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Report on Human Rights in the Republic of Kosovo

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List of abbreviations:

AGE	Agency on Gender Equality
KAS	Kosovo Agency of Statistics
MED	Municipal Education Directorates
DRRP	Department for Reintegration of Repatriated Persons
DCAM	Department for Citizenship, Asylum and Migration
KSF	Kosovo Security Force
ECtHR	European Court of Human Rights
KIPA	Kosovo Institute for Public Administration
GCMP	Governmental Commission on Missing Persons
MLGA	Ministry of Local Government Administration
MEST	Ministry of Education, Science and Technology
MoJ	Ministry of Justice
MKSF	Ministry for Kosovo Security Force
MIA	Ministry of Internal Affairs
MLSW	Ministry of Labour and Social Welfare
UN	United Nations organisation
CSO	Civil society organizations
PWD	People with Disabilities
SOPPDV	Standard Operating Procedures for Protection from Domestic Violence
MFMC	Main Family Medicine Centres
KRCT	Kosova Rehabilitation Centre for Torture Victims
CPWR	Centre for the Promotion of Women's Rights in Drenas
CSW	Centres for Social Work
CMS	Case Management System
THB	Trafficking in human beings
OCA	Office for Community Affairs
MOCR	Municipal Office for Communities and Return
OGG/OPM	Office for Good Governance/Office of the Prime Minister

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We would like to thank the institutional representatives who were cooperative during the process of providing relevant information regarding the current situation in the field of human rights, respectively; Agency for Gender Equality, Ministry of Justice, Ministry of Internal Affairs, Ministry of Education, Science and Technology, Ministry of Labour and Social Welfare, Ministry for Communities and Returns, Ministry of Local Government Administration, Ministry of Public Administration, Ministry of Kosovo Security Force, Ministry of Finance, Office for Communities/Office of the Prime Minister, Office of the Language Commissioner, Governmental Commission for Recognition and Verification of the status of raped persons during the Kosovo Liberation War, as well as the Government Commission on Missing Persons (GCMP)

This publication was done by the Office for Good Governance, Human Rights, Equal Opportunities and Non-Discrimination within the Office of the Prime Minister.

Foreword by the Prime Minister

The Republic of Kosovo, through its constitutional and legal framework, is committed to applying universal human rights standards for all its citizens. Fundamental human rights and freedoms constitute the foundation of building equality policies that assure and promote diversity and create equal opportunities and treatment for all citizens in the country, the same will be interpreted fully in line with international standards and the practice of the European Court of Human Rights.

Good Governance, rule of law and equality of all citizens before the law remains our main aim and goal. One of the strategic objectives of the Government of the Republic of Kosovo remains the drafting and implementation of legislation and policies that improve and fulfil the rights and services of citizens in the country, especially focusing on the most marginalized groups of society, including children, women, persons with disability, missing persons, victims of sexual violence, communities, LGBTI community, returnees, displaced persons during the war, etc.

We have established a solid legal and institutional framework for human rights, which is fully in line with European standards for protection and promotion of human rights, now we need to be increasingly oriented to its effective implementation. Realization and protection of human rights is conditional on the effective implementation of laws and public policies.

Undoubtedly, Public Administration Reform remains a top priority of the Kosovo Government. Our ongoing efforts are oriented towards the development of public administration reforms based on the provision of equal opportunities, equal treatment, transparency and accountability. In this context, the respecting of the Ombudsperson Institution as an independent state institution mandated for protection and promotion of human rights and implementation of its recommendations constitute one of the key ways in fulfilling and listening to the people's voice, as well as respecting diversity and provision of equal opportunities.

The Government of Kosovo is prioritizing the reporting and implementation of recommendations addressed to the Government by different international bodies regarding the implementation of international instruments that are part of the applicable law in Kosovo. However, greater engagement and commitment is ahead of us, especially in addressing the findings and recommendations addressed to the Government of Kosovo by different international mechanisms, special rapporteurs of the United Nations, different national and international organizations that monitor and evaluate the performance and transparency of the government against the implementation of international standards, laws and policies in the field of human rights.

However, this commitment of ours will be achieved with maximum engagement and dedication of each official exercising public functions and at the service of citizens. Consequently, the protection, respect and implementation of human rights will reflect the institutional administrative culture within all departments of the Government

We reaffirm the commitment and dedication of the Government of the Republic of Kosovo that intimidation, discrimination, hate, violence or unequal treatment of any sort against any of Kosovo's will not be allowed and all discriminatory practices will be punished by our relevant state institutions, appreciating the benefits that diversity brings to us all.

Prime Minister

Mr. Ramush Haradinaj

Executive Summary

In the last meeting of the Inter-Ministerial Coordination Group on Human Rights in the Republic of Kosovo, held on 16 November 2018, the Prime Minister, Mr. Ramush Haradinaj, in the capacity of Chair of this mechanism, has requested from Government's departments to prepare a comprehensive report on the actions taken for this year in protection and strengthening of human rights, as well as in defining the priorities for 2019 in this area. The report generally reflects the real situation regarding the progress and challenges in relation to the protection, respect and implementation of human rights in the Republic of Kosovo.

However, the report presents and evidences the progress and challenges of the institutions against their legal and institutional obligations in protecting, respecting and implementing human rights, focusing on the most vulnerable groups of society, including children, women, people with disabilities, missing persons, victims of sexual violence, communities, LGBTI community, returnees, displaced persons, etc.

The Constitution of the Republic of Kosovo contains clear provisions for ensuring international human rights standards. The Constitution of the country imposes operational provisions of numerous international human rights instruments as mandatory within the constitutional and legal order of the country, and they are directly applied in the Republic of Kosovo and have priority in case of conflict with the provisions of laws and other acts of public institutions. However, this ensures respect and protection of human rights in conformity with international standards and international principles. The exercise of public authority in the Republic of Kosovo is based on the principles of equality before the law of all individuals and in the full respect of fundamental human rights and freedoms. Currently, Kosovo is not a member of the UN or of the Council of Europe and therefore is not in a position to ratify the relevant international instruments on human rights. Kosovo is not subject to these frameworks set by international bodies for regular reporting and cooperation on human rights (including the European Court of Human Rights). However, the Government of Kosovo will prioritize the reporting and implementation of recommendations coming from international mechanisms by making the entire human and material potential available.

Undoubtedly, the protection, respect and implementation of human rights is a continuous process that continuously generates requests and dictates legal, institutional and practical changes.

These changes should be reflected in the stances of officials throughout all levels of power, including the country's legislative, executive and the judiciary, as well as in daily activities of all civil servants, whereby the citizen will be placed at the centre of the administrative culture in order to make sure that the performance and fulfilment of obligations deriving from human rights becomes an essential part of their approach and culture of work, with a view to establishing a genuine institutional democracy, which will be in the function of protection, respect and implementation of human rights of all citizens of Kosovo, without distinction.

The report is based on the assessment of the fulfilment of commitments and obligations by relevant institutions regarding the implementation of fundamental rights guaranteed by the Constitution of the Republic of Kosovo, international human rights standards, relevant legislation and the policies of the responsible institutions.

Methodology

The Government of Kosovo has continuously drafted and drafts progress reports regarding the monitoring of the process of implementation of laws and strategic documents in different human rights fields and sectors.

This report has been drafted at the request of the Prime Minister of the Republic of Kosovo with the aim of providing and reflecting the most realistic situation on human rights, presenting the progress, challenges of institutions regarding the implementation of human rights, and at the same time, it introduces concrete recommendations for improvement of the situation in important fields and sectors of the Government regarding the better protection, respect and implementation of human rights by the responsible institutions.

It is a positive obligation of the state to undertake all the necessary legislative, institutional and practical measures to ensure and implement human rights standards.

The report provides relevant information and updated data regarding implementation of laws, policies in different human rights fields and sectors, the budget allocated for their implementation, priorities for 2019, and provides concrete recommendations for improving the access and reflecting the institutions in addressing and defining priorities in the coming years as regards the implementation and achievement of the most tangible results in terms of improving and providing social welfare for all citizens of Kosovo, regardless of what base.

This document will be a valuable monitoring, advocating and referring tool for respective institutions during the process of planning and drafting laws and policies in different areas and sectors of human rights and general social development.

Certainly, the institution reporting on monitoring the implementation of laws and public policies by competent institutions, on the basis of which an approximate assessment of the human rights situation in the country is done, will increase the responsibility, accountability and transparency of institutions and as a result, it will also increase the performance of public administration.

This report will serve as a guide and reference point and reflection for all state institutions and other stakeholders engaged in the process of drafting and implementing laws and public policies in the different human rights fields and sectors.

The findings and recommendations presented in this report, their implementation will be monitored continuously by the Inter-Ministerial Coordination Group on Human Rights¹, responsible institutions will be held accountable through the continuous monitoring and reporting process regarding the implementation of the recommendations presented in this report.

¹ Duties and responsibilities of the Inter-Ministerial Coordination Group on Human Rights are: strengthening of inter-institutional coordination in the field of human rights of all ministries and competent authorities in the Government; monitoring of the implementation of human rights policies and strategies in Kosovo; reporting before the Assembly on the protection and respect of human rights in the Republic of Kosovo; exchange of information and data and implementation of recommendations included in the reports of competent councils and other bodies of the United Nations, the Council of Europe, European Union and other international organisations; monitor and report regarding the implementation of recommendations of the Ombudsperson; budgeting of human rights and establishing priority policies for human rights; giving proposals for advancing the legal framework in the field of human rights and other important proposals for developing and advancing human rights in the Republic of Kosovo.

This report will also serve as a source of information and reference during the process of drafting the Strategy and Action Plan for Human Rights in the Republic of Kosovo.

GOOD GOVERNANCE AND TRANSPARENCY DURING THE POLICY-MAKING PROCESS

Priority - Government-Civil Society Cooperation

The year 2018 represents the continuation of many successes, especially in the implementation of the Government Strategy for Cooperation with the Civil Society, implementation of minimum standards for public consultations, financing of non-governmental organizations and monitoring and reporting for all these processes. The establishment of a framework with legal, institutional and financial support for cooperation between the government and the civil society is one of the key indicators of the maturity of modern democracies. The strengthened and active civil society can contribute to shaping better legislation, provision of better public services, ensuring more efficient monitoring of the implementation of key reforms of policies and improving civic volunteering.

The role of civil society in the European integration process, in principle, has been included in a number of EU's and the Government of the Republic of Kosovo's official documents, where the partnership between the government and civil society has become its priority. Consequently, within the Government Strategy for Cooperation with the Civil Society 2019-2023 and the Action Plan 2019-2021²

, a specific aim is the involvement of public and civil society in decision-making and policy-drafting, transparency in the allocation of funds to civil society organizations and inciting and promoting volunteering in the country. Fully convinced that the investment in including the public in decision-making and transparency regarding the allocation of funds for CSO organizations, is the right and only way toward having sustainable institutions, which show that the Government of the Republic of Kosovo is committed to join the pro-west countries journey towards fulfilling the obligations defined in other international standards, and therefore I present this document before you today.

Within the Government Strategy for Cooperation with Civil Society (2019-2023) and the Action Plan (2019-2021), the aim is to continue and improve the involvement of the public and civil society in decision-making and policy-making, transparency in the allocation of funds for civil society organizations, procedures for contracting CSOs and the inciting and promotion of volunteering in the country.

Advancement of the policy-making process

Public Consultation - The progress achieved so far in implementing minimum standards for the public consultation process is the best example of advancing the policy-making process and drafting legislation in the Republic of Kosovo. While 2016 and 2017 saw challenges in system building and commencement of implementation of minimum standards, 2018 required focus on implementation and ensuring a more qualitative consultation process. This progress is due to the ongoing work and dedication of the Office for Good Governance/Office of the Prime Minister, public consultation coordinators in all line ministries and the continuous support of the EU TA project.

In addition, this progress is also confirmed by important international institutions, and recently the World Bank has also done this through the project "Global Indicators of Regulatory Governance", which includes 187 countries around the world, whereby Kosovo ranked first among Western Balkan countries and 24th out of all countries included in this project, scoring a 4.75 out of a maximum of 5. Compared to

² The Government Strategy for Cooperation with Civil Society 2019-2023 was approved by the Government with Decision no. 06/89 on 12.02.2019.

2016 when Kosovo was rated at 4.60 under the same index, progress has been made in the policy-making process, increasing the degree of transparency in policy-making, greater involvement of stakeholders and the public in this process as well as evaluation of the impact these policies have on the lives of citizens. In the field of consultation, Kosovo is assessed to fulfil all the criteria according to which evaluation has been carried out.

Implementation of minimum standards for public consultations

Public Consultation Report for 2018 - After the approval of Regulation No. 05/2016 on minimum standards for the public consultation process, the OPM/OGG has prepared the second annual report on the public consultations of the Government. The report presents the level of implementation of minimum standards for public consultations on documents drafted by institutions within the Government of the Republic of Kosovo. During 2018, 228 documents were subject to public consultation, including 44 draft laws, 66 draft regulations, 71 draft administrative instructions, 27 concept documents, 18 draft strategic documents, 8 action plans and 3 other documents. It is estimated that 120 or 53% of consulted documents have met the minimum standards foreseen by regulation, while 108 or 47% of them have not met these standards (during the previous year, the level of implementation of standards was 52% or 116 documents, while standards not met are 48% or 115 documents. The report also identifies the challenges and problems encountered during the work of implementing these standards, but also provide the appropriate recommendations for the institutions in order to ensure a more qualitative process of public consultations and accurate reporting of the process.

The implementation of public consultation standards is a direct contribution to the public administration reform through achieving the objectives of the Better Regulation Strategy 2.0.

The online platform for public consultations - is the key instrument for public consultations, which provides the opportunity for the public to provide their online contributions to prepare documents drafted by the Government. The platform, which has been operationalized in the beginning of 2017, continued to be enriched and promoted, thus leading to a significant increase of registration of new users, and a subscription by them to obtain real-time information regarding the publication of documents for consultation and the possibility that the platform provides that each individual, institution or stakeholder provides their contribution in improving the legislation for approval by the Government and its subordinate institutions.

As a result of new requests, during 2018, the platform was also advanced with the module of statistics generation and their visual presentation. As a result, coordinators of ministries have access to the generation of information for consultation developed by them, while the central administrator, kept by the Office of Good Governance, has access to general statistics generation at the Government level.

Implementation of the Direct Budget Support Agreement within IPA 2 for Indicator II "Effective Public Communication, Public Consultation and Stakeholders Participation"

In addition to reporting on the implementation of the regulation on minimum standards, the Office of Good Governance also monitors the implementation of minimum standards aimed at measuring indicator II "*Effective Public Communication, public consultation and stakeholders participation*" under the Direct Budget Support (SBS) Agreement within IPA 2, which provides budget support in the amount of EUR 25 million for Kosovo. The Public Consultation Indicator under the SBS during 2018 aims to achieve consultations of at least 50% of draft strategies/sector policies/concept documents and primary laws,

which have been approved by the Government in 2018, in compliance with standards defined for 2019 - 70%, and 100% for 2020..

Monitoring of PUBLIC funds - The Office of Good Governance, following the publication of the 2017 Report on the Funds allocated to CSOs by the institutions, has also concluded the 2018 Report, in compliance with the Regulation (Ministry of Finance) No. - 04/2017 on Criteria, Standards and Procedures of Public Financing of NGOs. We assess that the publication of this report will contribute to the increase of transparency and accountability of public institutions and at the same time, will have an impact on improving cooperation with civil society in the Republic of Kosovo. We believe that the report on public financing of NGOs will be much more advanced, given that the Regulation (MoF) no. 04/2017 has commenced implementation since the beginning of 2018.

A GENERAL OVERVIEW ON HUMAN RIGHTS STATE OF PLAY, FOCUSING ON THE SOCIETY'S MARGINALIZED GROUPS

The Constitution of the Republic of Kosovo contains clear provisions ensuring international human rights standards. In addition to a broad catalogue of fundamental human rights and freedoms, the Constitution establishes the provisions of numerous international human rights instruments as mandatory within the constitutional and legal order of Kosovo, and the same apply directly to the Republic of Kosovo and have priority in case of conflict against provisions of laws and other acts of public institutions.

The exercise of public authority in the Republic of Kosovo is based on the principles of equality before the law of all individuals and in the full respect of human rights and fundamental freedoms. Currently, Kosovo is not a member of the UN or of the Council of Europe and therefore is not in a position to ratify the relevant international instruments on human rights. Kosovo is not subject to these frameworks set by international bodies for regular reporting and cooperation on human rights, including the European Court of Human Rights. Realistically, the protection of human rights is a continuous process that generates demand continuously and dictates legal, institutional and practical changes.

These changes should be reflected in the activities of all civil servants, citizens should be placed at the centre of administrative culture in order to ensure that the performance of duties and obligations deriving from human rights becomes an essential part of their approach and culture of work.

PROGRESS IN THE FIELD OF HUMAN RIGHTS

Kosovo has established a solid legal, institutional and policy framework for protection of human rights, along with a number of laws and sub-legal acts and strategic documents that have been drafted and approved by Kosovo institutions with a view to protecting and promoting human rights.

Since 2015, the Kosovo has adopted the so-called "package of laws on human rights"³ in order to protect and promote human rights, covering anti-discrimination and gender equality provisions. However, there is still a lot of work to be done to ensure *effective implementation of laws*, which includes many actions to be undertaken in the coming years. Certainly, the legal framework must also be followed by a strong institutional and policy framework that will be in the function of implementing and fulfilling the rights of the society's most marginalized groups. In the protection of human rights, the Government of Kosovo is giving priority to the implementation of the recommendations issued by the Ombudsperson, the parliamentary committees, the local NGOs and international human rights mechanisms, and Special Rapporteurs of the United Nations. A number of Strategic human rights documents have been drafted and approved and the same are in the process of implementation, focusing not only on the following documents: Government Strategy for Cooperation with the Civil Society (2019-2023) and Action Plan (2019-2021), the Strategy and Action Plan for inclusion of Roma and Ashkali communities in the Kosovo society (2017-2021), Strategy for Children's Rights (2019-2023) and Action Plan for implementation of the Strategy on Children's Rights (2019-2021), National Strategy of the Republic of Kosovo for protection against domestic violence and Action Plan (2016-2020), Strategy on Property Rights, etc.

The Government of Kosovo is continuously improving and strengthening professionalism, responsibility, accountability, efficiency and effectiveness of public administration at all levels of government, which is

³ The package of human rights laws includes: The Law on Protection against Discrimination, the Law on Gender Equality and the Law on Ombudsperson

essential for effective implementation of laws, public policies and better protection and implementation of human rights at country level.

In order to address the problems in the field of laws and human rights implementation, the Office of Good Governance within the Office of the Prime Minister is in the process of drafting the Strategy and Action Plan on Human Rights in the Republic of Kosovo (2020-2024). By developing a strategy and action plan on human rights, the Government of Kosovo expresses clear commitment not only for its citizens but also for external stakeholders on the human rights agenda. Having a clear program that reflects real challenges, provides guidance and at the same time defines the obligations and commitments of institutions for human rights, the government is in a better position to seek technical and other assistance in overcoming the problems of human rights, particularly in areas and sectors where local expertise or resources are limited.

While reviewing the legislation, the Ministry of Justice, during 2018 has undertaken positive steps to ensure their provisions provide for the advancement of human rights protection. Furthermore, they are also addressing the Functional Review of the Rule of Law Sector and Justice 2020.

Within the obligations deriving from the European Agenda, the Department for Reintegration of Repatriated Persons has implemented all planned activities in the National Program for the Implementation of the SAA for 2018.

Furthermore, during 2018 were evidenced positive initiatives and outcomes in various government sectors, in terms of drafting and implementing policies and laws that affect sectors and areas of human rights.

IMPLEMENTATION OF THE OMBUDSPERSON'S RECOMMENDATIONS

One of the most important objectives of the Government of the Republic of Kosovo is to draft and implement policies and legislation that improve all of the citizens' spheres of life in daily basis. This effort is being achieved in many ways and one of them is by listening and taking into consideration individual complaints and recommendations coming from the Ombudsperson Institution.

On the basis of this principle, and in the function of transparency and accountability towards citizens, the Office of the Prime Minister/Office of Good Governance has committed to the fair, efficient and effective handling of complaints and recommendations received from the Ombudsperson and all central level institutions.

The Office of Good Governance has conducted numerous activities from strengthening the mechanisms for protection against discrimination in central institutions, drafting the methodology for monitoring the implementation of the Ombudsperson's recommendations, establishing the system (excel) for monitoring recommendations, which is fitting to calculate periodic and annual achievements, development of response samples for institutions, placing the discussion for implementation of Ombudsperson's recommendations in the weekly agenda of Secretary-Generals, addressing the implementation related situation on a periodic basis at the Secretary-Generals in line ministries, and finally, the letter of the Prime Minister, Mr. Ramush Haradinaj, addressed to all central institutions requesting to prioritize the implementation of recommendation received by the Ombudsperson institution.

In this form, besides the increase of the level of implementation of recommendations, we have also made sure that they:

Have the citizen in focus - this means that these institutions are open to improving service standards, improving institutional policies and regulations, improving procedures and practices, improving staff behaviour and generally creating an environment where the receipt of recommendations or complaints is understood as a mechanism for improving performance and quality of services.

Be more responsive - positive and timely response from government institutions shows a high level of responsibility towards the public.

Operate fairly and objectively - addressing each recommendation with integrity and objectively ensures the credibility of this process.

In conclusion, the results are really appreciated when we have the following data:

- In 2018, the Ombudsperson made 141 recommendations:
- Out of the 141 recommendations addressed, 47 recommendations were implemented or 33%.
- Out of 109 recommendations with a positive response (within and outside deadline), 44 recommendations or 40% were implemented.
- Out of 48 recommendations with a positive response within the legal deadline, 20 recommendations have been implemented, which means that the level of implementation of the recommendations addressed to central level institutions has reached 42% for 2018.
- In 2017 were addressed 71 recommendations:
- Out of 71 recommendations addressed, 26 recommendations or 37% of them have been implemented.
- Out of 26 recommendations with a positive response (within and beyond the deadline), 20 recommendations or 77% have been implemented.
- Out of 16 recommendations with a positive response, within the legal deadline of 30 days, 11 recommendations or 69% of them have been implemented for 2017.

Total recommendations for 2017 and 2018:

- The total number of recommendations addressed to central level institutions in 2017 (1 January - 31 December 2017) and 2018 (1 January to 30 November 2018) is 212 recommendations addressed to central level authorities. Out of which, 73 recommendations or 34% of them have been implemented.
- The total number of recommendations for which we have received a positive response (within and beyond the deadline) is 135, out of which 64 or 47% of the recommendations have been implemented. However, despite the positive results, there is still much work to be done in terms of increasing institutional responsibility and accountability regarding the implementation of the Ombudsperson's Recommendations.

ADVANCEMENT AND IMPLEMENTATION OF POLICIES IN THE EDUCATION SECTOR

During 2018, there have been positive developments in the field of Education in drafting and implementing the legislation and policies, mainly in aspects of preventing discrimination, preventing violence in schools, inclusiveness in education, including special needs education, education of minorities, as well as prevention and responding to school dropout and non-enrolment.

Initially, in the function of creating facilitations for implementing the primary legislation, a number of administrative instructions have been drafted in pre-university education and higher education, but several laws have also been revised.

In addition to advancing the legislative framework, the MEST has devoted itself to other aspects of improving quality in pre-university education (New Curriculum Implementation, textbook design process, training of teachers and quality coordinators) and in higher education, implementing projects within the framework of the implementation of the legal framework and in compliance with international standards. Also, as in the past years, MEST has offered scholarships for students (681 scholarships) and support to students and professors in mobility projects.

According to planning in the Kosovo Education Development Strategic Plan (KESP), the results related to participation and inclusion and with the creation of safe and human environments in schools, a number of activities have been carried out in relation to the prevention of violence, protection of children and prevention and response to school dropout. All of these by claiming the creation of opportunities for the well-being of children and young people in the context of education and consequently their development in the physical, intellectual, social and emotional aspect.

Protection of children on the internet:

Activities of the Safe Internet Week have been carried out, with school activities and with the National Conference on the topic: "Education, a key to cope with online extremism and radicalisation", with participation of senior state and international officials.

The training program for protection of children on the internet has been developed and accredited (MEST) and training for 25 municipalities have been carried out (Prishtina, Podujeva, Obiliq, Fushe Kosove, Drenas, Mitrovica, Skenderaj, Vushtrria, Gjilan, Lipjan, Han i Elezit, Kamenica, Vitia, Peja, Gjakova, Deçan, Klina, Istog, Junik, Prizren, Dragash, Malisheva, Suhareka, Rahovec, Mamusha), with 133 teachers (quality coordinators) from 124 schools of the 1-9 level benefiting from the training. Also, activities were carried out in 15 schools in the municipality of Vitia regarding the protection of children on the internet.

675 copies of the "Browsing through the internet" package have been printed, and the same have been distributed to schools according to the request for implementation of the elective subject.

Sessions have been held for protection of children/ prevention of violence in schools: "Hilmi Rakovica", "Faik Konica", "Gjergj Fishta", in Prishtina and "Mihail Grameno" in Fushe Kosova.

Prevention and response to school dropout

A workshop has been held on mechanisms for prevention and response to dropout and the legal framework sanctioning the non-implementation of national policies.

In coordination with ECMI and UNICEF, work meetings have been conducted for 10 municipalities (Prishtina, Mitrovica, Peja, Gjilan, Ferizaj, Fushe Kosova, Obiliq, Podujeva, Prizren and Vushtrria), for the

purpose of supporting the functionalization of teams for prevention and response to school dropout and non-enrolment. On this occasion, 7 schools have benefited for each municipality, i.e. a total of 70 schools, respectively their teams for prevention and response to school dropout and non-enrolment.

1. AI 08/2018 for the establishment and strengthening of TPRAAN in pre-university education has been passed and approved.
2. The Team for prevention and response to school dropout and non-enrolment was reformed according to the new administrative instruction 08/2018.
3. The Administrative Instruction on Children Online Protection has been drafted

Prevention of Violence in Pre-University Education Institutions

In order to strengthen the children protection system and, at the same time, increase institutional efficiency at the local level for implementation of the government document "Regulation 21/2013 for the protocol for the prevention and reference of violence in institutions of pre-university education", activities in capacity building of schools and municipalities have continuously been carried out. This year, in coordination with the Kosovo Education Centre (KEC), MEST organized the Conference "Mediation teams in the function of preventing violence in schools", and then in coordination with the SOS-Villages, sessions for the safety and protection of children have been held. There were also workshops for prevention and referral of violence in schools, in coordination with Save the Children, where 22 schools of 8 municipalities have benefited:

- Peja (2): Ramiz Sadiku and Xhemail Kada
- Gjakova (3): Zekeria Rexha, Yll Morina and Mustafa Bakija
- Prizren (2): Ibrahim Fehmiu and Haziz Tolaj
- Klina (2): Motrat Qiriazi and Ismet Rraci
- Gjilan (3): Selami Hallaqi, Thimi Mitko and Abaz Ajeti
- Mitrovica (5): Skenderbeu, Fazli Grajevci, Andon Zako Cajupi, Migjeni and Bedri Gjinaj
- Prishtina (2): Asim Vokshi and Emin Duraku
- Ferizaj (3): Ahmet Hoxha, Vezir Jashari and Tefik Canga

Prevention and response to school dropout

The week against school dropout has been marked with a number of activities, such as: The opening conference, wherein MEST's work done so far on this field was presented, and a report from the research conducted by ERAC (Coalition of seven NGOs working in the field of rule of law and fundamental rights) was launched within the project for Improvement of inclusive education in Kosovo, and the schools with the best performance in implementing the platform for prevention and response to dropout and non-enrolment in pre-university education were rewarded.

During December 2018, the second working sessions were held with 10 municipalities that were supported (together with ECMI and UNICEF) in strengthening teams for prevention and response to dropout. Practically, they worked with real cases of schools and with the placement of data in the Dropout Early Warning System (EWS) in EMIS.

EDUCATION OF CHILDREN WITH SPECIAL NEEDS

The Ministry of Education, Science and Technology, based on the measures defined under KESP (2016-2021) and the Action Plan for the inclusion of children with special needs in pre-university education (2016-2020) has addressed all the measures defined and has concrete results in most of them, which, however, help implement the right of children with special needs (CSN) in education:

The package has been drafted and the pedagogical documentation has been harmonized for all source centres. The package includes internal regulations, documents, certificates and other documents that the source centres use in their work. The aim was to harmonize and adaption of documents according to the needs and specifications of source centres.

Standardized instruments for the pedagogical evaluation of children with disabilities have been developed and their piloting has started. Instruments have been drafted in cooperation between MEST, 7 municipalities and two professors from the University of Bologna and Padova. Instruments are based on the International Classification Functioning Children & Youth ICF. Piloting has started in 7 municipalities and 14 schools, during this period, teachers of 14 schools have been trained and also evaluation teams in 7 municipalities for using the instruments. The piloting period includes **September 2018 - June 2019**.

The "Financing parameters for students with special needs" have been drafted, the formula will serve for budget allocation according to the type of disability and according to disability scales (low, moderate and serious, multiple). The integration of these parameters will significantly improve the services and quality of teaching and learning for these children.

Assistant for children with disabilities

The first generation has graduated and they were certified, consisting of 54 candidates who have completed the 5th level, qualification "Assistant for children with disabilities", the graduation ceremony was organized at the Competence Centre in Ferizaj.

All the preparations have been made and the second generation with 75 candidates of the 5th level of the qualification "Assistant for children/students with disabilities" has started learning. Qualification is a cooperation of MEST with the prestigious Pearson Institute. The quality of this qualification is monitored by Pearson and the candidates get the BITEK degree, which is recognized in 70 countries around the world. The purpose of this program is to create capacities to support schools and children with disabilities to accommodate and educate in schools with their peers.

Within the specific education grant for municipalities for 2019, the MEST has included a new policy that is the employment of 100 assistants, and has distributed to municipalities according to the number of children with disabilities. Municipalities have already received the first budget circular, where assistants have also been included.

9 support teachers have been employed in municipalities that will support schools, teachers and students in creating a comprehensive environment, pedagogical work with children with disabilities. Currently, there are **83 support teachers** at country level.

Pedagogical evaluation of children with disabilities

Evaluation teams have been established and functionalized in 24 municipalities of Kosovo. Based on the legislation in force, these teams carry out the pedagogical evaluation of children with disabilities and determine **pedagogical and rehabilitation** services. This year, in cooperation with the Kosovo Disability Forum, limited to the support of UNICEF, workshops have been organized in 14 municipalities, where evaluation teams have not been functional and consequently, 12 municipalities have functionalized evaluation teams.

Questionnaires have been prepared for developing educational indicators for identifying children with disabilities outside schools and those in educational institutions. Questionnaires will be piloted in 7 municipalities and then indicators will be drawn. Currently, we are in the process of selecting municipalities where piloting will take place. Educational indicators for children with disabilities are missing and this makes it difficult to know the level/percentage of children with disabilities involved in educational systematization, which is consequently affecting the quality of data.

Training sessions were organized with 50 inspectors on the Inclusion Index and Individual Education Plan (PIA) and 30 municipal officials.

520 teachers were trained in the programs: "Differentiated learning and individualized teaching in an inclusive classroom", "Inclusion Index" and "Autistic Spectrum Disorders". These training sessions were supported by partners like Save the Children, UNICEF in co-financing with MEST.

Since 2016, the "Mother Teresa" source centre in Prizren provides training for the entire educational sign language staff. Training lasts several years and is levelled according to the European Framework for Sign Language. Training of 28 teachers for Braille writing, training was organized at the Source Centre "Dr. Xheladin Deda", training was a continuation of modules that were held in 2017.

Training of 12 trainers for implementation of the Pearson programme for the 5th level. The training was organized with the support of Lux-Development and 12 candidates were certified and in the future can be engaged as teachers of the qualification level "Assistant for children with disabilities".

Source centres for students with severe and multiple disabilities have created new services, such as:

- Horticulture Cabinets for the Professional Practice of Students
- Handicraft rooms where students engage in practical work for the development of life and work skills
- Documentation rooms in two source centres in "Dr. Xheladin Deda" for visual impairment, whereas for other disabilities in the SC "Perparimi" in Prishtina. Documentation rooms deal with research and collection of other materials and sources for the disability that can be used for studies, analyses and research by professionals, professors and students.
- The Braille unit at the Source Centre "Xheladin Deda" provides translation and adaption of materials, texts in Braille language for all blind pupils and students.

Attached classes at country level - have dropped from 76 to 18 classrooms and these classes are planned to be converted into source rooms as soon as these students complete the ninth grade since their integration into regular classes has been impossible due to the age and scale of disability. This way of transition of attached classes is also foreseen by the Administrative Instruction on the conversion of attached classes into source rooms.

In cooperation with the Kosovar Association of the Deaf and other stakeholders, MEST has finalized the **Document on the education of children with hearing impairment** as a specific language category. The document envisages adequate forms and strategies for organizing and providing education for children with hearing impairments, including bilingual schools.

Students with extraordinary abilities - the Administrative Instruction and guide for students with extraordinary abilities, special gifts and talents in academic, creative and artistic fields has been drafted and finalized.

1. The project with the Council of Europe "Fostering a Democratic School Culture and Diversity in Schools", has been completed, and this project included 20 schools, whereby they benefited from organized training, different activities with students and exchange of experiences with region countries that have been part of this project.

EDUCATION OF COMMUNITIES

The Bosnian, Turkish, Roma, Ashkali and Egyptian communities are integrated into the Kosovo education system. Education in Kosovo is conducted in four languages (Albanian, Serbian, Bosnian and Turkish) at all levels of education; from pre-school to university/superior level.

For the purpose of increasing the education level, the students of the Roma, Ashkali and Egyptian communities, are each year given facilitations for enrolment in grade 10, in vocational schools and gymnasiums, regardless of their success in elementary school and results in the national achievement test. MEST has, in cooperation with MED, allowed such facilitations to these communities. Also, for the school year 2018/2019, MEST has issued a Decision on enrolment of students of Ashkali and Egyptian communities in upper secondary education, 5 students for each course.

1. Administrative Instruction 09/2016 - Application of affirmative measures and quotes for enrolment of candidates from the non-majority communities in the public institutions of higher education is applied every academic year from the approval of AI.
2. MEST, in cooperation with KFOS (EUSIMRAES2) and VoRAE (Voice of Roma, Ashkali and Egyptians), has trained 50 mentors/tutors. This activity aims to provide support to Roma, Ashkali and Egyptian community students in upper secondary schools. This second module training was organized in the academic year 2017/2018.
3. In the school year 2017/2018, around 200 children of Roma, Ashkali and Egyptian communities with stagnation in learning have benefited from the mentoring and tutoring component. This activity continued to be organized by donors in the school year 2018/2019 and about 500 students are involved.
4. The Administrative Instruction on the Establishment and Functioning of Learning Centres has been revised and drafted, a guide for the implementation of AI will be drafted.
5. Training was organized for teachers of Roma language for using the Roma language and culture curricula and textbooks.

6. MEST has engaged Turkish and Bosnian community experts for drafting subject programs for national subjects, language, history, art and music. Subject programs for national subjects for grades 3, 8 and 12 have been compiled.
7. A Guide for promotion of interethnic dialogue and contacts between communities has been drafted, which is supported by the OSCE in Kosovo. The signing of this document is expected.
8. Every school year, the MEST provides textbooks free of charge for all compulsory education students, including non-majority communities.
9. MEST monitors the organization of complementary education for Roma language and culture for students of Roma community, which is organized according to their interest and requirements. Learning in the school year 2017/2018 is organized and continues to be organized in Prizren, in four primary education schools.
10. In cooperation with partners like REF, KFOS (EUSIMRAES2), VORAE - HEKS for the school year 2017/2018, MEST has awarded 507 scholarships for students of upper secondary schools for the Roma, Ashkali and Egyptian communities. For the school year 2018/2019, 600 scholarships have been awarded.
11. For the academic year 2017/2018, MEST has awarded 62 scholarships for students of all communities.
12. GIZ and VoRAE provided financial support for 150 students that were not scholarship beneficiaries with a half-scholarship for the school year 2017/2018, this support was provided to students of upper secondary education from the Roma, Ashkali and Egyptian communities. This financial support is also provided for the School year 2018/2019.
13. The entire school documentation has been prepared, drafted and translated from the Albanian language to the Bosnian and Turkish language.
14. A Memorandum of Understanding has been for the academic year 2018/2019 has been signed between MEST - YOK (Council of Higher Education of the Republic of Turkey) for scholarship studies of students from the Republic of Kosovo in the Republic of Turkey.

GENDER EQUALITY in the FIELD OF EDUCATION

Gender equality as a fundamental value of the society is part of the new subject programs for grades 3, 8, 12 and school documentation.

Activities have been carried out in schools for prevention of trafficking and domestic violence- activities in PLSS "Ramiz Sadiku" in Peja for prevention of trafficking in human beings and domestic violence, whereby possibly victimized students have been identified, and as a result of this campaign, two students (brother and sister) have been identified as possible beggars, and forms of the "Standard Operating Procedures for Protection against Domestic Violence" (SOPPDV) have been distributed.

In coordination with MEDs and schools, all preparations have been done to hold training on gender equality. Four workshops were held in Malisheva and Rahovec, with 141 participants, on the topic "Role of Educational Institutions in Preventing Domestic Violence". The participants of the two workshops had this composition: teachers, professional staff, and parents' council and MED officials. 58 of them were girls and women, and 83 were boys and men.

During the drafting of new textbooks, the vacancy included two points that represent the field of gender equality:

- The textbook has an educational function, it incites positive report to science/knowledge, development of national and civic, cultural identity, and of gender equality.
 - The textbook respects gender equality, eliminates stereotypes and the use of discriminatory language
1. The school informer for recognition of existing support mechanisms according to SOPPDV has been drafted and its finalization is expected, as well as reintegration of two victims of domestic violence has been carried out (two sisters) in two upper secondary schools "Ali Sokoli" and "Gjin Gazulli" in the municipality of Prishtina, based on the request of CSW from Rahovec and the shelter from Prizren.

Prevention of Trafficking in Human Beings (THB)

Activities for prevention of THB have been organized-through education with students, teachers.

A roundtable for prevention of THB has been held and materials prepared for the campaign were distributed (posters, leaflets and the teacher manual: "Join us to prevent THB") in PLSS "Ramiz Sadiku" Peja. The participants were: directors, professional school councils and 119 teachers, also two potential victims of THB were identified from the school due to abandoning the learning process (beggars), brother and sister in sixth and eighth grade. The same activity took place in the schools: "Jah Salihu Mulliq" and "Zef Lush Marku" in Gjakova, attended by 92 participants (directors, professional school councils and teachers).

A workshop was held in Peja region with female school directors (decision-making), including the municipalities of Peja, Istog, Klina, Decan and Junik with the purpose of promoting gender equality in schools, as well as presentation of analysis of the questionnaire that has been completed by students of 7 schools, 345 students (7th, 8th, 9th, 11th, 12th grade), titled "Integrating Gender Perspectives in Schools" and completion of a questionnaire by participants of the workshop in support of UN Resolution 1325 "Women, Peace and Safety".

Three two-day training workshops: Gender equality training (LGBT) - Topic: "Equality and Equal Opportunities" 92 participants have been trained and certified (the participants were: MED officials, parents' councils, school directors, professional staff and teachers from municipalities of Suhareka, Prizren, Dragash, Peja, Deçan, Istog, Prishtina, Mamusha, Klina, Vushtrria, Drenas, Rahovec).

The "Guidelines for textbook reviewers "Gender Equality" has been drafted, supported by Swedish SIDA.

Information sessions on the brochure "School informer on the Standard Operating Procedures for Protection from Domestic Violence in Kosovo" and its distribution in MEDs and schools.

Drafting of materials for health (sexual education) and school environment

MEST in cooperation with UNFPA (**United Nations Population Fund**) and other stakeholders, such as the National Institute of Public Health (NIPH), have continued work in addressing the issue of inclusive sexual education in school curricula, by including these topics in the curricula.

1. In cooperation with the NGO “Social lab” from Prishtina, awareness raising campaigns on the sexual education of students were organized.
2. Auxiliary teaching materials for classes 1, 6, 10 for sexual education are drafted, based on the international results of the World Health Organization (WHO), and are being evaluated by the international expert and the other manuals for classes 2,7, 11.
3. Other manuals for comprehensive sexual education have also been finalized for classes 3,8,12.
4. These materials are drafted based on the new curriculum and the European standards for reproductive and sexual health. In September 2018, 24 biology and physical education teachers were trained in the municipality of Prishtina for the 10th grade, in October, 23 teachers of the 6th grade were trained, while in November 19 teachers of level 1 -5 were trained.

The Administrative Instruction on Healthy Nutrition in Pre-University Education Institutions has been drafted and finalized and is expected to be approved by MEST.

The promotion of norms and standards of construction of facilities to all levels and parties

1. The Guideline on Norms and Standards for Pre-School Institution Premises has been drafted.
2. The existing guideline on norms and standards of school facilities was republished and is distributed to the municipal level, with whom the implementation of norms with regard to new and existing facilities is continuously addressed, whereas insofar the Guideline on Norms and Standards in Preschool Facilities is concerned, a public discussions has been held with MDE and representatives of kindergartens, and upon the publication of the Guideline, it is expected to have roundtables organized for the purpose of promotion.
3. New projects for the construction of school buildings and their contents are evaluated according to the guidelines for norms and standards of school buildings and the facilities are being inspected during their construction.
4. 12 school buildings were inspected and evaluation reports were prepared on the physical condition of the facilities for the purpose of making capital investments priorities, while at the licensing commissions, one the infrastructure member always evaluates the facilities with regard to complying to the norms and standards for school buildings and administrative instructions. Estimates for approximately 60 kindergartens and approximately 7 pre-university and professional education facilities have been performed. As far as the construction of schools, equipment, and extension, 2 schools have been completed; 4 schools are being constructed with co-financing between MEST and municipalities; 9 school buildings are being constructed and are financed by MEST; two physical education halls have been completed, while the other 3 will continue to be constructed in the following year. The model school in Mitrovica has been furnished with lockers, and 2 other schools are in process of being equipped with lockers. The Dormitory No. 8, which has been put into operation at the beginning of this year, was built and is being managed under the Student Centre in Prishtina,.

ADVANCING AND IMPLEMENTING POLICIES IN THE HEALTH SECTOR

The Ministry of Health has, for the purpose of better implementing human rights in health care and based on the implementation of the National Human Rights Strategy, implemented a number of activities aimed at improving access and realization of citizens' rights in health care. These documents have been approved by the Government of the Republic of Kosovo, and include objectives in the health component.

The implementation of the Action Plan for the Integration of Roma and Ashkali Communities (2017-2021), where the health component objectives were monitored and reported, and which aim to improve the rights of the community for a qualitative inclusion of health services such as: children vaccination, examination of women with a mobile mammogram, registration into the health service delivery database. A range of activities have been undertaken with regard to children vaccinations: immunization campaigns, field vaccination focusing on vulnerable groups, aiming to include as many children as possible from this community. Consequently, there is an increase in the number of children involved in the vaccination for 2018. In 2017, 1400 Roma, Ashkali and Egyptian children were vaccinated, whereas during 2018 were vaccinated 7786 children.

Women's awareness of mobile mammography examination has been increased and a range of actions has been undertaken to ensure that the women of this community enjoy satisfactory coverage of disease examination and as a result increase women's involvement in mammography screening. During 2017 were examined 623 women with mobile mammograms, whereas in 2018 were examined 730 women of the concerned community.

Based on the visits registered in the database, under the category "others" there has been a larger number of patients in the database in 2018 compared to the previous year.

In 2017, 130 Roma, 143 Ashkali have been registered in the database, while in 2018, 696 Roma and 634 Ashkali, as a result of this there is a significant improvement of the community's involvement in health services.

The Ministry of Health has performed monitoring visits to the municipalities where this community is more focused and in order to improve the conditions, the MoH has allocated a special budget for the Roma Ashkali, Egyptian communities to an annual amount of EUR 50,000.00.

Kosovo institutions have taken concrete actions continuously to overcome the bad situation in the inclusion of health services for this community regarding the measurement of the presence of lead in the blood.

During 2017, at the MFMC Mitrovica were conducted lead blood level examinations in a total of 125 cases of the population in general, and only 6 cases resulted in increased values of blood lead in this community. These cases were followed and treated with therapy and were regularly checked by Health Institutions. While in 2018 only 4 cases had increased lead values in the blood.

The Ministry of Health has, in the light of active measures particularly for the Municipality of Mitrovica - where this phenomenon was more exacerbated (blood lead unit) - supplied a medical device: Biochemical Analyser for measuring of the presence of lead in the blood, which has facilitated the work of the institution. Continuous medical equipment is provided in Municipalities where the Ashkali and Egyptian community is settled.

A series of activities are also undertaken with regard to the implementation of the Action Plan for the rights of persons with disabilities: such as organization of trainings for medical teams and nurses providing health services for PWD.

Health education is also done through home visits from mobile teams in the field and a number of activities have been carried out in order to improve the situation of PWDs.

Persons with disabilities, based on the applicable legislation, are exempted from participating in health services provided by public health institutions and have priority in health services outside public institutions when applying before the Office for healthcare treatment outside public institutions, which functions within the framework of Health Insurance Fund.

The drafting of the Work Plan for the Advisory and Coordination Group on Community Rights (LGBTI) has been reported by health professionals regarding the treatment of LGBTI people and we have had a good cooperation with NGOs dealing with the activities of this community.

Also, the Ministry of Health as part of the National Authority against human trafficking has continuously informed the medical staff on the trafficking victims' rights to health services and their release from payment of health services in the first year after the official registration.

In order to protect and strengthen human rights and the right of access to quality health services, the Ministry of Health during 2018 has received and processed complaints directed by citizens on the free 24-hour line and in the following e-mail address: linjafalas@rks-gov.net for citizen complaints in health services. Complaints filed against health services have been prioritized by the Ministry of Health and the institutions to which the complaint was filed. The line has provided its results in raising citizens' awareness of complaints about dissatisfaction with providing health services and raising awareness for health professionals to provide better quality health services.

The Ministry of Health for the purpose of better cooperation with NGOs through the public call for "Preservation and Advancement of Health" has contracted health services in 2018 in the amount of EUR 342,736.34 where the vast majority of the amount is contracted in the field of human rights: including health services for persons with disabilities, the Roma Ashkali Egyptian community and other vulnerable categories of the society. Activities include the provision of physical services for children with disabilities, psycho-social services, home visits, rehabilitation of persons with disabilities and counselling for parents with children with disabilities, as well as activities and services for the Roma and Egyptian community.

Under the Law on Protection from Discrimination we are obliged to report to the Office for Good Governance in the Office of the Prime Minister regarding the implementation of the recommendations of the Ombudsperson; during 2018 the Ministry of Health has responded to 15 Recommendations of different nature and a number of recommendations which are provided for reproductive health.

Priorities for 2019

- Organizing roundtable with health professionals regarding the implementation of the Law on Protection from Discrimination;
- Monitoring of Strategies and Action Plans in specific areas which include health objectives related to improving health services in the field of human rights;
- Management and promotion of the complaints hotline in health services;

- Awareness raising activities aimed at promoting the rights of vulnerable categories in health care institutions;
- Cooperation with NGOs;
- Improve physical access to public health facilities;
- Increase the capacities of health personnel for specific services for PWD;
- Completion of the list of essential medicines, ancillary and assistance equipment and incontinence materials;
- Functionalization of institutions for provision of spinal and rehabilitation services;
- Functionalizing mechanisms for early identification and early treatment;

The Ministry of Health in the light of the legislative reform process will give a dimension of health care to the vulnerable categories of the population, in particular the functioning of the Health Insurance Fund in the near future creates another reality in the field of financing which will reflect on improving health care for human rights in general and in particular in specific areas.

LABOUR AND EMPLOYMENT

In the context of the implementation of human rights in 2018, the MLSW has focused on advancing human rights standards in the field of labour and social policies and completing the legal framework.

During 2018, the MLSW has drafted a Concept Document for regulating the field of the employment relationship. The main purpose of this document is to advance the rights of employees in line with international standards through advancing the legal framework of the labour relationship and creating a non-discriminatory environment for the protection of mother and child's health during the last months of pregnancy and first months after birth, at the same time an environment without significant burden for the employer. The concept document was approved by the Government of Kosovo during June 2018. In accordance with this concept document, the MLSW during 2018 has drafted the Draft Law on Labour and the Draft Law on Maternity and Parental Leave. Within the Draft Law on Labour, the following is addressed:

- Ending of forced labour;
- Equality before the law;
- Equal treatment for women and men in employment and occupation;
- Ending discrimination in employment and occupation;
- Equal payments;
- Maternity and parental leave;
- Minimum wage;
- Freedom of association in trade unions, strikes and many other rights.

The draft-law on labour was approved by the Government at the end of December, while the Draft Law on Maternity and Parental Leave was submitted to the Government for approval.

SOCIAL PROTECTION SYSTEM AND SOCIAL POLICIES

Since its foundation, the Ministry of Labour and Social Welfare is committed to building a social protection system in order to help all citizens of the Republic of Kosovo who are in social need, regardless of age, gender, nationality, religious affiliation etc. The protection of families and individuals in need is made through the main social protection programs, which are focused on the realization of the benefits and services presented in the existing schemes.

During 2018, about 25,309 families have benefited each month from the social assistance scheme, out of which 8,417 or 33.26% of social assistance recipients were women, of which 1,989 were single mothers and 16,892 or 66.74% of social assistance recipients were men, of whom 404 were single parents. As far as national structures are concerned, 19,432 or 74.39% were Albanian families, 2,447 or 11.96% Serb families, 965 or 4.11% Roma families, 1,379 or 5.85% Ashkali families, 346 or 1.47% Egyptian families, 260 or 0.99% Bosnian families, 72 or 0.28% Turkish families, 4 or 0.01% Montenegrin families, 171 or 0.68% Gorani families, 15 or 0.06% Croatian families and 61 or 0.19% families of other or undeclared communities. Whereas in terms of age 15,780 or 15.37% of family members were aged 0-5, 25,514 or 24.87% aged 6-14, 10,382 or 10.12% aged 15-18, 49,858 or 48.61% aged 19 -65 and 1,038 or 1.01% aged 65 or over 65.

In the first part of 2018, a Memorandum of Understanding was concluded between MLSW-KEDS-KESCO with regard to exemption from electricity payment for 2017. Out of this agreement, 23,360 SNS families,

10,145 families of the FDIL Scheme, and 4,121 families, beneficiaries of the Pension for Blind Persons, Persons with Paraplegic and Tetraplegia Pension have benefited.

During 2018, 214 immediate aids were distributed for individuals/families in emergency situations such as earthquake, floods, fires or other cases foreseen by the legislation in force, of which 136 families were assisted with 100.00 euros and 78 families were assisted by EUR 150.00 to 300.00.

Each month around 2,973 children benefited 100.00 euros per month from the child support scheme for families that have children with Permanent Disabilities 0-18 years old.

The Drafting of Concept Document for the Regulation of the Field of Social and Family Services has been finalized, where after approval by the Government; it is planned that during 2019 the drafting of the new Law on Social and Family Services will continue.

In November 2018, the Government of Kosovo approved the Concept Document for Local Government Finance, within which the proposal of MLSW for the creation of the Special Grant for Social Services was included.

The first draft of the analysis "The consumer basket's cost in Kosovo" has been prepared, and upon its finalization the same will provide an accurate picture of the data related to the well-being of the citizens of Kosovo.

In compliance with international applicable instruments and legislation, children have the right to be treated humanely and their dignity should be respected. Based on this, the MLSW during 2018 has undertaken a series of activities that protect the interests of children: on 12th of June, the Law on the Protection of Children was approved, and its purpose is to advance the provision of services and protection of children. In order to remove children from hard labour, the Kosovo Committee for the Prevention and Elimination of Serious Child Labour Forms held two meetings (one in June and one in December), 24 Cooperation Agreements were signed between MLSW and Mayors (other agreements are in the process of signing).

Care and protection of children abandoned and without parental care

The MLSW's key purpose is the protection and wellbeing of abandoned children and without parental care. In order to fulfil this goal, in June 2018, by means of a decision of the Minister of MLSW, the monthly amount for children in family housing within family members has increased from 75.00 euros to 100.00 euros per month, for children in family housing outside family members increased from 150.00 euros to 250.00 euros and for children with disabilities in family sheltering outside of family members increased from 250.00 euros to 350.00 euros. During 2018, approximately 528 children benefited from family housing within the family each month, while 46 children benefited from family housing outside the family. The budget spent on two forms of family housing during 2018 is: **EUR 712,815.00**. While in the temporary shelter were placed 93 children without parental care, out of which 54 children were accommodated in the SOS Family Village "SOS Family", 22 children in the SDSF "Home and Hope for Children" and 17 children at the "Caritas Umbria" shelter.

During 2018, the Panel, which is a Professional Body within the MLSW and consists of representatives from CSWs and NGOs as a partner, has reviewed 22 requests for adoption, out of which 18 applications have been approved for local adoption and 4 requests for international adoption, 20 new requests for

family placement have been reviewed and approved, and an assessment and approval for a returnee family and a re-evaluation and approval for 9 families have been approved.

Caring for victims of domestic violence

During 2018, the partnership with NGOs has continued, which in their programs have: housing, treatment, support and empowerment of victims of domestic violence. This year, the MLSW through grants has materially supported eight Housing for the Protection of Domestic Violence Victims in the amount of EUR 157,000.00. In these shelters, during 2018, 426 victims of domestic violence were accommodated and treated, out of which 194 were under 18 and 232 were over 18, whereby 351 were women and 75 males.

Caring for victims of trafficking

Within the MLSW operates the Shelter for housing of Trafficking victims in Lipjan which protects, shelters and rehabilitates victims of human beings trafficking. During 2018, 17 victims were accommodated and treated at this shelter, out of which 14 were minors and 3 adults. Out of them, 12 victims were local and 5 victims were international. The MLSW has supported the shelter with EUR 20,000.00.

Care for elderly people

The MLSW also drafts and implements policies in the protection of elderly persons without family care and for adults with mental disabilities - mental development stagnation. During 2018 at the House for the Elderly with no family care in Prishtina were accommodated 136 clients, at the Special Institute in Shtime there were 67 clients and at the Community-Based House in Shtime there were 10 abandoned and with disabilities. Whereas 130 clients were located in community-based houses in Shtime, Ferizaj, Deçan, Kamenica, Vushtrri, Lipjan, Garaqnica (2), Skenderaj and Gurakoc, which since 2009 have been decentralized and transferred to the competences of municipalities.

In the context of human rights, the basic social security, which is related to unemployment, illness, disability and deferred age, should be regulated by law as stipulated by Article 51 (Health and Social Protection) of the Constitution of the Republic of Kosovo.

This article has not been fully implemented so far. The complete lack of a social security system, a system based on the contributions of employees and employers, was one of the main reasons why MLSW, in 2018, undertook the initiative to complete the legal framework for social security. During 2018, a Concept Document has been drafted that regulates and manages pensions and benefits from social security. This concept document has addressed some of the social security subsystems as follows:

- Retirement pension;
- Work disability pension;
- Family Pension;
- Early retirement pension;
- Parental protection (employed pregnant women);
- Protection from unemployment (benefits from unemployment);
- Child allowances for employees.

The concept document in question has been submitted to the Government for approval in December.

On the other side, the MLSW in compliance with the applicable legal regulations is successfully continuing the implementation of existing schemes.

During 2018 several new schemes have begun to be implemented: Compensation for paraplegic and tetraplegic persons, regulated by Law No. 05/L-067 on the status and the rights of persons with paraplegia and tetraplegia

Treatment of victims of sexual violence during the war in Kosovo

The scheme for victims of sexual violence during the war in Kosovo, which is regulated by the Law No. 04/L-174 on the Amendment and Supplementation of Law No. 04/L-054 on the Status and Rights of Martyrs, Invalids, Veterans, Members of the Kosovo Liberation Army, Victims of Sexual Violence of war, Civilian Victims and their Families, is also being implemented.

Treatment and categorization of persons with disabilities

The Ministry of Labour and Social Welfare, in addition to the legislative initiatives aimed at advancing the legal framework based on MLSW Sector Strategy 2018-2021, and the MLSW and Government Work Plan for 2018, had envisaged the drafting of a concept document for treatment and the categorization of persons with disabilities. Following the approval of the concept document by the government, the process for drafting a draft-law on this issue has already commenced, which will ensure equal treatment of all categories of persons with disabilities, in accordance with international norms and practices, whose purpose is to protect and promote their rights to financial gains and other benefits.

This policy aims to achieve the following:

- Improve social welfare for all persons with disabilities.
- Inclusion of all types of disability;
- Categorization in three groups based on the percentage of disability;

Preventing and combating the discrimination of (LGBTI) community in Kosovo

The Government of the Republic of Kosovo, with great support from international partners, has shown a steady increase in actions that have advanced the rights of citizens of this community. The first institutional action in this area has been the creation of the Advisory Group on Coordination of Community Rights (LGBTI) in the Republic of Kosovo⁴. This mechanism is co-chaired by the Office for Good Governance and the organizations representing the community (with a rotating presidency) and in its composition are selected central level institutions and representatives of civil society and international organizations in the capacity of observers. Moreover, the Advisory and Coordination Group is a rare mechanism in the region and beyond, and serves the purpose of initiatives for joint activities for the prevention and combating of community discrimination (LGBT) and raising awareness of human rights.

The composition of the group is set in such a way as to ensure the participation of key Government institutions, LGBT and international organizations to enhance planning efforts and facilitate dissemination and exchange of information, coordination and cooperation in this field between the various relevant actors. Therefore, in order to raise awareness within the institutions and the general public on community rights (LGBT), the Government of the Republic of Kosovo has taken continuous measures to promote and protect the rights of the LGBT community. As a result, a tradition has already been created in the marking of the 17th of May, i.e. the International Day against Homophobia and Transphobia (IDAHOT). The Office for Good Governance, in cooperation with non-governmental organizations dealing with the protection and promotion of community rights (LGBTI), in honour of the 17 May 2018 (IDAHOT), covered the building of the Office of the Prime Minister's Office in colours that symbolize the community (LGBTI). Another important activity was the opening ceremony of the Pride Week/Pride Parade. The parade motto was "In the name of pride" and aimed to enhancing the community's visibility (LGBTI) in Kosovo, LGBTI community supporters, as well as raising awareness of institutions and society about issues and rights affecting this community. For promoting and protecting the rights of LGBT people, regional projects and collaborations have also been developed with the aim of exchanging experiences and advancing policies in this area. The World Bank in partnership with IPSOS, ERA and the Williams Institute has conducted a regional study on "The socio-economic dimensions of LGBTI exclusion". The survey was conducted in eight countries in the Western Balkans and was completed by more than 3300 LGBTI people. The research aims to provide a deep insight of people's perceptions (LGBTIs) about homophobia, transphobia, and interphobia, experiences of discrimination, rights awareness, the safe environment, violence and harassment, and the social context. To ensure that the findings of the survey are used as widely as possible and serve as a reference for the work of organizations (LGBTIs), institutions and other partners, a seminar⁵ was organized in order to present the findings of the survey, followed by a discussion on their best use as well as the current status of the movement (LGBTI) in Kosovo.

⁴ Government Decision No. 05/161

⁵ The seminar was organized by the Office for Good Governance/Office of the Prime Minister, the ERA - LGBTI Association for Equal Opportunities for the Western Balkans and Turkey, in cooperation with the World Bank, the Dutch Embassy in Kosovo, the Centre for Equality and Freedom (CEL) and the Centre for Social Groups Development (CSGD) organized a seminar on survey findings on the socio-economic dimension of LGBTI exclusion.

Strengthening the property rights

Advancement of respect for human rights in the Republic of Kosovo cannot be achieved unless the ownership and the right to property are clearly defined and guaranteed. In this context, the Ministry of Justice pays particular importance to the implementation of the National Strategy on Property Rights in Kosovo. This strategy aims to define property and enhancing legal property security as a basic prerequisite for economic development, but also in advancing, respecting and realizing fundamental human rights such as the right to property guarantee and use.

The Ministry of Justice is fulfilling all the tasks deriving from this strategy within the time set and in accordance with the action plan, and the drafting of the Draft Law on the property rights of foreign nationals, which also comes as a requirement of the Stabilization Association Agreement with the European Union, has been initiated.

The Ministry of Justice has prioritized and allocated sufficient resources making it one of the key priorities of the Ministry, in cooperation with U.S. partners, namely USAID with its property rights program, who continuously support the Ministry in implementing these reforms.

The package of laws: The Draft Law on Heritage, the Draft Law on Non-Contested Procedure and the Draft Law on Notary drafted by the Ministry of Justice for the regulation of the area of property inheritance directly related to the strengthening of property rights and with their approval in the Assembly, are laws that essentially advance the respect and empowerment of property rights in general, especially women in Kosovo.

In addition, through the amendment of the laws, the MJ has envisaged a wide range of procedural safeguards to guarantee the rights of women and children in inheritance that consist in the following:

- Clarifying jurisdiction for the development of non-contested hereditary procedures.
- Simplifying inheritance procedures for non-contested inheritances and overdue legacies.
- Initiation of non-contested procedure (Article 4 of the LAPC, Article 127)
- Drafting the "Death act" based on the data obtained from the civil registry (consolidation of the database for civil records).
- Statement under oath on the number of heirs
- Notification of the prosecution for cases of pressure to renounce the inheritance
- Enabling access to civil status and cadastral documents for institutions that develop the hereditary procedure.
- Enhancing notification forms for hereditary procedures for all potential heirs, including constructive announcement.
- Holding a hearing session on heirs
- Holding a special session for those who withdraw from their inheritance
- Provision of a written statement - certified for renunciation of inheritance.
- Necessary provision of the permit by the custodian body, in cases when inheritance is waived on behalf of minor children.
- Reduction of the time required to benefit from non-marital unions from 10 to 5 years for the period of cohabitation; and from 5 to 3 if they have children.
- Enabling the widow spouse to use the house or residential unit until death or re-marriage.

There is no doubt that the implementation of the foreseen security measures is expected to produce cumulative results that will strengthen the rule of law, support Kosovo's integration into the European Union and promote economic growth.

Addressing Domestic Violence

In dealing with domestic violence, the Ministry of Justice and the Office of the National Coordinator against Domestic Violence have taken some positive action, including the criminalization of **domestic violence as a separate offense in the Criminal Code of Kosovo**. Also they have monitored the implementation of the National Strategy of the Republic of Kosovo for Protection against Domestic Violence and Action Plan 2016-2020.

In co-operation with relevant stakeholders, the Coordination Mechanisms for Protection from Domestic Violence at the Local Government Level (in eleven municipalities, and in 2019 will also be established in other municipalities) has been established.

An integrated database on cases of domestic violence has been set up and functionalized, updating data from all actors providing domestic violence services (police, courts, prosecution, victim advocates, centres for social work, shelters, etc.), as well as training all officials who are competent to use the database application.

Crime Victim Compensation Program

The Republic of Kosovo implements the program for compensation of crime victims, the first country in the region to do so, which compensates victims of crime as a legal category and as such is defined by Law No. 05/L-036 on compensation for crime victims. Requests that have been addressed by the Crime Victim Compensation Commission have been for offenses of murder, rape and sexual abuse of minors, domestic violence and trafficking. During 2018, the Commission dealt with the requests received by the victim-parties, 6 of which were approved and 14 requests were rejected.

The Ministry of Justice is committed to advancing and implementing the relevant legislation on the protection and support of crime victims.

Prison conditions and the rights of prisoners

The Ministry of Justice is committed to respecting and improving the conditions and rights of prisoners, as guaranteed by the Constitution of the Republic of Kosovo, international laws and instruments. The prerequisites for realization of fundamental rights have been created such as: right to complaints, unrestricted correspondence, legal assistance to their requests, visits, custody of their personal property in prisons, vocational training, education, information, cultural, recreational and sports activities, the right to religion, complaints and appeals, extraordinary leave, as requested by correctional institutions, and a considerable number of benefits: home-based holidays, time spent in special places, extraordinary leaves etc.

For the purpose of guaranteeing these rights, the Ministry of Justice has drafted the new Draft Law on Execution of Criminal Sanctions, which was approved by the Government and is currently in the Assembly's procedures for approval.

The draft law is drafted in accordance with international standards and inter alia regulates:

- The issue of benefits for prisoners;
- The issue of health care for prisoners;
- Enabling the functioning of the Economic Unit that will allow the employment of convicts while serving their sentences, and their re-socialization.

Furthermore, for realization of their rights between the development of programs, routine daily activities within the institution, during 2018, 61 students have attended professional training, cultural sports activities, programs for re-socialization, then activity through the Program of Child Custody Care - an individual treatment program for each juvenile, as well as the "EQUIP" Program, which aims to minimize juvenile recidivism, and the "Anger Management" program along with the Program for the "Rehabilitation of Convicted Persons with Prolonged and Short Term imprisonment".

Citizens' access to the justice system. The Ministry of Local Government Administration has prepared the draft of the Concept Document/Draft Law for rationalization of independent agencies and executive agencies and discussed the possibility of legal aid being passed within the **Ministry of Justice**.

Also, the creation and functioning of the system of free professions (notary, enforcement, mediation and bankruptcy administrators), have helped improve access to justice and economic development by providing services to citizens more efficiently, faster, more qualitative and with lower costs.

Access to Free Legal Aid. The Free Legal Aid Agency during 2018 provided legal assistance to 4924 cases. Out of these cases, there were 3104 civil cases, 1617 minor offenses, 16 criminal cases. The agency has provided assistance to citizens indiscriminately. Beneficiaries of free legal aid were 2350 females and 2574 males. Out of them; 4325 Albanian, 117 Roma, 106 Egyptians, 106 Bosnians, 100 Ashkali, 82 Turkish, 76 Serbs, 7 Goran and 5 others.

Following is the data submitted by the Free Legal Aid Agency, presented in table form.

Grouping	Total
ADMINISTRATIVE	3104
CIVIL	1617
MINOR OFFENCES	16
CRIMINAL	187
Total JURIDICAL FIELD	4924
Females	2350
Males	2574
Total GENDER	4924
Ashkali	100
Bosnian	106
Egyptian	106
Gorani	7
Roma	117
Serbs	76
Albanian	4325
Others	5
Turks	82
Total ETHNICITY	4924

PROMOTING AND OFFERING EQUAL AND NON DISCRIMINATORY OPPORTUNITIES IN MKSF/KSF

The Ministry for the Kosovo Security Force and the Kosovo Security Force as inclusive institutions having the basic legal infrastructure guarantees an appropriate environment and a system of values where communities and women are treated with dignity and have equal opportunities as a fundamental value for democratic development of the society. Protection, promotion, respect for human rights and gender equality has already been extended to the objectives of the Minister of KSF; The Commander's directives as well as the priorities of the Secretary General of MKSF.

In order to increase transparency, equal and non-discriminatory opportunities in MKSF and KSF, the Human Rights and Gender Equality Unit (HRU) during this reporting period has monitored the following processes: The Bilateral Training Board, the Selection Committee for the Development of Recruitment Procedures and the Cadastral Selection Board for 2018/2019, who have applied for: KSF - Centre for University Studies; Federal Republic of Germany; Republic of Turkey; the Republic of Macedonia and the Republic of Croatia. The boards have been compiled in accordance with recruitment policies and regulations, both in terms of gender, ethnicity, with the participation of military and civil staff. The Human Rights and Gender Equality Unit, during the participation in the abovementioned processes, has recommended that **women and girls** be given priority over equal conditions. For the smooth conduct of the HRC process on 11 April 2018, it held a presentation for mobile teams for recruiting cadets on the topic "Human Rights and Gender Equality". This presentation was intended to prepare mobile teams for sensitizing and encouraging as many girls to compete in the Military Academies. Promotion and awareness rising of the values of multi-ethnic force has also been done.

The cadets recruitment process for 2018/2019 has been completed and as a result 4 female cadets will be admitted to attend the studies at the aforementioned academies.

The achievements during 2018 are visible, as transparency has been increased, the number of women has increased considerably, it is observed that women's and girls' nomination to pursue bilateral training abroad has increased, awareness raising on prevention and combating discrimination, on the basis of nationality, sex, gender, gender identity, sexual harassment in order to apply the principle of equal treatment, and as regards the number and percentage of women in decision-making and leadership positions remains low in relation to the number and percentage of men.

Ethnic and gender coverage as a comprehensive and non-discriminatory value in MKSF

A lot more work is being done on the gender perspective and the sustainable integration of non-majority communities in the Kosovo Security Force (KSF) by implementing Human Rights Policies and the Strategy for Communities in the KSF for the purpose of reflecting ethnic and gender equality as inclusive and non-discriminatory value. Based on the latest statistics, the total number of military and civil staff in the MKSF and the KSF is 2834, out of which 2560 are men or 90.33%, girls and 274 are women or 9.67%, while 205 non-majority community members, expressed in percentage as 23.7%. Military officers hold important positions at the command level such as: commander of the Doctrine and Training Command, commander of the company, platoon commander etc. and that the number of female officers is 22 or 6.21% within the total number of officers in the KSF. The highest rank of woman in uniform in the KSF is Brigadier General. Even after the achievements of women and girls in leadership positions when

compared to the number of men and boys in the KSF, their number remains low. The total number of cadets is 99, out of which 86 are boys, 13 girls and 9 boys and girls members of communities.

The KSF reserve component has 356 members, 341 boys, and men or 95.79%, 15 or 4.21% girls and women and members of minorities have 9 or 2.53%.

Units		Structure	Free in structure	Unassigned personnel	Managed staff			
					Total staff	M	F	Minorities
MFSK	Civil	136	3		133	97	36	4
	Military	68	7	5	66	62	4	0
KFT	Civil	100	0		100	83	17	1
	Military	258	36	7	229	199	30	13
Military BMO		815	110	20	725	650	75	63
Military RRB		1164	255	27	936	870	66	96
Military KDS		195	16	4	183	165	18	10
ATTACHÉ				7	7	7	0	0
Total military		2500	424	70	2146	1953	193	182
			354 free positions					
Percentage military		100%	14.16%		85.84%	91.01%	8.99%	8.48%
Civil in MFSK/KSF		236	3		233	180	53	5
Civil percentage		100%	1.27%		98.73%	77.25%	22.75%	2.15%
RESERVE		800	444		356	341	15	9
Percentage		100%	55.50%		44.50%	95.79%	4.21%	2.53%
CADET					99	86	13	9
TOTAL MILITARY		3536	871		2834	2560	274	205
Total in %		100%	24.63%		80.15%	90.33%	9.67%	7.23%

The current status of community representation in MKSF and KSF

Based on current statistics, the share of military personnel among the communities is 8.48%.

MKSF is continuously committed to creating a favourable environment for equal opportunities and access for everyone in all spheres. During 2013 and 2017, the Ministry of KSF has recruited active members from the communities by organizing special recruits focusing on members of the Serb community.

The uniformed recruitment campaign is published in all local print and electronic media, including local Serbian media, as well as on the official website of MKSF.

Regional agreements have been concluded with Macedonia, Croatia and Turkey, which have enabled members of non-majority communities to study in their language at the Military Academies of these countries. Within the framework of the Civil Military Cooperation during 2018, various humanitarian and important projects were implemented in support of non-majority communities. Based on the obligations deriving from the Law on Protection from Discrimination, the Ministry for the Kosovo Security Force and the Kosovo Security Force did not receive any recommendations addressed by the Ombudspersons Office for 2018.

ADVANCING THE RE-INTEGRATION POLICIES

In accordance with Regulation GRK No. 13/2017 on Reintegration of Repatriated Persons and relevant legislation in force, repatriated persons are assisted and supported by various Reintegration Schemes. In the framework of advancing the reintegration policies, during this period, the following policy documents have been drafted for reintegration:

- State Strategy for Sustainable Reintegration of Repatriated Persons 2018-2022 and Action Plan 2018-2020 (Approved in March 2018).
- The maps for the reintegration process have been prepared in cooperation with the Twinning Project III.
- An assessment of the implementation of local reintegration plans and the identification of gaps has been carried out with a view to drafting Local Sustainable Reintegration Plans 2018-2020.
- A "Specific Needs Assessment of Vulnerable Groups" was conducted, supported by the German Agency for International Cooperation (GIZ), the DIMAK project in order to identify standard packages for this category.
- "Evaluation of the Project for Information Exchange on the Return and Reintegration of Returnees between Kosovo and Sweden" was carried out by the Twinning Project Experts and MIA experts.
- With the support of UNDP is "Finalized Risk Management Plan for DRPR Reintegration".
- Standard Service Packs have been drafted, Information Materials and guidelines for standard procedures for providing standard service packages.
- Standard format of information exchange with return states.

Also within the obligations deriving from the European Agenda, the Department for Reintegration of Repatriated Persons has implemented all planned activities in the National Program for the Implementation of the SAA for 2018.

Advancing cooperation and implementation of joint projects in the field of sustainable reintegration.

An effective network of co-operation and co-ordination has been established between stakeholders involved in the reintegration process at all levels. During this period, in the light of advancing the cooperation, agreements were signed covering different areas of reintegration:

- 1). In February 2018, the Ministry of Internal Affairs and the Ministry of Education Science and Technology (MEST) signed the agreement for the implementation of the project "Integration of children into the public education system of the Republic of Kosovo, provision of language courses and additional teaching.
- 2). The Ministry of Internal Affairs, the Ministry of Labour and Social Welfare and the United Nations Development Program (UNDP), for supporting repatriated persons in the Active Labour Market Programs.
- 3). The Ministry of Internal Affairs and the United Nations Children's Fund in Kosovo (UNICEF) and the NGO - Civil Rights Program - Kosovo (CRP/K), for supporting the sustainable reintegration of repatriated families with children including the vulnerable groups.
- 4). The Ministry of Internal Affairs and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) have signed agreements to support the reintegration process in the Republic of Kosovo.

Case Management System (CMS)

The Case Management System (CMS)⁶ is functional and meets the recommendations given by international experts and the necessary training have been provided with regard to the use of CMS, which serves as a tool for monitoring and managing cases, administered by MIA, in which requests and other relevant data regarding repatriated persons and their benefits are registered, maintained, processed, and archived. The data of repatriated persons are treated in full compliance with the Law on Protection of Personal Data.

Assistance and Support of Repatriated Persons from Reintegration Schemes during January - December 2018

For the reporting period, 293 requests for assistance and support from various Reintegration Schemes were submitted, which were reviewed by decision-making bodies:

Municipal Reintegration Commissions (MRC) held a total of 113 meetings and reviewed 293 requests, of which:

In these meetings, the following decisions were taken:

Approval of 198 (family/individual) requests that were complete and met the criteria for benefiting from the Reintegration Department Program.

Rejection of 95 requests (family/individual) that did not meet the criteria for benefit defined by the applicable legislation.

Also, during this reporting period, **3165** beneficiary persons were assisted with different reintegration schemes, of whom **877** beneficiaries of various schemes of last year were transferred for the reporting period, while **1488** persons are new beneficiaries from the Reintegration schemes and 800 repatriated persons have benefited from various organizations due to constructive cooperation with local and international organizations to support and develop reintegration policies.

Below is presented the aid and support of repatriated beneficiaries ⁷ of various schemes from DRPR during the reintegration process for the period January - December 2018.

⁶ Through the CMS are fully managed the services and benefits of repatriated persons from the moment of entry into Kosovo until the closure of the case, according to procedures determined by the applicable legislation

⁷ Beneficiaries shown in Figures 1 to 6 reflect the assistance and support provided solely by DRPR, and do not reflect beneficiaries from Local and International Organizations.

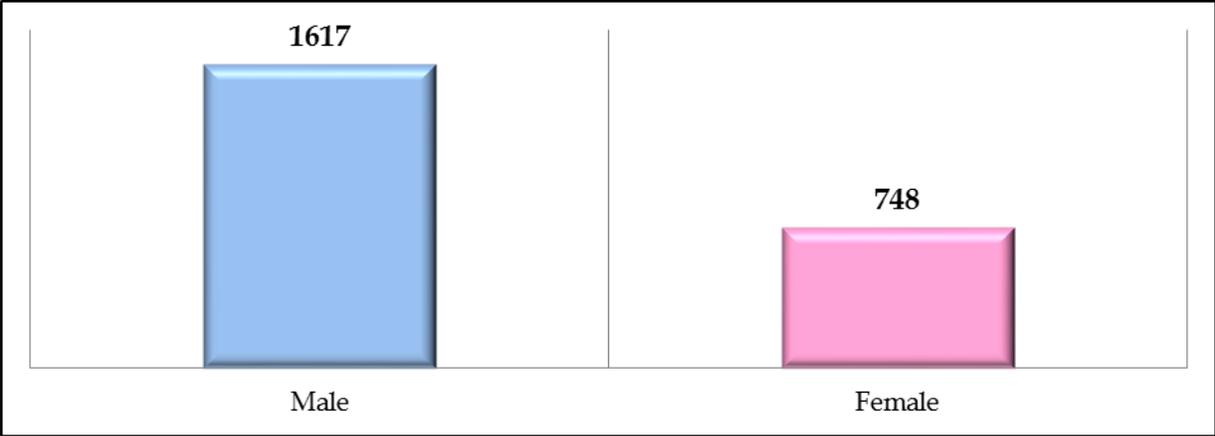


Figure 1. Reintegrated from DRPR by gender, for the period January - December 2018.

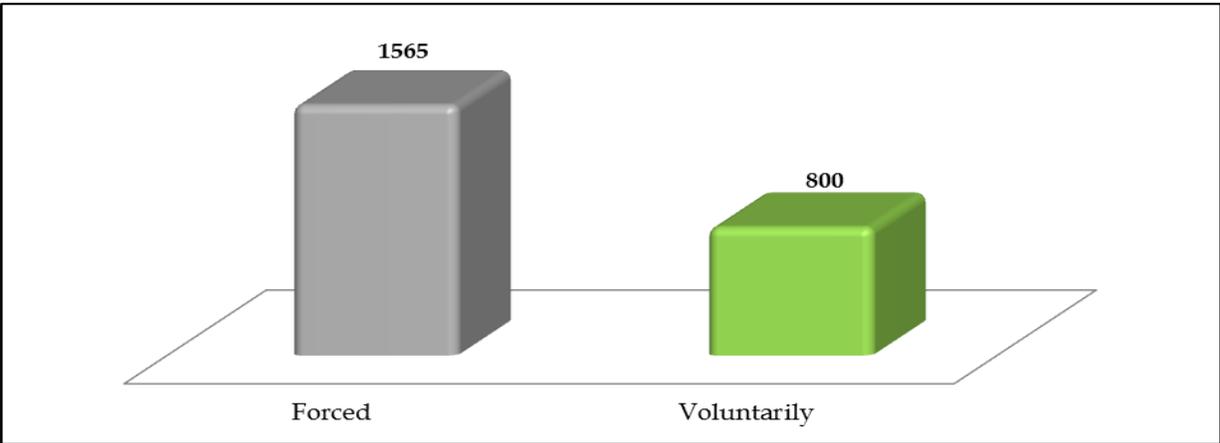


Figure 2. Reintegrated from DRPR by the manner repatriation - compulsory and voluntary - for the period January - December 2018.

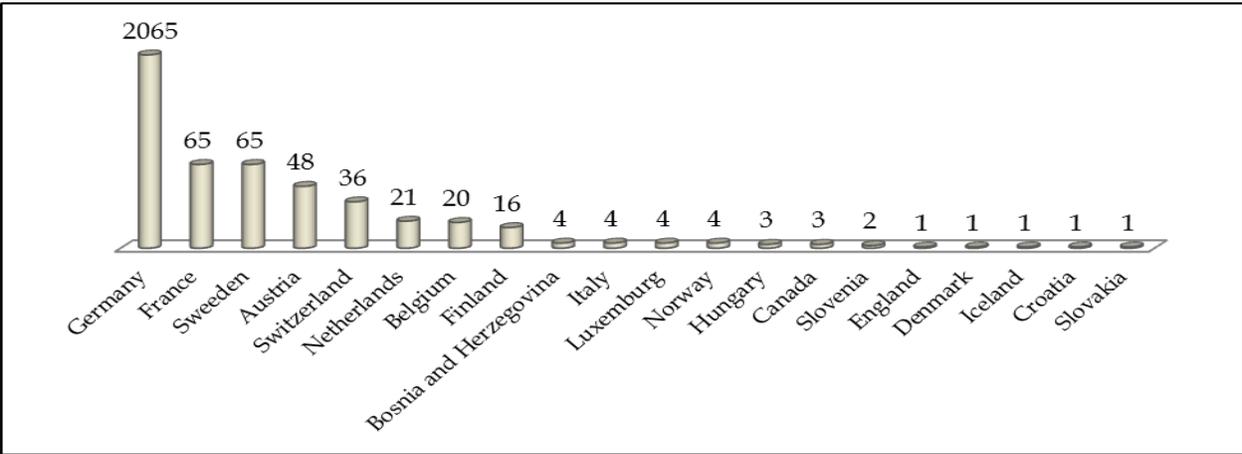


Figure 3. Reintegrated from DRPR by return states, for the period January - December 2018.

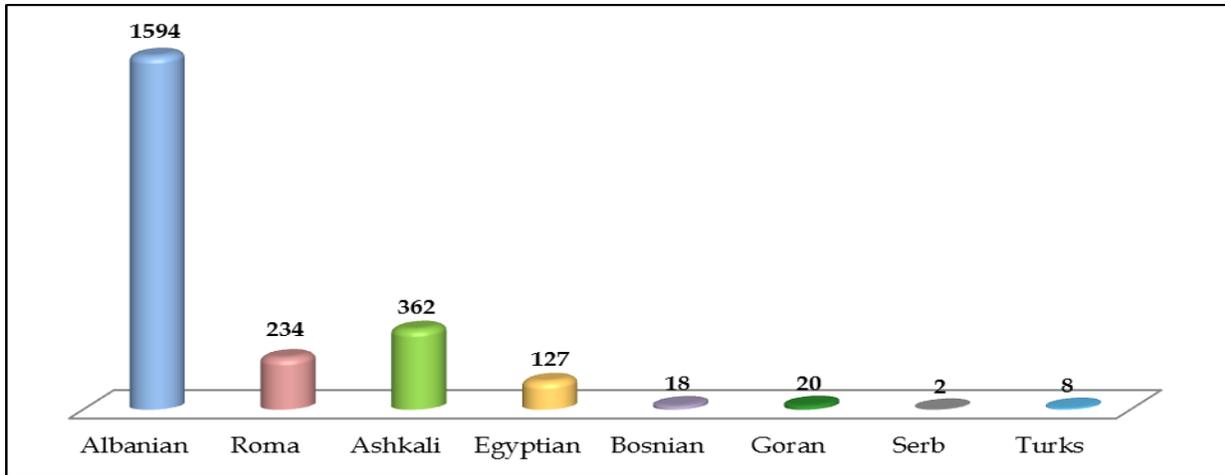


Figure 4. Reintegration from DRPR by nationality, for the period January - December 2018.

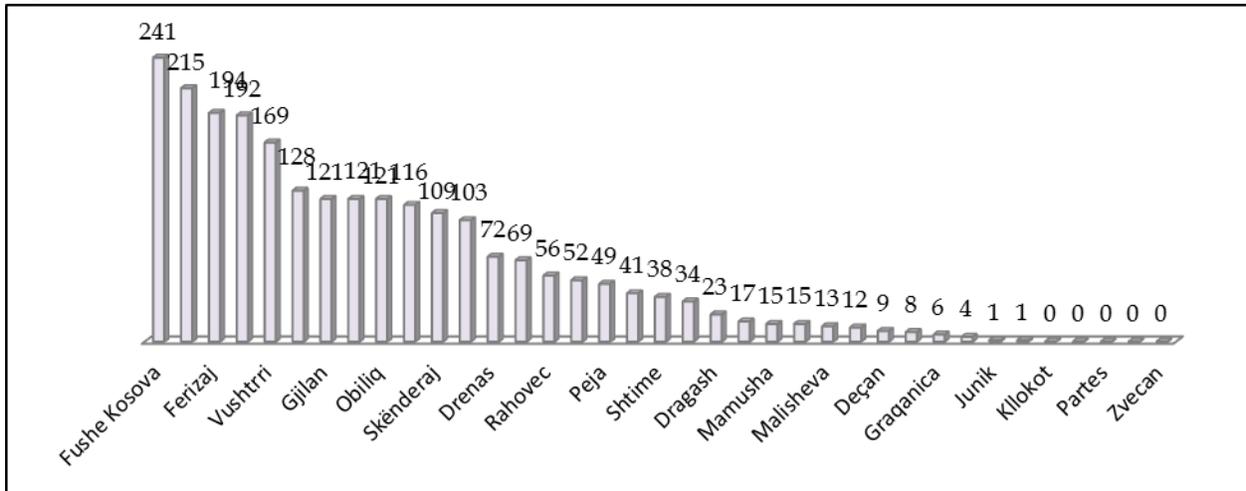


Figure 5. Reintegration from DRPR by the municipalities of origin, for the period January - December 2018.

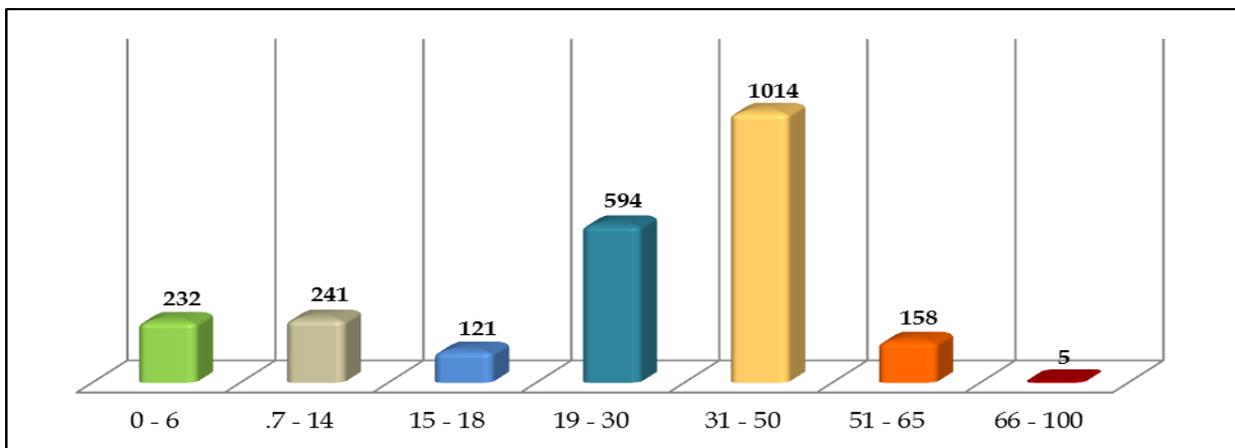


Figure 6. Reintegration from DRPR by age group, for the period January - December 2018.

Assistance and support provided to repatriated persons during the reporting period ⁸
 Help shortly after arrival

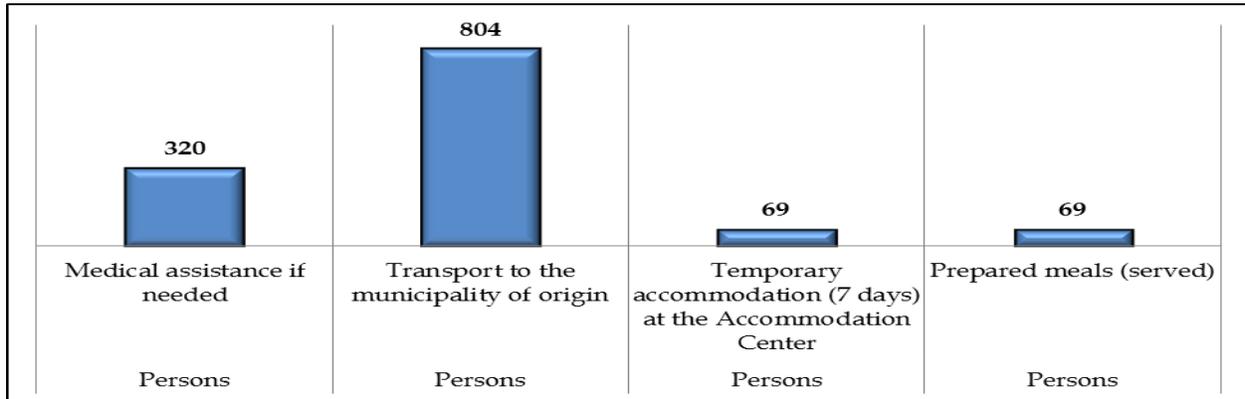


Figure 7. Reintegrated persons supported shortly after arrival, for the period January - December 2018.

Emergency support within 12 months after repatriation

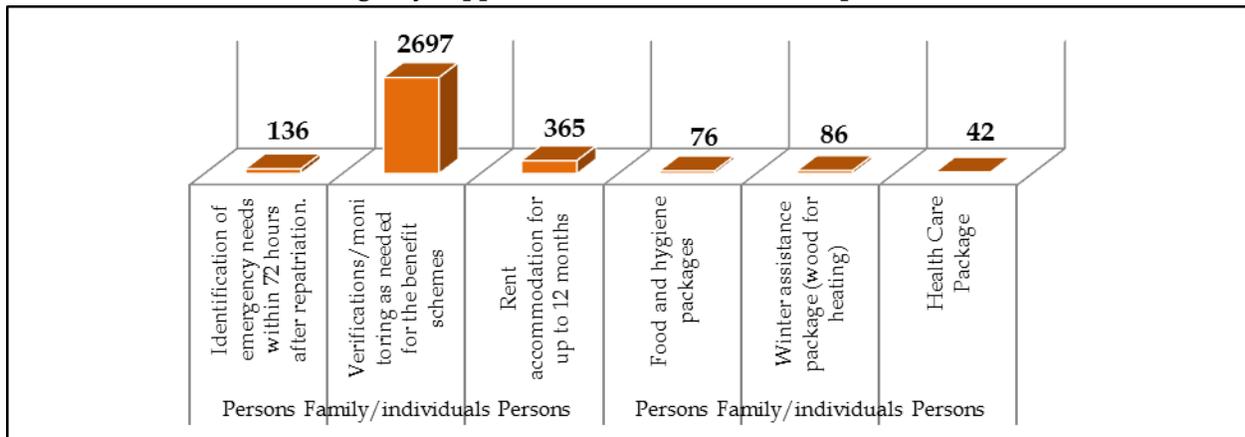


Figure 8. Reintegrated persons supported with emergency assistance within 12 months after repatriation, for the period January - December 2018.

Support for sustainable reintegration

⁸ The number of beneficiaries reflects the assistance and support provided by DRPR and the Local and International Organizations.

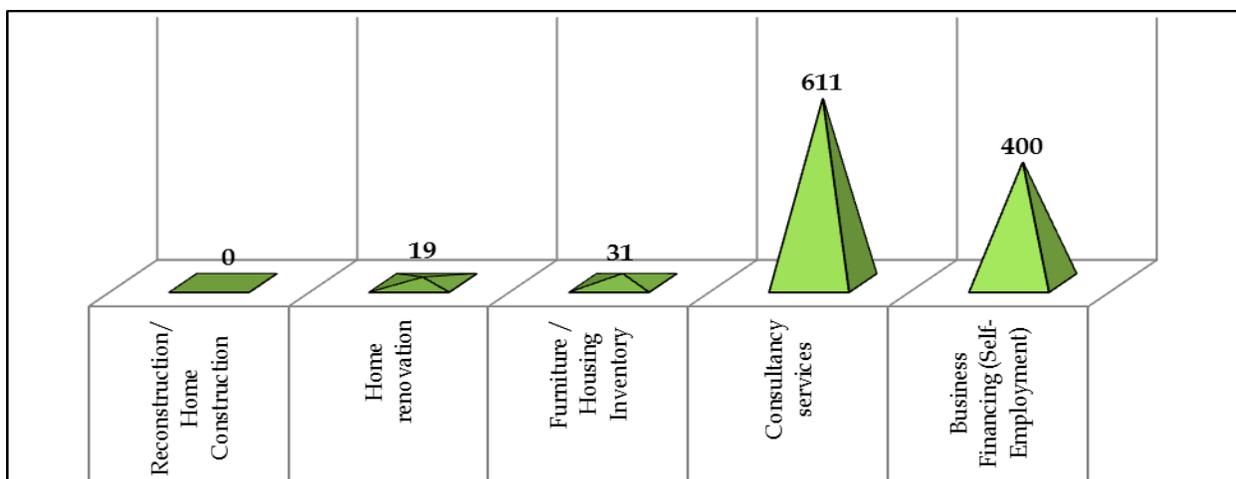


Figure 9. Reintegrated persons supported for sustainable reintegration, for the period January - December 2018.

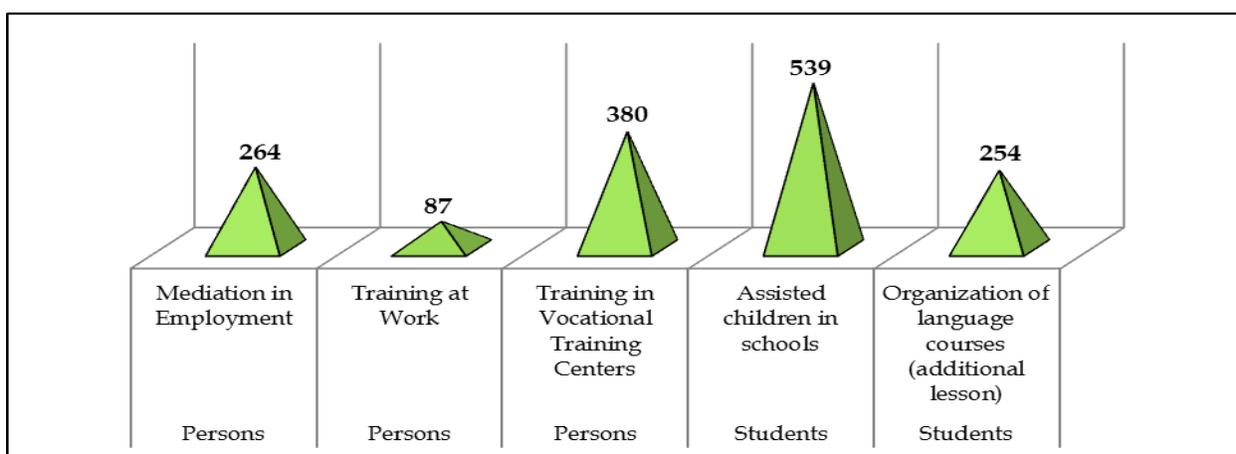


Figure 10. Reintegrated persons supported for sustainable reintegration, for the period January - December 2018.

Reception organized at the moment of arrival

During 2018, **1615⁹** persons have returned, out of which 881 persons have returned on a mandatory basis and 734 persons have voluntarily returned from different states (according to *Department for Citizenship, Asylum and Migration (DCAM)*).

Information leaflets in Albanian, Serbian, Turkish, Roman, and English languages are available at all border crossing points (BCPs). These leaflets were distributed to municipalities as well as repatriated persons for the purpose of informing on the rights and benefits of reintegration schemes. In order to facilitate the re-admission of persons in need such as unaccompanied minors, single mothers and other vulnerable categories, it is done through a cooperation agreement with the Ministry of Labour and Social Welfare (MLSW).

⁹ Source: *Department of Citizenship, Asylum and Migration (DCAM)*.

VI. Profile of repatriated persons under the CMS

In the CMS during 2018, **1607** repatriated persons returning from different states were registered at the reception office at the Airport and Municipal Offices for Returns and Communities.

By family composition, 269 families with (1126) members and 481 individuals were repatriated.

By gender 222 are females whereas 1385 are males.

By repatriation manner, 1162 have returned on a mandatory basis and 445 voluntarily.

By marital status, 1166 persons are married, 203 unmarried persons, 62 persons are divorced and 9 widows and 167 persons have not declared the status.

By ethnicity, 823 are Albanians, 268 are Ashkali, 199 are Roma, 94 are Egyptians, 18 are Bosnians, 33 are Goran, 5 Turks and 167 have not declared their nationality.

By municipalities of origin, 149 persons from Ferizaj, 118 from Fushe Kosova, 115 from Mitrovica, 111 from Vushtri, 94 from Gjakova, 90 from Podujeva, 86 from Lipjan, and 841 from other municipalities in Kosovo.

By returning states, 1277 people have returned from Germany, 103 from France, 69 from Switzerland, 68 from Sweden, 28 from Austria, 11 from Belgium, 9 from Finland and 39 from other countries.

By level of education, 7 people with university degree, 326 people with secondary education, 215 primary educations, while others have not declared the level of education.

Emergency Support immediately after arrival

Transportation to the municipality of origin: Transportation, as needed to the municipality of origin, was offered to 694 persons, out of which 638 persons were on mandatory repatriation and 56 persons voluntarily repatriated. By nationality, 362 Albanians, 126 Roma, 149 Ashkali, 43 Egyptians, 12 Gorani, 1 Bosnian, and 1 Turkish national have benefited.

Temporary accommodation (seven days): Temporary (seven days) accommodation and prepared meals were provided to 69 people, of whom 64 were on mandatory repatriation and 5 people voluntarily repatriated. By nationality, 28 Albanians, 28 Roma, 12 Ashkali and 1 Bosnian have benefited.

Emergency assistance upon arrival at the municipality of origin

Identification of emergency needs and information: Within 72 hours after the repatriation of families and the prior emergency needs assessment, the Senior Regional Coordinator Officer, the MOCR representative and the social worker visit the returnee families for the purpose of informing them about assistance and support rights and identifying their specific needs.

During this period, **136** persons or 19 families were visited, of whom 6 families with 32 persons in the region of Prishtina, 1 family with 20 persons in Mitrovica, 3 families with 15 persons in Gjilan, 5 families with 37 persons in Prizren, 3 families with 25 persons in Ferizaj and 1 family with 7 persons in Peja.

There are 2697 families/individuals that have been subject to regular inspections and monitoring and as required by the Senior Regional Coordinator for Reintegration Schemes for Repatriated Families/Individuals. In addition, 75 repatriated persons at embassies, local and international organizations were verified.

Rent accommodation: The total beneficiaries of this scheme are 124 families or 365 persons, 314 of whom are repatriated forcefully and 51 voluntarily. Viewed by nationality, 182 persons were Albanians, 68 Roma, 93 Ashkali, 21 Egyptians, and 1 Bosniak.

Drugs and medical treatment: During this period, health care packages were provided to 42 persons, 10 of whom are Albanian, 2 persons and other persons did not declare their nationality.

Winter Aid Package (Firewood): The total beneficiaries of this scheme are 86 households or 312 persons, of whom 231 are forced to repatriate and 77 volunteer 4 persons without data. Viewed by nationality have benefited 135 Albanian persons, 59 Roma, 83 Ashkali, 31 Egyptian persons and 4 persons did not declare their nationality.

Assistance and support for sustainable reintegration

Self-employment (business financing):¹⁰ During this reporting period from the Self-Employment Program and international organizations have benefited altogether 400 persons, 306 of whom Albanian, 18 Ashkali, 5 Bosniak, 5 Roma, 6 Egyptian, 2 Turks, and 1 Serb, while 57 persons did not declare their nationality.

For this scheme, a cooperation agreement has been signed between MIA, MLSW and UNDP in implementing support activities for repatriated persons, providing opportunities for creating new businesses and providing consultancy services through the Self-Employment Program within the Program Active for the Labour Market in Kosovo.

Mediation in employment: During this reporting period, 264 persons have benefited from this category of support, 117 of whom Albanian, 2 Roma, 5 Ashkali, 2 Bosniak, 2 Egyptian, 3 Gorani and other persons did not declare their nationality.

Work-place training: During this reporting period, a total of 87 persons have benefited, 60 of whom Albanian, 7 Roma, 11 Ashkali, 1 Bosniak, 1 Egyptian, 3 Gorani and 4 did not declare their nationality.

Consultancy services: During this reporting period, 611 persons have benefited altogether, 238 of whom have been forcibly repatriated and 373 were voluntarily repatriated. Viewed by nationality, 523 persons were Albanians, 21 Roma, 24 Ashkali, 6 Bosniak, 33 Egyptian and 4 Turkish nationals, and by gender 85 persons were females and 526 male persons.

Language courses and additional classes: Language courses and additional tuition for repatriated children for 254 children (students) who need language courses and additional classes have been implemented, 350 students have verified the school documents. 78 repatriated children have benefited psycho-social and sports activities and 54 children have been supplied with school materials by the cooperation, the DRRP has been involved with local and international organizations in the reintegration process.

House renovation:¹¹ 19 families have benefited. According to nationality, 3 Albanian families have benefited, whereas 16 families have not declared nationality.

¹⁰ Beneficiaries of self-Employment by the cooperation agreement between MIA, MLSW and UNDP by gender 58 persons are female and 285 male persons and 57 persons are beneficiaries of the OVN.

¹¹ During this period, from the decisions approved by the decision-making bodies, technical acceptance (construction/reconstruction) of 8 houses, 4 renovations of the house was done and the supply of 61 households with household furniture was made.

Household furnishings: 31 families have benefited. According to nationality, 4 of the benefiting families were Albanian, 1 Roma, 2 Egyptian and 4 Ashkali families, while 20 families did not declare their nationality.

Removal from benefit schemes

During this period, 77 families with (246 persons) were taken-off from the different reintegration schemes such as rent accommodation, food and hygiene packages, housing construction, business set-up financing, etc., 194 persons had their rent contract expire (because they used all possibilities provided for in the applicable Regulation No. 13/17/2017 and did not have a House Construction Decision and did not fall under vulnerable cases), 11 persons (3 families) were offered house construction, 7 persons have not been supported (because they have migrated abroad), 6 persons have benefited from business start-up financing, 7 persons left the support schemes on their own will, 8 persons have not been supported (for reasons abuse of the scheme), the supports for 2 persons was discontinued upon the recommendation of the MOCR, 5 persons did not file a claim for profit, 1 had his house renovated and 5 persons (3 families) were taken over by the municipality.

On the other hand, out of 1607 repatriated persons registered in the SMR for the reporting period, 4 persons have been repatriated for the third time from Western states and 37 persons have been repatriated for the second time by Western states.

Vulnerable groups

With the purpose of identifying and providing services to vulnerable groups and monitoring the reintegration process, especially for repatriated families (vulnerable families and families with children from Roma, Ashkali and Egyptian minorities), UNICEF has financially supported NGOs under the CRP/K Civil Rights Program in Kosovo. This project is implemented by the Civil Rights Program in Kosovo (CRP/K), which aims to identify advice, refer vulnerable groups' cases and monitor these categories on a continuous basis, identifying their further needs for sustainable reintegration.

Reintegration schemes in 2017 and 2018 have benefited a total of 121 repatriated families/individuals belonging to the vulnerable groups that have been supported.

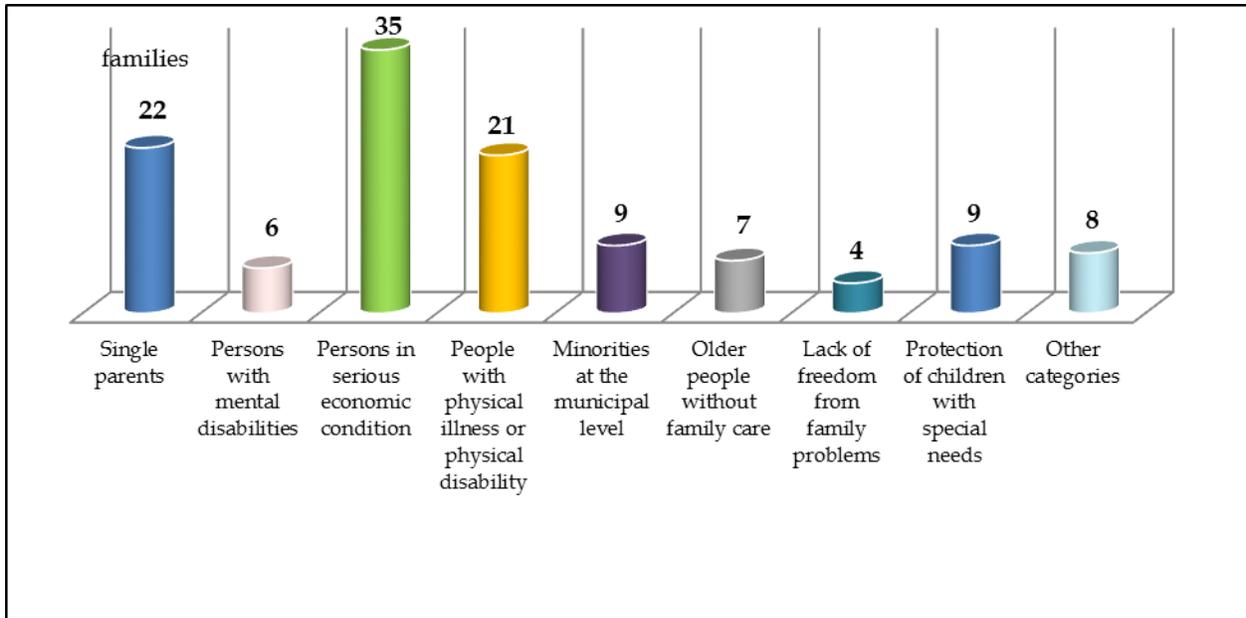


Figure 11. Shows the categories of vulnerable groups of repatriated families supported under reintegration schemes for 2017 and 2018.

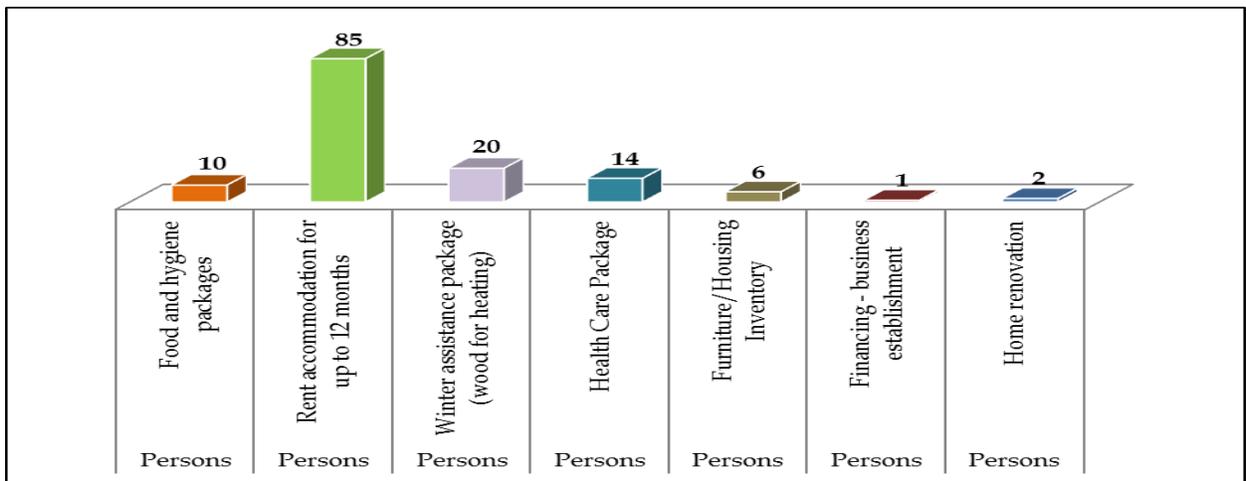


Figure 12. Shows the benefits of repatriated groups belonging to vulnerable groups supported under reintegration schemes for 2017 and 2018.

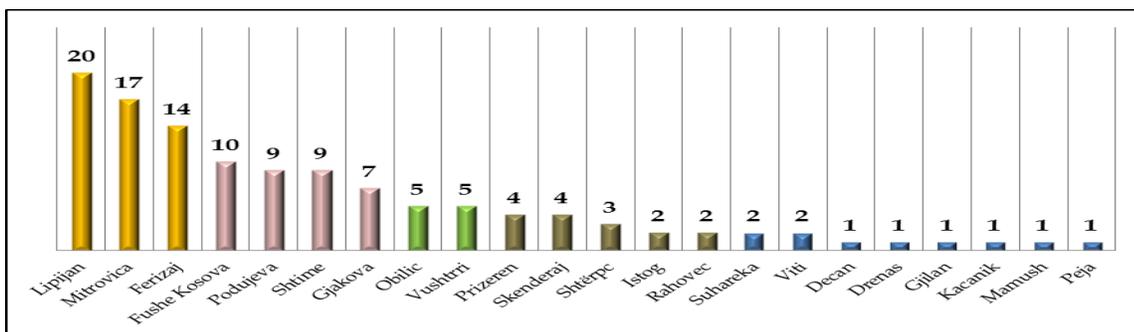


Figure 13. Shows repatriated families belonging to vulnerable groups supported under reintegration schemes by municipality for 2017 and 2018

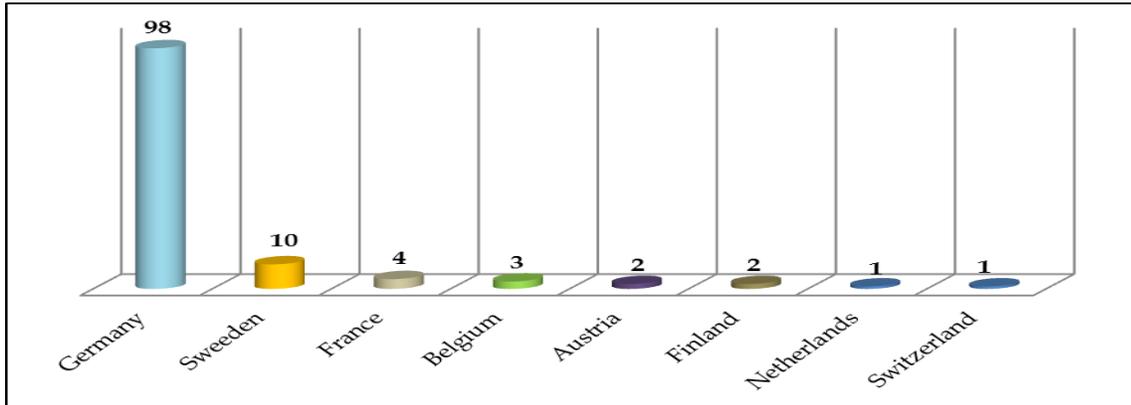


Figure 14. Shows the repatriated families belonging to vulnerable groups supported under reintegration schemes by country of return for 2017 and 2018

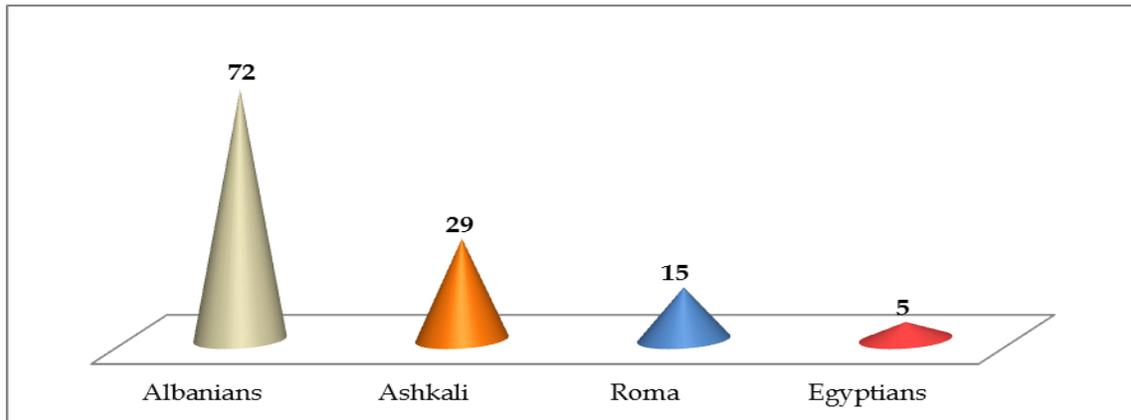


Figure 15. Shows the repatriated families belonging to vulnerable groups supported under reintegration schemes by nationality for 2017 and 2018.

Trends of reintegration services

The figures below show the assistance and support of repatriated persons during the reintegration process for support immediately upon arrival, emergency support within 12 months after repatriation and support for sustainable reintegration.

Clarification: A complete application is one that has met the criteria for benefiting pursuant to one of the reintegration schemes, approved by decision-making bodies, for a readmitted person or family who may be beneficiaries of two or more Reintegration Schemes.

Beneficiaries can be transferred from year to year due to repatriation in different time periods and decision for these persons, initially from Reintegration Schemes supported for six (6) months with possibility of extension for other six (6) months.

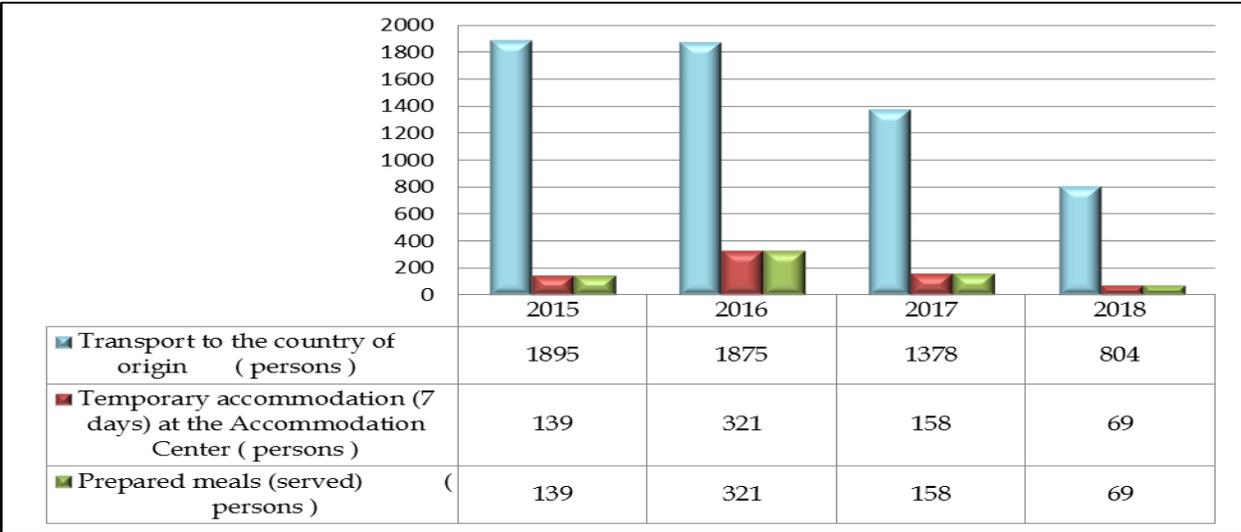


Figure 17: Shows the assistance provided to reintegrated persons upon arrival.

Emergency assistance within 12 months after repatriation

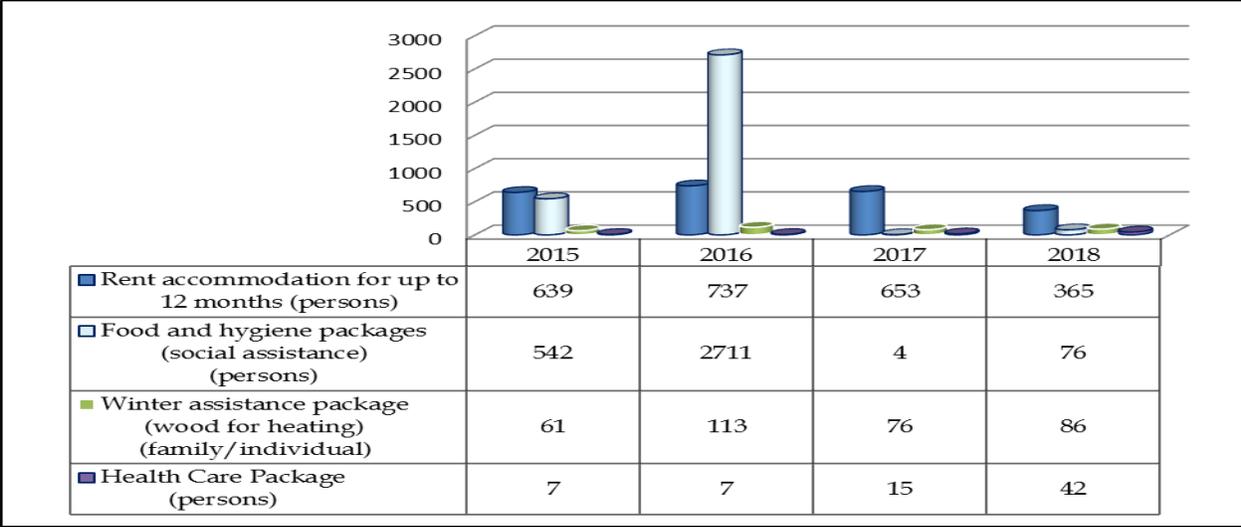


Figure 18: Presents the reintegrated emergency support personnel within 12 months after repatriation. Regarding the repatriation of repatriated persons with emergency assistance within 12 months after repatriation, as it can be seen, repatriated persons have had greater orientation mainly in the food hygiene package scheme and rented accommodation for up to 12 months continuing with the winter support package (heating wood) and health aid package.

Assistance for sustainable reintegration

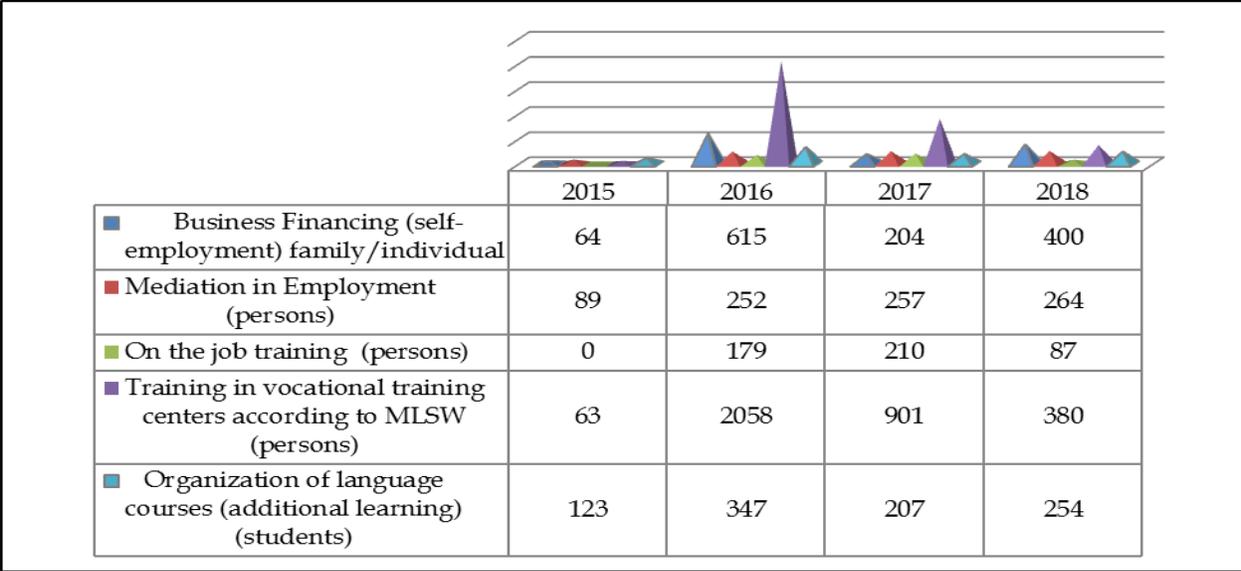


Figure 19. Shows the reintegrated families/persons supported for sustainable reintegration.

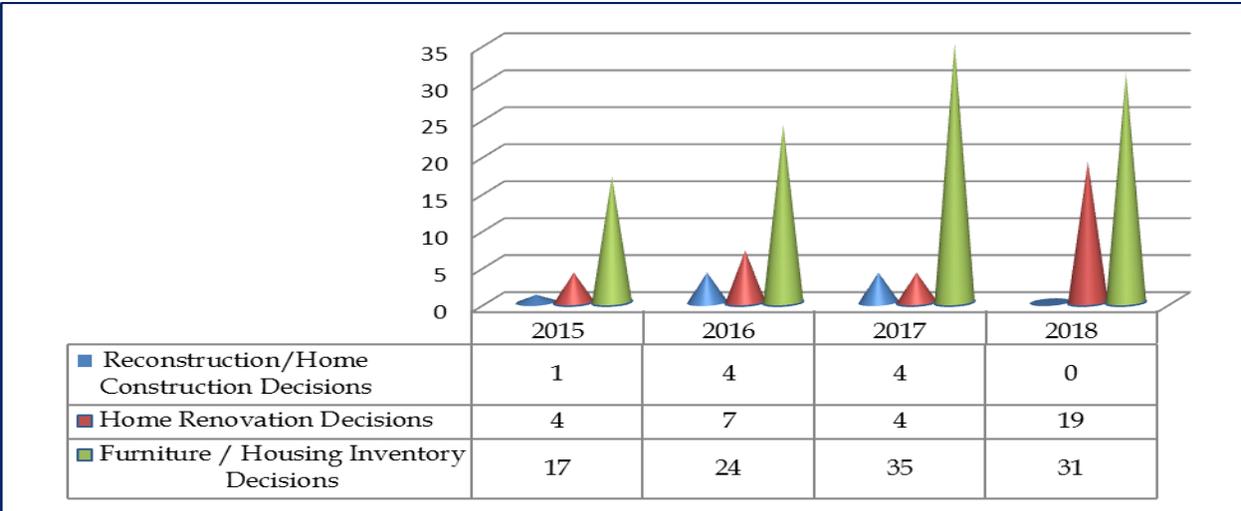


Figure 20: Shows reintegrated families/persons.

Figure 19.20: Provides information about the number of decisions approved by decision-making bodies for approved decisions on projects such as self-employment (business financing), vocational training, employment, language courses (supplementary learning), home improvement/construction, house furnishing.

TREATMENT OF ASYLUM SEEKERS (DEPARTMENT FOR CITIZENSHIP, ASYLUM AND IMMIGRATION - ASYLUM CENTRE)

The Asylum Centre during 2018 has received, registered and accommodated 501 applicants/asylum seekers. Compared to 2017, where we had **147** applicants, in 2018 we had 354 more applicants. All applicants are provided with certificates and IDs for the applicants. Applicants are offered free health services of various kinds including medicines, free legal aid, administrative, social and psychological assistance, daily meals, clothes, hygienic packages and other forms of physical aid, Albanian language courses, computer courses, etc.; specifically the following services were offered:

- 429 free medical services for 501 applicants, including medicines;
- 449 free legal services for 477 applicants, 419 of which are men and 30 are women;
- 200 interviews through questionnaire for assessing the specific needs of applicants;
- Psychological services for all applicants in need;
- 101 persons have applied for social assistance, of whom 10 persons have benefitted, while others have left Kosovo;
- 1 child applicant is enrolled in school;
- Albanian language courses are provided twice a week for all applicants;
- Computer courses are provided twice a week for all applicants;
- Clothing according to the need of all applicants;
- Hygienic packages, food etc. ... for all applicants;
- Distribution of information leaflets about the applicants' rights and obligations, especially for newly accommodated applicants in the language: Albanian, English, Turkish, French, Arabic, Italian, Serbian, Persian, Urdu, and posting house rules of the Centre;
- Provision within the Centre and access of third persons is maintained by the physical security company "Rojet e Nderit";
- Hygiene in living premises: each applicant is committed to maintaining the daily hygiene of the areas in which he lives and uses, as well as two Schafberger cleaners are engaged for cleaning the Centre's premises.

DETENTION CENTRE FOR FOREIGNERS

In the Detention Centre for Foreigners, during 2018 there were 46 persons detained, 2 of them were detained in 2017, 18 of them male, 24 women and 4 children of different sexes and ages. Of them, 35 persons were returned to the country of origin, 2 requested asylum, 2 resulted to be Kosovar citizens, 2 initiated the procedure of statelessness, 1 escaped and 2 remained in the Centre, as shown in the table below. Regulation no. 04/2018 on the functioning of the Detention Centre for Foreigners, after being supplemented and amended, was signed by the Minister and entered into force on 26.12.2018.

N o	Country	Gender		Famili es	Age groups					Country of return
		M	F		0-4	05-11	12-17	18-59	60+	
1.	Albania	4	21		2	2		20		24 Albania Country of origin, 1 escape
2.	Serbia	1	3					4		3 Serbia Country of origin 1 Order on voluntary return
3.	Montene gro	1						1		1 was found to be Kosovo citizen
4.	Croatia	2	1					3		2 entered into no-citizenship procedure 1 were found to be Kosovo citizens
5.	Turkey	3						3		3 Turkey Country of origin
6.	Jordan	1						1		1 Jordan Country of origin
7.	Algeria	2						2		2 Algeria Country of origin, with order on voluntary return in cooperation with IOM These persons have been in detention since 2017
8.	Chad - Lybia	1						1		1 Detention Centre for Foreigners
9	Bosnia and Herzogo vina	1						1		1 Detention Centre for Foreigners
10.	France	1						1		1 France Country of origin
11.	German y	1	1					2		2 requested asylum but remained in DCF
12.	Syria	1						1		1 Turkey Country of origin
13.	China	1						1		1 China Country of origin
To tal		20	26		2	2		42		Total 46

CHALLENGES IN THE FIELD OF HUMAN RIGHTS

Regarding the implementation of human rights, the main challenge is to improve the implementation of the existing legal framework and enforcement of decisions (judicial and administrative) that regulate human rights violations. Currently, the legal infrastructure in the various fields and different human rights sectors is generally in line with European and international standards, however there is still a problem with its implementation in practice, as the habit of thinking and acting in line with applicable legal provisions has not yet been established. This is due to the lack of human and financial resources; lack of knowledge necessary for new laws; frequent amendment of laws, omissions in the process of harmonization of laws and proposed draft-laws with existing laws; lack of professional expertise and administrative barriers and sometimes even lack of political will.

- With regards to the cooperation of institutions with the Ombudsperson, according to the latter, public officials often ignore their demands. Although the Law establishes an obligation to report on actions taken to address the remarks and recommendations made by the Ombudsperson, many institutions fail to do so within the time limit set by law.
- Beyond the general statements regarding the limited implementation of Kosovo's human rights legislation, there is a lack of qualitative and statistical data on the status or situation of human rights in Kosovo. Statistical data, moreover, are often not disaggregated by gender, age, and ethnicity. As a result, policies and decisions taken often result in being very abstract and far-reaching, and thus fail to address concrete concerns. Only accurate data can lead to relevant policies and good informed and grounded decision making. The lack of up-to-date and reliable statistics affects all sectors and needs to be addressed urgently; however, setting up a country-wide monitoring system for human rights would be ideal.

Clarifying the fate of missing persons

The Government of the Republic of Kosovo continues to treat the issue of missing persons as an issue of special priority. In order to intensify engagement and ensure better inter-agency coordination, in compliance with the Law No. 04/L-023 on Missing Persons, and supporting the work of competent institutions, the Decision on the appointment of the Deputy Chairperson from non-majority communities and the appointment of the Dossier Holder for the issue of missing persons were among the first decisions of the Prime Minister. In respect of the rights of missing person's families to know the fate and whereabouts of their missing family members, and pursuant to the Law, the mortal remains of 40 persons, victims of the war 1998 - 1999 were handed over to family members for burial during 2018. This included the mortal remains of 5 missing person cases which were listed on the Missing Persons List, while other cases relate to the reunification process.

The Government Committee for Missing Persons (GCMP), with the commitment of municipal institutions, has supported families in organizing reburial ceremonies, covering burial expenses and supporting families in the amount of EUR 400.00 (four hundred Euros) as defined this year with a Government decision, according to the proposal and request of the GCMS.

During 2018, the remains of seven missing persons were identified. At the same time, during this year, were reviewed two requests for registration of new missing persons' cases, of which the Commission has registered only one case, while the other case is in the verification procedure.

- There are currently one thousand six hundred and forty-seven (1647) missing persons, as a result of the war during the years (1998-1999).
- Also, in compliance with the requests of families and family associations, during 2018, the implementation of the “Family Rehabilitation Project” continued, according to Government Decision no. 13/19 dated 15.12.2017, through which EUR 30,000.00 (thirty thousand) have been allocated for this association activity.
- By Government decision, EUR 25,000.00 (twenty-five thousand) has been allocated for 25 associations, more specifically for activities of marking special days and for their functioning. Families and associations of families of missing persons have also been supported in the realization of a number of awareness-raising activities in the marking of 27 April - Kosovo's Missing Persons Day, 30 August - International Day for Missing Persons and 10 December - International Day for Human Rights and also on the occasion of the new year (i.e. 2017 - 2018), EUR 3,500.00 (three thousand five hundred) were allocated for the support of 14 families of missing persons.
- Based on the requests of families of missing persons, in 2018, the second phase of the project for the professional examination of clothes and artefacts of identified missing persons has been completed. The project was supported by the International Red Cross Committee, where during this phase, in terms of purification, conservation, re-registration and re-systematization, 570 sets/boxes of clothes were prepared, which were then transferred from the Institute of Forensic Medicine, in order to avoid further damage, to the new location allocated by the Ministry of Public Administration (MAP).
- However, the challenges in this process continue to be lack of reliable information, as well as the issue of unidentified mortal remains. These challenges were faced by other countries in the region, which went through the same tragedies as a result of the wars in the former Yugoslavia.
- In order to address these challenges, besides the intensification of inter-institutional cooperation, regional cooperation has also intensified. It is important to underline the inclusion of the missing persons issue as a special topic at the London Summit, held on 10 July 2018 in London (United Kingdom), within the Berlin Process, which has also resulted in the signing of a **Joint Declaration of the Prime Ministers**, expressing commitment to engagement until the full resolution of this problem.
- In compliance with the Joint Declaration of the Prime Ministers, signed during the London Summit, and with the intent of intensifying regional co-operation, on 6 November 2018, the “Regional Framework Plan for addressing the issue missing persons” was signed in Hague (Kingdom of the Netherlands). The Regional Framework Plan has been signed by representatives of the commissions or competent institutions of the countries of the region, and contains five components, which are addressed in a joint regional effort to resolve more than 12,000 missing persons’ cases resulting from the wars in the former Yugoslavia.
- Also, in respect of the Joint Declaration of the Prime Ministers and the implementation of the “Regional Framework Plan for Addressing the Missing Persons Case”, signed on 6 November 2018, the representatives of the Missing Commissions of the States of the Region (Missing Persons Group), at the regional meeting held on 4 December 2018 in Herceg Novi (Montenegro) have approved the Dynamic Work Plan (three-year plan) as well as the Regulation on Rules and Procedures of the “Regional Group on Missing Persons”, and we agreed to establish two working groups implementing the Work Plan (the Working Group on the Regional Data Base for Missing Persons, as well as the Working Group on “NN cases”).

- Further, within the framework of regional cooperation, it must be noted that the Working Group on Missing Persons (as a Dialogue Forum between the Delegation of Kosovo and the Delegation of Serbia with the mediation of the International Red Cross Committee) has held three meetings, and Sub-group on Forensics and Analysis Team have also held a meeting. In addition to the requests submitted, during the Working Group meetings, and while reviewing the analytical reports for at least five cases by the Analysis Team, it must be emphasised that during this year, the delegations have agreed on the “procedures for repatriation of mortal remains upon identification”.
- In order to address the above mentioned challenges, it should be noted that during 2018, the GCMP through competent institutional mechanisms and in cooperation with local and international actors involved in the process of shading light to the fate of missing persons has proceeded in the meaning of the 14 estimate excavation marked within the territory of the Republic of Kosovo, where the mortal remains of at least 6 persons were exhumed, however the exact number and identity of exhumed persons can be confirmed only after completing all forensic examinations and identification through DNA analysis.
- In addition to evaluation excavations carried out in the territory of the Republic of Kosovo, the representatives of the competent institutions were also present in two locations initiated by Serbian institutions.

Citizens' access to the justice system

The country's judiciary, in spite of its legal and organizational reform, has failed to ensure the protection of human rights under international standards, in particular the European Convention on Human Rights (ECHR) and the European Court of Human Rights (ECtHR) practice. When deciding on cases, the Courts rarely or never refer to the ECHR's practice and in cases when they do, such references are generalized and not concrete in relation to the circumstances of the case in practice. It is worth underlining that according to Article 53 of the Constitution of the Republic of Kosovo, human rights are interpreted in accordance with ECHR practice.

Based on the number of complaints filed with the Ombudsperson Institution (OI), it results that citizens continue to lack confidence in the judicial system. They continue to face **lengthy procedures** in decision making on their cases for years, **non-execution of final court decisions**, statutory limitation of court cases, and errors in personal notes that affect possibility of realizing their rights.¹² The difficult situation regarding lengthy court proceedings is further worsened by the lack of an internal legal mechanism through which citizens whose right to a trial within a reasonable time has been violated, within the meaning of Article 6 of the ECHR, **could claim compensation for breach of such right**.

Procedural delays in deciding on court cases, the lack of effective legal remedies, and the low level of enforcement of decisions are issues that require adequate attention and treatment by the relevant authorities. The consequences of these prolonged and unreasonable proceedings continue to hamper effective remedies in Kosovo.

¹² The main reason why this issue was raised by the Ombudsperson is the lack of legal mechanisms for preventing violations of the right to trial within a reasonable timeframe or compensation of citizens who may be victims of such violations.

Statutory limitation of cases in courts and prosecution offices - the number of citizens' cases which are statute barred in courts and prosecution offices is another problem which seriously damages citizens' trust in justice and violates human rights. The statutory limitation of cases may be the result of court cases being overloaded and the impossibility of decision making within time limits due to the insufficient number of judges. The Office of the Disciplinary Counsel (ODC) should, in all cases of statutory limitation, investigate in detail the reasons for the statutory limitation of cases in each case, without any exception, and initiate appropriate proceedings against those who have permitted the statutory limitation of court cases.

Functioning of the mediation system - The mediation system has been in place since 2008; however, it suffers from poor compensation and lack of funding, which has led to the closure of 3 out of 7 regional mediation centres. Public awareness or the knowledge about alternative dispute resolution tools remains weak. Both the mediation and the notary system need to be further reinforced.¹³

Recommendations:

- Ensure effective implementation of laws and strategic documents in various human rights areas through regular monitoring and reporting by competent institutions;
- Provide free legal aid for all categories defined by law as beneficiaries of this assistance;
- Clarify the fate of missing persons;
- Further strengthening of the mediation and notary system;
- Ensure enforcement of judgments and administrative decisions in all sectors;
- Prolongation of procedures in deciding on judicial cases, lack of effective legal remedies, and low level of enforcement of decisions are issues that require adequate attention and treatment by the relevant authorities;
- Office of the Disciplinary Counsel (ODC) should investigate all causes of delays in court proceedings and expiration of cases in courts;
- Improve institutional cooperation and interaction between the central and local level of governance in terms of drafting and executing public policies;
- Institutions should give priority to the implementation of the Ombudsperson's recommendations, as well as the recommendations addressed to the government by international human rights mechanisms.
- Establish a system for monitoring human rights and using human rights indicators at country level;
- To oversee the implementation of human rights legal acts (the Law on Protection from Discrimination, the Law on Gender Equality and the Law on Ombudsperson).

¹³ See the European Commission Progress Report for Kosovo, p.17

STATE OF PLAY IN THE FIELD OF CHILDREN’S RIGHTS

Progress in the field of children's rights - The Strategy and Action Plan for Children's Rights (2019-2023)¹⁴ is a continuation of the previous strategy, a component that derives from the National Development Strategy (2016-2021), based on the principles and provisions of the Convention on the Rights of the Child, the Council of Europe's Strategy on the Rights of the Child (2016-2021), the Stabilization and Association Agreement (SAA) with the EU, a Strategy for Improving Policy Planning and Coordination in Kosovo (2017 -2021), treaties and other international standards. It is also in line with the measures envisaged in sector strategies related to the Kosovo Education Strategic Plan (2017-2021), the Economic Reform Program (ERP) 2018-2021 adopted by the Government of Kosovo as well as Kosovo's commitments to the Sustainable Development Goals (SDGs). As such, it is characterized by its unifying and inclusive approach, extending to all levels of government by promoting and respecting the rights of the child, based on principles enshrined in the Convention.

This strategic document aims to establish a comprehensive policy framework and at the same time serve as the basis for other subsector strategies in order to influence unification of institutional efforts, to the greatest extent possible, in the light of reforming the system in particular as it relates to children's rights. The process of drafting the strategic document was the first phase toward the fulfilment of the Government's goal. The next step is to coordinate actions and take necessary measures for full implementation of the activities and objectives set out in the strategic document. Therefore, the OGG/OPM has commenced the process of designing the monitoring framework for strategy and action plan for children's rights.

Preparing the Draft Law on Child Protection - in the course of the process of comprehensive social, political and economic reforms in Kosovo, legislative measures have also been taken with the aim of realizing the rights of the children in accordance with the Constitution, the Convention on the Children's Rights and other international instruments. The Government of the Republic of Kosovo approved the Draft Law on Child Protection at its meeting held on 12.06.2018 and the same was submitted to the Assembly in accordance with the applicable procedures.

The draft law aims to protect children from all types of violence, abuse, misuse, exploitation, neglecting, or any other form of endangering child life, safety, health, education, and child development; guaranteeing and ensuring the responsibilities of parents, family, society and state in the care, protection and child development based on his/her best interest; providing to the best interest of the child, cooperation, coordination, monitoring and accountability between institutions at central and local level, as well as with organisations that work in the field of protection and care integrating child protection system, providing a complete legal and institutional framework, in implementation of the Constitution, international instruments for child rights, cross-sector laws and policies to respond to all forms for child protection.

Harmonized data system - “National indicators on children’s rights”

The OGG/OPM in cooperation with KAS, line ministries and the Ombudsperson is making efforts to establish a harmonized and well-coordinated system of data management for children in Kosovo. In this

¹⁴ Decision no. 06/87 of 29.01.2019 to approve the Strategy on Children’s Rights (2019-2023) and Action Plan for implementing the Strategy on Children’s Rights.

regard, work has been done to support capacity building of relevant professionals for collecting, processing and analysing data on children's rights. The planned impact is to create a well-coordinated and harmonized data management system that will continuously provide the basis for measuring the progress towards the realization of children's rights in Kosovo. In this regard, the OGG/OPM is working on the development of national indicators for children; this process has so far identified the indicators of **justice for children, child and mother health** and **education**, whereas indicators related to **child protection** are still in the process of identification. Apart from the development of national indicators for children, the Government of the Republic of Kosovo expects this process to unify the framework of indicators in order to establish an integrated and reliable data system for children, aiming to facilitate the reporting process of governmental institutions to ensure implementation of local legislation, the Convention on the Rights of the Child, the Sustainable Development Goals (SDG) and Millennium Challenge Corporation (MCC) goals.

Framework of Child and Mother Health Indicators – Aiming to ensure that the Republic of Kosovo keeps pace with the global developments towards the gradual strengthening and modernization of the health information system based on the best international standards and practices, the Office for Good Governance in cooperation with the Ministry of Health and the UNICEF office in Kosovo, has drafted the Framework of Child and Mother Health Indicators. The document was approved by the Government of the Republic of Kosovo on 09.03.2018 by Decision (03/35). The purpose of the Framework of Child and Mother Health Indicators is to identify the key indicators for improving public health, especially of children, to identify stakeholders responsible for the progress and development of indicators and for data collection and reporting, as well as to strengthen responsibility and accountability in the realization of children's rights.

In order to implement the Decision (03/35) for approval of the Framework of Child and Mother Health Indicators, the OGG/OPM is working on designing and developing an excel database, envisaged to enable collection and calculation of indicators. Initially, the implementation of indicators will be piloted in order to effectively test the institutions' ability to collect the required data to implement the indicators and more closely identify the potential challenges in order to provide long-term solutions to ensure the sustainability of this process.

The report on monitoring the implementation of the justice indicators for children – The OGG/OPM has drawn up the monitoring report in cooperation with the institutions responsible for the implementation of the justice indicators for children. This report emphasizes the necessary actions that will lead to the use of indicators according to their primary purpose, which among other things is “strengthening and operationalization of evidence-based policymaking monitoring, clarifying their rationality and usefulness”.

The Children's Rights Monitoring Report – The OGG/OPM is in the process of finalizing the report on monitoring children's rights according to the Reporting Card model for 2018, which stems from the continuity of the systematic work of progress reports for children. The report aims to establish an annual reporting system to inform institutions and policy makers on the situation of children's rights in Kosovo and to further improve institutional accountability for issues affecting children's rights in Kosovo.

Report on Monitoring the Implementation of the Protocol on the Prevention and Reference of Violence in Pre-University Education Institutions

The Office for Good Governance, as a responsible office for coordinating and monitoring the implementation of the Protocol on the Prevention and Reference of Violence in Pre-University Education Institutions in accordance with Article 29 thereof has monitored its implementation for 2018.

Throughout the monitoring process, it was noted that despite legal obligations, violence in pre-university education institutions is not being recorded and reported in the system. It is noted that there are a total of 18 cases of violence reported in SMIA for the academic year 2017/18. Compared to previous years, the reporting trend is coming year by year (in 2015/16 we had 43 reported cases, while in 2016/17 we had 42 reported cases).

Regarding **inclusion and empowerment of children in decision-making**, the OGG/OPM is making maximum efforts to include and empower the role of children in the decision-making and development processes of society and to provide the opportunity for the children's voice to be heard and represented by state institutions, conceiving this endeavour as a principle that should lead policy-making in the country.

Juvenile justice - is regulated in the **Juvenile Justice Code**, which regulates the following issues:

- The number of guarantee and protection principles of children's rights has been expanded and a separate chapter has been foreseen to regulate child support and protection measures for children as criminal offenders below the criminal liability age, i.e. for children under the age of 14;
- The type of diversity measures has been increased and the conditions and the manner of their implementation have been determined;
- It is foreseen that the time spent in detention on remand, as well as any other deprivation of liberty, shall be calculated in the duration of the measure for sending the juvenile to the educational-correctional institution, imprisonment, and punishment by fine.
- The detention term has been defined as 30 days to 6 months, exceptionally up to 12 months for specific cases;
- The new proposals also include the extension of the number of criminal offenses when a juvenile judge or juvenile panel judges adult persons when the child is a victim;
- There is a separate chapter that deals with the protection of child victims or witnesses.
- It is worth mentioning that the finalization of this draft has been done in coordination and cooperation with relevant local and international actors, with particular emphasis on the support of UNICEF, the European Union Office in Kosovo, as well as the provisions of this draft Code are in complete harmony with the provisions of EU legislation and the financial assessment thereof has been completed.

Challenges in the field of children's rights

Challenges highlighted in the report not necessarily refer only to the work performed by the OGG/OPM during 2018. Rather, they also rely on the analysis of various domestic and international child-specific reports, in particular the EC Progress Reports, Progress Reports on Children's Rights, Reporting Cards, Sustainable Development Goals (SDG), Multiple Indicators Grouping (MICS), legal framework for children's rights in Kosovo, analysis of the situation of children's rights, Kosovo at early stage of demographic dividend, a time-limited opportunity, early childhood care and development situation, a Child Agenda, Child Protection Index in Kosovo, Our Voice, poverty and deprivation among children using the Multiple Deposits Analysis (MODA), etc.

The key challenges to ensuring full implementation of children's rights are considered to be:

- Increasing the involvement of institutional representatives at the local level when drafting national policies, with a view to better conceptualizing the issues foreseen to be addressed;
- The focus of public expenditures should move from “capital investment and wages” as currently is, to improving systems, capacity building and enhancing the quality of services;
- The results from the PISA test for 2015 have reflected an unsatisfactory level of education quality in Kosovo, with Kosovo ranking among the countries with the lowest achievement in science, reading and mathematics (out of a total of 72 participating countries, Kosovo ranked the 69th). Infrastructure is outdated in many schools. Delays in curriculum reform are one of the main obstacles to improving the quality of education, while vocational training currently offered in vocational schools does not meet the labour market requirements;
- **The quality of child protection services results to be minimal.** Decentralization of social services in municipalities in 2008 was not accompanied by a special budget line for the financing of social services at the local level. Therefore, the lack of social services grant is considered to be a major challenge affecting the quality of services;
- Prioritizing institutional actions of a preventive nature. Public institutions, private and non-governmental organizations, according to their mandate, should develop measures to prevent the child's need for assistance and to reduce the existing problems. Measures should be based on the needs of the child, support the relationship between the child and the caretaker, and support social behaviour. Such measures should be achievable, timely and have a positive long-term effect;
- Services for children under the age of criminal responsibility, aimed to prevent future criminal offences are missing.

Recommendations:

The clarification above related to the definition of challenges also applies to the recommendations.

- The annual work plans of central and local institutions, in accordance with their mandate and responsibilities should incorporate the implementation of activities and objectives set out in the Strategy and Action Plan on Children's Rights 2019-2023;
- Increase the percentage of Kosovo's budget dedicated to increasing the quality of services in general.
- The Government of the Republic of Kosovo should prioritize the establishment of policies and interventions aimed toward empowering the family as an institution;
- Formulation of MEST policies should consistently be based on population trends, particularly in the estimated number of school age children and population distribution by residential area;
- Commitment to legal obligations, violence in pre-university education institutions should be evidenced and reported in the system;
- Intensify institutional actions to the fullest implementation of the curriculum reform process to improve the quality of teaching and quality assurance;
- Strengthen and monitor the work of the education inspectorate at all levels of government in order to continuously increase the quality of educational work;
- Vocational training provided in vocational schools must meet the requirements and needs of the labour market;
- Kosovo Agency of Statistics should generate data on the number of population forecasts by age group at municipality level, which are vital data for strengthening policy planning and budgetary allocation at local and central level;
- Implement promotion activities in order to raise awareness amongst the population on positive disciplinary methods and the negative consequences of violent methods in children;
- Training of all professionals (including healthcare workers, teachers, social workers, police, etc.) regarding child protection;
- CSWs should prioritize service delivery with a focus on early intervention and strengthen referral and liaison with other relevant institutions to track achievement of the target objective as required by the policies and legislation in force;
- Establish a consolidated system of monitoring and quality control of social services within the MLSW;
- Define concrete programs for reintegration and re-socialization of juveniles in conflict with the law;
- Strengthen the policy-making monitoring system based on evidence of children's rights.

THE SITUATION CONCERNING THE RIGHTS OF PERSONS WITH DISABILITIES

Progress in the field of the rights of persons with disabilities- The principle of equal rights means that the needs of each and every individual are of equal importance, and that those needs should be the basis for planning society and all resources must be used in such a way as to ensure that every individual has equal opportunity for participation, particularly persons with disabilities.

Initially, through the National Strategy on the Rights of Persons with Disabilities 2013-2023, the Government of the Republic of Kosovo has created an inclusive approach and a clear vision for improving the lives of persons with disabilities in all aspects of life. Obligations that continue to derive from this strategic document are focused on five key areas of the life of persons with disabilities: healthcare, social welfare and employment, education, legal protection and access.

Since the approval of this document, the efforts of institutions and the society itself resulted in successes and increased the quality of life of this community.

Adoption of the Law for Blind Persons, the Law on the Status and Rights of Persons with Paraplegia and Tetraplegia, and the implementation of Regulation of GRK No.15/2014 on provision of services in sign languages in public institutions for deaf persons, were some of the actions that have been fulfilled and that managed to directly affect the living standards and conditions of beneficiaries of this legal framework.

We have worked in this field and we continue to implement the National Action Plan for the Rights of Persons with Disabilities in the Republic of Kosovo 2018-2020. The document is approved by the Government of the Republic of Kosovo in December 2017 and presents future actions in meeting the objectives within the National Strategy for the Rights of Persons with Disabilities 2013-2023. Moreover, it constitutes a national policy which entrenches and coordinates the actions of all relevant and competent institutions in the protection, promotion, and fulfilment of the rights of citizens with disabilities.

In addition, the implementation of the Law No. 05/L-067 on the Status and the Rights of Persons with Paraplegia and Tetraplegia has started in a view of respecting and promoting the rights of citizens with disabilities. As a result, all citizens with paraplegia and tetraplegia have benefited a dignified sum that covers the cost of essential services, also ensuring that the guardian of the person is compensated with the same amount. However, this law also provides many aspects, such as independent living, personal assistants, education, employment and many other areas of the life of persons with paraplegia and tetraplegia in the Republic of Kosovo.

With the aim of advancing the legal framework for the field of disability, the government has already approved the concept paper for drafting the Draft Law on Inclusion, a document that will determine the degree of disability and at the same time of all social benefits based on the needs of people with disabilities.

In this context, with the Decision No. 04/67 on 02 October 2018, the Government of the Republic of Kosovo has adopted the Regulation for the Customs and Tax Reliefs for Employers that Employ Persons with Disabilities as well as for the Persons with Disabilities that exercise independent activity.

Employment of persons with disabilities - In the field of employment, in 2018 the MLSW completed the legal framework for employment and vocational training for people with disabilities. **All sub-legal acts defined in the applicable law have been drafted and adopted:**

1. Administrative Instruction on the manner and procedures for assessment of work ability for people with disabilities;
2. Administrative Instruction on the manner, procedures and deadlines for monthly payment for employers who do not meet the obligations under the law (a person with disabilities in every 50 workers);
3. Regulation for the Customs and Tax Reliefs for Employers that Employ Persons with Disabilities as well as for the Persons with Disabilities that exercise independent activity and
4. Administrative Instruction on the scope, competencies, composition and mandate of the medical-social commission for assessment of work abilities of disabled people.

Under the new legal framework for employment and vocational training, all employers, including governmental and local institutions, are obliged to employ persons with disabilities as provided by the law in force. In cases where employers do not employ people with disabilities, they are obliged to pay a fine in the value of a minimum wage. All revenues from such fines shall be paid into MLSW bank account, where we will create a budget line or special fund, with the aim of promoting employment of this category through active employment policies. The number of people with disabilities mediated in the Active Labour Market Measures is 15 jobseekers and in Vocational Training are included 68 people with disabilities.

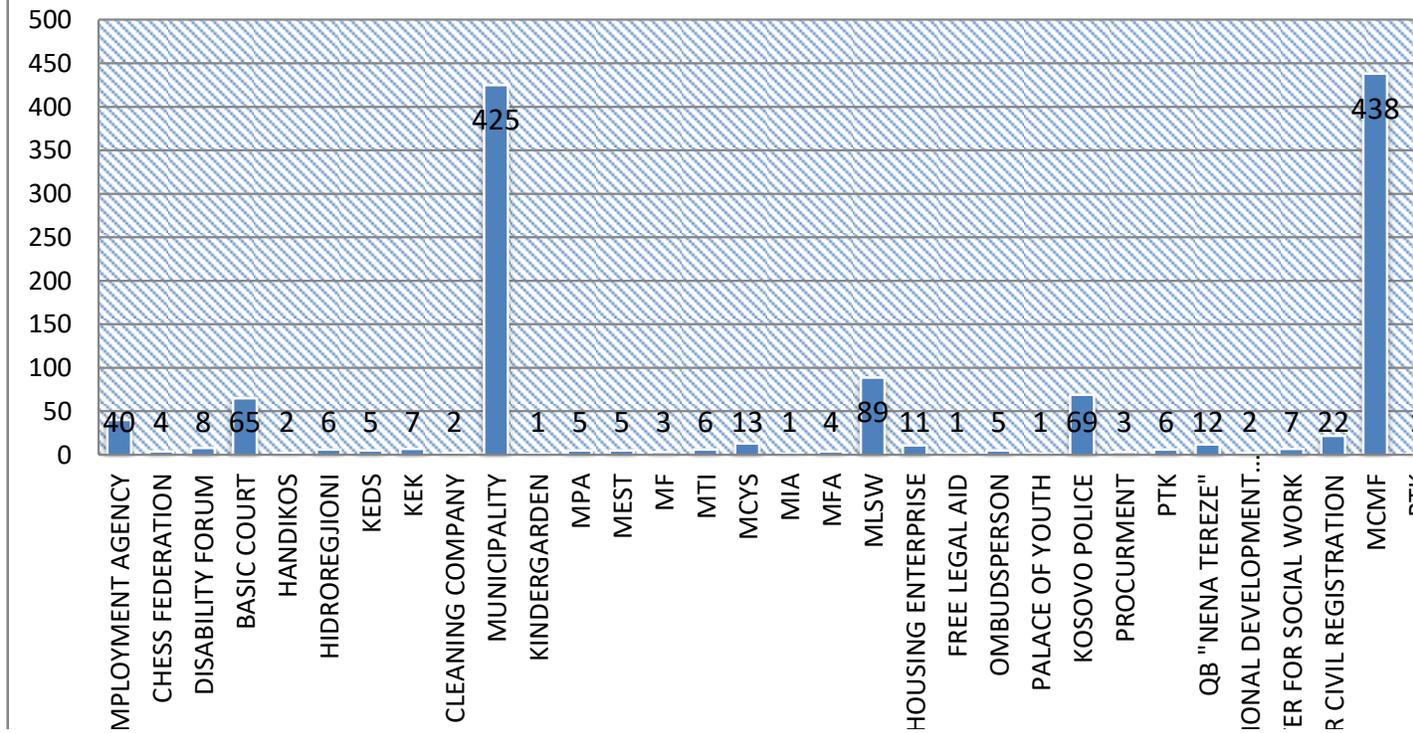
Through the Cooperation Agreement between MLSW/KESR and the Down Syndrome Kosova Association, during 2018, with regard to implementation of the project “Strengthening Young People with Down Syndrome”, about 30 persons with disabilities have benefited in vocational training.

Respecting the right to work and equal treatment for all persons equally, it is worth mentioning the positive example of the Ministry of Justice which during 2018 hired a person with a disability (blind), in the position of Legal Officer, and such an example and practice should be followed by other Government departments.

Provision of services in sign languages

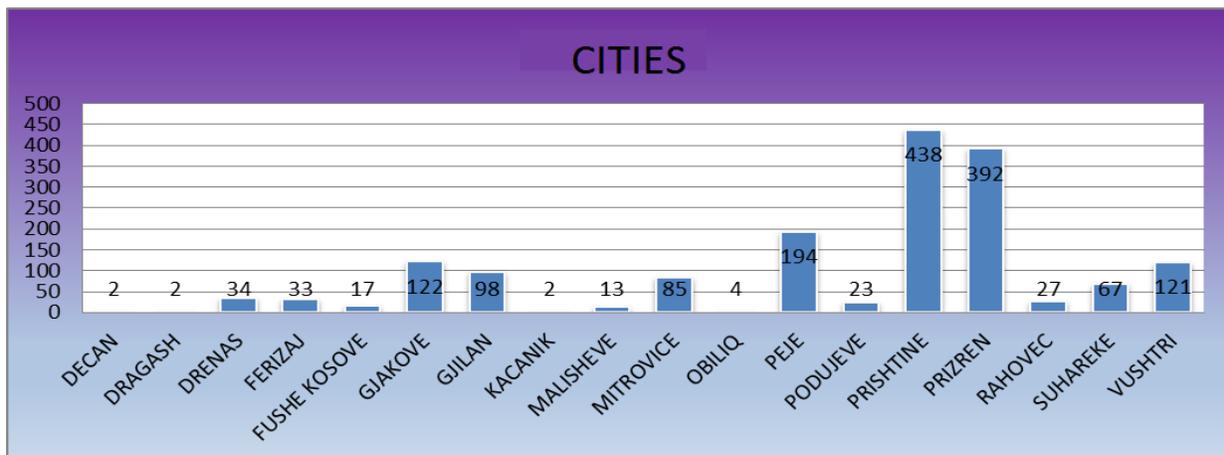
Provision of services in the sign languages in public institutions of the Republic of Kosovo is also a policy that continued to create an inclusive approach toward deaf persons in the Republic of Kosovo. Through these services, an inclusive approach has been provided for approximately 500 deaf persons in every public institution, including municipalities, educational institutions, courts, and all other institutions at the central and local level. Based on the Regulation Grk No. 15/2014 on provision of services in sign languages, during 2018, the Office of the Prime Minister has funded approximately 1674 hours of sign language interpreter services for deaf persons. The whole process of funding interpreters is provided by the Office of Good Governance within the Office of the Prime Minister in cooperation with the Kosovo Association of the Deaf. There are a total of 16 interpreters who perform sign language services and are funded on a monthly basis. Within 2018, the services were provided to institutions either at the central or local level. Based on the table below, we can see that among other institutions, a higher number of services were available in the municipalities (425), the main family medicine centres (438) and the regional hospitals together with UCCK (319).

ii



Number of service hours of interpreters in institutions in January-December 2018.

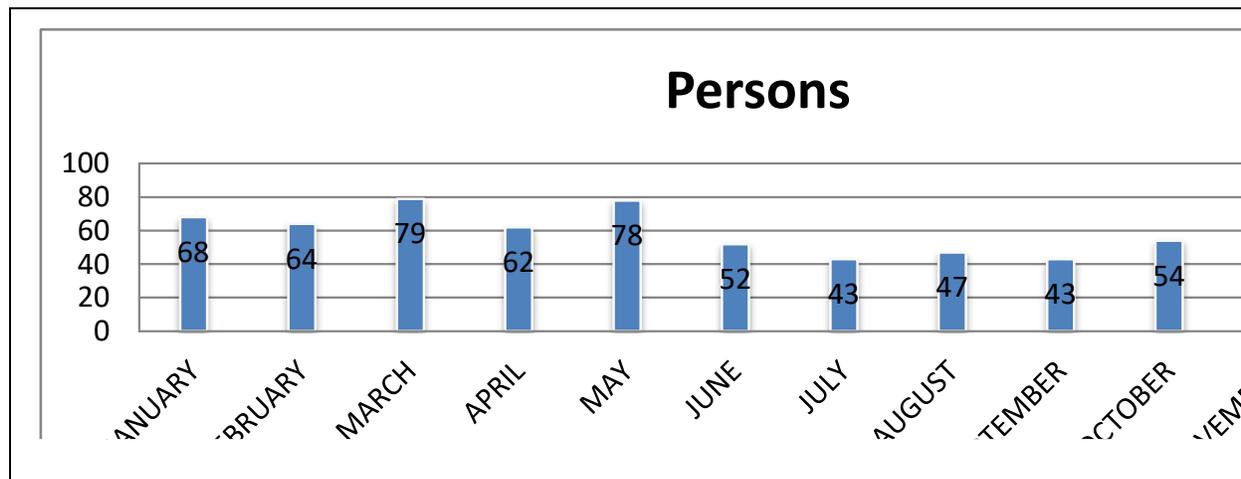
Taking into account the cities of the Republic of Kosovo, as seen in the table below, most interpreter services were in Prishtina (438), followed by Prizren (392), Peja (194), Gjakova (122), Vushtria (121) and others that come next. A lower number of services are noted in cities such as Decan (2), Dragash (2), Gjakova (122), Vushtria (121) and others that come next. A lower number of services are noted in cities such as Decan (2), Dragash (2), Kacanik (2) and Obiliq (4).



Number of service hours of interpreters in cities in January-December 2018.

As to the number of persons who received services, during 2018, a total of 697 people received services

from interpreters. In the table below we can see the exact number of persons who received services for



each month, with an average of 58 persons per month.

Number of persons who received services in 2018

Based on the comparison between 2017, when there were 1700 service hours, during 2018 there were 1674 hours of services, we can see that there is no significant difference. Differently from 2018, during 2017 the city of Prizren led with 559 hours of services, having a significant disparity compared to the second city, Prishtina (374). Regarding the institutions, both in 2018 and 2017, most services were provided to municipalities, main family medicine centres and hospitals.

CHALLENGES IN THE FIELD OF THE RIGHTS OF PERSONS WITH DISABILITIES

Despite the clear results in advancing legal and policy framework for addressing the rights of persons with disabilities, there are still evident problems in this field. Employment, education, access, health, provision of services in sign language, are the fields where competent institutions should increase their maximum commitment and dedication for **drafting and implementing** policies, legislation and standards on human rights in the field of disability.

Recommendations:

- Promoting and implementing the legal and policy framework in the field of the rights of persons with disabilities.
- Finalizing the process of drafting the Comprehensive Draft Law on People with Disabilities
- Employing persons with disabilities in compliance with legal obligations.
- Ensuring access of people with disabilities to all public institutions, and in all fields of life such as health, education, employment etc.
- Providing services in sign languages.

WOMEN'S RIGHTS - PROTECTION FROM VIOLENCE, PREJUDICE AND DISCRIMINATION

The state of play regarding the treatment, addressing and fulfilling the rights of victims of sexual violence during the war

The Government Commission on the Recognition and Verification of the Status of Sexual Violence Victims during the War in Kosovo¹⁵ has been working for more than a year now. During this period the Commission Secretariat received over 1000 applications and has dealt with 540 cases. Out of the cases reviewed, 351 cases have had the status of sexual violence victims of the war recognized, and approximately 60 cases are in proceedings. In legal terms, all legal obligations of the competent institutions have already been fulfilled, and with the establishment and functioning of the Commission, the survivors have the right to apply for a status which provides a number of rights including an individual pension of EUR 230 per month.

The application process is continuing as defined by the legal and sub-legal acts and guidelines adopted by the Commission, the application process from 05.02.2018, each official including Secretariat members, officials of the Department of Martyrs' Families and War Invalids (DMFWI) within the Ministry, and 4 NGOs are performing their work according to their responsibilities and competencies.

In implementation of legal provisions governing this field and in accordance with the applicable general administrative rules, and within its competencies, the Commission examines the applications and necessary documents that serve as evidence regarding the status of sexual violence victim during the Kosovo Liberation War and makes a decision to recognize or reject the status of a sexual violence victim of the war, and in cases where the applicant's presence is deemed necessary for verification and ascertainment of the case of sexual violence during the war, the applicant himself/herself decides whether to be physically present or not during the verification process and he/she has the right to be accompanied in these cases by the persons whom he/she prefers.

The process of recognizing and verifying the status of victims of sexual violence is a very delicate and sensitive process, taking into account that it has started 20 years after the end of the war, and is a new, unprecedented process that does not resemble any other country in the world. The treatment of sexual violence during the war, as a worldwide field, is still a challenging field that has only received the world's attention in recent years, therefore there is a lack of good practices that can be acquired. The Commission is building its own practices and is setting professional standards that can also serve similar processes in other parts of the world.

¹⁵ On April 28, 2017, the Government of Kosovo took a decision on the establishment of the Government Commission on the Recognition and Verification of the Status of Sexual Violence Victims during the War in Kosovo. Main responsibilities and duties of the Government Commission on the Recognition and Verification of the Status of Sexual Violence Victims During the War in Kosovo is the recognition and verification of the status of sexual violence victims of the war as provided for in the Law No. 04/L-172 on amending and supplementing the Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims and their Families, under the conditions and criteria set forth in Regulation (GRK) No. 22/2015 on Defining the Procedures for the Recognition and Verification of the Status of Sexual Violence Victims during the Kosovo Liberation War.

What has been the progress?

The government commission carries out its work based on the legislation in force and has built professional good practices by which the rights of the survivors are guaranteed. The Commission conducts a process that is centered around the needs of survivors, handles cases with full confidentiality to provide them with full privacy and cooperates with 4 non-governmental organizations licensed to facilitate this process. Progress has been made in addressing the issue of survivors of sexual violence during the war as there is growing social awareness on this war crime, the silence is broken, there is also a commitment by the justice institutions in addressing these cases and above all, the process of status recognition led by the Government Commission has made the sufferings of the survivors known and the state has come to support somehow. On the other hand, the support of non-governmental and international organizations through their services is helping survivors cope with the consequences of this crime of war.

The Commission has held on-going meetings with various stakeholders who may have relevant information regarding this crime of war.

All cases that have been dealt with and had the status of sexual violence victims of the war recognized, have been included in a personal pension in the amount of two hundred and thirty (230) Euro per month, and somewhat their spiritual and economic situation has improved.

- What are the challenges regarding the implementation and fulfilment of requirements and rights of this category of victims in all walks of life?

The fact that the Government Commission is addressing serious war consequence that happened 20 years ago remains a challenge. For many survivors, it is very hard to bring to mind the event, they often did not speak to anyone about the crime they experienced and their trauma is untreated, there is still prejudice and stigma of society regarding this crime of the war. Lack of medical or psycho-social treatment by the survivors, the very treating of such a sensitive case makes the process more difficult. Dealing with cases of people who tend to benefit unfairly from this pension scheme remains a challenge for the commission. However, the weight of the crime remains too heavy and we still have a lot to do as a society to fight the stigma that accompanies this category.

Actions taken so far in this process;

- Adoption of the Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of the Kosovo Liberation Army, Civilian Victims of War, and their Families, adopted by the Assembly, on 08.12.2011, promulgated by the Decree of the President of the Republic of Kosovo: 28.12.2011.
- Adoption of the Law No. 04/L-172, on Amending and Supplementing the Law No. 04/L-054 on the Status and the Right of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims and their Families, adopted on 20 March 2014, promulgated by Decree No. DL-011-2014, dated 07.04.2014 by the President of the Republic of Kosovo, Atifete Jahjaga, Official Gazette No. 26/23 April 2014, where for the first time in

Kosovo for this category, the institutional, social, psychological and financial recognition became legal by the competent institutions of the Republic of Kosovo.

- Adoption of the Regulation (GRK) No. 10/2016 on Amending and Supplementing the Regulation No. 22/2015 on Defining the Procedures for Recognition and Verification of the Status of Sexual Violence Victims during the Kosovo Liberation War, adopted at the 100th meeting of the Government of Kosovo, by Decision No. 05/100, dated 15.07.2016.
- Adoption of the Regulation (GRK) No. 22/2015 on defining the Procedures for Recognition and Verification of the Status of Sexual Violence Victims during the Kosovo Liberation War, adopted at the 67th meeting of the Government of the Republic of Kosovo by Decision No. 16/67 dated: 30.12.2015.
- On 28th of April 2017, the Government of Kosovo took a decision on the establishment of the Government Commission on the Recognition and Verification of the Status of Sexual Violence Victims during the Liberation War in Kosovo.
- Adoption of the Decision by Government on the establishment of the Commission's Secretariat;
- Adoption of the Decision by the Government on determining the amount of personal pension for victims of sexual violence during the war in the amount of EUR 230;
- Financial means in the amount of EUR 1,000,000.00 million for 2018 and EUR 800,000 for 2019 and 2020 are foreseen in the Kosovo budget.;
- All persons involved in the process of recognition and verification of the status of sexual violence victims have been trained and certified in cooperation with MLSW/UN Women and KIPA;
- Four NGOs, such as KRCT, MEDIKA GJAKOVA, MEDIKA KOSOVA, CPWR (QPDG) Drenas, have been selected to assist the commission on the application process.
- The Ministry of Labour and Social Welfare has signed agreements with 4 NGOs to assist in the process of application for recognition and verification of the status of the victim;
- Also, the ministry has provided a free telephone line with two operators for the parties to be familiar with the application procedures, application forms, documents, and other information;
- The Commission in cooperation with AGE has made public information through billboards in all cities of Kosovo and has launched the TV spot for the application process, the procedure and the method of application,
- The chairwoman of the Government Commission has signed a cooperation agreement with the Director of the Directorate of Health and Social Welfare within the municipality of Pristina and the Director of the Family Medicine Centre in Prishtina, to help in cases when they need medical intervention during the parties' interviews by the panel of the commission.
- 4 guidelines have been adopted and signed by the commission; Guidelines for receiving and submitting the form and the relevant documentation to the secretary and the commission, guidelines on the procedure for application and recognition of the status of sexual violence victims during the Kosovo Liberation War, guidelines for documentation storage and guidelines on the form of decisions.

Possible recommendations for overcoming challenges

The need for public awareness and inclusive attention is indispensable for this category of our society, and it is no longer a taboo in Kosovo to discuss this issue, but the stigma still prevails. Therefore, much more work still needs to be done with the small communities and the whole society to work harder in supporting the survivors, providing psychosocial support, fighting the stigma, fighting prejudices by not blaming them for the crime that is committed against them, providing them easy access to all services, insurance and proper healthcare services, priority in employment and vocational training, qualitative education, rehabilitation, economic empowerment, access to justice, etc.

All institutions are obliged to cooperate with the Commission and provide the documentation required by the Commission, as the Commission is having difficulty receiving the responses or relevant documents required by it.

It is very necessary that all stakeholders support this process, in order for the credibility of the process to not be violated as it is taking place after nearly 20 years of numerous and common efforts and there is a very long time between the traumatic event and the provision of recognition that makes the process even more delicate both for the Commission and above all for the survivors.

Progress in strengthening and achieving gender equality

The Agency for Gender Equality (AGE) of Kosovo is an executive agency, and the highest policymaking, monitoring and counselling body related to the implementation of the Law on Gender Equality, strengthening the role of women and girls, and Kosovo's gender equality agenda in general.

Drafting the Kosovo Program for Gender Equality - AGE leads the process of drafting Kosovo's Program for Gender Equality 2019-2023, the only strategic document required by law in the Republic of Kosovo, which is in the finalization phase. Kosovo's new program on gender equality provides for three pillars: a) Economic empowerment and social welfare, b) Human development, gender roles and relations, c) Women's rights, access to justice and security. The program includes the goals of sustainable development related to gender and gender indicators of SDGs in the objectives and activities of the proposed program.

Gender impact assessment, in fulfilment of the Law on Gender Equality (LGE), and in accordance with the requirements for implementing the regulatory impact assessment as proposed in the Better Regulation Strategy for Kosovo, AGE drafted the Manual on "Gender Impact Assessment" and organized training on implementation of the gender impact assessment for all working groups committed to the proposed legal acts during 2018. This activity will continue during 2019. In total, 7 (x 2) training sessions were held for 16 concept papers, there are 222 trained persons in total, 155 were women and 67 men, five hundred (500) civil servants in line ministries were oriented to assessing gender impact.. All financial support was provided by Sida-the Swedish Government.

Monitoring the implementation of the Law on Gender Equality

Commentary on the Law on Gender Equality: In order to facilitate the proper understanding and implementing of the LGE, the Agency has prepared the Commentary of LGE, published in 700 copies in three languages. The commentary clarifies the norms in relation to other laws, with judicial practice by providing implementation guidance in practice.

Ex-Post assessment of the Law on Gender Equality, the Ex post assessment of Law No. 05/L-020 on Gender Equality (O.G. of the Republic of Kosovo/No. 16,26 June 2015) was submitted. The ex-post evaluation included provisions such as special measures, quotas, gender-based statistics, and gender budgeting. The analysis of the data collected for the implementation of the LGE provides a realistic overview of the law enforcement as well as the needs and concerns for strengthening the rule of law, expansion and institutional consolidation.

The Ex-Post assessment reveals a number of priority issues and recommended actions for institutions and society in the implementation of LGE, as well as the necessity of strengthening the national mechanism of Kosovo that promotes gender equality so that the Gender Equality Agenda can be more effective in promoting, implementing and guaranteeing rights. The Agency is in the process of preparing a consolidated monitoring system. All financial support was provided by Sida-the Swedish Government.

Advancing women's property rights

Affirmative measure - Administrative Instruction on the registration of joint property on behalf of both spouses for free - The Administrative Instruction for the Registration of Immovable Property on behalf of both spouses was extended for another year, from April 2018 to April 2019. It is worth mentioning that ever since affirmative measure for registration of property on behalf of two spouses have been undertaken, in 2016 there were only 105 cases, while by the end of 2018, 2184 couples benefited from such affirmative measure.

Promoting Gender Equality

The Agency for Gender Equality, aiming to inform the public opinion with the legislation that guarantees gender equality, liabilities and obligations with regard to this framework, as well as to increase the capacities of institutional mechanisms for gender equality, but also of all stakeholders in the gender issues process, during the year 2018 has drafted the following:

- the handbook "**What we need to know about gender equality in Kosovo?**". This handbook enables the elaboration of the definitions and legal standards on equality and gender in Kosovo, and this handbook will also serve employees and decision-makers, or anyone who needs to know about the rights and obligations that each of us has in the field of gender equality and human rights.
- "**Integrated annual planning system guidelines for AGE and gender mechanisms in Kosovo**"¹⁶.

PROTECTION AGAINST DOMESTIC VIOLENCE

During 2018, the AGE in the implementation of the National Strategy for Protection against Domestic Violence 2016-2020 has cooperated closely with the national coordinator for monitoring the implementation of this strategy and advancing the work of the institutional mechanisms responsible for its implementation. Several meetings with representatives of the basic Courts and Prosecutions Offices in Peja, Ferizaj, Gjilan, Mitrovica, and Prishtina have been held in order to increase the efficiency of priority treatment of cases of domestic violence, gender-based violence, and better inter-institutional coordination. The Presidents of these Courts and Chief Prosecutors were asked to appoint **special judges and prosecutors** to deal with cases of domestic violence.

As every year, the AGE has carried out the campaign of 16 days of activism - (November 25, International Day for the Elimination of Violence Against Women) - has marked the opening of the campaign with the lighting of the Government Building - the Office of the Prime Minister with the symbol of a White Ribbon and orange colour, in memory and honour of the victims of violence, where for the first time the names of all women who have been killed in the last two decades have appeared. The building was lighted from 17:00 until 24:00. This initiative was supported financially from the Swedish SIDA. AGE has co-financed the international conference organized by the Ministry of Justice/National Coordinator - "Access to justice for victims of domestic violence and gender-based violence".

Agency for Gender Equality signs Memorandum of Understanding with UP "Hasan Prishtina"

The University of Prishtina "Hasan Prishtina" and AGE have signed an Agreement of Understanding for the review of the Faculty of Economics curriculum and the establishment of the new subject "Gender Economics". The main reason of this memorandum is the cooperation between the two signing institutions in educational projects that are related to gender equality, capacity building and cooperation in the field of changing/completing the Academic curriculum of the Faculty of Economics in the economic sphere for gender equality in conformity to the local and international standards.

¹⁶ <https://abgj.rks-gov.net/assets/cms/uploads/files/SHQIP%20-FINALJA.pdf>
<https://abgj.rks-gov.net/assets/cms/uploads/files/Shqip%20mostra.pdf>

Support of Non-Governmental Organizations that promote Gender Equality

In order to strengthen the role of women in the economy, capacity building and advancement of the gender equality agenda, AGE continued to subsidize projects in the field of gender equality also during 2018. Natural persons who carry out activities for the implementation of general gender equality norms and legal persons who are active in the field of gender equality have the right to receive financial support of the projects. In total, eighteen (18) projects have been selected that have met the conditions and specifications foreseen by the applicable legislation, in a total amount of EUR 30.000.

Challenges in the field of achieving gender equality

- Implementing the Law on Gender Equality by the Competent Institutions
- Integrating the gender perspective as an cross-sector issue
- Exercising women's property and inheritance rights in conformity to the applicable legislation
- Preventing and combating domestic violence
- The overall gender budgeting

Recommendations:

- Adopt Kosovo Gender Equality Program 2019-2023
- Finalize the concept paper on gender responsive budgeting
- Continuous building of civil service and officers for gender equality capacities to integrate gender perspective as an cross-sector issue and skills to carry out gender impact assessment
- Strengthening the role of women and girls in society
- Inclusion of the subject of “gender economics” within the new curriculum of the Faculty of Economics in UP, based on the cooperation agreement signed between UP and AGE.
- Appoint **special judges and prosecutors** to deal with cases of domestic violence.

THE SITUATION REGARDING THE IMPLEMENTATION OF COMMUNITIES RIGHTS

Progress in strengthening the rights of communities – Communities in Kosovo enjoy fundamental rights and freedoms guaranteed to all citizens by the national legal framework of the Republic of Kosovo, as well as additional rights, enabling them to preserve their identity and culture and fully integrate into Kosovo's society. The Office for Community Affairs (OCA) is committed to coordinating the Government's efforts to implement the legal framework for communities' rights and ensure that government policies and adequate actions meet the needs and interests of communities. The OCA will help the government to define and implement appropriate policies in a unified and coherent way by analysing, advising and supporting policy making and internal monitoring.

The Office for Community Affairs has continuously supported non-majority communities by financing and supporting various activities, with emphasis on providing conditions for a better life, development, and education. In order to promote, protect the culture and traditions of communities, the Office organizes events on the occasion of the day of Turkish, Bosnian, Gorani, Roma, Ashkali and Egyptian communities. They are also provided with financial assistance in accordance with Government's Decision No. 06/141, dated 07.04.2017. There are allocated financial means in the amount of EUR 20.000 for the Turkish community, EUR 20.000 for the Bosnian community, EUR 12.000 for the Roma community, EUR 12.000 for the Ashkali community, EUR 12.000 for the Egyptian community and EUR 10.000 for the Gorani community.

Verification of diplomas from the University of Prishtina with headquarters in North Mitrovica

The Government of the Republic of Kosovo has approved Regulation No. 21/2015 on procedures and criteria for the issuance of certificates to citizens of the Republic of Kosovo who have obtained degrees from the University of North Mitrovica, for the purpose of applications for jobs, obtaining professional licences and taking professional examinations with public institutions.

The purpose of the present Regulation is to set out the procedures and criteria for issuance of certificates to citizens of the Republic of Kosovo who have graduated from the University of North Mitrovica (UMN). The issuance of certificates and their use as replacement of UMN diplomas is a provisional affirmative measure for the protection and advancement of the rights of citizens of the Republic of Kosovo, in order to allow equal access to employment, with a view to the achievement of equitable representation of all groups of population in employment in public sector institutions.

So far **2350** applications were received, out of which **1535** applications were evaluated positively, while only 38 were evaluated negatively and 3 applications were incomplete. The verification process for 144 other applications is ongoing. The OCA participates in the working group to expand the activities for vocational and secondary schools to provide opportunities for non-majority communities to exercise the right to work with verified diplomas both in Kosovo and abroad. The working group has given the recommendation to extend the regulation as it is necessary to have the diploma certification for high schools, vocational schools, where with the certificate that the applicants will receive they will have easier employment opportunities.

In December 2018, the Office has implemented a project funded by the Norwegian Ministry of Foreign Affairs - Norwegian Embassy in Kosovo, through which four positions have been opened by the

Coordinators for Cooperation with the Municipalities of North Mitrovica, Zvečan, Leposavić, and Zubin Potok. This project provides assistance to municipal structures, mayor, director of directorates, assemblies etc., in defining the needs related to the drafting of plans and projects, issuing municipal regulations as well as other legal acts, etc.; thus acting as a focal point for communication between the municipality and the international community, central institutions, civil society organizations, the private sector, etc.; to support municipal officials in establishing contacts and cooperation with central institutions, the international community, civil society organizations, the private sector and other relevant institutions; establishing and maintaining a network of contacts with various donors and organizations interested in improving the services provided to citizens; providing strategic, political and operational advice to local leadership in the process of identifying, developing, implementing and evaluating projects and activities in north of Kosovo; cooperation with other consultants and participation in other donor activities that provide opportunities to facilitate the exchange of experiences for better work and service delivery by the municipalities.

Increasing employment opportunities

One of the goals of this project is to increase employment opportunities, which also constitutes a recommendation of this type of model for an active political measure of the Government towards meeting the legal minimum for representation of non-majority communities in Kosovo by 10%. For the purpose of developing professional capacities and better placement in the labour market, members of non-majority communities have been allowed to acquire working experience in institutions at central and local level through the six-month internship program. Also, in 2018, the OCA announced a competition for students and graduates that want to acquire practice by working in public institutions. About 300 candidates applied for the competition, out of which 50 persons were accepted through the Norwegian Embassy project while 12 were financed by the OCA. Practitioners are doing a six-month practice in public institutions at central and local level, in the media and in non-governmental organizations. OCA has been closely involved in systematisation of interns, in order to provide them the opportunity to complete the internship in institutions that fit their education profile.

Communities Issues Group (CIG)

The CIG represented by the Director of the Office for Community Affairs regularly gathers Government agencies and interested international interlocutors to discuss and provide joint actions on issues related to effective reintegration of non-majority communities.

Assistance for the socially vulnerable

Taking into account that the topic is often the need of financial assistance, the OCA enables the financing of members of sensitive categories that are socio-economically vulnerable. Even the Office's mandate requires standard activity to address acute problems such as housing issues, health, cultural, sports, religious, and other issues.

In order to work more effectively in addressing issues of importance for the communities, contribute to the establishment of communities' policies, the OCA cooperates with a number of local and international institutions. The OCA continued to provide financial support to students from non-majority communities studying at the American University in Kosovo. This year, about EUR 25,000 have been allocated to the four students of this university.

Financial support for NGO projects

Protecting and promoting the rights and interests of communities

OCA traditionally announces a competition to support the NGOs and organizations dealing with media in non-majority communities. The specific purpose of this call for proposals is to improve the capacities of NGOs to promote and protect the rights of communities and to strengthen the partnership and cooperation of non-governmental organizations with other stakeholders, particularly with governmental institutions acting in the field of promotion and protection of the rights of communities. For financing of projects deriving from this public call, an amount of EUR 500,000 (five hundred thousand) is foreseen.

Protecting and strengthening linguistic rights

The Office of the Language Commissioner (OLC) hosted the 5th annual conference of the International Association of Language Commissioners. At the one-day conference on “**Multilingualism: Value and/or Obligation**”, special focus has been given to the challenges and opportunities of learning the official languages of education, advancing the provision of services in the official languages through active offerings, and the struggle with the past and the status of languages in the societies emerged from the conflict.

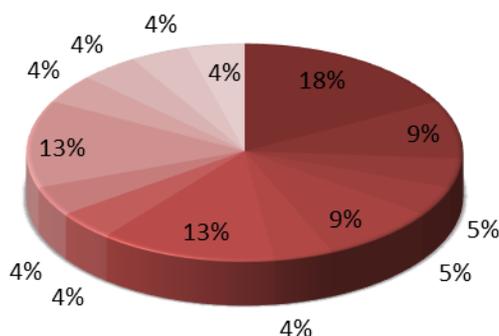
A Concept Paper on Reform of translation procedures within the Government of Kosovo towards a harmonized multilingual legislation has been drafted. The specific objective of the Concept Paper is establishment of the Central Translation Unit, under the auspices of the OPM, which would incorporate qualified proofreading and editing. Building a central translation memory, developing vocabularies and quality analysis and finally proofreading, this will be done after the unit is institutionalized.

Through the public call for promotion and protection of linguistic rights, the OLC/OPM has funded 8 (eight) non-governmental organizations with a total budget of **EUR 49520**.

The Office of the Language Commissioner received twenty-three (23) complaints this year. Out of these, seventeen (17) are solved, while six (6) are in process.

Numri i ankesave të marra dhe çështjet e adresuara
Number of complaints received and issues addressed

- Mungesa e gjuhës serbe në komunikatat për medie/Lack of Serbian language in press releases
- Mungesa e gjuhës serbe në faturat, vërejtjet dhe dokumente tjera të lëshuara nga Ujësjiellësi/Lack of Serbian language in invoices, remarks and other documents issued by the Water Supply
- Mungesa e gjuhës serbe në programin elektronik E-pasuria/Ne postojnje srpskog jezika u elektronskom sistemu E-inovina
- Mungesa e gjuhës serbe në fletëudhëzuesit e barërave/Lack of Serbian language in prescription of medicaments
- Punonjësit e disa institucioneve nuk komunikojnë në gjuhën serbe/Employees of some institutions do not communicate in Serbian language
- Mungesa e gjuhës serbe në gjykata: Formularë, Vendime/Ne postojnje sudskih dokumenata: formulara, odluka na srpskom jeziku
- Mungesa e gjuhës serbe në ATK: Formularë, Vendime/Lack of Serbian language in TAK: Forms, Decisions
- Mungesa e gjuhës serbe në E-kioskun e ATK-ës/Lack of Serbian language in TAK E-kiosk
- Mungesa e gjuhës serbe në faturat e TEB-it/Lack of Serbian language on TEB bank invoices
- Mungesa e gjuhës serbe në ueb faqet zyrtare të institucioneve/Lack of Serbian language on official websites of institutions



The Office of the Language Commissioner, based on monitoring and resolution of complaints, during 2018 has provided seven (7) recommendations on the implementation of the Law on the Use of Languages, the Ministry of Public Administration, all Ministries, the Office of the Prime Minister and two (2) legal opinions:

Implementation of the Framework Convention for the Protection of National Minorities

The Office of Good Governance/Office of the Prime Minister has organized the meeting of the Technical Working Group on Coordination of the Implementation of the Recommendations of the Framework Convention for the Protection of National Minorities on 27.09.2018. The purpose of the meeting was to discuss the opinions of the Council of Europe on the implementation of the Framework Convention for the Protection of National Minorities for Kosovo.

Kosovo institutions consider and evaluate the process of preparing the report as a means of guaranteeing the fulfilment of international obligations and as an opportunity for presenting the situation of minority rights in the framework of the implementation of the Convention in order to take measures on the implementation of the Convention. The data in the report presented the real situation of communities in Kosovo, based on data of Kosovo institutions.

The OGG/OPM through UNMIK on 01.10.2018 has accepted the proposal of Council of Europe to provide comments in the text of the Council of Ministers' resolution on the implementation of the Framework Convention for the Protection of National Minorities in Kosovo. The draft is based on the Conclusions of the Advisory Committee on the Framework Convention for the Protection of National Minorities and will be included in the agenda of a forthcoming GR-H meeting.

The Office for Good Governance, in cooperation with the Technical Group on Coordination of the Implementation of Council of Europe recommendations, has modified and made actual changes that have taken place since the adoption of the Opinion in March. The opinions with modifications and changes were sent to UNMIK on 4 October 2018.

RETURN OF DISPLACED PERSONS AND DURABLE SOLUTIONS

The Government of the Republic of Kosovo, in January 2018, adopted the Regulation on the Return of Displaced Persons and Durable Solutions, the purpose of which is to establish necessary conditions for achieving durable solutions for persons displaced within Kosovo and in the region, as well as define responsibilities of competent, decision making and implementing bodies, along with the assistance procedures and the criteria. The provisions of this Regulation shall be implemented by all competent bodies in the process of return of displaced persons in accordance with international human rights standards applicable in Kosovo, ethnic, religious, gender and racial equality, freedom of movement, property rights and best interest of children, and also the freedom from discrimination shall be applied throughout the process of returns and reintegration of displaced persons.

The Ministry for Communities and Returns (MCR) has continued to provide financial support to initiatives for return and reintegration. House construction is a clear example of MCR's on-going efforts to help accommodate returnees of different communities, providing them with dignified living conditions that will then have positive accompanying effects on other aspects of their lives such as employment, health, education, etc.

During January - December 2018 according to UNHCR data in Kosovo, **89 families with 327** displaced persons in the countries of the region have returned and have been integrated into their settlements in Kosovo.

IMPLEMENTATION OF PROJECTS FOR RETURNEES

During the reporting period, through the implementation of planned activities of the MCR, EU support through the project "Return and reintegration in Kosovo, fifth phase", as well as joint projects with other international partners, the MCR helped the returnees with the construction of 218 houses, of which the bulk is completed while a small part of the number of houses is under finalization. The distribution of coordinated assistance to stabilize returnee families and vulnerable families from minority communities through harmonized packages (furniture, white technique and food) has been provided to all homeowners and some vulnerable families in Kosovo.

In the implementation, 26 infrastructure projects throughout Kosovo (roads, schools, kindergartens, religious buildings, cultural centres, health facilities, sports facilities etc.) are being implemented by the end of the year.

A total of 14 go-and-see visits were organized participated by a total of 165 families of displaced persons and 12 go-and-inform visits, where 202 displaced families in the region were visited.

PROJECTS FOR COMMUNITY STABILIZATION

The Ministry of Communities and Returns has helped in different ways the communities across Kosovo through civil society. With the initiatives of citizens, the MCR has funded 63 requests - projects from the fields of education, health, culture, sport, agriculture, religious manifestations and many other fields that are of importance to the quality of life of citizens, with a view to promoting, stabilizing and reintegrating communities, sustainable return, strengthening economic sustainability, promoting dialogue, tolerance and coexistence in the Republic of Kosovo..

During this period, the MCR provided construction material to 475 families from returnees and communities, for their stabilization, reintegration, and sustainability. This form of assistance to communities made it possible for families, who did not have the financial means to reconstruct their home, create the conditions for a better life.

Beneficiaries of this type of assistance are socially vulnerable families throughout Kosovo from all regions, who necessarily needed reconstruction.

PROJECT: "EU - COMMUNITY STABILIZATION PROGRAMME" PHASE III

Through the EU Stabilization Community Programme, phase III (BE-CSP III), funded by the European Union and Ministry for Communities and Return, managed by the European Union Office in Kosovo and implemented by International Organisation for Migration (IOM), provides assistance to the needs of non-majority communities to generate income and improve their living conditions. Such assistance is provided through the provision of grants and technical support to new enterprises and existing micro-enterprises, as well as through community improvement initiatives.

Through these actions, the program aims to improve the conditions for members of non-majority communities in Kosovo and encourage displaced persons who want to return. From the beginning of implementation in 2016 until now, the EU-programme CSP III has implemented a total of 258 projects. In general, the implemented projects have created over 450 jobs (full-time, part-time and secure existing positions). Over 40% of supported businesses were vulnerable groups in terms of development among non-majority communities (women, young people, people with disabilities, and returnees from non-majority communities).

PROJECT "SUPPORT THE CLOSURE OF COLLECTIVE CENTRES" IN THE MUNICIPALITY OF SHTERPCE

The supporting project for the closure of collective centres in the Municipality of Shterpce during this period continued the implementation of the project through DRC as project implementer for the construction of 5 residential buildings and the construction of 4 individual houses in the municipality of Shterpce for the beneficiary families staying in these collective centres, up to this period, about 75% of the

works have been completed and according to the dynamic plan the construction works should be completed by 2019.

SKOPJE PROCESS - Inter-institutional Initiative on Durable Solutions for Displaced Persons from Kosovo

A regional process necessary for supporting durable solutions for displaced persons from Kosovo, to facilitate durable solutions including returns and local integration of displaced persons from Kosovo, through the identification of issues and joint actions to find solutions. In 2014, the OSCE and UNHCR supported the Ministry for Communities and Returns to launch a regional process dedicated to finding durable solutions for displaced persons from Kosovo. The relevant institutions from Pristina, Belgrade, Skopje and Podgorica regularly convene through this regional process which has come to be known as the “Skopje Process”. Through a High-Level Forum established through the process, high-level politicians meet on a yearly basis to agree on proposals made by the Technical Working Group established to develop and implement solutions for these displaced persons. The leading responsible institution for this process in Kosovo is the Ministry for Communities and Returns.

Property Rights of Displaced Persons and Non-Majority Communities

During 2018, the Ministry of Justice drafted the Concept Paper on Civil Litigation Procedure. This Concept Paper was adopted by the Government on 04.12.2018, incorporating the part related to the supplementation/amendment of Article 450 of the Law on Contested Procedure, The Draft Law on amending and supplementing the Law on Contested Procedure is foreseen to be drafted during 2019. This action derives from the Action Plan of the National Strategy on Property Rights, it is also related to Article 7.2. of the Administrative Instruction No. 2008/02 on the unification of court fees, if such claim or request is filed together with the request for exemption from the payment of court fees and procedural costs to enforce a state-level court tax regulation where displaced persons (DPs) under severe social conditions. The National Strategy on Property Rights was drafted by the MoJ in co-operation with all relevant stakeholders; this Strategy was adopted by the Government on 18.01.2017. **The third objective of this Strategy provides for the guaranteeing and enforcing the property rights of displaced persons and non-majority communities.**

Inclusion and integration of Roma, Ashkali and Egyptian communities

The Office of Good Governance/Office of the Prime Minister under its coordination and monitoring mandate, has drafted the first report on the implementation of the Strategy and Action Plan for the inclusion of Roma and Ashkali communities in Kosovo society 2017-2021, and the same was sent to all Kosovo institutions and non-governmental and international organizations in June 2018.

The report presents an overview of on-going efforts and activities undertaken by the Government of Kosovo for a better implementation of the Strategy and Action Plan for the inclusion of Roma and Ashkali communities, aiming to provide these three communities with a better socio-economic wellbeing with focus on access to employment, health, housing, and the education system. The report also identified and presented the challenges for the implementation of the activities foreseen in the action plan and possibilities in the form of recommendation to overcome these obstacles.

Coordination with the local level regarding the implementation of the Strategy and Action Plan for the inclusion of Roma and Ashkali communities in Kosovo society 2017-2021

With the support of the OGG/OPM, municipalities have drafted the Action Plans at the local level and have created the mechanism as “Municipal Action Committees” in order to have better coordination, ownership, and communication between the local and central level, and better monitoring in the implementation of the Strategy and Action Plan for the inclusion of Roma and Ashkali communities in Kosovar society 2017-2021.

A total of 18 municipalities including Lipjan, Ferizaj, Mitrovica, Vushtrri, Shtime, Suhareka, Prishtina, Skenderaj, Gračanica, Vitia, Obiliq, Istog, Gjakova, Prizren, Gjilan, Klina, Podujeva and Rahoveci, have drafted action plans at the local level and have established "Municipal Action Committees" mechanisms.

Meetings were also held with NGOs in Roma, Ashkali and Egyptian communities, with a view to coordinating the process of implementing the Strategy as well as sharing information and enhancing cooperation and coordination between institutions and civil society both between institutions and civil society, for a more effective implementation of the Strategy and Action Plan.

Kosovo is also part of the project "Roma Integration 2020", a project funded by the European Union.

The Office of Good Governance/Office of the Prime Minister in cooperation with the Office of the European Commission organized a seminar on “Roma, Ashkali and Egyptian Communities - Current Situation and After 2015 - Policy and Commitments of the Government of Kosovo” with the presence the Prime Minister of Kosovo and Head of European Commission in Pristina and Roma Policy Coordinator from Brussels.

The Office of the Prime Minister in order to improve the situation of the Egyptian community has implemented **the project “Improving the socio-economic conditions of the Egyptian community”**. The project started to be implemented in March and April in the amount of EUR 120,000. Also, the OGG/OPM has supported two NGOs of the **Croat and Montenegrin communities** through a public call in the amount of **EUR 40,000** for each.

In the policy area, the MLSW is committed to implementing the strategy for the integration of Roma, Ashkali and Egyptian communities in Kosovo society (2017-2021), respectively the action plan that emerges from the strategy.

Also, within the MLSW Sector Strategy 2018-2022 and its Action Plan, two Specific Objectives have been set up specifically addressing Roma, Ashkali and Egyptian communities;

- Improving the level of employment of Roma, Ashkali and Egyptian communities and;
- Improving participation of Roma, Ashkali and Egyptian communities in protection schemes and social services.

In these two specific objectives, the activities planned in the Strategy for Inclusion of Roma, Ashkali and Egyptian Communities in the Kosovo Society are incorporated.

The MLSW continuously undertakes policies for the training of the unemployed and job seekers for the labour market, including members of the Roma, Ashkali and Egyptian communities.

In all employment services and active labour market measures, including vocational training, priority is given to the inclusion of marginalized groups, youth, and people with disabilities, minorities, single mothers and long-term jobseekers. In order to implement this commitment, the Ministry of Labour and Social Welfare has taken measures to ensure the implementation of these objectives. Access to active labour market measures for non-majority communities is usually ensured through a quota for these communities, provided under the schemes.

As a result of cooperation with civil society, the Ministry of Internal Affairs, with regard to the program for the integration of returnees and with the support of donors (UNDP, GIZ, DRC, etc.), in the last three

years, has significantly increased the number of Roma, Ashkali and Egyptian communities beneficiaries in the Active Labour Market Measures. Based on our evidence, 99 candidates have benefited from the Active Labour Market Measures (15 of which as interns, 14 candidates in subsidizing wages, 5 candidates in public job, 25 candidates in job training, 40 candidates in self-employment) during 2018.

Furthermore, 124 candidates from these communities have been included in Vocational Training Centres whereas 123 candidates from these communities are involved on mediated regular employment in 2018.

A cooperation agreement with the Danish Refugee Council was signed in support of the Roma, Ashkali and Egyptian communities, through which the Vocational Training Centre in Mitrovica was supported for opening a workshop in the hairdressing profession. Based on the agreement, initially, the concerned from Roma, Ashkali and Egyptian communities from Mitrovica will be involved in training and will then be able to benefit from other communities, according to the requirements for these profiles.

Challenges in the field of community rights

- Implementing the Law on the Use of Languages by public institutions
- Reforms in translation procedures within the Government of Kosovo, towards a harmonized multilingual legislation, respectively the establishment of the Central Translation Unit, under the auspices of the OPM.
- The possibility of inclusion and learning of official languages in education
- Enforcing the property rights of displaced persons and non-majority communities.
- Returns and local integration of displaced persons from Kosovo
- Providing jobs for non-majority communities and returnees

Recommendations:

- The explanation above for defining challenges applies to the recommendations as well.
- Establishing the Central Translation Unit, under the auspices of the OPM.
- The application of official languages in conformity with the Law on the Use of Languages
- Supporting NGOs active in implementing awareness projects, monitoring the implementation of issued recommendations, and providing software to other Institutions.
- Protecting and promoting community rights and interests.
- Enforcing the property rights of displaced persons and non-majority communities.
- Providing jobs for non-majority communities and returnees.

SUMMARIZED RECOMMENDATIONS:

- Achieve gender equality in the civil service of Kosovo.
- Draft and adopt the Kosovo Program on Gender Equality (2019-2023)
- Draft and adopt the Strategy and Action Plan for Human Rights (2020-2024).
- Finalize the concept paper on gender responsive budgeting
- Integrating the gender perspective as a cross-sector issue
- Exercising women's property and inheritance rights in conformity to the applicable legislation
- Continuous building of civil service and officers for gender equality capacities to integrate gender perspective as a cross-sector issue and skills to carry out gender impact assessment.

- Inclusion of the subject of “gender economics” within the new curriculum of the Faculty of Economics in UP, based on the cooperation agreement signed between UP and AGE
- Appoint **special judges and prosecutors** to deal with cases of domestic violence.
- Implementing the package of Laws on Human Rights (Law on Gender Equality, the Law on Protection against Discrimination and the Law on Ombudsperson) by the competent institutions
- Ensure the necessary support for survivors of sexual violence during the war in Kosovo, in providing psychosocial support, fighting the stigma, fighting prejudices by not blaming them for the crime that is committed against them, providing them easy access to all services, insurance and proper health services, priority in employment and vocational training, qualitative education, rehabilitation, economic empowerment, access to justice, etc.
- Promoting and implementing legal and policy framework in the field of the execution of the rights of persons with disabilities
- Promoting and implementing legal and policy framework in the field of social services, family services and pension schemes
- Finalizing the process of drafting the Comprehensive Draft Law on People with Disabilities
- Achieve employment of people with disabilities in accordance with the applicable legal framework
- Ensuring access for people with disabilities to all public institutions
- Providing services in sign languages
- the implementation of the activities and objectives set out in the Strategy and Action Plan on Children's Rights 2019-2023 should be incorporated in the annual work plans of institutions at central and local level according to their mandate and responsibilities
- Increasing the percentage of Kosovo's budget dedicated to increasing the quality of services in general.
- Government of the Republic of Kosovo to prioritize the establishment of policies and interventions in empowering the family as an institution.
- Formulation of MEST policies should consistently be based on population trends, especially in the estimated number of children of school age and population distribution according to the residential area.
- In conformity to legal obligations, violence in pre-university education institutions should be evidenced and reported in the online system.
- Intensification of institutional actions for the fullest implementation of the curriculum reform process to improve the quality of teaching and quality assurance.
- Strengthening and monitoring the work of the education inspectorate at all levels of government in order to continuously increase the quality of educational work
- Vocational training provided in vocational schools must meet the demands and needs of the labour market
- The Kosovo Agency of Statistics should generate data on the projected number of population by age groups at municipal level, which are vital for strengthening policy planning and budgetary allocation at local and central level
- Training of all professionals (including health workers, teachers, social workers, police, etc.) regarding child protection

- CSWs to prioritize service delivery with a focus on early intervention as well as strengthen referral and liaison with other relevant institutions to convey the achievement of the target objective as required by the policies and legislation in force
- Establishing a consolidated system of monitoring and quality control of social services within the MLSW
- Defining concrete programs for reintegration and re-socialization of minors in conflict with the law
- Strengthening the policy-making monitoring system based on evidence of children's rights
- Establishing the Central Translation Unit, under the auspices of the OPM
- Applying official languages in conformity to the Law on the Use of Languages
- Enforcing the property rights of displaced persons and non-majority communities.
- Providing jobs for non-majority communities and returnees.
- Supporting NGOs active in the implementation of awareness projects related to the protection and promotion of community rights and interests.
- The necessary extension and advancement of the integrated database system for cases of domestic violence
- Implementation of the Kosovo National Strategy on Property Rights and the National Strategy of the Republic of Kosovo for Protection from Domestic Violence and Action Plan 2016-2020
- Establish a coordinating mechanism for protection against domestic violence at the local government level
- Monitor and report on the implementation of the Strategy and Action Plan for the inclusion of Roma and Ashkali communities in Kosovo society (2017-2021).