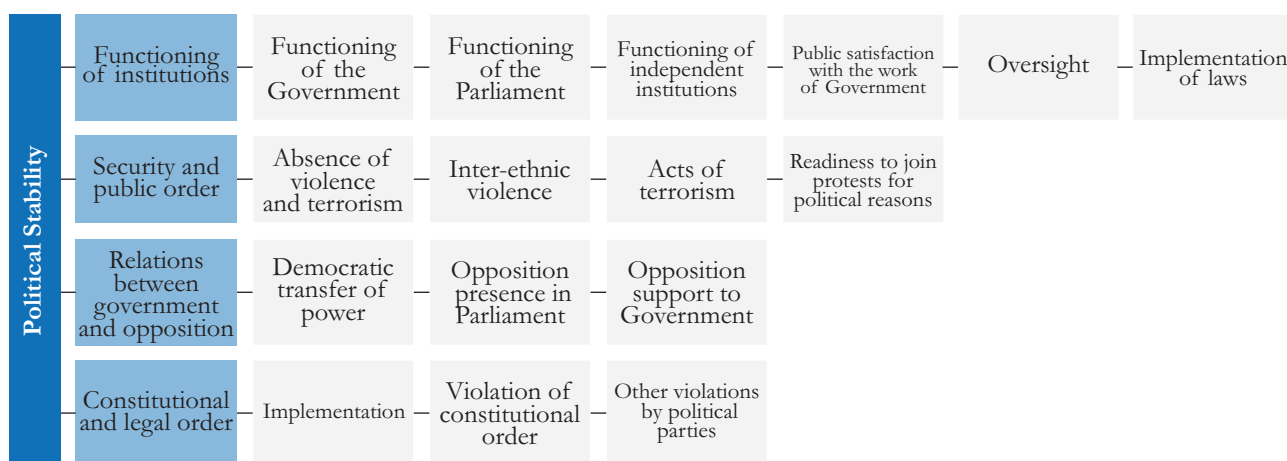
- functioning of institutions*- or information on the functioning of main institutions, such as government and parliament;
- security and public order*- or information on inter-ethnic violations, acts of terrorism, and protests;
- relations between government and opposition*- or information on whether the transfer of power is democratic, presence of opposition in the parliament, and opposition support to the government; *and*
- constitutional and legal order*- or information on whether the constitution is being fully and accurately implemented.

¹⁹¹ Ibid.

¹⁹² GLPS, Kosovo in 2020: Access to Public Documents, 26 December 2020.

¹⁹³ European Commission, Country Report, Kosovo 2021.

¹⁹⁴ OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022.



Political Stability and its sub-indicators

b) Functioning of Institutions

The means of assessing the functioning of institutions include:

- *functioning of the government;*
- *functioning of the parliament;*
- *functioning of the independent institutions;*
- *public satisfaction with the work of the government;*
- *oversight; and*
- *implementation of laws.*

Functioning of the Government

The Kurti I Government was formed in February 2020 and dismissed in March 2020 following a no-confidence procedure and the pull-out of its coalition partner LDK.¹⁹⁵ The Hoti Government (June 2020) was brought down in December 2020, by the decision of the Constitutional Court.¹⁹⁶ This period was characterised by political instability and parliamentary elections; the third one in less than four years. In this context, most legislative activities, including EU-related reform efforts, were constrained.¹⁹⁷

The Kurti II Government, established following the February 2021 elections, has been stable.¹⁹⁸

Very good progress

Functioning of the Parliament

The Kurti II Government won 50.3% of the votes cast, gaining 58 seats in the parliament and later acquiring another MP from the PDK parliamentary group. The government was voted by 67 votes, as a result of support from the minority community, non-Serb, MPs represented in Parliament.¹⁹⁹ The Government has a stable majority in parliament and is able to pass laws that require a simple majority. **Very good progress**

¹⁹⁵ Radio Free Europe, The Kurti Government falls, 25 March 2020, at <https://www.evropaelire.org/a/30508373.html>; and Albin Kurti is elected the Prime Minister of Kosovo, 3 February 2020, at <https://www.evropaelire.org/a/30415153.html>.

¹⁹⁶ DW, Kosovo: The Constitutional Court declares the Hoti Government unconstitutional, 21 December 2020, at <https://www.dw.com/sq/kosovë-kushtetuesja-e-shpall-qeverinë-hoti-antikushtetuese/a-56014545>.

¹⁹⁷ European Commission, Country Report, Kosovo 2021

¹⁹⁸ Party Systems and Governments Observatory, University of Nottingham, The database of WHO governs in Europe and beyond, at https://whogoverns.eu/cabinets/?view=epoca_pais&id=7&codigo=xx.

¹⁹⁹ DW, Kosovo: the new government is elected with Prime Minister Albin Kurti, 22 March 2021, at <https://www.dw.com/sq/kosovë-zgjidhet-qeveria-e-re-me-kryeministër-albin-kurtin/a-56955593>.

Functioning of the Independent Institutions

A considerable number of appointments/elections of board members across public enterprises in the second half of 2020, were politically influenced. In addition, irregularities in the appointment and selection of board directors were also spotted. In other instances, the government appointed/elected as board directors individuals who did not meet the independence and no conflict of interest criteria and had not followed the selection criteria defined by the law.²⁰⁰

In 2021, there was undue political influence over the appointments/dismissals of senior public officials and civil servants.²⁰¹ To prevent irregularities and establish a meritocracy in the senior positions of employment within the civil service, public enterprises, and independent agencies, the British Embassy assisted by monitoring the process. While it is early for a full assessment of the performance of the British project on merit-based recruitment, the first recruitments allude to a weak start. Kosovo's institutions have failed to comply with the British partner's recommendations for appointment.²⁰²

The instances of appointment/election as board members of individuals affiliated with the government continued even in 2021; LVV elected a former candidate for national elections as a member of the Kosovo Central Bank.²⁰³ **No progress**

Public satisfaction with the work of the government

In May 2021, UNDP Public Pulse highlighted a significant increase in people's satisfaction with the work of the government (59.1%) compared to December 2020 (21.3%). Satisfaction levels were as high in May 2021 (59.1%) as they were in April 2020 (60.7%) in both Kurti I and II governments.²⁰⁴ The satisfaction levels in 2021 increased by 177.5%.²⁰⁵ Reports also note increased belief in the government's trustworthiness in April 2021 compared to November 2020.²⁰⁶ **Very good progress**

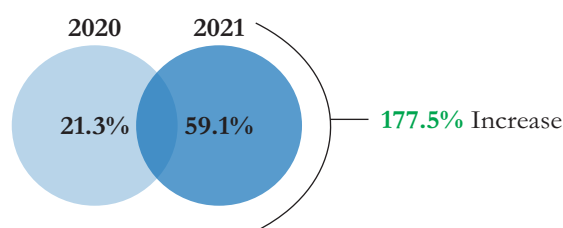


Fig 18. Public satisfaction with the executive

Oversight

The oversight of law implementation by the assembly is one of the most challenging issues.

In 2020, the parliament was largely criticised for poorly exercising its oversight role over the government. The parliamentary committees spend most of their time drafting laws and minimal time monitoring the implementation of those laws. In 2020, the assembly did not approve any report on law implementation oversight.²⁰⁷

²⁰⁰ Kosovo Democratic Institute, Political Boards, June 2021.

²⁰¹ European Commission, Country Report, Kosovo 2021.

²⁰² GAP Institute, Non-merit based recruitment in public institutions, November 2020.

²⁰³ Kallxo.com, Vetëvendosje's man is appointed member of the CBK board, 24 November 2021, at <https://kallxo.com/gjate/njeriu-i-vetevendosjes-emerohet-anetar-ne-bordin-e-bqk-se/>.

²⁰⁴ UNDP Public Pulse Brief XX, 28 July 2021

²⁰⁵ Note: Because of the change in Government, the figures for May 2021 are compared to the figures in December 2020 as opposed to those in April 2020.

²⁰⁶ Kosovo Public Opinion Survey. National Democratic Institute Kosovo. April 2021.

²⁰⁷ Post-legislative scrutiny: International principles and oversight in Kosovo, September 2020, at <https://www.kas.de/documents/286052/0/Publication+20-09-30+Post-legislative+scrutiny+International+principles+and+oversight+in+Kosovo+%28Eng%29.pdf/5085c598-6ef2-3959-552a-243cc210b17c?version=1.0&t=1609943885902>.

The same poor performance has characterised the work of the assembly in 2021. Based on the work plans of the parliamentary committees [in the first working session] only 7 out of 14 committees have included law enforcement oversight activities. Based on the annual plans of parliamentary committees, in the spring session, the parliament planned to oversee 11 laws. However, only one report was approved pertaining to legislation within the domain of the Committee on Budget, Labour and Transfers, and the rest were planned for oversight later in the year. Overall, only three committees have followed their plans and conducted oversight activities.²⁰⁸ **No progress**

Implementation of laws

The following laws were poorly implemented or not implemented: Law on Public Officials, Law on Conflict of Interest, Law on Protection of Whistle-Blowers, Law on Organisation and Functioning of State Administration and Independent Agencies, Law on Mediation, Law on Gender Equality, Law on Protection from Discrimination, Law on Employment, Law on the Use of Languages and many more. However, there is no report provided to compare the implementation in 2021 and 2020.

The number of legislative acts planned [by governments] and adopted [during their mandate] varied greatly, with less than 50% of laws being enacted in each government/legislative term between 2018-2021 in relation to those planned. In fact, this gap has widened even more since 2018.²⁰⁹ **No progress**

Some progress was made in the functioning of institutions in 2021.

b) Security and Public Order

The means of assessing security and public order include:

- *absence of violence and terrorism;*
- *inter-ethnic violence;*
- *acts of terrorism; and*
- *readiness to join protests for political reasons.*

Absence of violence and terrorism

In 2020, Kosovo was placed in the 38.208 percentile rank of the World Bank's Political Stability and Absence of Violence/Terrorism Indicator; with 0 indicating no risk and 100 indicating a high risk.²¹⁰ In 2021, Kosovo was placed in the 44.340 percentile rank.²¹¹ This represents an increase of 16% in the ranking (marked as a positive achievement). **Limited progress**

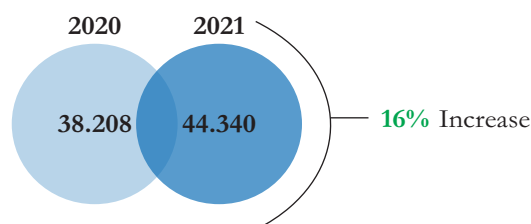


Fig 19. Absence of violence and terrorism

²⁰⁸ Kosovo Democratic Institute, Monitoring report of the work of the Assembly of Kosovo for the spring session 2021, August 2021.

²⁰⁹ Kosovo Law Institute, Kurti II Expectations and utopian results, Analysis of the 100-day work of the Government of Kosovo, July 2021.

²¹⁰ World Bank Governance indicators, Kosovo, at <https://info.worldbank.org/governance/wgi/Home/Reports>.

²¹¹ Ibid., at <https://info.worldbank.org/governance/wgi/Home/Reports>.

Inter-ethnic violence

In 2020, 11 crimes against members of minority communities were reported, all of which were sent to prosecution. In 2021, 14 cases were reported, 8 of which were sent to prosecution, and 6 were under investigation.²¹² **Good progress**

| Year | 2020 | 2021 |
|------------------------|------|------|
| Reported cases | 11 | 14 |
| Brought before justice | 11 | 8 |
| Ratio (%) | 100% | 57% |

Table 34. The number of reported crimes against minority communities

Acts of terrorism

No acts of terrorism were reported in 2020 and 2021.²¹³ **Very good progress**

Readiness to join protests for political reasons

In 2021, a higher number of respondents (36.7%) were ready to protest for political reasons compared to 2020 (30.6%). This represents a 20% increase in the readiness to protest among Kosovo Albanians, Kosovo Serbs, and members of other Kosovo communities.²¹⁴ **Limited progress**

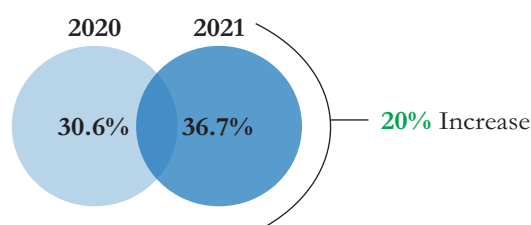


Fig 20. Readiness to protest

Some progress was made in security and public order in 2021.

c) Relations between Government and the opposition

The means of assessing the relations between government and opposition include:

- *democratic transfer of power;*
- *opposition presence in the parliament; and*
- *opposition support to the government.*

Democratic transfer of power

The Kurti II Government took office in February 2021 with an unprecedentedly strong majority in parliament.²¹⁵ The process of government formation and transfer of power was peaceful.²¹⁶ **Very good progress**

²¹² Balkans Group interview with an official from the Kosovo Police, Prishtina, February 2022.

²¹³ US Department of State, Country reports on terrorism 2020, at <https://www.state.gov/reports/country-reports-on-terrorism-2020/kosovo/>.

²¹⁴ UNDP, Public Pulse Brief XX, 28 July 2021, at https://www.ks.undp.org/content/kosovo/en/home/library/democratic_governance/public-pulse-xx.html.

²¹⁵ European Commission, Country Report, Kosovo 2021, at https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en.

²¹⁶ NDI, Kosovo: Post-Election Analysis of February 2021 Parliamentary Elections, 29 April 2021

Opposition presence in Parliament

The decision-making in the assembly between 2020 and 2021 was severely affected by a polarised political atmosphere, the lack of an effective government majority and the lack of a quorum.²¹⁷ Hence, it is necessary to review the parliamentary regulatory framework.²¹⁸

In 2021, the opposition boycotted or left the sessions because of disagreements with the government. Although LVV could pass many laws without the opposition's presence/absence, the work of the parliament was affected when voting required a 2/3 majority as was the case with international agreements.²¹⁹ **No progress**

Relations between the Government and the Opposition

The relations between the government and opposition are characterised by disagreements resulting in the frequent absence of opposition parties in parliament. Members of the opposition parties also boycotted the session that voted in the Kurti II Government.²²⁰

Instances of both opposition support and a lack of have been reported in 2021. Such was the case with the voting on two international agreements in August 2021, and the lack of support for another two.²²¹ However, the opposition has supported the LVV Government in electing the President of Kosovo.²²² **Some progress**

Some progress was made in relations between government and opposition in 2021.

d) Constitutional and legal order

The means of assessing the constitutional and legal order include:

- *implementation;*
- *violation of constitutional order; and*
- *ther violations by political parties.*

Implementation

In 2020, some parts of legislation had serious shortcomings such as non-compliance with the Constitution (the Law on General Elections - where some of the criteria for certification of candidates were contrary to the constitution, as per the Supreme Court ruling), or conflict of laws (the Law on General Elections with the Law on Gender Equality regarding the representation of women in public institutions). Furthermore, there is a frequent change of laws, such as the Law on Public Procurement, which changed seven times.²²³

The European Commission's report, covering the period 2021, noted that Kosovo should improve administrative capacity and coordination in order to achieve effective implementation of EU Acquis. There is no progress on implementing the Law on Freedom of Association, whereas insufficient progress is reported on implementing the Law on the Organisation and Functioning of State Administration and Independent Agencies, Law on Public Officials, Law on Protection of Whistle-blowers, Law on Access to Public Documents, and Law on General Administrative Procedures. **Limited progress**

²¹⁷ European Commission, Country Report, Kosovo 2021.

²¹⁸ Ibid., and Balkans Group report, Assembly of Kosovo: Increasing Effectiveness by Improving the Rules of Procedure, April 2020.

²¹⁹ Kosovo Democratic Institute, Monitoring report of the work of the Assembly of Kosovo for the spring session 2021, August 2021.

²²⁰ Koha Ditore, The Kurti Government is voted in with 67 votes in favour, 22 March 2021, at <https://www.koha.net/arberi/263482/konjufca-ja-kerkon-vv-se-emrin-e-mandatarit-per-kryeminister/>.

²²¹ Albanian Telegraphic Agency, Kosovo, the opposition supports only two international agreements, 6 August 2021, at <https://ata.gov.al/2021/08/06/%E2%80%8Bkosove-opozita-perkrah-vetem-dy-marreveshje-nderkombetare/>.

²²² Radio Free Europe, Vjosa Osmani is elected president of Kosovo, 4 April 2021, at <https://www.evropaclire.org/a/31186200.html>.

²²³ KAS, Post-legislative Scrutiny, International Principles and Oversight in Kosovo, September 2020.

Violation of constitutional order

The ruling of the Constitutional Court in 2021 that the Hoti Government was illegitimate; after being voted in with the help of an MP with a criminal conviction, paved the way for early legislative elections to take place.²²⁴

Further dilemmas appeared on whether the then-main opposition leader Albin Kurti would be allowed to run for in Parliamentary elections considering a former conditional prison sentence which he did not serve.²²⁵ However, he was allowed to run and be elected as Prime Minister.

Some progress

Other violations by political parties

There is no reported violation of legal order by parties in 2021. **Very good progress**

| Political stability | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|---|-------------|------------------|---------------|---------------|--------------------|
| Functioning of institutions | | | ✓ | | |
| Security and Public Order | | | ✓ | | |
| Relations between the government the and opposition | | | ✓ | | |
| Constitutional and legal order | | | ✓ | | |
| Overall progress | | | ✓ | | |

The overall progress for Political Stability

Some progress was made in constitutional and legal order in 2021.

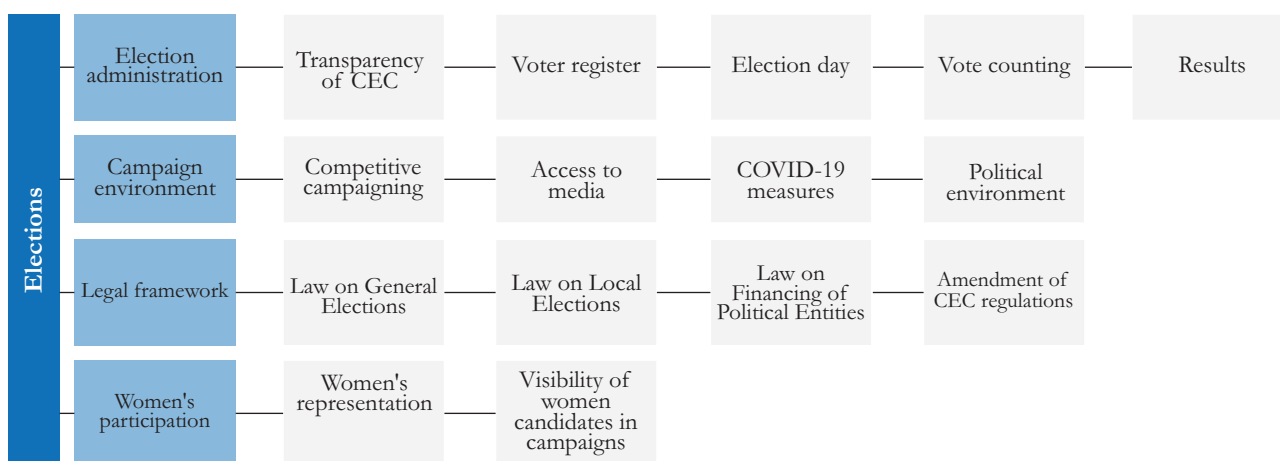
3. Elections

To assess whether Kosovo has achieved progress in meeting the elections criteria, the following sub-indicators were used:

- election administration*- or information on the voting register, counting of votes, election results, and transparency of the CEC;
- campaign environment*- or information on political parties' access to media, political campaigns, political environment, and COVID-19 measures during elections;
- legal framework*- or information on the adoption, revision or implementation of specific legislation pertaining to elections; *and*
- women's participation*- or information on women's representation in elections and women candidates' visibility in political campaigns.

²²⁴ Constitutional Court, Decisions from the review session held on 21 December 2020, at <https://gjk-ks.org/vendimet-nga-seanca-shqyrtuese-e-mbajtur-me-21-dhjetor-2020/>

²²⁵ Balkan Insight, Kosovo Sets Election Date Amid Constitutional Controversies, 7 January 2021, at <https://balkaninsight.com/2021/01/07/kosovo-sets-election-date-amid-constitutional-controversies/>.



Elections and its sub-indicators

a) Election Administration

The means of assessing election administration include:

- *transparency of CEC;*
- *voter register;*
- *election day;*
- *vote counting; and*
- *results.*

Transparency of Central Election Commission (CEC)

No significant issues were reported in 2020. Overall, elections were well-administered, competitive and transparent. However, CEC has to improve its organisational structure by assigning clear terms of reference to its staff members and establishing a clear hierarchy and responsibility to avoid quality control failures.²²⁶

CEC's work in organising the general elections of 2021 was professional and in respect of all legal timelines. The composition of Municipal Election Commissions (MECs) and Polling Station Committees (PSCs) was transparent and inclusive [of all parties and minority communities], with the exception of women who were underrepresented at all levels of election administration. Furthermore, the process of adjudication of complaints and appeals by the Election Appeal and Complaint Panel (ECAP) and the Supreme Court was largely transparent and impartial.²²⁷

In June 2021, the President dismissed the head of the CEC on the grounds of the violation of the principles of impartiality, independence and integrity as she carried out her work. Opposition parties and representatives of CSOs criticised the decision but took no measures against it.²²⁸ There is no indication to suggest that this has hampered the transparency of CEC. **Very good progress**

Voter register

The accuracy of the voters' register is challenging in all elections, largely because a considerable number of deceased persons are still part of it. Moreover, the number of registered voters is as high as the number of the population according to the 2019 census.²²⁹ A number of initiatives were taken to clear the lists. Between 2019 and 2021, around 143,000 voters, representing 7% of the 2019 list, were removed.²³⁰

²²⁶ European Commission, Country Report Kosovo 2020.

²²⁷ European Commission, Country Report Kosovo 2021.

²²⁸ Ibid.

²²⁹ See Election Guide on Kosovo, at <https://www.electionguide.org/countries/id/253/>.

²³⁰ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

In addition, diaspora voting was reported as challenging in past elections. In the 2021 local elections, permanent Kosovo residents temporarily living abroad had to submit an application by email, addressed to the CEC, to be included in the voter register. This was a burdensome procedure that inevitably lead to errors.²³¹ **Some progress**

Election Day

EU observers have positively evaluated both rounds of the municipal elections of 2021, which were calm and orderly. However, certain irregularities were noted in relation to assisted voting, the use of expired IDs and voter identification. Furthermore, not all polling stations were accessible to voters with limited mobility.²³² The 2021 Assembly elections were generally calm and marked by no serious incidents.²³³ **Very good progress**

Vote counting

In 2021, the vote count was transparent in both rounds [of the local election]. The count was assessed as good or very good in all polling stations visited, but there were -some- difficulties with ballot reconciliation in about 1/3 of them. This, however, did not impact the integrity of the process.²³⁴ As for the 2021 general elections, the EC's country report noted that significant vulnerabilities, in particular in vote-counting, were evident.²³⁵ **Some progress**

Results

In the 2021 general elections, 534 recounts were requested, mostly due to the inconsistencies between result protocols (especially on the number of preferential votes cast) that delayed the publication and certification of results. In the 2021 local elections, 630 recounts were requested, including an almost full recount of votes in Mitrovica and Podujeva.²³⁶

In the 2020 elections, a recount was also requested. The CEC took 52 days to certify election results in 2020 compared to 28 days in the 2021 general elections. This represents a decrease of 46% in the number of days it took for CEC to certify the results.²³⁷ **Some progress**

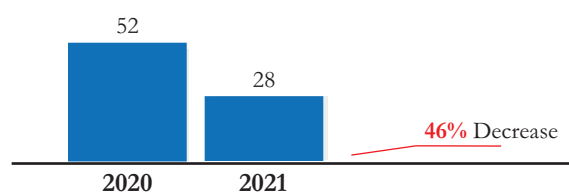


Fig 21. Certification of election results

Some progress was made in election administration in 2021.

²³¹ Ibid.

²³² European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²³³ Kosovo Democratic Institute, Election Campaign Monitoring Early Elections for the Assembly of Kosovo 2021, 14 February 2021.

²³⁴ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²³⁵ European Commission, Country Report Kosovo 2021.

²³⁶ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²³⁷ Free Europe, When will the final election results be announced, 20 February 2021, at <https://www.evropaelire.org/a/kur-shpallen-rezultatet-perfundimtare-te-zgjedhjeve-/31111923.html>; and CEC, The CEC certified the final results of the early elections for the Assembly of Kosovo on February 14, 13 March 2021.

b) Campaign Environment

The means of assessing the campaign environment include:

- *competitive campaigning;*
- *access to media;*
- *COVID-19 measures; and*
- *political environment.*

Competitive campaigning

The 2021 campaign for local elections was mostly done through social media, because of the COVID-19 restrictive measures and scarce financial resources.²³⁸

The 2021 general elections campaign was vibrant, decentralised and competitive with the exception of Serb-majority populated areas, where the campaign activities of opposition parties to Srpska Lista were barely visible.²³⁹ **Good progress**

Access to media

Criticised for biased coverage of the past elections, in the 2021 local elections, RTK carried out its role of public service during both rounds of elections/campaigns. RTK provided balanced and neutral coverage of contestants in its news and talk shows, although focusing on parties represented in the parliament. RTK1 positively contributed to informing voters by organising well-structured and informative debates among candidates (for mayor and assembly). This impartiality was less present on RTK's website, which offered more coverage to PDK during the first round and to LDK during the second.²⁴⁰

Private broadcasters largely respected the law, offering limited but fairly balanced news coverage. TV channels could not cover all local races but contributed by organising election debates, and interviews with mayoral candidates.²⁴¹

In 2021 the presence of false news and widespread information disorders were also reported. Otherwise, political parties and their candidates mainly used social media, especially Facebook, during the two elections to reach out to voters.²⁴² **Some progress**

COVID-19 measures

The official campaign period for the first round of local elections was 30 days. Because of the high number of COVID-19 cases, some opposition parties suggested shortening it to five days; an initiative rejected by the ruling party. The campaign was characterised by predominantly small, mostly outdoor gatherings, usually with a targeted audience and in respect of sanitary restrictions. MECs had approved 1023 rallies, of which 28 did not respect COVID-19.²⁴³

The national elections campaign was not in accordance with the COVID-19 provisions in place. The political parties and candidates did not respect social distance, wear masks at all times, or use disinfectants. Moreover, although the Ministry of Health restricted the number of participants to 30 people in indoor gatherings, and 50 in outdoor gatherings, it was often exceeded.²⁴⁴ **Some progress**

Political environment

In the 2021 elections, some organisations, members of political parties and activists reported

²³⁸ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²³⁹ European Commission, Country Report Kosovo 2021.

²⁴⁰ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²⁴¹ Ibid.

²⁴² Democracy in Action, Report from media monitoring during the election campaign elections for the Assembly of Kosovo, 14 February 2021.

²⁴³ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²⁴⁴ Democracy for Development, Elections in the time of pandemic: Management versus Consequences, March 2021.

potential manipulation of elections from Srpska Lista. Srpska Lista tried to win more than the 10 guaranteed seats, also winning among the ranks of other minority communities.²⁴⁵

As a result, competing minority parties appealed the election results regarding some guaranteed seats for the Bosniak and Roma communities. ECAP partially accepted the complaints, ordering the annulment of some votes from Serb-majority areas. This was due to the violation of the principle of guaranteed seats for the representation of each non-majority community. The decision, which was also confirmed by the ruling of the Supreme Court, resulted in two of the accused political parties losing one seat each.²⁴⁶

With regards to the 2021 local elections, Srpska Lista has monopolised political life in municipalities where Kosovo-Serbs are a majority, thus limiting political competition and voters' opportunity to cast their votes.²⁴⁷ Moreover, ECAP approved complaints from PDK about vote management in the municipality of Dragash, and following an investigation annulled all the diaspora ballots and ordered another round of voting.²⁴⁸ **Limited progress**

Some progress was made in the campaign environment in 2021.

c) Legal framework

The means of assessing the legal framework regarding elections include:

- *Law on General Elections;*
- *Law on Local Elections;*
- *Law on Financing of Political Entities; and*
- *amendment of CEC regulations.*

Law on General Elections

There is no progress in relation to the revision of the Law on General Elections.²⁴⁹ **No progress**

Law on Local Elections

The revision of the Law on Local Elections was not foreseen for 2021.²⁵⁰ **No progress**

Law on Financing of Political Entities

The Committee on Budget, Labour and Transfers has approved in principle the draft law on Financing of Political Entities on 26 January 2020. The draft law was sent to the parliamentary session in February 2020, but it was not approved by the end of 2021.²⁵¹ **Some progress**

Amendments to Central Election Commission (CEC) regulations

In 2021, the CEC regulations were not amended. The amendment/supplementing of the bylaws - Election Rules- are planned for the first six months of 2022, taking into account the recommendations issued by the EU, the Election Observation Report for local elections, the Report of the UK Election Observers of 2021, and the practices and difficulties encountered during the implementation of these rules in practice.²⁵² **No progress**

No progress was made in the legal framework in 2021.

²⁴⁵ DW, Were the votes of the non-Serbian minorities diverted in the February 14 elections, 5 March 2021 at <https://www.dw.com/sq/a-janë-devijuar-votat-e-pakicave-jo-serbe-në-zgjedhjet-e-14-shkurtit/a-56779375>.

²⁴⁶ European Commission, Country Report Kosovo 2021.

²⁴⁷ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²⁴⁸ Ibid.

²⁴⁹ Balkans Group interview with an official from the Committee on Legislation, Assembly of Kosovo, Prishtina, January 2022.

²⁵⁰ Balkans Group interview with an official from the Committee on Public Administration, Local Governance, Media and Rural Development, Assembly of Kosovo, Prishtina, February 2022.

²⁵¹ Balkans Group interview with an official from the Committee on Budget, Labour and Transfers, Assembly of Kosovo, Prishtina, February 2022; and Telegrafi, The approval of the Draft Law on the financing of political parties fail, 22 February 2022, at <https://telegrafi.com/desh-ton-miratimi-projektligjit-per-financimin-e-partive-politike/>.

²⁵² Balkans Group interview with an official from the Central Election Commission, Prishtina, February 2022.

d) Women's participation

The means of assessing women's participation include:

- *women's representation; and*
- *visibility of women candidates in campaigns.*

Women's representation

As regards national elections, in 2021 out of 1,067 candidates for election, 343 were women.²⁵³ Out of all women candidates, 43 were elected to parliament representing 35% of MPs.²⁵⁴ In comparison, in 2019, there were 1,052 candidates for election out of which 359 were women representing 34%.²⁵⁵ Out of all women candidates, 39 (or 32.5%) were elected to Parliament.²⁵⁶ This represents an increase of 5.8% in the number of women candidates, and a 7.7% increase in women elected to parliament in 2021 compared to 2020. **Limited progress**

| Year | 2019 | 2021 | Increase in women candidates (%) |
|-----------------------------|--------|------|----------------------------------|
| Women candidates | 343 | 359 | |
| Ratio (%) | 32.14% | 34% | 5.8% |
| Women elected to parliament | 39 | 43 | |
| Ratio (%) | 32.5% | 35% | 7.7% |

Table 35. Women's representation in national elections

Women's participation in both local and national elections is considered low, reflecting the harsh reality. In the 2021 local elections, only 14 (out of 166), or 8%, of mayoral candidates, were women and only 2 were placed in strongholds of their political parties and won the elections. 1937 women; or 37%, ran as candidates for municipal assemblies in respect of the minimum gender quota of 30%, and only 36, or 12%, headed their party lists. Despite respecting the gender quota, political parties which are overwhelmingly male-dominated-, have not addressed gender inequality in their programmes and statutes yet.²⁵⁷

In the 2021 national elections, political parties respected the 30% quota of the Law on Elections but not that of the Law on Gender Equality (the 50% quota). As a result, the majority of parties; except for Lëvizja Vetëvendosje, barely passed the 30% quota.²⁵⁸ Lëvizja Vetëvendosje and PDK had the largest percentage of women candidates (38%), compared to LDK (30%).²⁵⁹ Moreover, women also continue to be underrepresented at all levels of election administration.²⁶⁰ **Very good progress**

| Year | 2017 | 2021 |
|------------------------|------|------|
| Women mayor candidates | 8 | 14 |
| Ratio (%) | 4% | 8% |
| Women elected mayors | 0 | 2 |
| Ratio (%) | 0% | 5.3% |

Table 36. Women's representation in local elections

²⁵³ European Union Election Observation Mission, Kosovo 2019, Final Report.

²⁵⁴ NDI, Post-Election Analysis of 14 February 2021, Parliamentary Elections.

²⁵⁵ Democracy in Action, Early Elections for the Assembly of Kosovo at 2021.

²⁵⁶ Free Europe, Most women MPs secured seats in the Assembly without a quota, at <https://www.evropaelire.org/a/grate-sigurojne-uleset-ne-kuvend/30258606.html>.

²⁵⁷ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²⁵⁸ Democracy in Action, Report from media monitoring during the election campaign elections for the Assembly of Kosovo, 14 February 2021.

²⁵⁹ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²⁶⁰ Ibid.

Visibility of women candidates in campaigns

In the 2021 national elections, the public broadcaster - RTK aired a total of 56 shows/televised debates. 98 candidates participated in these 56 shows, out of which 79 were men and only 19 women (20%).²⁶¹ In the local elections (2021), media offered very limited media access to women, except for RTV Dukagjini which included one woman candidate from each municipal assembly list, alleviating somewhat the problem of underrepresentation.²⁶²

In the national elections, women were frequent targets of biased, sexist, or manipulated language. They were subject to verbal attacks for their political positions, their personal life choices, appearances, and sexist language.²⁶³ **No progress**

| Elections | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-----------------------------|-------------|------------------|---------------|---------------|--------------------|
| Election administration | | | ✓ | | |
| Campaign environment | | | ✓ | | |
| Legal framework | ✓ | | | | |
| Women's participation | | ✓ | | | |
| The Overall progress | | ✓ | | | |

The overall progress for Elections

Limited progress was made in women's participation in 2021.

4. Public Administration Reform

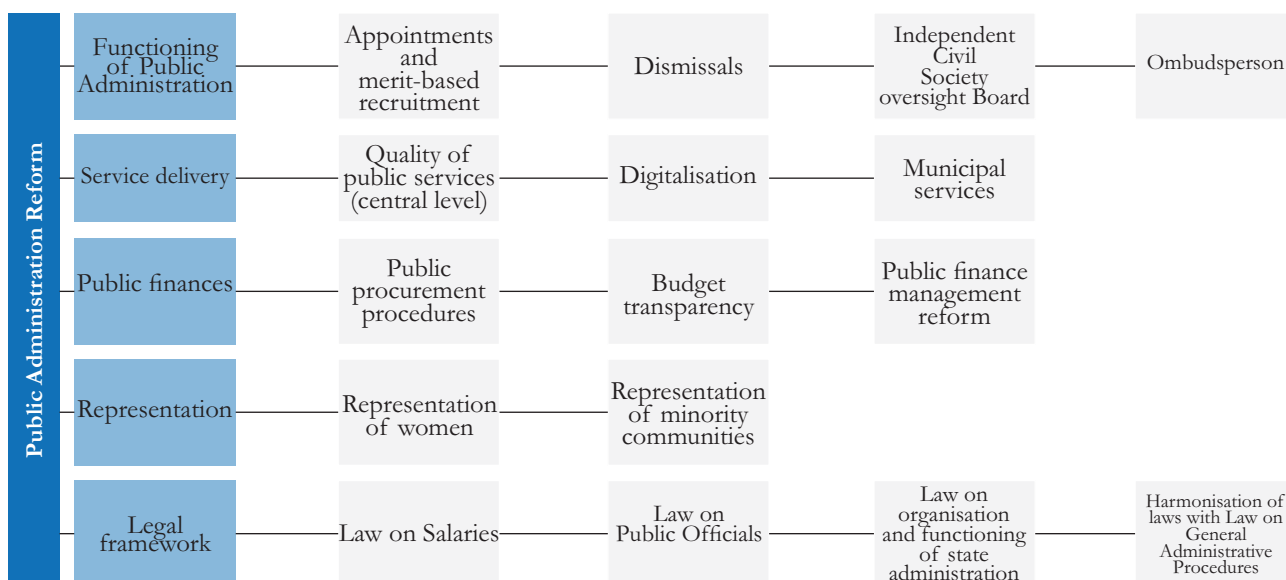
The sub-indicators used to measure progress in public administration include:

- a) *functioning of public administration*- whether the appointment and/or dismissal of civil servants is free from political influence;
- b) *service delivery*- whether public administrative services have improved at the local and central level;
- c) *public finances*- whether budget transparency, public procurement procedures, and so on, have been improved;
- d) *representation*- whether the participation of vulnerable groups, such as women and minorities is increased; *and*
- e) *legal framework*- whether laws and strategies have been adopted and/or are being implemented.

²⁶¹ European Union, Election Observation Mission Kosovo 2021, Final Report, 17 October -14 November 2021.

²⁶² Ibid.

²⁶³ NDI, February 14, 2021 Kosovo Parliamentary elections, Monitoring of online news portals and social media, 29 April 2021.



Public Administration and its sub-indicators

a) Functioning of Public Administration

The means of assessing the functioning of public administration include:

- *appointments, dismissals and merit-based recruitment;*
- *independent civil society oversight board; and*
- *Ombudsperson.*

Appointments, dismissals and merit-based recruitment

In 2019/20, the process of appointments and merit-based recruitment was marked with insufficient transparency, openness and fairness mainly due to the non-implementation of the Law on Public Officials.²⁶⁴ As such, there have been calls for increased openness, transparency and fairness in the recruitment process.²⁶⁵ Undue political influence over the appointments/dismissals of senior public officials and civil servants has been challenging for years. Kosovo has met only some of its commitments under merit-based criteria.²⁶⁶

In 2021, weaknesses in law implementation were highlighted, leaving space for political interference. The country’s score in SIGMA’s indicator: merit-based recruitment and dismissal of senior civilservants for 2021 was 3/5.²⁶⁷ Kosovo has had the same score since 2017.²⁶⁸ **No progress**

Independent Civil Service Oversight Board

In June 2021, the assembly dismissed all five members of the Independent Civil Service Oversight Board, following concerns over their political influence and non-merit-based appointments.

| Year | 2020 | 2021 |
|--|------|------|
| SIGMA's score on merit-based recruitment and dismissals | 3/5 | 3/5 |

Table 37. Merit-based recruitment and dismissals

The EC’s report called for the appointment of a new board in line with transparent and merit-based procedures.²⁶⁹ Eleven MPs took the matter to the Constitutional Court. The Court ruled

²⁶⁴ OECD, SIGMA Monitoring Report, The Principles of Public Administration: Kosovo, November 2021.

²⁶⁵ GLPS, National PAR Monitor – Kosovo 2019/2020, June 2021.

²⁶⁶ European Commission, Country Report Kosovo 2021.

²⁶⁷ OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022.

²⁶⁸ OECD, SIGMA Monitoring Report, Kosovo*, 21 November 2022.

²⁶⁹ European Commission, Country Report Kosovo 2021 and Gazeta Express, The Assembly dismisses the five members of the Independent Oversight Board for the Civil Service of Kosovo, 30 June 2021, at <https://www.gazetaexpress.com/kuvendi-shkarkon-pese-anetaret-e-keshillit-te-pavarur-mbikqyres-per-sherbimin-civil/>.

that the decision was not in conformity with Paragraph 2, Article 101 of the Constitution.²⁷⁰ The new Board was not appointed. **No progress**

Ombudsperson

The Ombudsperson and the National Audit Office continue to address citizens' right to good administration, yet the implementation of the recommendations by the relevant institutions remains limited.²⁷¹ **Very good progress**

Limited progress was made in the functioning of public administration in 2021.

b) Service delivery

The means of assessing the service delivery include:

- *quality of public services;*
- *digitalisation; and*
- *municipal services.*

Quality of public services (central level)

The enactment of the Law on General Administrative Procedures, the functioning Government Gateway and the establishment of the e-Kosova portal are positive but they have not necessarily improved the quality of services provided to citizens and businesses. Citizens' and businesses' satisfaction with the quality of public service provision has decreased.²⁷²

In 2020, citizens' satisfaction with public services was 2.9 (on a scale from 1 to 5) whereas satisfaction with administrative services from the central government was 3.0.

In 2021, satisfaction from public services was 2.7 whereas satisfaction from administrative services from the central government was 2.8.²⁷³ Public satisfaction from the provision of public services decreased by 6.9%. **No progress**

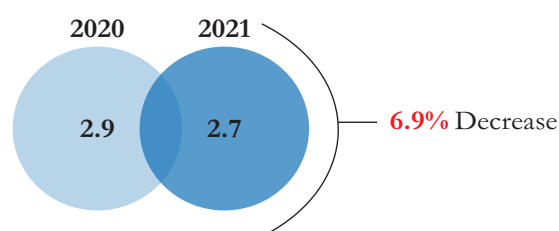


Fig 22. Public satisfaction with public service provision

²⁷⁰ Constitutional Court, Notice of the decision in case KO 127/21, at <https://gjk-ks.org/njoftim-per-vendim-ne-rastin-ko-127-21/>.

²⁷¹ European Commission, Country Report Kosovo 2021.

²⁷² OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022.

²⁷³ Regional Cooperation Council, Balkan Barometer 2021.

Digitalisation

In 2021, Kosovo had a score of 2.8 (on a scale of 1 to 5) on the accessibility to public services via digital channels (online services, website, smartphone app). Following COVID-19 measures, many activities were carried out online including in education, businesses, municipalities and banking, marking solid progress from the previous year.²⁷⁴

However, there is a lack of data on the number of e-service users in Kosovo, and most of it is gathered through institutions' websites. Overall, e-Kosova has increased the number of e-services provided to citizens, although they remain limited.²⁷⁵ **Some progress**

Municipal services

In 2021, the performance of the municipalities in 19 fields was 56.8%, while in 2020 the performance was 57.06%. So, the quality of municipal services was 0.46% lower compared to the previous year (2020).²⁷⁶ **No progress**

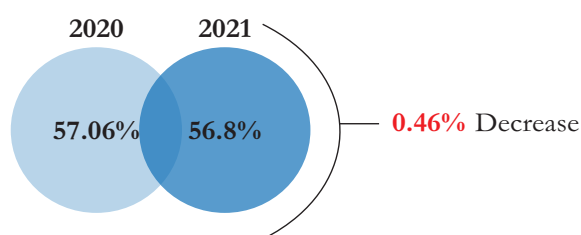


Fig 23. Performance of municipal services

No progress was made in the functioning of service delivery in 2021.

c) Public finances

The means of assessing public finances include:

- *public procurement procedures;*
- *budget transparency; and*
- *public finance management reform.*

Public procurement procedures

Kosovo has some level of preparation in public procurement. In 2021, progress is noted with the increased transparency of public procurement as a result of two new e-procurement modules (enhanced monitoring of contract implementation, and increased coordination and exchange of information between the Procurement Review Body (PRB) and the Public Procurement Regulatory Commission (PPRC)).²⁷⁷

Kosovo has a score of 4/5 in terms of Publication and Transparency in relation to public procurement procedures, which marks an increase compared to its score in 2017 (3/4).²⁷⁸ **Good progress**

²⁷⁴ Regional Cooperation Council, Balkan Barometer 2021.

²⁷⁵ Kosovo Digital Agenda Observatory, Country Report and Roadmap for Digital Agenda advancement in Kosovo, June 2021, at <https://opendatakosovo.org/wp-content/uploads/2021/12/Kosovo-DAO-2021.pdf>.

²⁷⁶ Performance Report of the Municipalities of Kosovo, at <https://mapl.rks-gov.net/raportet-vjetore-te-mapl-se/>

²⁷⁷ European Commission, Country Report Kosovo 2021, at https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en.

²⁷⁸ OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022.

Budget transparency

The main conditions for budget transparency are in place, with frequent and comprehensive in-year reporting and timely publication of annual financial statements for central and local government. However, the financial statements/reports do not explain variations for capital investment projects and do not contain non-financial performance information. In addition, there is no monitoring and reporting on fiscal risks or transparent reporting on the financial performance of POEs in place.²⁷⁹

There is transparency in terms of the budget and its implementation. Furthermore, information on the government's fiscal transparency portal is provided and easily accessible. However, a theft using the Treasury's financial management information system spurred an increase in the system's security. There is still a need for the Ministry and the related bodies to explore further measures to ensure better interconnectedness and security of their IT systems.²⁸⁰ **Some progress**

Public finance management reform

The Public Finance Management Reform Strategy 2021-2025 is still under development. There have been calls for the new strategy to include public procurement and public internal financial control and to address the weaknesses identified in the Public Expenditure and Financial Accountability (PEFA) assessment of 2021. This assessment showed that the management of public finance in Kosovo is good, compared both internationally and regionally, but it also outlined a number of weaknesses.²⁸¹ Moreover, as regards the PFM 2016-2020, the value for public financial management in Kosovo was above the regional average (3.3 as compared to 3.1 for the region).²⁸² **Some progress**

Some progress was made in public finances in 2021.

d) Representation

The means of assessing the representation of marginalised groups include:

- *women's representation; and*
- *representation of minority communities.*

Women's representation

In 2020, 4692 women belonged to the professional category, of whom 615 held managerial positions (low-level, mid-level and senior management).

In 2021, 4358 women belonged to the professional category, of which 630 held managerial positions.²⁸³

This represents an increase of 2.44% of women in managerial positions in 2021. **Limited progress**

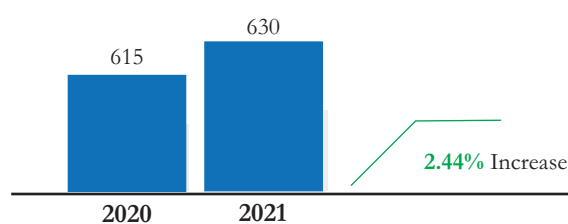


Fig 24. Women's representation

²⁷⁹ Ibid.

²⁸⁰ European Commission, Country Report Kosovo 2021

²⁸¹ Ibid.

²⁸² OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022

²⁸³ Data from Ministry of Internal Affairs, Department for the Management of Public Officials, November 2022.

Representation of minority communities

In 2020, 1813 members of the minority communities worked at the central and local levels. In 2021, 1129 members of the minority communities worked at the central and local level.²⁸⁴ This represents a decrease of 37.7% in minority representation at the central and local levels. **No progress**

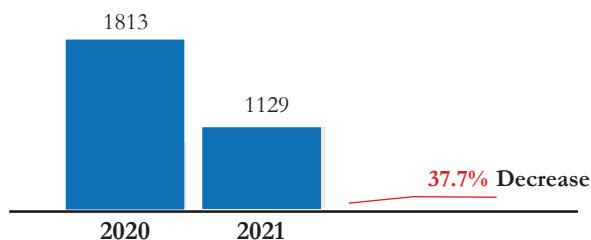


Fig 25. Minorities' representation

No progress was made in representation in 2021.

e) Legal framework

The means of assessing the legal framework regarding public administration include:

- *Law on Salaries;*
- *Law on Public Officials;*
- *Law on Organisation and Functioning of State Administration; and*
- *harmonisation of laws with Law on General Administrative Procedures.*

Law on Salaries

In 2021, the Constitutional Court annulled the Law on Salaries in its entirety. Kosovo was left without a comprehensive legislative framework to regulate remuneration in the public sector to prevent unfair salary structures, abuse of allowances and discretionary decision-making.²⁸⁵ Remuneration is based on a 2010 regulation, which does not ensure comprehensiveness, transparency, fairness and equal treatment. Moreover, salaries are not transparent and the basic salary allocation procedures are not in line with the principles of merit, fairness and equal treatment.²⁸⁶

The drafting of a new Law on Salaries is in its initial phase and has been hampered by the lack of reliable data on salaries both within and outside the civil service.²⁸⁷ **Limited progress**

²⁸⁴ Data from Ministry of Internal Affairs, Department for the Management of Public Officials, November 2022.

²⁸⁵ European Commission, Country Report Kosovo 2021.

²⁸⁶ OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022.

²⁸⁷ Ibid.

Law on Public Officials (LPO)

The Law on Public Officials was not sufficiently implemented.²⁸⁸ The implementation started in July 2020 and is still at an early stage. The number of vacancies offered in external competitions for civil servants and senior managerial positions before and after the entry into force of the LPO in June 2020, illustrates the lack of implementation of the LPO. The same issues persisted in 2021 given that no recruitment has taken place since July 2020.²⁸⁹ **No progress**

Law on Organisation and Functioning of State Administration

The new Law on Organisation and Functioning of State Administration enhances lines of accountability, but its implementation is lacking.²⁹⁰ As a consequence, results-oriented governance of public agencies is still absent, and Kosovo has the highest number of executive agencies subordinated to parliament in the region.²⁹¹ **No progress**

Harmonisation of (special sector) laws with the Law on General Administrative Procedure

Several reports have called for harmonisation of sectoral laws with the Law on General Administrative Procedure, which has been slow. Moreover, a lack of coordination between the different initiatives aimed at simplifying and reducing administrative burdens has been apparent.²⁹² Lack of harmonisation is considered detrimental to the provision of public services and has caused legal uncertainties for both citizens and businesses.²⁹³ **No progress**

| Public Administration | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|--------------------------------------|-------------|------------------|---------------|---------------|--------------------|
| Functioning of public administration | | ✓ | | | |
| Service delivery | ✓ | | | | |
| Public finances | | | ✓ | | |
| Representation | ✓ | | | | |
| Legal Framework | ✓ | | | | |
| The Overall progress | | ✓ | | | |

The overall progress for Public Administration

No progress was made in the legal framework in 2021.

²⁸⁸ European Commission, Country Report Kosovo 2021.

²⁸⁹ GLPS, National PAR Monitor – Kosovo 2019/2020, June 2021.

²⁹⁰ European Commission, Country Report Kosovo 2021.

²⁹¹ OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022.

²⁹² Balkans Group report, Public Administration Reform in Kosovo: constant struggle to make it, August 2020; and OECD, SIGMA Monitoring Report, Kosovo*, 18 January 2022 and European Commission, Country Report Kosovo 2021

²⁹³ Balkans Group report, Public Administration Reform in Kosovo: constant struggle to make it, August 2020.



Dimension IV

ECONOMY

Summary and Analysis

The European Union is a single market of 27 member states, hence economic growth and development are crucial to the Union.²⁹⁴ Economy refers to the existence of a functioning market economy and the capacity to cope with competitive pressures and market forces within the union.²⁹⁵ Economic criteria are included under Block II: Economic Criteria of the NPISAA, and are key to EU membership and rapprochement.²⁹⁶

In addition, economic criteria are placed under Pillar II: Competitiveness, Investment, and Sustainable Development within the ERA II. Much emphasis is placed on the promotion of direct investments, the improvement of the business environment, meeting energy efficiency and renewable energy targets, treatment of priority environmental challenges, as well as the enforcement of public procurement reforms.²⁹⁷

To assess whether Kosovo has achieved progress in meeting the economic criteria, one indicator is used:

1. Economic Development

This indicator uses a number of sub-indicators to measure the progress in this sector:

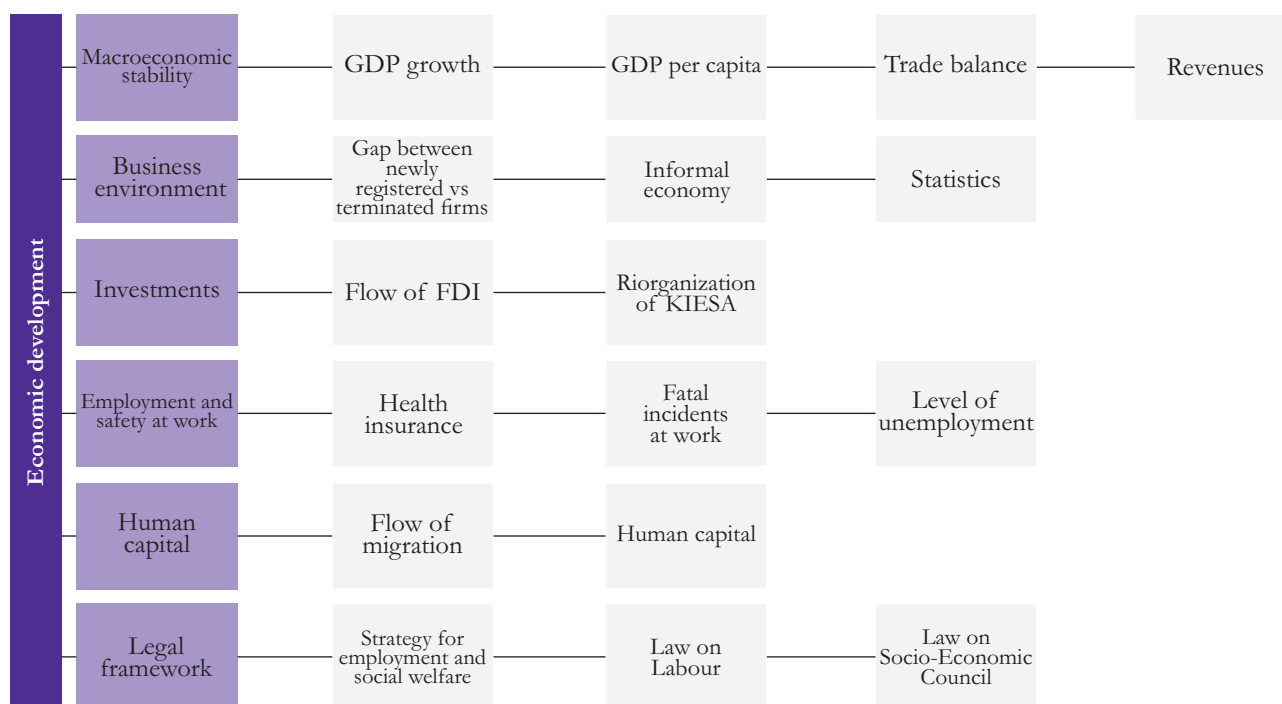
- a) *Macroeconomic stability*- or data on GDP growth, GDP per capita, trade balance, and revenues;
- b) *Business environment*- or information on newly registered and terminated firms, size of the informal economy, and availability of statistics on the economic sector;
- c) *Investments*- or data on FDI and reorganisation of KIESA;
- d) *Employment and safety at work*- or information regarding employment rate, fatalities at the workplace, and the number of employees who have health insurance;
- e) *Human capital*- or data on migration and human capital; *and*
- f) *Legal framework*- whether laws and strategies have been adopted and/or are being implemented.

²⁹⁴ European Union website, at https://european-union.europa.eu/principles-countries-history/key-facts-and-figures/economy_en.

²⁹⁵ European Commission, Economic Criteria for Joining the EU, at https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/international-economic-relations/enlargement-and-neighbouring-countries/enlargement/economic-accession-criteria_en.

²⁹⁶ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

²⁹⁷ Kosovo- European Reform Agenda (ERA) II, 2020.



Economic development and its sub-indicators

a) Macroeconomic stability

The means of assessing macroeconomic stability include:

- *GDP growth;*
- *GDP per capita;*
- *trade balance; and*
- *revenues.*

GDP growth

In 2021, the GDP was 7,160 million EUR, marking an increase of 3% in growth (6,961 million EUR) compared to 2020.²⁹⁸ **Limited progress**

| Year | 2020 | 2021 |
|------------------|---------------|---------------|
| GDP | 6,961 mil EUR | 7,160 mil EUR |
| Ratio (%) | | 3% |

Table 38. GDP growth

GDP per capita

In 2020, the GDP per capita was 3,993 USD, while in 2021 it was 4,300 USD. This represents an 8% increase.²⁹⁹ **Limited progress**

| Year | 2020 | 2021 |
|-----------------------|-----------|-----------|
| GDP per capita | 3,993 USD | 4,300 USD |
| Ratio (%) | | 8% |

Table 39. GDP per capita

²⁹⁸ Ministry of Finance, Information booklet for citizens: Budget of Republic of Kosovo – 2021 Revised.

²⁹⁹ World Bank, GDP per capita (Kosovo), at <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=XK>.

Balance of Trade

In 2020, exports were EUR 474,883,720.28, imports were EUR 3,296,634,863.1 and the balance of trade was EUR -2,821,751,142.82.

In 2021 exports were EUR 749,720,392.43, imports were EUR 4,652,751,344.00, and the balance of trade was EUR -3,903,030,951.57. This represents a negative increase of 38% in the trade balance in 2021.³⁰⁰ **No progress**

| Year | 2020 | 2021 |
|---------------|-----------------------|-----------------------|
| Exports | 474,883,720.28 EUR | 749,720,392.43 EUR |
| Imports | 3,296,634,863.10 EUR | 4,652,751,344.00 EUR |
| Trade balance | -2,821,751,142.82 EUR | -3,903,030,951.57 EUR |
| Ratio (%) | | -38% |

Table 40. Trade balance

Revenues

In 2020, total government revenues equalled EUR 2,205,629. In 2021, government revenues equalled EUR 2,645,876, representing a 20% increase in 2021 compared to 2020.³⁰¹ **Limited progress**

| Year | 2020 | 2021 |
|---------------------|---------------|---------------|
| Government revenues | 2,205,629 EUR | 2,645,876 EUR |
| Ratio (%) | | 20% |

Table 41. Government revenues

No progress was made in macroeconomic stability in 2021.

b) Business environment

The means of assessing the business environment include:

- *gap between newly registered and terminated firms;*
- *informal economy; and*
- *statistics.*

Gap between newly registered and terminated firms

In 2020, the number of newly registered firms was 9805, and that of terminated ones was 1326. In 2021, the number of newly registered firms was 10649, and that of terminated ones was 1608. This represents an increase of 15% in terminated firms in relation to newly registered firms.³⁰² **No progress**

| Year | 2020 | 2021 |
|------------------------|-------|--------|
| Newly registered firms | 9,805 | 10,649 |
| Terminated firms | 1,326 | 1,608 |
| Ratio (%) | | 15% |

Table 42. Newly registered and terminated firms

³⁰⁰ Balkans Group interview with an official from the Ministry of Industry, Entrepreneurship and Trade, November 2022.

³⁰¹ Kosovo Agency of Statistics, Series 4: National Accounts Statistics, Government Accounts of Kosovo 2015-2020 and Prime Minister's Office, 56th Government Meeting, 26 January 2022.

³⁰² Kosovo Agency of Statistics, Statistical Repertoire of Enterprises Q4 2021.

Informal economy

While data on exact numbers of the informal economy as a percentage of GDP are lacking, reports show that in 2020 and 2021 the informal sector was roughly 30% with no change reported.³⁰³ **No progress**

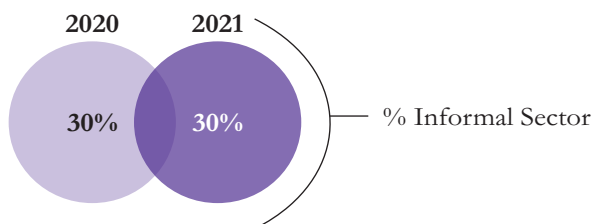


Fig 26. Informal sector

Statistics

In 2021, structural business statistics and some short-term statistics were partially in line with the EU Acquis, however, their availability is limited and they lack a distinction between public and private investments or by sectors.³⁰⁴ KSA publishes quarterly data for some economic indicators and provides a business register.³⁰⁵ The Central Bank of Kosovo also publishes time series data on the financial and external sectors.³⁰⁶ Overall, the publication of this data has become more advanced over the years. **Limited progress**

No progress was made in the business environment in 2021.

c) Investments

The means of assessing investments include:

- *flow of FDI; and*
- *reorganisation of KIESA.*

Flow of Foreign Direct Investments (FDI)

In 2020, FDI inflows equaled 345.7million EUR, whereas in 2021 they stood at 421 million EUR. This represents an increase of 22% in FDI inflows.³⁰⁷ **Limited progress**

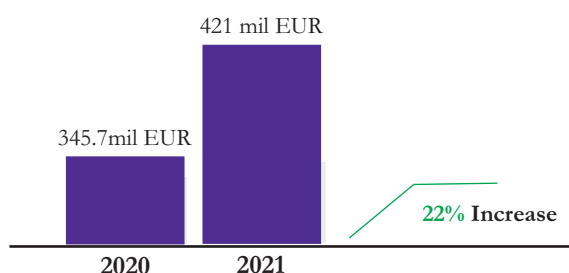


Fig 27. FDI inflows

³⁰³ European Commission, Country Report Kosovo 2021 and International Monetary Fund, Republic of Kosovo 2020 Article IV Consultation- Press Release; Staff Report; and statement by the Executive Director for Republic of Kosovo, February 2021, at <https://www.imf.org/en/Publications/CR/Issues/2021/02/17/Republic-of-Kosovo-2020-Article-IV-Consultation-Press-Release-Staff-Report-and-Statement-by-50104>.

³⁰⁴ European Commission, Country Report Kosovo 2021.

³⁰⁵ See more information see <https://ask.rks-gov.net/en/kosovo-agency-of-statistics/economy/statistical-business-register>.

³⁰⁶ Central Bank of Kosovo, Time series, at <https://bqk-kos.org/statistics/time-series/?lang=en>.

³⁰⁷ Kallxo.com, Foreign direct investments in Kosovo increased in 2021, led by Germany, 1 January 2022, at <https://kallxo.com/lajm/investimet-e-huaja-direkte-ne-kosove-shenojne-rritje-ne-vitin-2021-prin-gjermania/> and Ministry of Economy, Macroeconomic Indicators, at <https://me.rks-gov.net>.

Reorganisation of Kosovo Investment and Enterprise Support Agency (KIESA)

The reorganisation of KIESA (improving its support schemes, provision of advisory services to SMEs, and adding an investor aftercare unit) is considered necessary. According to KIESA, a number of support schemes were launched in 2021 such as grants for production/manufacturing machinery, the World Bank project Competitiveness and Export Readiness Project (which support SMEs for assets as well as in the field of standardisation, certification, marketing, advisory, and so on). The advisory scheme is part of the CERP Project of World Bank Activity 4 - Access to services and training for business development according to the public call. Moreover, aftercare services include care offered to investors after the investment is made, facilitation of meetings, participation in B2B meetings and conferences, and information about new changes in laws, taxes and other additional information.³⁰⁸

In terms of reorganisation, no progress has been reported. **No progress**

No progress was made in investments in 2021.

d) Employment and safety at work

The means of assessing employment and safety at work include:

- *health insurance;*
- *fatal incidents at work; and*
- *level of unemployment.*

Health Insurance

In 2020, Kosovo had 92,690 insurance policies with a value of EUR 16,720,116, while in 2021, it had 165,048 insurance policies worth EUR 21,922,048.³⁰⁹ This represents an increase of 31% in insurance policy value in 2021 compared to 2020.

However, although a small share of the workforce is covered by private health insurance, the majority of workers in Kosovo are not covered by health insurance, and there is no insurance against injuries and related illnesses sustained in the course of performing work.³¹⁰ Besides, the adoption of the Law on Health Insurance has been delayed.³¹¹ **Some progress**

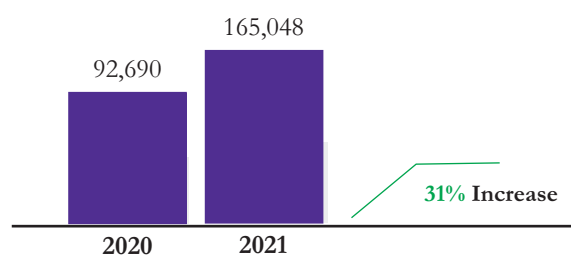


Fig 28. Insurance policies

Fatal incidents at work

In 2021, the Occupational Safety and Health report highlighted a number of problems pertaining to labour rights in Kosovo including: the insufficient capacities of labour inspectorates, the lack of reliable statistics on occupational accidents and diseases, the limited health surveillance, the lack of social security coverage against employment injuries, the insufficient social dialogue, the lack of OSH programmes and the insufficient research.

³⁰⁸ Balkans Group interview with an official from KIESA, Prishtina, February 2022.

³⁰⁹ Balkans Group interview with an official from Agency of Statistics of Kosovo, Prishtina, November 2022.

³¹⁰ Regional Cooperation Council, Performance of Western Balkan Economies Regarding the European Pillar of Social Rights 2021 review on Kosovo*, 2021, at <https://www.esap.online/download/docs/ESAP-Social-Rights-Pillar-Report-Kosovo.pdf/f72dc00af90c0fbc60354508ce1c3931.pdf>

³¹¹ European Commission, Country Report Kosovo 2021.

These shortcomings result in frequent serious work accidents and occupational diseases, particularly in the construction sector.³¹² Moreover, no compensation mechanism for fatal and non-fatal incidents at work is in place.³¹³

In 2020, 11 fatal incidents at work occurred, whereas in 2021, the number of fatal incidents at work was 9. This represents an 18% decrease in 2021.³¹⁴ **Limited progress**

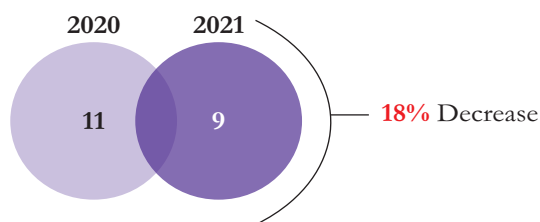


Fig 29. Fatal incidents at work

Level of unemployment

In 2020, the level of unemployment was 25.9%.³¹⁵ In 2021, the figure was 25.8%.³¹⁶ This represents a decrease of 0.38% in unemployment levels in 2021. **No progress**

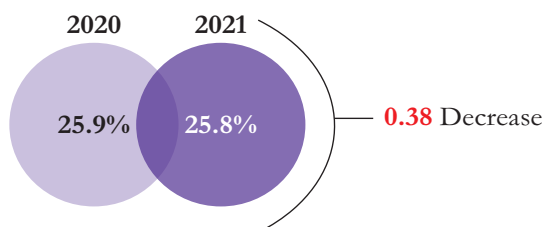


Fig 30. Level of unemployment

Limited progress was made in employment and safety at work.

e) Human capital

The means of assessing human capital include:

- *flow of migration; and*
- *human capital.*

Flow of migration

In 2020, the NET migration flow was 2819. Immigration stood at 11543 and emigration at 8724.³¹⁷ In 2021, NET migration flow was -38606. Immigration stood at 4122 and emigration at 42728.³¹⁸ In 2021, the NET migration flow experienced a negative trend compared to 2020, signifying that the number of emigrants exceeded the number of migrants.

Other reports have also highlighted the increased emigration of health workers, mainly doctors

³¹² ILO, Occupational Safety and Health Profile. Promoting decent work through strengthening occupational safety and health management and social dialogue in Kosovo, 28 May 2021.

³¹³ Regional Cooperation Council, Performance of Western Balkan Economies Regarding the European Pillar of Social Rights 2021 review on Kosovo*, 2021, at <https://www.esap.online/download/docs/ESAP-Social-Rights-Pillar-Report-Kosovo.pdf/f72dc00af90c0fbc60354508cce1c3931.pdf>

³¹⁴ Labour Inspectorate, Labour Report for 2021, 4 February 2022 and Work Report for 2020, 22 March 2021.

³¹⁵ Ministry of Finances, Series 5: Social Statistics, Labour Force Survey Q1 2020 and Series 5: Social Statistics, Labour Force Survey Q1 2020.

³¹⁶ Ibid.

³¹⁷ ASK, Annual Population Estimate 2020, June 2021, at <https://ask.rks-gov.net/media/6105/vlerësimi-i-popullsisë-2020.pdf>; and Balkans Group report, Kosovo: Migration Trends Require a New Policy Response, September 2020; and Statistics on migration, residence permits, citizenship and asylum for the enlargement countries 2020 edition and UN Department of Economics and Social Affairs, Population Dynamics, at <https://population.un.org/wpp/>.

³¹⁸ Population Assessment, 2021 at <https://ask.rks-gov.net/en/kosovo-agency-of-statistics/add-news/population-assessment-2021>.

and nurses.³¹⁹ **No progress**

| Year | 2020 | 2021 | Trend |
|---------------|--------|---------|----------|
| Net migration | 2,819 | -38,606 | Negative |
| Immigration | 11,543 | 4,122 | |
| Emigration | 8,724 | 42,728 | |

Table 43. Net migration

Human capital

In 2020, the Human Capital Index (HCI) was 0.57.³²⁰ This figure was lower than the regional average but higher than the average for its income group.³²¹ No data are available for 2021.³²²

| Year | 2020 | 2021 |
|------|------|------|
| HCI | 0.57 | / |

Table 44. Human capital

No progress was made in human capital in 2021.

f) Legal framework

The means of assessing the legal framework regarding the economy include:

- *Strategy on Employment and Social Policy;*
- *Law on Labour; and*
- *Law on Socio-Economic Council.*

Strategy on Employment and Social Policy

The implementation of the Sectoral Strategy 2018-2022 is low.³²³ Moreover, the government has not adopted a new Sectoral Strategy. **Limited progress**

Law on Labour

Despite recommendations, a new Law on Labour was not adopted in 2021. Law on Labour (No.03/L-212), adopted in 2010, is still in force.³²⁴ **No progress**

Law on Socio-Economic Council

A new Law on Socio-Economic Council to improve its capacities, decision-making and overall performance was not adopted in 2021. Law (No. 04/L-008), adopted in 2011, is still applicable.³²⁵

No progress

³¹⁹ European Commission, Country Report Kosovo 2021 and RCC, Performance of Western Balkan Economies Regarding the European Pillar of Social Rights 2021 review on Kosovo*, 2021, at <https://www.esap.online/download/docs/ESAP-Social-Rights-Pillar-Report-Kosovo.pdf/f72dc00af90c0fbc60354508ce1c3931.pdf>

³²⁰ The World Bank, Kosovo Human Capital Index 2020, October 2020, at https://databank.worldbank.org/data/download/hci/HCI_2pager_XKX.pdf

³²¹ The World Bank, Kosovo's Human Capital Index Lower than Regional Average, but Higher than Average for Its Income Group, says World Bank Report, 16 September 2020, at <https://www.worldbank.org/en/news/press-release/2020/09/16/kosovo-human-capital-index-lower-than-regional-average-but-higher-than-the-average-for-its-income-group-says-world-bank-report>.

³²² See The World Bank, Human Capital Project, at <https://www.worldbank.org/en/publication/human-capital>.

³²³ European Commission, Country Report Kosovo 2021 and KEEN, Assessment Report: Implementation of the Sectoral Strategy of MLSW in 2018 And 2019, November 2022.

³²⁴ Law No.03/L –212 on Labour, at <https://gzk.rks.gov.net/ActDocumentDetail.aspx?ActID=2735>.

³²⁵ Ibid.

No progress was made in the legal framework in 2021.

| Economic development | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-------------------------------|-------------|------------------|---------------|---------------|--------------------|
| Macroeconomic stability | ✓ | | | | |
| Business environment | ✓ | | | | |
| Investments | ✓ | | | | |
| Employment and safety at work | | ✓ | | | |
| Human Capital | ✓ | | | | |
| Legal framework | ✓ | | | | |
| The Overall progress | ✓ | | | | |

The overall progress for Economy



Dimension V

SUSTAINABLE DEVELOPMENT

Summary and Analysis

Sustainable development is a core principle of the Treaty on European Union and a priority objective in the Union's internal and external policies.³²⁶

The Government's NPISAA places sustainable development policies, such as energy and environment, within Block III: European Standards - Approximation of Kosovo's Legislation with the EU Acquis.³²⁷ Moreover, both policy areas are placed under Pillar II: Competitiveness, Investment, and Sustainable Development within the ERA II.³²⁸

As regards energy, the focus is placed on the security of the energy supply, improved competitiveness, the promotion of renewable energy and increased access to the energy market.³²⁹ As for the environment, the emphasis is mainly on water and air quality, waste management, nature protection, industrial pollution control and risk management, chemicals and genetically modified organisms (GMOs), noise and forestry.³³⁰

To measure the progress in Sustainable Development the following indicators are used:

1. Energy
2. Environment



Sustainable Development and its indicators

Kosovo is committed to achieving sustainable development goals (SDGs) through the European integration process. The country has undertaken some positive steps on Agenda 2030, notably the establishment of the National Council for Sustainable Development (NCSDD) which is responsible for coordinating SDG action and the preparation of the National Development Strategy 2016-2021.

1. Energy

To assess whether Kosovo has achieved progress in meeting the energy criteria, these sub-indicators were used:

- a) *Energy supply*- or information regarding the country's reliance on coal, security of supply, commercial loss, and planning and investment in the energy sector;
- b) *Energy efficiency*- or information regarding the implementation of the energy efficiency fund, energy savings, CO2 emissions, and improvement of power plants;
- c) *Renewable energy*- or data on renewable energy sources and plans for alternative energy sources; *and*
- d) *Legal framework*- whether laws and strategies have been adopted and/or are being implemented.

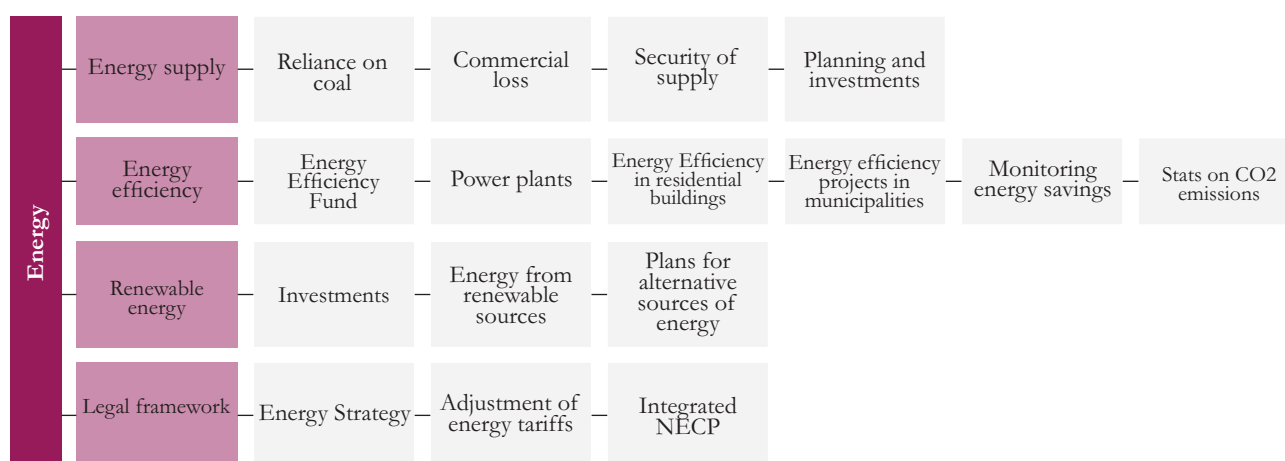
³²⁶ Sustainable Development Goals, European Commission, at https://ec.europa.eu/info/strategy/international-strategies/sustainable-development-goals_en.

³²⁷ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

³²⁸ Kosovo-European Reform Agenda (ERA) II, 2020.

³²⁹ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

³³⁰ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.



Energy and its sub-indicators

a) Energy supply

The means of assessing energy supply include:

- *reliance on coal;*
- *commercial loss;*
- *security of supply; and*
- *planning and investments.*

Reliance on coal

In the last quarter of 2020 (Q4 2020), the value of coal production was 2.37 million tons, whereas, the gross amount of electricity produced in thermal power plants was 1,796.3 GWh.³³¹

In 2021 (Q4 2021) the value of coal production was about 2,35 million tons. The gross amount of electricity produced in thermal power plants was 1,833.05 GWh; 24.4% less than in 2020.³³² This represents an increase of 2% in electricity production from coal. **No progress**

| Year | 2020 | 2021 | Ratio (%) |
|--|---------|----------|-----------|
| Coal (million tons) | 2,370.7 | 2,352.8 | |
| Electricity produced from coal (gross value) | 1,796.3 | 1,833.05 | 2% |

Table 45. Energy production from coal

Commercial loss

In 2020, 1,055,257 (20.27%) were the total losses in the distribution network. In 2021, losses stood at 990,280 (20.27%).³³³

In 2020, technical losses in the distribution network stood at 12.56%, whereas commercial losses accounted for 12.84% of the demand in distribution.³³⁴ In 2021, the technical losses in the distribution network stood at 12.46% while the commercial losses accounted for 12.11%. **No progress**

³³¹ Kosovo Agency of Statistics, Energy Balance in Kosovo, Q4 2020, 12 February 2021, at <https://ask.rks-gov.net/en/kosovo-agency-of-statistics/add-news/energy-balance-in-kosovo-q4-2020>.

³³² Kosovo Agency of Statistics, Energy Balance in Kosovo, Q4 2021, 12 November 2022, at <https://ask.rks-gov.net/en/kosovo-agency-of-statistics/add-news/energy-balance-in-kosovo-q4-2021>.

³³³ Energy Regulatory Office, Annual Balance of Electrical and Thermal Energy for the Year 2021, December 2020, at <https://www.ero-ks.org/zrre/sites/default/files/Publikimet/Bilancet/Bilanci%20vjetor%20i%20energji%20Elektrike%20dhe%20Termike%202021.pdf>; and Annual Balance of Electrical and Thermal Energy for the Year 2020, December 2019, at <http://ero-ks.org/2020/Sektoret/Bilanci%20Vjetor%20i%20Energji%20Elektrike%20dhe%20Termike%20per%20vitet%202020.pdf>.

³³⁴ Energy Regulatory Office, Annual Report 2020, March 2021 and Council of the European Union, Commission Staff Working Document, Economic Reform Programme of Kosovo (2021- 2023), 22 April 2021

| Year | 2020 | 2021 |
|------------------|--------|--------|
| Comercial losses | 20.27% | 20.27% |

Table 46. Commercial losses

Security of supply

In 2020 (fourth quarter), Kosovo imported 759.0 GWh of electricity.³³⁵ In 2021 (fourth quarter), Kosovo imported 900.7 GWh of electricity.³³⁶ This represents an increase of 18.6% in the amount of energy imported in 2021. **No progress**

Planning and investments

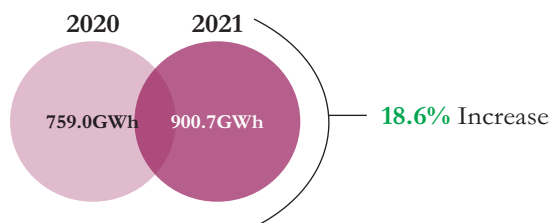


Fig 31. Energy imports

In 2020, 51.6GWh was the amount of energy generated from alternative sources (e.g. hydro power plants).³³⁷ In 2021, the amount was 70.6GWh.³³⁸ This represents an increase of 36.6% of energy generated from alternative sources. **Some progress**

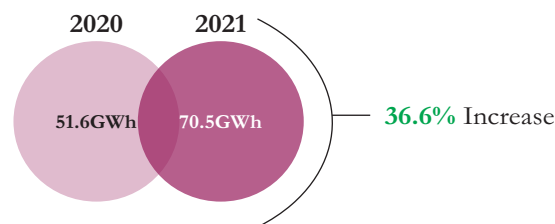


Fig 32. Electricity generated from alternative sources

No progress was made in energy supply in 2021.

b) Energy efficiency

The means of assessing energy efficiency include:

- *Energy Efficiency Fund;*
- *power plants;*
- *energy efficiency in residential buildings;*
- *energy efficiency projects in municipalities;*
- *monitoring energy savings; and*
- *Stats on CO2 emissions.*

³³⁵ Kosovo Agency of Statistics, Energy Balance in Kosovo, Q4 2020, 12 February 2021.

³³⁶ Kosovo Agency of Statistics, Energy Balance in Kosovo, Q3 2021, 12 November 2022.

³³⁷ Kosovo Agency of Statistics, Energy Balance in Kosovo, Q4 2020, 12 February 2021.

³³⁸ Kosovo Agency of Statistics, Energy Balance in Kosovo, Q3 2021, 12 November 2022.

Energy Efficiency Fund

Kosovo became the first country in the Western Balkans to establish an Energy Efficiency Fund in 2019 with the aim of enhancing energy efficiency and complying with core reforms pertaining to the energy sector.³³⁹ There have been calls for a continued rollout of the fund.³⁴⁰ The implementation of activities is ongoing but they are quite limited. Moreover, no information is provided on their website beyond 2020.³⁴¹ **Limited progress**

Power plants

Kosovo's electricity system is considered highly inflexible with 98% of electricity generated by two ageing and highly polluting lignite thermal power plants. This affected Kosovo's already heavy air pollution and the problems related to environmental degradation and health issues. As such, it was recommended for the work on decommissioning the obsolete parts of two power plants to continue. Initial work began in 2020 and is expected to bring levels of gaseous emissions in line with the EU acquis.³⁴²

There is a necessity for increased investments in pollution control equipment in line with EU requirements and standards, and a decrease in operating hours to reduce pollution.³⁴³ **No progress**

Energy efficiency in residential buildings

Kosovo Energy Efficiency Agency does not have any data on energy efficiency in residential buildings for 2020.

In 2021, the implementation of energy efficiency measures in the household sector included 962 homes and 26 multi-residential buildings (entrances) with a total value of 12.55 million EUR.³⁴⁴

Energy efficiency projects in municipalities

In 2020 the energy efficiency projects in municipalities stood at 3.08 million EUR, whereas in 2021 the amount of projects reached 8.79 million EUR.³⁴⁵

In 2020, the Kosovo Energy Efficiency Fund released a call for applications for municipalities to enhance energy efficiency in buildings as part of the Municipal Energy Efficiency Projects (PKEE).³⁴⁶ The number of energy efficiency projects in municipalities increased by 185% in 2021.

Very good progress

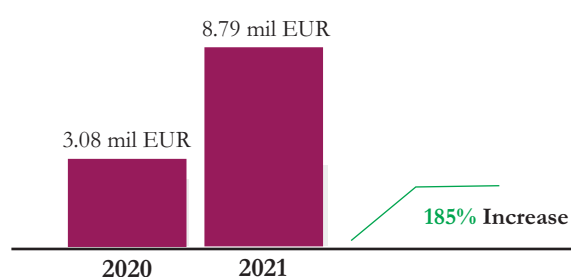


Fig 33. Energy efficiency projects in municipalities

³³⁹ FKEE, Kosovo Launches Energy Efficiency Fund, at <https://fkee-rks.net/en/kosovo-launches-energy-efficiency-fund/> and European Union Office in Kosovo, Energy Efficiency Fund Launched, an incentive for cleaner energy, 28 January 2019, at https://ec.europa.eu/delegations/kosovo/57253/energy-efficiency-fund-launched-incentive-cleaner-energy_en?fbclid=IwAR0hfOF6vWr_oMESJiypocn6hInqAXnB_QS109gb9RIP1nPo8w5B6d5Eaw.

³⁴⁰ EC Country Report Kosovo 2021.

³⁴¹ See Kosovo Energy Efficiency Fund at <https://fkee-rks.net/sq/home/>.

³⁴² EC Country Report Kosovo 2021.

³⁴³ CEE Balkan Watch Network, Hold or close, September 2021, at <https://www.balkangreenfoundation.org/uploads/files/2021/September/07/AI-PERMBAJU-OSE-MBYLL1631004379.pdf>.

³⁴⁴ Balkans Group interview with an official from Kosovo Energy Efficiency Agency, Ministry of Economy, Prishtina, November 2022.

³⁴⁵ Ibid.

³⁴⁶ See Kosovo Energy Efficiency Fund's Public Call, at https://fkee-rks.net/file/repository/Thirrja_Publike_ALB_1.pdf.

Monitoring energy savings

A Monitoring and Verification Platform (MVP) must be put in place in accordance with the Law on Energy Efficiency.³⁴⁷ Training on the use of MVPs was provided to municipal officials in 2020, but no progress was reported in 2021.³⁴⁸

Given the energy crisis, the Government has enacted a number of measures in 2021 for energy savings, monitoring and verification including banning cryptocurrency production, regular electricity cuts on a daily basis, an increase in energy prices for households that consume over 800 KWh, limitations of commercial activities that use energy/setting special terms for commercial activities, and limitations on energy trading/setting special terms for energy trading.³⁴⁹ **No progress**

Stats on CO2 emissions

The World Bank regularly publishes data on CO2 emissions (metric tons per capita) around the world, however, no data is provided for Kosovo for 2020 or 2021. Other reports provide data only for earlier years.³⁵⁰ In 2020, the annual greenhouse gas stood at 10,266 Gg (Giga grams) CO2 eq, (equivalent) or about 10.2 million tons of CO2.³⁵¹ **No data published for Co2 emissions in 2021.**

The legislation defining national systems for policies, measures and projections is missing, leaving Kosovo in non-compliance with Regulation (EU) 525/2013. Compilation of the GHG inventory is progressing. A Law on Climate Change is planned for the end of 2022.³⁵²

Limited progress was made in energy efficiency in 2021.

c) Renewable energy

The means of assessing renewable energy include:

- *investments;*
- *energy from renewable sources; and*
- *energy from alternative sources of energy.*

Investments

According to the Energy Regulatory Office, there is no data on investments in renewable energy.

In 2021, Kosovo has made limited progress by increasing its share of renewable energy and its investments in the energy efficiency of public buildings.³⁵³ In 2020, Kosovo made some progress by increasing investments in renewable energy, achieving 2020 goals under the Energy Community Treaty and developing interconnection with the region's energy networks.³⁵⁴ **Limited progress**

Energy from renewable sources

In 2020, Kosovo produced 262,8 GWh of renewable energy (hydro, wind and solar). In 2021, Kosovo produced 305,3 GWh.³⁵⁵ This represents an increase of 16% in renewable energy produced in 2021 compared to 2020. **Limited progress**

³⁴⁷ Energy Community Secretariat, Kosovo: Annual Implementation Report, 1 November 2021.

³⁴⁸ Balkan Green Energy News, Online training for Kosovo* Municipalities on MVP tool, 13 May 2020.

³⁴⁹ Prishtina Insight, Kosovo's Energy Crisis Halts Cryptocurrency Production, 5 January 2022, at <https://prishtinainsight.com/kosovos-energy-crisis-halts-cryptocurrency-production/>, Ministry of Finance at <https://me.rks-gov.net> and Gazeta Blic, These are the measures that are expected to be applied after the announcement of the energy emergency, December 2021, at <https://gazetablic.com/keto-jane-masat-qe-pritet-te-aplikohen-pas-shpalljes-se-gjendjes-emergjente-te-energjise-ne-kosove/>.

³⁵⁰ Government of Kosovo, Ministry of Energy and Environment, Kosovo Environment 2020 Report of environmental indicators, at https://www.ammk-rks.net/repository/docs/Mjedisi_i_Kosovës_2020_Raport_i_treguesve_mjedisorë_-_ANGLISHT.pdf.

³⁵¹ Annual report on the environment 2020.

³⁵² Energy Community, Implementation Indicators, at <https://www.energy-community.org/implementation/Kosovo/CLIM.html>.

³⁵³ European Commission, Country Report Kosovo 2022.

³⁵⁴ European Commission, Country Report Kosovo 2021.

³⁵⁵ ASK, Energy Balance Q4 2021, 14 February 2022.

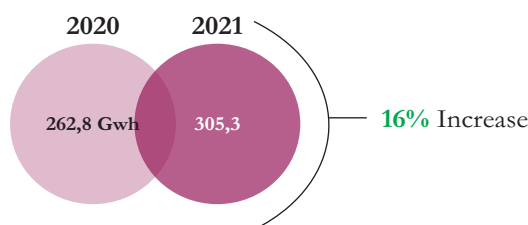


Fig 34. Production of renewable energy

Energy from alternative sources of energy

The government plans to work on improving the management of existing energy capacities as a basis for a stable energy supply and a safe path towards energy transition and decarbonisation. Moreover, the government seeks to apply environmental measures to improve the Kosovo B thermal power plant and decompose the non-functional assets of the Kosovo A thermal power plant. Lastly, through the Energy Efficiency Fund, the government aims to apply energy efficiency measures in order to extend financial schemes to financially support businesses and households.³⁵⁶ Yet, the new Energy Strategy has not been drafted yet, which is expected to outline such plans for developing alternative sources of energy. **Good progress**

Limited progress was made in renewable energy in 2021.

d) Legal framework

The means of assessing the legal framework regarding energy include:

- *Updating Energy Strategy;*
- *Adjustment of energy tariffs; and*
- *Integrated National Energy and Climate Plan.*

Energy Strategy

A new Energy Strategy covering the period 2022-2031 has been announced and a working group was established. However, the Strategy was not drafted and approved in 2021.³⁵⁷ **No progress**

Adjustment of energy tariffs

Adopting a plan for gradual adjustment of energy tariffs is one of the recommendations in the last country report.³⁵⁸ No progress is reported in 2021, however, various measures were taken to ensure the efficient use of electricity that leads to stability and sustainability. In particular, on 27 October 2021, Energy Regulatory Office approved retail electricity tariffs, which, among others, foresees lower energy tariffs if used in certain time slots during the day³⁵⁹ **No progress**

Integrated National Energy and Climate Plan (NECP)

An integrated National Energy Climate Plan (NECP) has not been adopted. In the absence of the Law on Climate Change, there is no legal basis for NECP.³⁶⁰ **No progress**

No progress was made in the legal framework in 2021.

³⁵⁶ Government of Kosovo, Program of the Government of the Republic of Kosovo 2021-2025, May 2021.

³⁵⁷ Balkan Green Energy News, Kosovo to adopt renewables share targets for 2031, 2050, 19 November 2021, at <https://balkangreenenergynews.com/kosovo-to-adopt-renewables-share-targets-for-2031-2050/> and at <https://kryeministri.rks-gov.net/en/the-working-group-on-drafting-the-national-energy-strategy-2022-2031-was-presented/>; and The Office of the Prime Minister, The working group on drafting the National Energy Strategy 2022-2031 was presented, 18 November 2021, at <https://kryeministri.rks-gov.net/en/the-working-group-on-drafting-the-national-energy-strategy-2022-2031-was-presented/>.

³⁵⁸ European Commission, Country Report Kosovo 2021.

³⁵⁹ KESCO, Tariffs, 27 October 2021, at https://www.kesco-energy.com/Uploads/Data/Docs/2021-Tarifatmepakiceteenergijiseelektrike_gajbdsxN2a.pdf.

³⁶⁰ Ibid., and Energy Community, Implementation Indicators, at <https://www.energy-community.org/implementation/Kosovo/CLIM.html>.

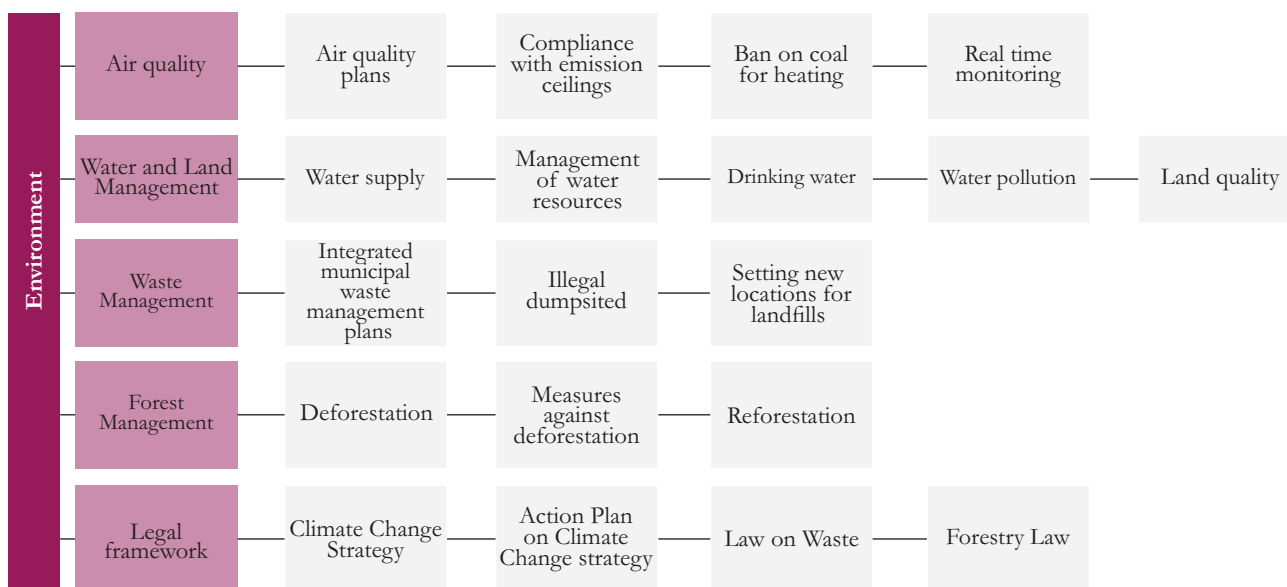
| Energy | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-----------------------------|-------------|------------------|---------------|---------------|--------------------|
| Energy supply | ✓ | | | | |
| Energy efficiency | | ✓ | | | |
| Renewable energy | | | | | |
| Legal framework | ✓ | | | | |
| The Overall progress | ✓ | | | | |

Overall progress for Energy

2. Environment

To assess whether Kosovo has achieved progress in meeting the environmental criteria, the following sub-indicators were used:

- Air quality*- or improvements of air quality through the development of air quality plans, compliance with emission ceilings, real-time monitoring process, and ban on coal for heating;
- Water and land management*- or information regarding water supply level, drinking water, management efficiency of water resources, land quality, and water pollution;
- Waste management*- or information regarding the management of illegal dumpsites, landfill locations, and waste management plans at the local level;
- Forest management*- or data on deforestation and reforestation;
- Legal framework*- whether laws and strategies have been adopted and/or are being implemented.



Environment and its sub-indicators

a) Air quality

The means of assessing air quality include:

- *air quality plans;*
- *compliance with emission ceiling;*
- *ban on coal for heating; and*
- *real-time monitoring.*

Air quality plans

Many cities in Kosovo have poor-quality of air. The level of pollution often rivals that of big cities like Beijing, Mumbai, and New Delhi.³⁶¹ Hence, municipalities with high pollution levels should develop air quality plans to reduce pollution.³⁶² Such a plan was only developed in the municipality of Gllgoc so far.³⁶³

Moreover, the Ministry of Environment, Spatial Planning and Infrastructure is in the reviewing phase of the Action Plan for Air Quality. Several measures will be provided to replace the use of coal for combustion. The implementation of these measures/actions will affect the improvement of air quality in the country.³⁶⁴ **Limited progress**

Compliance with emission ceiling

Kosovo continues to rely heavily on coal and is not complying with the emission ceilings established under its National Emission Reduction Plan (NERP).³⁶⁵

In 2020, data showed that Kosovo exceeded the ceilings for all three pollutants; SO₂, Dust, NO_x. They were 4.25 times above the ceiling at 5,867 tonnes, an increase from the 5,042 tonnes emitted in 2018. Kosova B alone breached the national dust ceiling by 3.85 times, releasing a total of 5,314 tonnes of dust into the atmosphere. The B2 unit emitted 6.64 times above its individual ceiling, making it the worst emitter.³⁶⁶

In March 2021, the European Commission initiated an infringement procedure (case ECS-08/21), and invited Kosovo to address its failures in complying with its emission ceilings in the NERP for 2018-2019. The Secretariat concluded that Kosovo failed to comply with one or more of the ceilings (for sulphur dioxide, nitrogen oxides and dust) in the NERP. Furthermore, Kosovo failed to provide emission scenarios that would ensure compliance in the coming years. No further information regarding the progress towards rectifying the non-compliance is available thus far.³⁶⁷

NERP foresees that Kosova B1 will undergo retrofitting, and B2 will follow suit, so that it can comply with the Industrial Emissions Directive on emission limit levels, but the retrofitting process will not be concluded before 2023. **No progress**

Ban on coal for heating

Kosovo relies heavily on the use of coal for heating. Only four municipalities have district heating systems, and they mainly rely on coal (94%) and petroleum (6%).³⁶⁸ The measures in place; which are needed to enforce the ban on the use of coal for heating, are limited and not effective.³⁶⁹

³⁶¹ Open Knowledge Repository, Air pollution management in Kosovo, 2009-20, at <https://openknowledge.worldbank.org/handle/10986/33041>.

³⁶² European Commission, Country Report Kosovo 2021.

³⁶³ Gllgoc Municipality, Local Action Plan for Air Quality 2020-2024, at <https://kk.rks-gov.net/gllgoc/wp-content/uploads/sites/10/2020/01/Plani-Lokal-i-Veprimet-per-Cilesi-te-Ajrit-2020-2024.pdf> and Ministry of Local Government Administration, Report on the fulfillment of the obligations of the municipalities from the European Agenda for the period January-June 2021, 2021, at <https://mapl.rks-gov.net/wp-content/uploads/2021/09/Raporti-per-permbushjen-e-obligimeve-te-komunave-nga-Agjenda-Evropiane-Janar-Qershor-2021.pdf>.

³⁶⁴ Balkans Group interview with an official from the Ministry of Environment, Spatial Planning and Infrastructure, Prishtina, March 2022.

³⁶⁵ European Commission, Country Report Kosovo 2021.

³⁶⁶ CEE Balkan Watch Network, Hold or close, September 2021, at <https://www.balkangreenfoundation.org/uploads/files/2021/September/07/AI-PERMBAJU-OSE-MBYLL1631004379.pdf>.

³⁶⁷ Ibid.

³⁶⁸ Energy Community Secretariat, Kosovo: Annual Implementation Report, 1 November 2021.

³⁶⁹ European Commission, Country Report Kosovo 2021.

Moreover, Kosovo has not assessed its potential for high-efficiency cogeneration and efficient district heating and cooling, as required by the Energy Efficiency Directive.³⁷⁰ **No progress**

Real-time monitoring

Real-time monitoring of air quality is effective and can be viewed at the Air quality portal.³⁷¹ **Very good progress**

Limited progress was made in air quality in 2021.

b) Water and land management

The means of assessing water and land management include:

- *water supply;*
- *management of water resources;*
- *drinking water;*
- *water pollution; and*
- *land quality.*

Water supply

In 2020, the supply of households with drinking water stood at 50.7 million m³/year. In 2021, the supply was 53.13 million m³/year.³⁷² This represents an increase of 5%. **Limited progress**

| Year | 2020 | 2021 |
|--------------|-------------------------------|--------------------------------|
| Water supply | 50.7 mil m ³ /year | 53.13 mil m ³ /year |
| Ratio (%) | | 5% |

Table 47. Water supply

Management of water resources

Monitoring the amount of water is done through the hydrometric network, which consists of a number of measuring stations along the rivers. In 2021, the trend of the average annual water level was 1926 (cm) which compared to 2020 (when the water level was 2143 cm) is a negative trend.³⁷³ This represents a 10.1% decrease in the amount of water in 2021. **No progress**

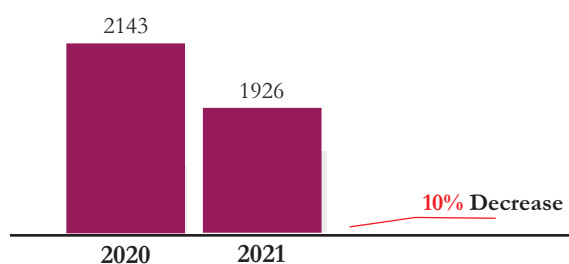


Fig 35. Management of water resources

Drinking water

In 2020, about 96.84% of the population in Kosovo had access to drinking water through public systems whereas 3.16% had no access.³⁷⁴

³⁷⁰ Energy Community Secretariat, Kosovo: Annual Implementation Report, 1 November 2021.

³⁷¹ IQ Air, Air Quality in Kosovo, at <https://www.iqair.com/kosovo>.

³⁷² KAS, Water Statistics in Kosovo 2020-2021, 18 March 2022.

³⁷³ Ibid

³⁷⁴ KAS, Water Statistics in Kosovo 2020-2021, 18 March 2022.

In 2021, about 96.88% of the population in Kosovo was supplied with water through the public system, while 3.12% of the population did not have access.³⁷⁵ **No progress**

| Year | 2020 | 2021 |
|--|-------|--------|
| Access to drinking water (% population) | 96.84 | 96.88% |
| No access to drinking water (% population) | 3.16 | 3.12 |

Table 48. Access to drinking water

Water pollution

As the pollution levels increase in Kosovo, the water quality drops.³⁷⁶ The problem of widespread pollution is choking Kosovo's rivers and contaminating drinking water. Successive governments have done little to stop this phenomenon.³⁷⁷ There is a need for the establishment of an effective water monitoring system, the publication of data and permanent measures to reduce air and water pollution.³⁷⁸ **No progress**

Land quality

The monitoring of lands, as for the environmental aspects of the pollution, is under the responsibility of the Hydrometeorological Institute. In 2020 and 2021, Kosovo did not have any program or regular monitoring of its quality of soil. This activity is mainly carried out through projects and activities periodicals.³⁷⁹ Progress on consolidating and protecting land is insufficient.³⁸⁰ **Limited progress**

No progress was made in water and land management in 2021.

c) Waste management

The means of assessing waste management include:

- *integrated municipal waste management plans;*
- *illegal dumpsites; and*
- *setting up new locations for landfills.*

Integrated municipal waste management plans (MWMPs)

Some progress was reported in 2021 in adopting modern integrated municipal waste management plans in some municipalities.³⁸¹ 26 municipalities have drafted their MWMPs and 11 have not.³⁸² **Some progress**

| Year | 2021 | Ratio (%) |
|------------------------------------|-----------|-------------|
| MWMPs adopted (municipalities) | 26 | 70.3% |
| MWMPs not adopted (municipalities) | 11 | 29.7% |
| Total | 37 | 100% |

Table 49. Municipal waste management plans

³⁷⁵ KAS, Water Statistics in Kosovo 2020-2021.

³⁷⁶ The Borgen Project, Water quality in Kosovo an international concern, July 2017, at <https://borgenproject.org/water-quality-in-kosovo-concern/>.

³⁷⁷ Balkan Insight, Widespread pollution is choking Kosovo's rivers and contaminating drinking water. Successive governments have done little to stop it, 20 July 2020.

³⁷⁸ European Commission, Country Report Kosovo 2021.

³⁷⁹ Annual report on the environment 2020, at <https://ammk-rks.net/assets/cms/uploads/files/Dokumente%202022/Shqip%20WEB.pdf>.

³⁸⁰ Ibid.

³⁸¹ European Commission, Country Report Kosovo 2021.

³⁸² Ministry of Local Government Administration, Report on the fulfilment of the obligations of the municipalities from the European Agenda for the period January-June 2021, 2021.

Illegal dumpsites

From 1489 in 2020, the number of illegal dumpsites decreased to 1189 in 2021.³⁸³ This represents a decrease of 20%. **Limited progress**

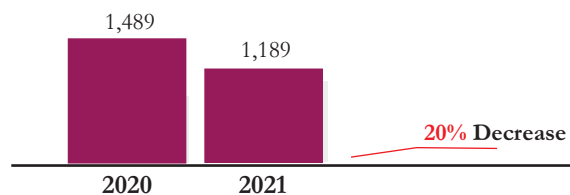


Fig 36. Illegal dumpsites

Setting up new locations for landfills

During 2020 and 2021, no new landfill was built for the collection of waste.³⁸⁴ **No progress**

Limited progress was made in waste management in 2021.

d) Forest management

The means of assessing forest management include:

- *deforestation*
- *measures against deforestation; and*
- *reforestation.*

Deforestation

Deforestation in Kosovo is forbidden by Law. However, illegal actions, i.e., illegal cutting of forests, take place. Such activity represents a great concern, knowing the role of forests in human life, including the impact on the provision of drinking water, clean air, carbon sequestration, and combating the effects of global climate change.³⁸⁵

In 2020, Kosovo lost 971ha (0.26%) of tree cover, whereas in 2021, Kosovo lost 520ha (0.14%).³⁸⁶ This represents a decrease of 46% in tree cover loss. **Some progress**

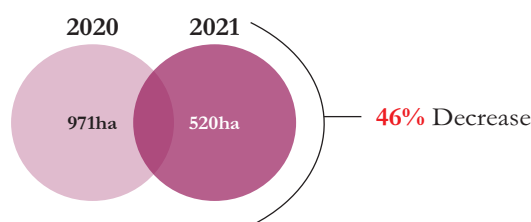


Fig 37. Tree cover loss

Measures against deforestation

Since deforestation is prohibited by law, there are no plans in any strategic document that prohibit this phenomenon.³⁸⁷ **No progress**

³⁸³ European Commission, Country Report Kosovo 2021.

³⁸⁴ Balkans Group interview with an official from the Kosovo Environmental Protection Agency, Prishtina, November 2022.

³⁸⁵ Law No. 2003/3 on Forests in Kosovo, article 3, point 3.7 at <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2566>; Balkans Group interview with an official from the Kosovo Forest Agency, Prishtina, November 2022.

³⁸⁶ Global Forest Watch, Kosovo, at <https://bit.ly/3XoEYgn>.

³⁸⁷ Balkans Group interview with an official from the Kosovo Forest Agency, Prishtina, November 2022.

Reforestation

In 2020, 235 hectares were afforested, while in 2021, 309.30 hectares were afforested.³⁸⁸ This marks an increase of 31.6% in reforestation in 2021. **Some progress**

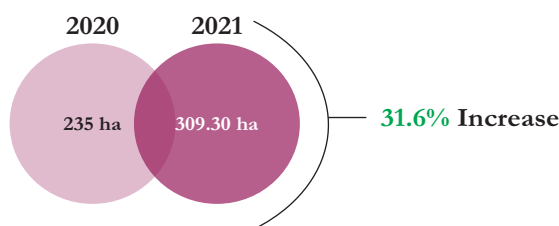


Fig 38. Reforestation

Limited progress was made in forest management in 2021.

e) Legal framework

The means of assessing the legal framework regarding the environment include:

- *Implementation of the Climate Change Strategy;*
- *Action Plan on Climate Change Strategy; and*
- *Harmonisation of Law on Waste; and*
- *Forestry Law.*

Climate Change Strategy

The implementation of the 2019-2028 Climate Change Strategy is still at an early stage. Moreover, the strategic and legislative framework is not adapted to the EU strategic goals stemming from the European Green Deal.³⁸⁹ The implementation of the Climate Change Strategy is partial. The cause of delays is COVID-19, but also the lack of funds for projects that have a high financing cost.³⁹⁰ **No progress**

Action Plan on Climate Change Strategy

The Action Plan of the Climate Change strategy 2021-2023 has not been drafted yet.³⁹¹ **No progress**

Harmonisation of Law on Waste

The Law on Waste needs to be further aligned with the Waste Framework Directive.³⁹² No progress is reported for 2021. **No progress**

Forestry Law

In 2021, neither the Forest Strategy nor the Forestry Law have been adopted.³⁹³ **No progress**

No progress was made in the legal framework in 2021.

³⁸⁸ Green Report 2021 and Balkans Group interview with an official from the Kosovo Forest Agency, Prishtina, November 2022.

³⁸⁹ European Commission, Country Report Kosovo 2021.

³⁹⁰ Balkans Group interview with an official from the Ministry of Environment, Spatial Planning and Infrastructure, Prishtina, March 2022.

³⁹¹ Ibid.

³⁹² Ibid.

³⁹³ Ibid., and See Assembly of Kosovo, at <https://www.kuvendikosoves.org/shq/projektligjet-dhe-ligjet/>.

| Environment | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-----------------------------|-------------|------------------|---------------|---------------|--------------------|
| Air quality | | ✓ | | | |
| Water and land management | ✓ | | | | |
| Waste management | | ✓ | | | |
| Forest management | | ✓ | | | |
| Legal framework | ✓ | | | | |
| The Overall progress | ✓ | | | | |

The overall progress for Environment



Dimension VI

EDUCATION

Summary and Analysis

The EU is dedicated to developing quality education according to Article 165 of the Treaty on the Functioning of the EU (TFEU).

Education focuses on fulfilling key requirements in relation to the improvement of education quality at all levels, the reformation of vocational education, and development of training and policies that lead to higher employment, the acquisition of skills, and higher social inclusion.³⁹⁴ Education criteria are placed under Block III: European Standards - Approximation of Kosovo's Legislation with the EU Acquis in the NPISAA.

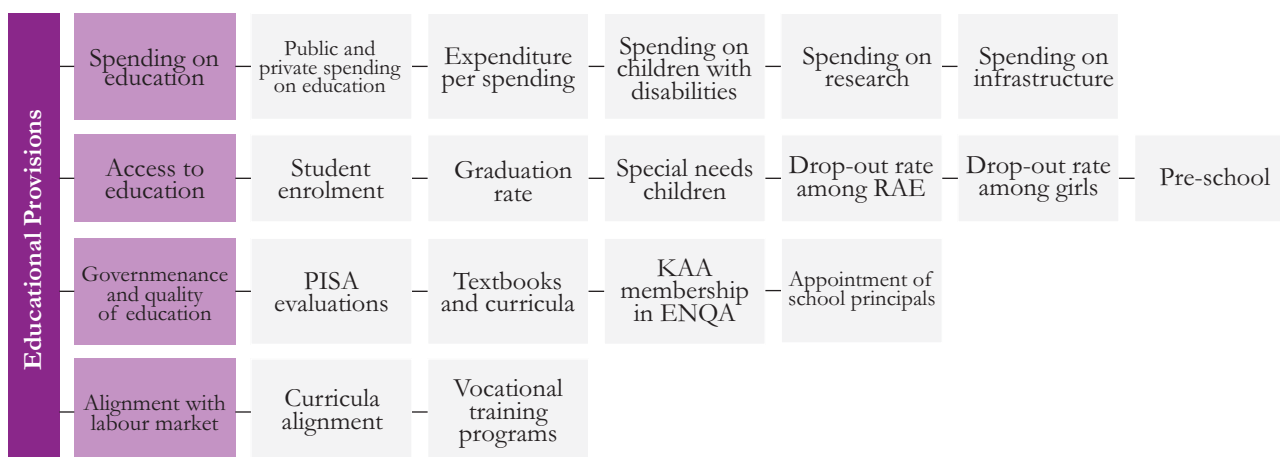
In addition, education is also placed under Pillar III: Employment, Education, and Health within ERA II. It focuses on improving the quality of the education sector, ensuring transparency in education system governance, and increasing access to education.³⁹⁵

To assess whether Kosovo has achieved progress in meeting the education criteria, one indicator is used:

1. Educational Provision

This indicator uses the following sub-indicators to measure progress in this sector:

- Spending on education*- or information on public and private education spending, expenditure per student, spending on research and infrastructure;
- Access to education*- or data on student enrolment, graduation rate, drop-out of girls and RAE students, and the number of preschools;
- Governance and quality of education*- or improvements in textbooks and curricula, the appointment of school directories process, and membership of KAA in ENQA;
- Alignment with the labour market*- or information on the alignment of curricula and vocational education and training programs with the labour market.



Education and its sub-indicators

The availability of data remains an obstacle to assessing progress when it comes to education. Kosovo lacks data for the majority of social indicators. Although MEST records the number of students, the lack of classified data according to age cohorts and vulnerable groups, creates difficulties in clearly disaggregating participation rates in education.³⁹⁶

³⁹⁴ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

³⁹⁵ Kosovo-European Reform Agenda (ERA) II, 2020.

³⁹⁶ Regional Cooperation Council, Performance of Western Balkan Economies Regarding the European Pillar of Social Rights 2021 review on Kosovo*, 2021.

a) Spending on Education

The means of assessing spending on education include:

- *public and private spending on education;*
- *expenditures per student;*
- *spending on children with disabilities;*
- *spending on research; and*
- *spending on infrastructure and investment.*

Public and private spending on education

In 2020, the government allocated EUR 52,420.95 to education which was 3.5% of the entire budget of EUR 1,511,112.70.³⁹⁷

In 2021, Kosovo allocated EUR 65,116.45 to education, which accounts for 3.43% of the whole budget of EUR 1,869,000.³⁹⁸ This does not represent a significant change in terms of spending on education. **No progress**

| Year | 2020 | 2021 |
|---------------------------|------------------|------------------|
| Spending on education | 52,420.95 EUR | 65,116.45 EUR |
| Total budget | 1,511,112.70 EUR | 1,869,000.00 EUR |
| Spending on education (%) | 3.46% | 3.48% |

Table 50. Spending on education

Expenditures per student

In 2020, the public expenditure per student in the pre-university education system was around EUR 781 in 2020.³⁹⁹ No data was provided by MESTI for 2021.

Spending on children with disabilities

In 2020, the spending on children with disabilities was EUR 1,524,047.67, while in 2021, the spending was EUR 1,707,150.46.⁴⁰⁰ This marks an increase of 12% spending in 2021. **Limited progress**

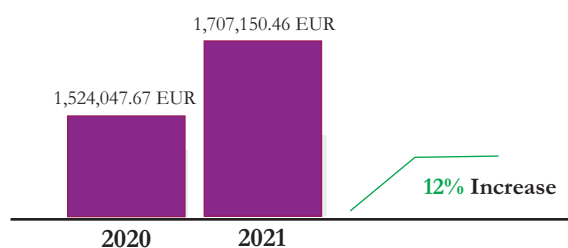


Fig 39. Spending on children with disabilities

³⁹⁷ Ministry of Finance, Budget Circular 2020/01.

³⁹⁸ Ministry of Finance, Information booklet for citizens: Budget of Republic of Kosovo – 2021 Revised.

³⁹⁹ Organisation for Increasing Quality of Education (ORCA), Transparency and Accountability in Kosovo Public Universities, at <http://orca-ks.org/wp-content/uploads/2020/10/Finance-management-2.pdf>.

⁴⁰⁰ Balkans Group interview with an official from the Ministry of Education, Science, Technology and Innovation, Prishtina, November 2022.

Spending on research

According to the Kosovo Education Strategic Plan (KESP), the spending on research has been the same every year since 2017.⁴⁰¹ **No progress**

Spending on infrastructure and investment

In 2020, the spending on infrastructure and investment such as gymnastic classes, laboratory equipment, different material equipment and renovations was EUR 2,064,480.00, while in 2021 it reached EUR 2,275,376.10.⁴⁰² This represents an increase of 10.2%. **Limited progress**

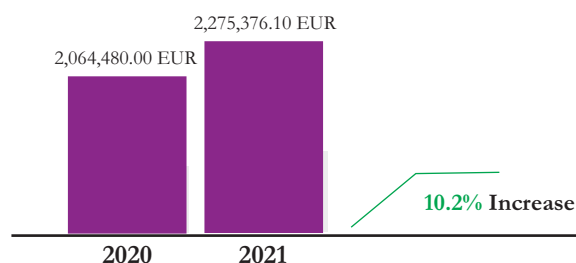


Fig 40. Spending on infrastructure and investment

No progress was made in spending on education in 2021.

b) Access to Education

The means of assessing access to education include:

- *student enrolment;*
- *graduation rate;*
- *special needs children;*
- *drop-out rate among RAE;*
- *drop-out rate among girls; and*
- *pre-school.*

Student enrolment

In the 2019/20 academic year, 73,517 (or 8.7%) students enrolled in higher education, while 849,386 students enrolled at all education levels.⁴⁰³

In the 2020/21 academic year, 95,335 (11%) students enrolled in higher education, while 861,622 students enrolled at all education levels.⁴⁰⁴

This represents an increase of 26.4% in the number of students enrolled in higher education in 2021. **Some progress**

| Year | 2019/20 | 2020/21 |
|---------------------------------------|---------|---------|
| Student enrolment in higher education | 73,517 | 95,335 |
| Total students | 849,386 | 861,622 |
| Increase in enrolled students (%) | 8.7% | 11% |
| Ratio (%) | | 26.4% |

Table 51. Student enrolment in higher education

⁴⁰¹ MESTI, Kosovo Education Strategic Plan (KESP).

⁴⁰² Balkans Group interview with an official from the Ministry of Education, Science, Technology and Innovation, Prishtina, November 2022.

⁴⁰³ Ministry of Education, Science, Technology and Innovation, Education Statistics in Kosovo 2019/2020, June 2020.

⁴⁰⁴ Ministry of Education, Science and Technology, Education Statistics in Kosovo 2020/2021, June 2021.

Graduation rate

5997 students graduated (BA level) in the 2019/2020 academic year.⁴⁰⁵ 6193 graduated in the 2020/2021 academic year.⁴⁰⁶ **Limited progress**

| Year | 2019/20 | 2020/21 |
|---------------------------------------|---------|---------|
| Student graduates (bachelor's degree) | 5,997 | 6,193 |
| Total students | 849,386 | 861,622 |
| Increase in graduated students (%) | 0.70% | 0.71% |
| Ratio (%) | | 1.4% |

Table 52. Graduation rates

Special needs children

In 2021, there were 55 supporting teachers and 86 assistants.⁴⁰⁷ No data was provided by the MEST for 2020.

Drop-out rate among RAE

In 2020, 63 pupils of the RAE community dropped school (grades 1-9), of which 36 were male and 27 female. Moreover, 4 pupils of grades 10-12 dropped school in 2020.

In 2021 51 pupils from the RAE community left school (grades 1-9), of which 28 were male and 23 female. In addition, 2 pupils of grades 10-12 left school in 2021.⁴⁰⁸ The dropout rate among RAE community decreased by an average of 38% in 2021. **Some progress**

| Year | 2020 | 2021 | Ratio (%) |
|---|------|------|-----------|
| Grades 1-9 | 63 | 51 | -19% |
| Grades 10-12 | 4 | 2 | -50% |
| Average increase for 1-9 and 10-12 grades | | | -38% |

Table 53. Drop-out rates among RAE

Drop-out rate among girls

0.1% of girls dropped primary and secondary education and 0.5% dropped tertiary education in the academic year 2019/2020.

In the 2020/2021 academic year, 0.04% of girls dropped primary education, 0.05% secondary education and 0.5% tertiary education.⁴⁰⁹ **Some progress**

| Year | 2019/20 | 2020/21 | % increase | Progress |
|---------------------|---------|---------|------------|---------------|
| Primary education | 0.1% | 0.04% | - 60% | Good progress |
| Secondary education | 0.1% | 0.05% | - 50% | Some progress |
| Tertiary education | 0.5% | 0.5% | 0% | No progress |
| Average progress | | | | Some progress |

Table 54. Drop-out rated among girls

⁴⁰⁵ ASK, Education Statistics in Kosovo 2020/2021, June 2021.

⁴⁰⁶ ASK, Education Statistics in Kosovo 2021/2022, June 2021.

⁴⁰⁷ KEC, Evaluation of the Implementation of Kosovo Education Strategic Plan 2017-2021 Insufficient Achievement, May 2021.

⁴⁰⁸ Balkans Group interview with an official from the Ministry of Education, Science, Technology and Innovation, Prishtina, November 2022.

⁴⁰⁹ Ministry of Education, Science and Technology, Statistical Notes: data on pre-university education, 2021/22, at <https://masht.rks-gov.net/uploads/2022/01/statistical-notes-2021-22-pre-university-education.pdf> and Ministry of Education, Science and Technology, Statistical Notes: data on pre-university education, 2019/20, at <https://masht.rks-gov.net/uploads/2020/02/shenime-statistikore-2019-2020-arsimi-parauniversitar-2.pdf>.

Pre-school

In the academic year 2019/2020, 44 preschool institutions were in Kosovo.⁴¹⁰ The number of preschool institutions in the academic year 2020/2021 was 49.⁴¹¹ This represents an increase of 11.4% in the number of preschool institutions. **Limited progress**

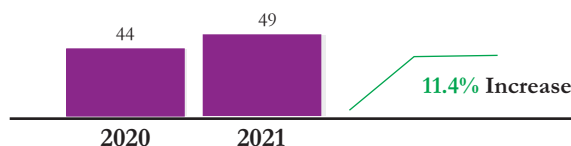


Fig 41. The number of preschool institutions

Limited progress was made in access to education in 2021.

c) Governance and quality of education

The means of assessing the governance and quality of education include:

- *PISA evaluations;*
- *textbooks and curricula;*
- *KAA membership in ENQA; and*
- *appointment of school principals.*

PISA evaluations

No data is available at present – PISA for 2021 will be conducted in 2022.

Textbooks and curricula

Data is largely lacking for the quality of textbooks in Kosovo for 2020 and 2021. In 2020, MEST announced that the government is working on a new draft law on textbooks which would improve the quality of textbooks.⁴¹² **No progress**

KAA membership in ENQA

Kosovo Accreditation Agency (KAA) is in the application process to regain membership in the European Quality Assurance in Higher Education (ENQA). ENQA revoked KAA's membership in September 2019 due to its failure to adhere to its rules and standards.⁴¹³ **No progress**

Appointment of school principals

The recruitment of school principals has become more merit-based. Candidates must undergo one of the MEST-recognised qualification programs, however, the decision still rests with the mayors, which in many cases depends on political preferences.⁴¹⁴ **Limited progress**

No progress was made in governance and quality of education in 2021.

⁴¹⁰ Ministry of Education, Science and Technology, Statistical Notes: data on pre-university education, 2019/20.

⁴¹¹ Ministry of Education, Science and Technology, Statistical Notes: data on pre-university education, 2021/22.

⁴¹² KosovaPress (2022), Nagavci: with the Draft Law on Textbooks, we aim to improve the quality of textbooks, <https://kosovapress.com/en/nagavci-with-the-draft-law-on-textbooks-we-aim-to-improve-the-quality-of-textbooks/>.

⁴¹³ Prishtina Insight, Kosovo's Accreditation Agency axed from European network organisation, 3 October 2019, at <https://prishtinainsight.com/kosovo-accreditation-agency-axed-from-european-network-organization/>.

⁴¹⁴ Ministry of Education, Health and Science, Quality Assurance Strategy for Kosovo Pre-University Education 2016-2020.

d) Alignment with the labour market

The means of assessing the alignment with the labour market include:

- *curricula alignment; and*
- *vocational training.*

Curricula alignment

There is a need for improving the quality of vocational training and education at all levels and aligning the curricula with labour market needs.⁴¹⁵ **No progress**

Vocational training

The following challenges continue to hinder VET schools: the curricula for professional subjects is not aligned with occupational standards, and curricula for general subjects is not specific and relevant to respective profiles.⁴¹⁶

To help align VET curricula with labour market needs, LUX-DEV is implementing the project of KSV/020 Support to Vocational Education and Training (VET Reform) in Kosovo, in which a key objective is the development of curricula in line with labour market needs.⁴¹⁷ **Limited progress**

| Educational provision | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-------------------------------------|-------------|------------------|---------------|---------------|--------------------|
| Spending in education | ✓ | | | | |
| Access to education | | ✓ | | | |
| Governance and quality of education | ✓ | | | | |
| Alignment with the labour market | ✓ | | | | |
| The Overall progress | ✓ | | | | |

The overall progress for Education

⁴¹⁵ European Commission, Country Report Kosovo 2021, ALLED, Kosovo skills barometer 1.0, at <http://alled.eu/wp-content/uploads/2022/02/Kosovo-Skill-Barometer.pdf>.

⁴¹⁶ ALLED, Implementation of quality assurance at the level of providers in Kosovo state of play, at <http://alled.eu/wp-content/uploads/2021/07/Quality-assurance-ENG.pdf>.

⁴¹⁷ See more about the project at <https://luxdev.lu/en/activities/project/KSV/020..>



Dimension VII

HEALTH

Summary and Analysis

The EU is committed to improving health based on Article 168 of TFEU. Public Health focuses on achieving shared objectives, generating economies of scale, pooling resources, and tackling common challenges such as pandemics, antimicrobial resistance, chronic diseases or the impact of increased life expectancies on healthcare systems.⁴¹⁸ Health is placed under Block III: European Standards - Approximation of Kosovo's Legislation with the EU Acquis in the NPISAA. Under SAA, Kosovo seeks to fulfil the following requirements: health improvements and prevention of diseases, the establishment of well-functioning administrative structures, protection of patient rights, improvements in health care and safety, promotion of healthy living, and so on.⁴¹⁹

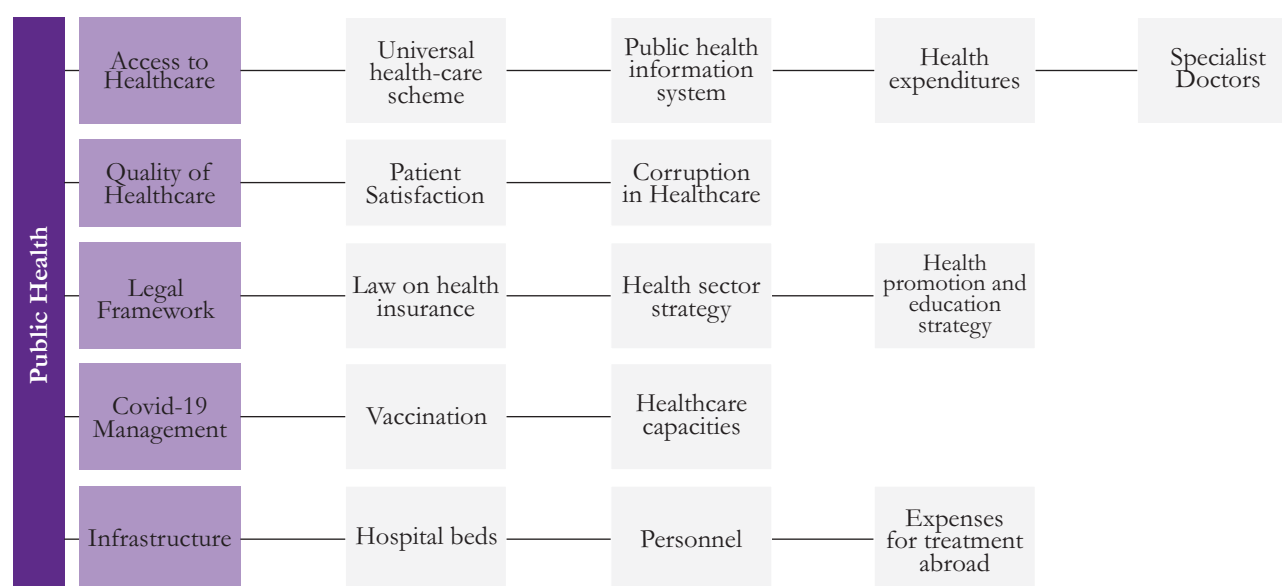
In addition, health is also placed under Pillar III: Employment, Education, and Health, within the ERA II. Specifically, the focus is on strengthening key health system functions by drafting the new sectoral health strategy and implementing the general health insurance policy.⁴²⁰

To assess whether Kosovo has achieved progress in meeting the health criteria, only one indicator is used:

1. Public Health

This indicator uses the following sub-indicators to measure the progress in this sector:

- Access to healthcare* - or information on the establishment of a universal healthcare scheme, the functioning of a public health information system, health expenditures, and the practising physicians per people;
- Quality of healthcare* - or information regarding patient satisfaction and corruption level in the healthcare system;
- COVID-19 management* - or data on vaccination and healthcare capacities;
- Infrastructure* - or information on personnel and number of beds;
- Legal framework* - whether laws and strategies have been adopted and/or are being implemented.



Public health and its sub-indicators

⁴¹⁸ European Commission, Public Health, at https://ec.europa.eu/info/policies/public-health_en.

⁴¹⁹ Government of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

⁴²⁰ Kosovo-European Reform Agenda (ERA) II, 2020.

a) Access to healthcare

The means of assessing access to healthcare include:

- *universal healthcare scheme;*
- *public health information system;*
- *health expenditures; and*
- *the number of specialist doctors.*

Universal healthcare scheme

Despite the plans, the government has not introduced the Universal Healthcare Scheme yet. The Law on Health Insurance (2013/04-L-249) is still applicable.⁴²¹ **No progress**

Public health information system

No progress is achieved on health protection with the partial introduction of a basic health information system. This has called for a further roll-out of the health information system.⁴²²

In the past, a number of obstacles hindered the implementation of the Unified Integrated Health Information System, including a lack of planning and coordination of activities, delays in establishing inter-institutional coordination and monitoring mechanisms, protracted procedures in procurement for the provision of hardware and software, lack of system maintenance, inefficient and inadequate training in the use of the system, delays in the timely provision of the database centre and delays in securing the civil registry of citizens.⁴²³ **No progress**

Health expenditures

Kosovo allocated 8.20% of its 2021 budget to health.⁴²⁴ The overall 2021 budget for the health sector increased by 10%, compared to 2020. Despite this increase, the overall share of health expenditures is around 3% of GDP. **No progress**

Specialist doctors

In 2020, from 3984 specialist doctors, 3555 were in public hospitals and 429 in private hospitals.⁴²⁵ In 2021 the number of specialist doctors in public hospitals was 3283 and in private hospitals 446, or in total 3729.⁴²⁶ This represents a decrease of -6.4% in the number of specialist doctors in 2021. **No progress**

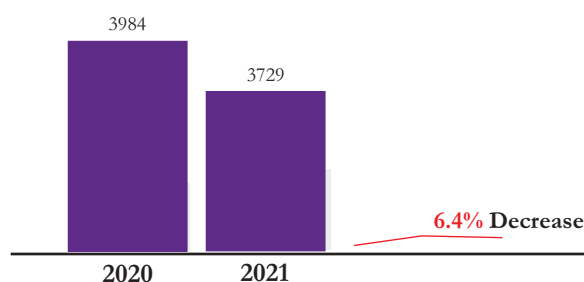


Fig 42. Number of specialist doctors in public and private hospitals

No progress was made in access to healthcare in 2021.

⁴²¹ See State Portal, at <https://www.rks-gov.net/AL/f263/shendetesia/sigurimet-shendetesore>.

⁴²² European Commission, Country Report Kosovo 2021.

⁴²³ National Audit Office, Health Information System faces difficulties during implementation, 29 December 2017, at <https://www.zka-rks.org/news/sistemi-informativ-shendetesor-ballafaqohet-me-veshtiresi-gjate-zbatimit/>.

⁴²⁴ Ministry of Finance, Information booklet for citizens: Budget of Republic of Kosovo – 2021 Revised.

⁴²⁵ KAS, Health Statistics 2021 at <https://ask.rks-gov.net/media/7067/statistikat-e-sh/C3%ABndet%C3%ABsis%C3%AB-2021.pdf>

⁴²⁶ KAS, Health Statistics 2020 at <https://ask.rks-gov.net/media/6320/statistikat-e-shendetesise-2020.pdf>.

b) Quality of healthcare

The means of assessing the quality of healthcare include:

- *patient satisfaction; and*
- *corruption in healthcare.*

Patient satisfaction

In 2021, health care satisfaction is rated at 2.7 (on a scale from 1 to 5).⁴²⁷

According to the Department of Social Medicine in the National Institute of Public Health, there is no data on patient satisfaction for 2020 or 2021.

Corruption in healthcare

In 2021, 71.7% of respondents believed that healthcare was affected by corruption.⁴²⁸ In 2020, 73% of respondents believed that health care was affected by corruption.⁴²⁹ This represents a decrease of 1.78%. **Limited progress**

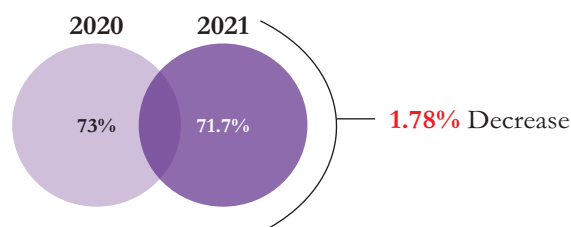


Fig 43. Public perception about corruption in healthcare

Limited progress was made in the quality of healthcare in 2021.

c) COVID-19 measures

The means of assessing COVID-19 measures include:

- *vaccination; and*
- *healthcare capacities.*

Vaccination

In 2021, 50% of the population were partially vaccinated, and 45% were fully vaccinated. This marks a 100% increase from 2020, when vaccines were not available.⁴³⁰ **Good progress**

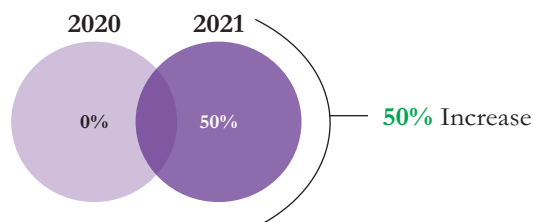


Fig 44. Vaccination against COVID-19

⁴²⁷ Regional Cooperation Council, Balkan Barometer 2021, at <https://www.rcc.int/balkanbarometer/home>.

⁴²⁸ Ibid.

⁴²⁹ Regional Cooperation Council, Balkan Barometer 2020, at https://www.rcc.int/download/docs/2020-06-Balkan-BarometerPublic-Opinion_final.pdf/bf27f9fc10de8a02d9db2b60596f0cd.pdf.

⁴³⁰ See Ministry of Health at <https://msh.rks.gov.net/sq/statistikat-covid-19/>.

Healthcare capacities

Kosovo faced many challenges during the COVID-19 period, such as the ill-preparation of Kosovo's hospitals to respond to the crisis, the lack of sufficient oxygen, supplies, ventilators, hospital beds, personnel, and necessary equipment for the protection of nurses and doctors. **No progress**

Limited progress was made in COVID-19 measures in 2021.

d) Infrastructure

The means of assessing the healthcare infrastructure include:

- *hospital beds;*
- *personnel; and*
- *expenses for treatment abroad.*

Hospital beds

In 2020, general hospitals had 1975 beds, whereas, in 2021, they had 1986 beds.⁴³¹ This represents a slight increase of 0.5% in hospital beds. **Limited progress**

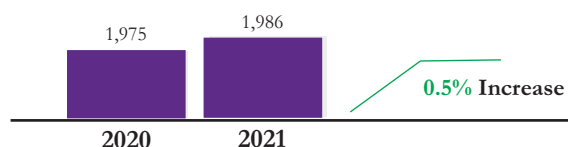


Fig 45. The number of hospital beds

Personnel

In 2021, 13448 was the number of personnel in all levels of health care.⁴³² In 2020, this number was 13518.⁴³³ This marks a decrease of 0.5% in personnel in 2021. **No progress**

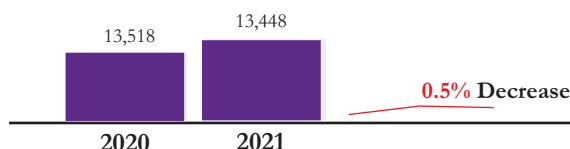


Fig 46. The number of health personnel

Expenses for treatment abroad

In 2020, EUR 7,999,984.49 were spent on Subsidies for Medical Treatment Outside Public Health Institutions, while in 2021, EUR 9,400,993.08 were spent.⁴³⁴ 17.5% more money was spent on treatment abroad in 2021. **No progress**

| Year | 2020 | 2021 |
|-------------------------------|------------------|------------------|
| Expenses for treatment abroad | 7,999,984.49 EUR | 9,400,993.08 EUR |
| Ratio (%) | | 17.5% |

Table 55. Expenses for treatment abroad

No progress was made in infrastructure in 2021.

⁴³¹ ASK, Health Statistics 2020, October 2021, at <https://ask.rks-gov.net/media/6449/health-statistics-2020.pdf>; Health Statistics 2021, at <https://ask.rks-gov.net/media/7067/statistikat-e-sh%C3%ABnder%C3%ABsis%C3%AB-2021.pdf>.

⁴³² Health Statistics 2021, at <https://ask.rks-gov.net/media/7067/statistikat-e-sh%C3%ABnder%C3%ABsis%C3%AB-2021.pdf>.

⁴³³ ASK, Health Statistics 2020, October 2021, at <https://ask.rks-gov.net/media/6449/health-statistics-2020.pdf>.

⁴³⁴ Balkans Group interview with an official from the Health Insurance Fund, Prishtina, November 2022.

d) Legal framework

The means of assessing the legal framework regarding healthcare include:

- *Law on Health Insurance;*
- *Health Sector Strategy; and*
- *Health Promotion and Education Strategy.*

Law on Health Insurance

The adoption of the Law on Health Insurance is delayed.⁴³⁵ The Law on Health Insurance of 2013 is still in place.⁴³⁶ **No progress**

Health Sector Strategy

In 2021, some of the challenges related to insufficient implementation of the strategy include: the lack of access to healthcare for 1/5 of the population, spending on diagnostic services and non-reimbursement for medications despite the free healthcare access and the lack of needs-based allocation of funds on health-care.⁴³⁷ Further implementation is needed. **No progress**

Health Promotion and Education Strategy

Health Promotion and Education Strategy for 2021 was adopted.⁴³⁸ **Very good progress**

| Public Health | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-----------------------------|-------------|------------------|---------------|---------------|--------------------|
| Access to healthcare | ✓ | | | | |
| Quality healthcare | | ✓ | | | |
| Covid-19 measures | | ✓ | | | |
| Infrastructure | ✓ | | | | |
| Legal Framework | | ✓ | | | |
| The Overall progress | ✓ | | | | |

The overall progress for Health

Limited progress was made in the legal framework in 2021.

⁴³⁵ European Commission, Country Report Kosovo 2021.

⁴³⁶ Assembly of Kosovo, Law No. 04/L-209 at <https://msh.rks-gov.net/wp-content/uploads/2013/11/201304-249-Law-on-health-insurance.pdf>.

⁴³⁷ EC Country Report Kosovo 2021.

⁴³⁸ Ministry of Health, Strategic Plan for health promotion and education 2021.



Dimension VIII

**GOOD
NEIGHBOURLY
RELATIONS**

Summary and Analysis

Good neighbourly relations is an important criterion for measuring a country's progress towards the EU and a prerequisite for peace and stability in the region.⁴³⁹

In Kosovo's case, additional importance is placed on this criterion, especially in terms of the dialogue with Serbia. Good Neighbourly Relations falls under Block I: Political Criteria in the NPISAA, emphasising Kosovo's obligation to establish and maintain good relations with all countries in the region and to increase cooperation in various fields, such as economy, security, human rights and freedoms etc.⁴⁴⁰ It also focuses on the ongoing dialogue with Serbia and new memberships in regional and international initiatives and organisations.⁴⁴¹

To assess whether Kosovo has achieved progress in meeting the good neighbourly relations criteria, one indicator is used:

1. Cooperation

This indicator uses a number of sub-indicators to reflect the progress in this sector:

- Bilateral relations*- or information on meetings held and agreements reached between Kosovo and neighbour countries;
- Regional cooperation*- or information regarding Kosovo's participation in regional initiatives, memberships in new organisations, developments on the implementation of the Green Agenda and Common Regional Market;
- Dialogue with Serbia*- or information on the EU-facilitated dialogue process, implementation of agreements, and identification of missing persons.



Good neighbourly relations and its sub-indicators

a) Bilateral Relations

The means of assessing the bilateral relations include:

- *relations with Albania;*
- *relations with Montenegro;*
- *relations with North Macedonia; and*
- *relations with Bosnia and Herzegovina.*

⁴³⁹ EEAS, Mogherini: Good neighbourly relations, cooperation in the Western Balkans essential for their EU perspective, May 2019, at https://www.eeas.europa.eu/node/62177_en.

⁴⁴⁰ Government of the Republic of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), 2016.

⁴⁴¹ Ibid.

Relations with Albania

In 2021, several meetings took place between the officials of Kosovo and Albania. In the 7th joint meeting, in November 2021, Kosovo and Albania signed 13 agreements.⁴⁴² **Very good progress**

Relations with Montenegro

Kosovo has maintained good relations with Montenegro. In March 2021, The Deputy Prime Minister of Montenegro visited Prizren. In June 2021, Kosovo and Montenegro signed an agreement to eliminate the vehicle insurance tax for entry into their respective territories.⁴⁴³

In September 2021, Deputy Prime Minister Besnik Bislimi hosted a meeting with the new Charge d’Affaires at the Embassy of Montenegro in Kosovo, Mirsad Biboviq. The discussion was focused on various infrastructure projects.⁴⁴⁴ The new Charge d’Affaires also met with the Prime Minister of Kosovo, Albin Kurti. The discussion focused on the joint infrastructure projects connecting Kosovo and Montenegro, such as the Deçan-Plava and Peja-Rozhaja roads and the management of COVID-19.⁴⁴⁵

In October 2021, the Prime Minister of Kosovo held a meeting with the then-Deputy Prime Minister of Montenegro, Dritan Abazoviq. The discussion focused on the European and Euro-Atlantic integration process, reform agenda, fight against corruption, facilitation of free movement, and removal of barriers that prevent greater economic development and investment in both countries.⁴⁴⁶ **Some progress**

Relations with North Macedonia

Kosovo and North Macedonia continued to maintain their good relations. In particular, both countries are working on reaching an agreement on the opening of the rail Border/boundary Crossing Point (BCP).⁴⁴⁷

Work is also being done on the Trans-Adriatic gas pipeline expansion, and a pre-feasibility study on the pipeline between North Macedonia and Kosovo is in the process.⁴⁴⁸

In November Kosovo and North Macedonia held a joint meeting, confirming their good relations and implementation of common interests that ensure peace and stability for the Western Balkans.⁴⁴⁹

Several other meetings which confirmed good neighbourly relations between them took place in 2021. A meeting was held between the Prime Minister of Kosovo, Albin Kurti, and the President of North Macedonia, Stevo Pendarovski. Another meeting was held between Prime Minister Kurti and North Macedonia’s Minister of Foreign Affairs, Bujar Osmani. They both tackled countries’ common interests and the improvement of bilateral relations. Moreover, Deputy Prime Minister Bislimi, held a meeting with the Ambassador of North Macedonia, Shpresa Jusufi. They discussed the coordination of several visits by officials from Kosovo to North Macedonia.⁴⁵⁰ **Very good progress**

⁴⁴² Prime Minister Office, the seventh joint meeting of the Government of the Republic of Kosovo and the Government of the Republic of Albania was held, 2021 at <https://kryeministri.rks-gov.net/en/the-seventh-joint-meeting-of-the-government-of-kosovo-and-the-government-of-albania-was-held/>.

⁴⁴³ European Commission, Kosovo* 2021 Report, 2021.

⁴⁴⁴ The Prime Minister Office, Deputy Prime Minister Bislimi, hosted in a meeting the new Charge d’Affaires at the Embassy of Montenegro in Kosovo, Mirsad Biboviq 22 September 2021, at <https://kryeministri.rks-gov.net/en/deputy-prime-minister-bislimi-hosted-in-a-meeting-the-new-charge-daffaires-at-the-embassy-of-montenegro-in-kosovo-mirsad-biboviq/>.

⁴⁴⁵ The Prime Minister Office, Prime Minister Kurti hosted in a meeting the new Charge d’Affaires at the Embassy of Montenegro in Kosovo, Mirsad Biboviq, 22 September 2021, at <https://kryeministri.rks-gov.net/en/prime-minister-kurti-hosted-in-a-meeting-the-new-charge-daffaires-at-the-embassy-of-montenegro-in-kosovo-mirsad-biboviq/>.

⁴⁴⁶ The Prime Minister Office, Prime Minister Albin Kurti met with Deputy Prime Minister of Montenegro Dritan Abazoviq, 14 October 2021, at <https://kryeministri.rks-gov.net/en/prime-minister-albin-kurti-met-with-deputy-prime-minister-of-montenegro-dritan-abazoviq/>.

⁴⁴⁷ Ibid.

⁴⁴⁸ European Commission, Kosovo* 2021 Report, 2021.

⁴⁴⁹ Prime Minister of Kosovo, The joint meeting between two governments, the Republic of Kosovo and the Republic of North Macedonia, is a confirmation of the excellent relations and implementation of common interest for the Western Balkans as a region of lasting peace, 2021, at <https://kryeministri.rks-gov.net/en/the-joint-meeting-of-the-two-governments-the-republic-of-kosovo-and-the-republic-of-north-macedonia-is-a-confirmation-of-the-excellent-relations-and-implementation-of-common-interests-for-the-wester/>.

⁴⁵⁰ The Prime Minister of Kosovo, Prime Minister Kurti received the President of North Macedonia, Stevo Pendarovski, 15 December 2021 at <https://kryeministri.rks-gov.net/en/prime-minister-kurti-received-the-president-of-north-macedonia-stevo-pendarovski/>.

Relations with Bosnia and Herzegovina

Kosovo and Bosnia and Herzegovina have not developed formal relations yet. Bosnia and Herzegovina does not recognise Kosovo's independence, thus a strict visa regime is in place.⁴⁵¹ **No progress**

Some progress was made in bilateral relations in 2021.

b) Regional cooperation

The means of assessing regional cooperation include:

- *agreements signed;*
- *Common Regional Market;*
- *Green Agenda for Western Balkans*
- *Strategy for membership and participation in regional organisations;*
- *membership in new organisations; and*
- *cooperation in regional initiatives.*

Agreements signed

In July 2021, the regional agreement on roaming fees “roam like at home” (RLAH), signed at the Western Balkans Digital Summit in Belgrade, was implemented.⁴⁵²

In addition, Kosovo continues to maintain excellent political, economic, and cultural relations with Turkey. In June 2021, a number of meetings were held in the framework of the SEECF Summit.⁴⁵³ No other agreements have been reported for the period. **Some progress**

Common Regional Market (CRM)

In 2021, Sherpa or the Berlin Process's National Coordinator and Prime Minister's advisor on the implementation of CRM, was appointed.⁴⁵⁴ Sherpa coordinated and led four CRM working groups: the WG on the free movement agreement with ID cards, the WG on the agreement for the movement of third-country nationals in the Western Balkans, the WG on the agreement for the recognition of academic qualifications, the WG on the agreement for recognition of professional qualifications of doctors of medicine, doctors of dentistry and architects.⁴⁵⁵ **Some progress**

Green Agenda for the Western Balkans

In 2020, the government adopted a number of acts and documents related to the Green Agenda of the Western Balkans.⁴⁵⁶

In 2021, the government adopted other acts related to species protection, waste, pollution, forests as well as agricultural land protection. In terms of large combustion plants (IMG), Kosovo has progressed significantly with approving the legislation in accordance with the provisions of the IMG and the Directive on Industrial Emissions in July 2021.⁴⁵⁷ **Some progress**

⁴⁵¹ European Commission, Kosovo* 2021 Report, 2021.

⁴⁵² Ibid.

⁴⁵³ European Commission, Kosovo* 2021 Report, 2021.

⁴⁵⁴ Balkans Group report, Kosovo in Regional Initiatives: Institutional Framework and Coordination, 2021.

⁴⁵⁵ Ibid

⁴⁵⁶ Concept Document on Climate Change, Administrative Instruction (AI) No 01/2020 on the management of waste containing asbestos, AI No. 11/2020 on determining the technical request and other requirements for plastic bags, and IA No. 12/2020 on determining wild species of plants and protected as well as strictly protected animals.

⁴⁵⁷ AI No. 07/2021 on rules and standards of emissions for air emissions from stationary sources of pollution, Concept Document on for Strategic Environmental Assessment, AI on Air Emissions from Stationary Pollution Sources, Strategy on Forest Development 2022-2030, Strategy on Communication and Information for the Forestry Sector in Kosovo 2021-2025, “Task Force” for the Protection and Legal Use of Forests, approval of terms of reference for the operation of this task force, approval of Strategy for Agriculture and Rural Development 2022-2028, and Concept Document for Agricultural Lands.

Strategy for Membership in regional organisations

The government has not developed a strategic approach that leads to membership and participation in new organisations and initiatives yet.⁴⁵⁸ **No progress**

Membership in new organisations

Kosovo remains underrepresented in regional organisations and initiatives. Kosovo has joined several significant regional initiatives such as the Regional Cooperation Council (RCC), the Transport Community Treaty (TCT), the Energy Community (EnC), the Migration, Asylum and Refugees Regional Initiative (MARRI), the Regional Youth Cooperation Organisation (RYCO), or the Western Balkans Fund (WBF).⁴⁵⁹

In 2021, Kosovo did not join new regional organisations. **No progress**

Cooperation in regional initiatives

Kosovo has a low representation in regional organisations and initiatives. In particular, Kosovo participates in the following regional organisations and initiatives, including Brdo-Brijuni Initiative, Central European Free Trade Agreement (CEFTA), Energy Community Secretariat (EnC), the Migration, Asylum, Refugees Regional Initiative (MARRI), Regional Cooperation Council (RCC), Regional Youth Cooperation Office (RYCO), South-East European Cooperation Process (SEEC), Transport Community Treaty (TCT), and Western Balkans Fund (WBF).⁴⁶⁰

However, Kosovo is a full member of only the six following organisations and initiatives the Regional Cooperation Council (RCC), the Transport Community Treaty (TCT), the Energy Community (EnC), the Migration, Asylum and Refugees Regional Initiative (MARRI), the Regional Youth Cooperation Organization (RYCO), or the Western Balkans Fund (WBF).⁴⁶¹

In 2021, Kosovo did not manage to join any new regional initiatives. **No progress**

Limited progress was made in regional cooperation in 2021.

c) Dialogue with Serbia

The means of assessing the dialogue with Serbia include:

- *EU-facilitated dialogue;*
- *implementation of agreements; and*
- *missing persons.*

EU-facilitated dialogue

The dialogue between Kosovo and Serbia is ongoing.⁴⁶² The dialogue resumed in 2020 as Kosovo lifted the 100% tariff on imported goods from Serbia.⁴⁶³ The European Commission's country report for 2021 emphasises Kosovo's obligation to uphold its commitment to enforce previous dialogue agreements and to reach a final formal bilateral agreement with Serbia.⁴⁶⁴ **No progress**

Implementation of agreements

Of all agreements reached between Kosovo and Serbia (under the EU-led dialogue), some have been sufficiently implemented, some partially, while others have not been implemented at all. This is partly due to the increased tensions on both sides.⁴⁶⁵

⁴⁵⁸ Balkans Group report, Kosovo's Participation and Representation in Regional Organisations-Mapping the gaps and opportunities, 2021.

⁴⁵⁹ Ibid.

⁴⁶⁰ Ibid.

⁴⁶¹ Ibid.

⁴⁶² European Commission, Kosovo* 2021 Report, 2021.

⁴⁶³ Ibid.

⁴⁶⁴ European Commission, Kosovo* 2021 Report, 2021.

⁴⁶⁵ Balkans Group report, The Brussels Dialogue between Kosovo and Serbia: Achievements and Challenges, September 2020.

In 2021, Kosovo and Serbia reached an agreement on licence plates following Kosovo's decision to apply reciprocity measures. The agreement is being implemented and working groups continue to meet in Brussels.⁴⁶⁶ **Limited progress**

Missing persons

There are still 1639 missing persons identified from the last war in Kosovo.⁴⁶⁷ **No progress**

| Cooperation | No Progress | Limited Progress | Some Progress | Good Progress | Very Good Progress |
|-----------------------------|-------------|------------------|---------------|---------------|--------------------|
| Bilateral Relations | | | ✓ | | |
| Regional Cooperation | | ✓ | | | |
| Dialogue with Serbia | ✓ | | | | |
| The overall progress | | ✓ | | | |

The overall progress for Good Neighbourly Relations

No progress was made in dialogue with Serbia in 2021.

⁴⁶⁶ Kosovo-Serbia License Plates Sticker Regime comes into force, 4 October 2021, at <https://balkaninsight.com/2021/10/04/kosovo-serbia-license-plates-sticker-regime-comes-into-force/>.

⁴⁶⁷ European Commission, Kosovo* 2021 Report, 2021.

ANNEX I. KOSOVO'S PROGRESS IN NUMBERS

To measure Kosovo's progress in 2021, a unique methodology of 8 dimensions is used: Rule of Law, Human Rights and Fundamental Freedoms, Democratisation, Economy, Sustainable Development, Education, Health and Good Neighbourly Relations. Each dimension incorporates 14 indicators and 65 sub-indicators. The sub-indicators use 235 means of assessment which are developed as criteria for assessing the progress made in the specific sector/area. Based on the methodology, institutions' progress is presented in five levels: 'no progress', 'limited progress', 'some progress', 'good progress' and 'very good progress', depending on the developments made in 2021 in comparison to the previous year (2020). In addition, this section presents the progress in numerical value (using a scale of 0-4), where 0 equals no progress, 1 – limited progress, 2 – some progress, 3 – good progress, and 4 – very good progress.

DIMENSION I: RULE OF LAW (ROL)

Progress in the area of the rule of law is evaluated as limited with an overall score of 1.57/4. Among the indicators, progress in the judiciary is the most evident (2/4), followed by the fight against corruption (1.45/4) and the fight against organised crime (1.26/4). Within the judiciary, Kosovo's institutions have achieved very good progress on the legal framework (4/4) good progress on accountability (3.5/4), some progress on efficiency and effectiveness (2/4), and limited progress on and transparency (1.6/4), access to justice (1.3/4), administration of justice (1.4/4) as well as independence and impartiality (0.3/4). Within the fight against corruption, some progress is noted in the confiscation of assets (3/4) and legal framework (2/4), limited progress on public perception of corruption (1/4) and prevention (0.3/4) and no progress in measures against high-level corruption (0.7/4). Within the fight against organised crime, good progress was achieved on measures against trafficking in persons (3.75/4), limited progress was made on measures against organised crime (1.25/4), terrorism and violent extremism (1/4) and the legal framework (1/4), whereas no progress was made on the fight against drugs/narcotics (0.6/4) or money laundering (0/4).

| RULE OF LAW | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|--|---|---|---|---|---|---------------------|
| Judiciary | | | | | | |
| Efficiency and Effectiveness | | | ✓ | | | 2 |
| Independence and Impartiality | ✓ | | | | | 0,3 |
| Accountability | | | | ✓ | | 3,5 |
| Transparency | | ✓ | | | | 1,6 |
| Access to Justice | | ✓ | | | | 1,3 |
| Administration of Justice | | ✓ | | | | 1,4 |
| Legal Framework | | | | | ✓ | 4 |
| The Overall Progress | | | ✓ | | | 2 |
| Fight Against Corruption | | | | | | |
| Public Perception of corruption | | ✓ | | | | 1 |
| Prevention | ✓ | | | | | 0,3 |
| Measures Against high-level corruption | ✓ | | | | | 0,7 |
| Confiscation of Assets | | | | ✓ | | 3 |
| Legal Framework | | | ✓ | | | 2 |
| The Overall Progress | | ✓ | | | | 1,4 |

| Fight against organised crime | | | | | | |
|---|---|---|--|---|--|-------------|
| Level of organised crime | | | | | | - |
| Measures against organised crime | | ✓ | | | | 1,25 |
| Drugs/ Narcotics | ✓ | | | | | 0,6 |
| Money Laundering | ✓ | | | | | 0 |
| Fight against terrorism and violent extremism | | ✓ | | | | 1 |
| Trafficking in persons | | | | ✓ | | 3,75 |
| Legal Framework | | ✓ | | | | 1 |
| The Overall Progress | | ✓ | | | | 1,26 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION II: HUMAN RIGHTS AND FUNDAMENTAL FREEDOM

Progress in the area of human rights and fundamental freedoms is evaluated as no progress with an overall score of 0.95/4. Progress in civil and political rights (1.12/4) and economic, social and cultural rights (1/4) is limited, whereas there is no progress on the legal framework (0.75/4). Within civil and political rights, good progress is reported on gender equality, especially in regard to women's representation at the central level, some progress is achieved on children's rights as the implementation of the Law on Child Protection has started, whereas no progress is observed on freedom of expression, freedom of religion or the freedom of association.

| HUMAN RIGHTS AND FUNDAMENTAL FREEDOM | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|--------------------------------------|---|---|---|---|---|---------------------|
| Fundamental Rights | | | | | | |
| Civil and political rights | | ✓ | | | | 1.12 |
| Economic, social and cultural rights | | ✓ | | | | 1 |
| Legal framework | ✓ | | | | | 0.75 |
| The Overall Progress | ✓ | | | | | 0.95 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION III: DEMOCRATISATION

Progress in the area of democratisation is limited with an overall score of 1.5/4. Progress on media and civil society (1.5/4), elections (1.6/4) and public administration (1/4) is limited, whereas the progress in political stability is good (2.13/4). Within media and civil society, there has been some progress on civil society (2.66/4), limited progress on freedom of media (1.75/4), and no progress on the legal framework (0). Within political stability, there is some progress on security and public order (2.25/4), constitutional and legal order (2.3/4), relations between the government and opposition (2/4), and functioning of institutions (2/4). Within elections, there is some progress on election administration (2.8/4) and campaign environment (2/4), limited progress on women's representation (1.16/4) and no progress on the legal framework (0.5). Within public administration, some progress is achieved in public finances (2.3/4), limited progress in functioning on public administration (1.33/4) and no progress on service delivery (0.66/4), representation (0.5/4) or legal framework (0.25/4).

| DEMOCRATISATION | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|---|---|---|---|---|---|---------------------|
| Media and Civil Society | | | | | | |
| Freedom of media | | ✓ | | | | 1.75 |
| Civil Society | | | ✓ | | | 2.66 |
| Legal framework | ✓ | | | | | 0 |
| The Overall Progress | | ✓ | | | | 1.5 |
| Political stability | | | | | | |
| Functioning of institutions | | | ✓ | | | 2 |
| Security and Public Order | | | ✓ | | | 2.25 |
| Relations between the government the and opposition | | | ✓ | | | 2 |
| Constitutional and legal order | | | ✓ | | | 2.3 |
| The Overall Progress | | | ✓ | | | 2.13 |
| Elections | | | | | | |
| Election administration | | | ✓ | | | 2.8 |
| Campaign environment | | | ✓ | | | 2 |
| Legal framework | ✓ | | | | | 0.5 |
| Women's participation | | ✓ | | | | 1.16 |
| The Overall Progress | | ✓ | | | | 1.6 |
| Public Administration | | | | | | |
| Functioning of public administration | | ✓ | | | | 1.33 |
| Service delivery | ✓ | | | | | 0.66 |
| Public finances | | | ✓ | | | 2.3 |
| Representation | ✓ | | | | | 0.5 |
| Legal framework | ✓ | | | | | 0.25 |
| The Overall Progress | | ✓ | | | | 1 |
| Democratisation | | | | | | |
| Media and civil society | | ✓ | | | | 1.5 |
| Political stability | | | ✓ | | | 2.13 |
| Elections | | ✓ | | | | 1.6 |
| Public administration | | ✓ | | | | 1 |
| The Overall Progress | | ✓ | | | | 1.5 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION IV: ECONOMY

There is no progress in the economy as a whole, although limited progress is present on employment and safety at work (1/4). No progress is visible in the business environment (0.33/4), investments (0.5/4) macroeconomic stability (0.75/4), human capital (0/4) or legal framework (0.33/4). Trade imbalance, a considerable gap between newly registered and terminated firms, a large sector of the informal economy, insufficient foreign direct investments, and a high unemployment level, are some of the challenges present in this dimension.

| ECONOMY | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|-------------------------------|---|---|---|---|---|---------------------|
| Economic development | | | | | | |
| Macroeconomic stability | ✓ | | | | | 0.75 |
| Business environment | ✓ | | | | | 0.33 |
| Investments | ✓ | | | | | 0.5 |
| Employment and safety at work | | ✓ | | | | 1 |
| Human Capital | ✓ | | | | | 0 |
| Legal framework | ✓ | | | | | 0.33 |
| The Overall Progress | ✓ | | | | | 0.5 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION V: SUSTAINABLE DEVELOPMENT

No progress is reported in the area of sustainable development with an overall score of 0.8/4. Likewise, there is limited progress on the environment (1/4), and no progress on energy (0.76/4). Within energy, there is limited progress on renewable energy (1.3/4) and energy efficiency (1.25/4), but no progress on the energy supply (0.5/4) or legal framework (0/4). Within the environment, there is limited progress on air quality (1.25/4) and waste management (1/4), and no progress on either the legal framework (0/4) or water and land management (0.4/4). Improvements in the legal framework as well as increasing energy supply, diversifying energy resources, adopting an integrated national energy climate plan, compliance with ceiling emissions and waste management are necessary.

| SUSTAINABLE DEVELOPMENT | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|-----------------------------|---|---|---|---|---|---------------------|
| Energy | | | | | | |
| Energy supply | ✓ | | | | | 0.5 |
| Energy efficiency | | ✓ | | | | 1.25 |
| Investments | | ✓ | | | | 1.3 |
| Renewable Energy | ✓ | | | | | 0 |
| The Overall Progress | ✓ | | | | | 0.76 |

| Environment | | | | | | |
|-----------------------------|---|---|--|--|--|-------------|
| Air quality | | ✓ | | | | 1.25 |
| Water and land management | ✓ | | | | | 0.4 |
| Waste management | | ✓ | | | | 1 |
| Forest management | | ✓ | | | | 1.33 |
| Legal framework | | | | | | 0 |
| The Overall Progress | ✓ | ✓ | | | | 1 |
| Sustainable Development | | | | | | |
| Energy | ✓ | | | | | 0.76 |
| Environment | | ✓ | | | | 1 |
| The Overall Progress | ✓ | | | | | 0.88 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION VI: EDUCATION

Although there is a lack of data on the education sector for both 2021 and 2020, based on the available data, no progress is reported, which is evaluated with an overall score of 0.77. As regards indicators there is limited progress on access to education (1.5/4), however, no progress is observed on governance and quality of education (0.3/4), spending in education (0.5/4) and alignment with the labour market (0.5/4). The pandemic has certainly affected the quality of education but most obstacles in relation to the dimension have persisted over time. Increased spending on education, increased student enrolment rates for tertiary education, and alignment of curricula with labour market needs are some of the areas where progress has stalled. Moreover, increased data on the sector could provide a better understanding of the progress made.

| EDUCATION | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|-------------------------------------|---|---|---|---|---|---------------------|
| Educational provision | | | | | | |
| Spending in education | ✓ | | | | | 0.5 |
| Access to education | | ✓ | | | | 1.5 |
| Governance and quality of education | ✓ | | | | | 0.3 |
| Alignment with the labour market | ✓ | | | | | 0.5 |
| The Overall Progress | ✓ | | | | | 0.77 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION VII: HEALTH

There is no progress in public health with an overall score of 0.82/4. As regards indicators, there is limited progress on Covid-19 (1.5/4) mainly in terms of vaccination. There is limited access to quality of healthcare (1/4), and legal framework (1.3/4), but no progress is reported on access to healthcare (0/4), and infrastructure (0.3/4). Poor health infrastructure and capacities, lack of a universal healthcare system, and insufficient implementation of a health information system are some core areas that need adjustment.

| HEALTH | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|-----------------------------|---|---|---|---|---|---------------------|
| Public Health | | | | | | |
| Access to healthcare | ✓ | | | | | 0 |
| Quality healthcare | | ✓ | | | | 1 |
| Covid-19 measures | | ✓ | | | | 1.5 |
| Infrastructure | ✓ | | | | | 0.3 |
| Legal Framework | | ✓ | | | | 1.3 |
| The Overall Progress | ✓ | | | | | 0.82 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

DIMENSION VIII: GOOD NEIGHBOURLY RELATIONS

There is limited progress in the area of good neighbourly relations with an overall score of 1.28/4, however, quantifying progress is more difficult compared to other dimensions. Among the indicators, there is some progress in terms of bilateral relations (2.5/4), whereas there is almost no progress in terms of regional cooperation (1/4) and dialogue with Serbia (0.3/4).

| GOOD NEIGHBOURLY RELATIONS | 0 | 1 | 2 | 3 | 4 | Progress in numbers |
|-----------------------------|---|---|---|---|---|---------------------|
| Cooperation | | | | | | |
| Bilateral Relations | | | ✓ | | | 2.5 |
| Regional Cooperation | | ✓ | | | | 1 |
| Dialogue with Serbia | ✓ | | | | | 0.33 |
| The Overall Progress | | ✓ | | | | 1.28 |

0 - No progress | 1 - Limited Progress | 2 - Some Progress | 3 - Good Progress | 4 - Very Good Progress

The Balkans Policy Research Group is an independent, regional think-tank based in Pristina, Kosovo. We provide timely policy analysis and recommendations on a wide array of state building issues; institutional and democratic consolidation; minority integration and good neighborly 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 organizations. Our rigorous, detailed, impartial reporting, always based on-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 normalization 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.

Youth in Politics promotes an active participation from youth from different political parties in the institutions. The component helps in developing a culture of dialogue and cooperation, by providing capacity building trainings on key policy areas and skills and leadership.

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.

Expert Support component provides policy support to the government and key institutions on key policy areas, peace and state- building agenda.



Norwegian Embassy