

Sida
 Framework for Gender Equality

Gender Study in Kosovo

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REVIEW OF THE IMPLEMENTATION OF THE LAW AND PROGRAM ON GENDER EQUALITY IN KOSOVO



"Enough!" Men and women march against domestic violence and the murder of Diana Kastrati by her former husband in May 2011 in Pristina, Kosovo.

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ACRONYMS

AGE	Agency for Gender Equality
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEO	Chief Executive Officer
CSO	Civil Society Organization
DAC	Development Assistance Committee
DV	Domestic violence
DVIU	Domestic Violence Investigation Unit (Kosovo Police)
EC	European Commission
EU	European Union
EU	European Union Rule of Law Mission in Kosovo
GAO	Gender Affairs Officers (in ministries)
GBV	Gender-based Violence
GRB	Gender-responsive Budgeting
HRU	Human Rights Unit
IOM	International Organization for Migration
KGSC	Kosovar Gender Studies Center
KJI	Kosovo Judicial Institute
KP	Kosovo Police
KPGE	Kosovo Program for Gender Equality
KtK	Kvinna till Kvinna
KWN	Kosovo Women's Network
LDV	Law on Protection against Domestic Violence
LGE	Law on Gender Equality
MAFRD	Ministry of Agriculture, Forestry, and Rural Development
MED	Ministry of Economic Development
MEST	Ministry of Education, Science and Technology
MGEO	Municipal Gender Equality Officer
MH	Ministry of Health
MLGA	Ministry of Local Government Administration
MTEF	Medium Term Expenditure Framework
MPA	Ministry of Public Administration
NAAC	National Albanian American Council
NDI	National Democratic Institute
NGO	Non-governmental Organization
OGG	Office for Good Governance, Human Rights, Equal Opportunities and Gender Issues
OSCE	Organization for Security and Cooperation in Europe
Sida	Swedish International Development Agency
SMEs	Small- and Medium-sized Enterprises
SOK	Statistical Office of Kosovo
SRSG	Special Representative to the Secretary General
TBD	To Be Determined
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNMIK	United Nations Interim Administration Mission in Kosovo
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
WEE	Women's Economic Empowerment

1. EXECUTIVE SUMMARY

The Swedish International Development Cooperation Agency (Sida) is preparing a new strategy for the Western Balkans and Kosovo. Promoting gender equality, women's role and women's empowerment in development co-operation is one of three thematic priorities for Swedish development co-operation. Therefore, Sida commissioned an ORGUT Consulting team to carry out this review in November 2012. The review aimed to “map and assess *the system* for implementation, monitoring and follow-up of the implementation of the Kosovo Program for Gender Equality” (KPGE), as well as to “identify relevant actors and possible ways forward regarding Swedish future support.” The assessment sought to answer the following questions:

- How does the government of Kosovo intend to address existing gender inequalities?
- How do Kosovo institutions monitor and report on the implementation of the Law on Gender Equality (LGE) and KPGE?
- What synergies exist with the EU/EC legal framework on gender equality, and what gaps remain?
- What role does civil society take related to the implementation of the LGE, and KPGE?

Key findings:

- Considering Kosovo's relatively short existence as a state, the government has succeeded in establishing numerous laws, policies, and secondary legislation towards addressing existing gender inequalities. The government has put in place several mechanisms to implement these laws and policies at municipal and national levels.
- While government *intentions* for furthering gender equality are fairly comprehensive, **challenges remain in implementation**. The greatest challenges to implementing the KPGE include lack of ownership in the different project areas, clear responsibilities, budget and know-how on integrating and mainstreaming gender equality into public policies and strategies.
- **Insufficient political will** and inadequate governmental support have meant that Gender Affairs Officers (GAO) in ministries and Municipal Gender Equality Officers (MGEO) have not had sufficient involvement, responsibilities, independence, or **budget**.
- The lack of **effective access to justice** for women (including for alimony, child custody, property rights, victims of domestic violence, and trafficking) impedes gender equality.
- The government is in the process of amending the **Law for Gender Equality (LGE)**. International actors have commented on it, but no local organisations have been consulted yet. The LGE is expected to include clearer roles and responsibilities for gender mechanisms, as well as attention to gender budgeting and gender mainstreaming. Legislation must be harmonized with existing laws in Kosovo that promote respect for human rights and fight gender discrimination.
- **Monitoring and review of both the LGE and KPGE have been poor**. There has been **no official report on their implementation** made to the Assembly of Kosovo to date.
- Concern exists that some AGE staff and MGEOs were selected based on political party affiliation and/or **nepotism rather than qualifications**.
- Kosovo's legal framework is to a certain extent harmonized with the EU/EC legal framework. However, specific measures such as by-laws are missing and implementation remains poor. **Kosovo particularly falls behind in women's economic empowerment** and services towards reconciling work and family.
- Women's representation in different departments, at municipal and national levels, is **not balanced** with men's, particularly in top-level positions. Women also lack equal access to property, inheritance, and employment.

- KPGE provisions related to health cannot be implemented largely due to the fact that the health insurance law has yet to pass. Other services foreseen in the Program also remain **unavailable**, including: chemotherapy and oncological radiotherapy for cancer.
- An **active citizenry is crucial** for ensuring the implementation of the LGE and KPGE through awareness raising, advocacy, and monitoring. Support for CSOs, however, seems to be declining, albeit some new funding initiatives.
- Extensive donor support for furthering gender equality exists, but coordination has been minimal. **Coordination is weak** among most gender equality actors in Kosovo.

Our General Recommendation: Support both government and civil society in furthering the implementation of the LGE and KPGE. AGE, GAOs, and MGEOs require long-term, tailored capacity development support. Civil society requires ongoing financial support to undertake non-governmental activities towards implementing the KPGE, as well as to serve as advocates and watchdogs for LGE and KPGE implementation. Funding should encourage inclusiveness, particularly of women of diverse abilities, ethnic groups, geographic areas, education levels, economic statuses, and sexual orientations.

Key Specific Recommendations:

1. Support AGE, MGEOs and GOAs

AGE, MGEOs and GOAs are essential for increased gender ownership within the state apparatus. Building their capacity and providing them with mentoring is essential, as well as set-up of practical tools such as the installation of improved, coordinated monitoring and evaluation systems at AGE. The aim should be a strong gender agency that can provide support to e.g. line ministries and other key state agencies on how to mainstream gender into legislation, policies, plans and budgets.

2. Support the government (with support from civil society) with a pilot project on childcare facilities.

The EU identifies a number of *reform measures* designed to help women and men reconcile their private and professional lives through childcare facilities, pre-school service, flexible working arrangements and increased parental leave for men. Sida also has placed focus on unpaid care work as one of seven important elements in their strategy for Women's Economic Empowerment (WEE).¹

3. Encourage improved coordination among all stakeholders.

Sida can support AGE to take the lead in holding at least quarterly coordination meetings with the participation of all actors working on gender equality, as well as encourage all stakeholders, particularly other donors and international actors, to take part.

4. Support AGE to include civil society in developing and implementing the new KPGE

The present KPGE will expire in 2013. This provides an excellent opportunity to develop a new action plan via a coordinated, participatory process involving government, civil society, private sector and academia. The new plan should contain clear responsibilities, budgetary commitments, and more specific indicators.

Additional Specific Recommendations

- Support revisions to the Law, relevant Sub-legal Acts
- Invest in education and develop women's human capital through vocational training and internships.
- Encourage transparent and gender-aware recruitment procedures in the public sector.
- Support women's economic empowerment measures, including as outlined in the WEE strategy.
- Invest in women's and men's health, cancer screening and treatment.

¹ Sida, "Quick Guide to What and How: Unpaid Care Work," Nov/Dec. 2012.

2. INTRODUCTION

In order to inform its Development Cooperation Strategy, the Swedish Government requested that the Swedish International Development Agency (Sida) begin preparing a new strategy for the Western Balkans. Promoting gender equality and women's role in development co-operation is one of three thematic priorities for Swedish development co-operation. Therefore, Sida commissioned an ORGUT Consulting team to carry out this review to inform the strategy development process.

Within the context of Kosovo's eventual European integration, furthering gender equality is particularly important. Kosovo has a Law on Gender Equality (LGE) and a Kosovo Program on Gender Equality (KPGE), as well as various other laws and secondary legislation towards furthering gender equality. This assessment set out to "map and assess *the system* for implementation, monitoring and follow-up of the implementation of the Kosovo Program for Gender Equality," as well as to "identify relevant actors and possible ways forward regarding Swedish future support." The assessment sought to answer the following questions:

- How does the government of Kosovo intend to address existing gender inequalities?
- How do Kosovo institutions monitor and report on the implementation of the LGE and the KPGE?
- What synergies exist with the EU/EC legal framework on gender equality, and what gaps remain?
- What role does civil society take related to the implementation of the LGE, and KPGE?

The assessment was carried out by a local and international consultant for ORGUT consulting between 16 November and 20 December 2012. It followed the Development Assistance Committee's (DAC) criteria for evaluation, including consultations with stakeholders from diverse sectors.

3. INTERVENTION CONTEXT AND LOGIC

The Swedish policy for gender equality in development cooperation "*On Equal Terms - Policy for the Promotion of Equality Work, 2010-2015*" specifies the most important priorities for Sida within the area of gender equality:

1. Women's political participation and influence
2. Women's economic empowerment and working conditions²
3. Sexual and reproductive health and rights
4. Women's security, including all forms of gender based violence and human trafficking

During the implementation of the current Development Cooperation Strategy with Kosovo 2009-2012, gender equality has mainly been addressed through mainstreaming efforts and support to civil society. Support has been channelled through Kvinna till Kvinna to women's organisations in Kosovo.

² Women's Economic Empowerment (WEE) includes economic empowerment and economic security. The main seven focus areas are: 1) entrepreneurship and private sector development; 2) access to land and property rights; 3) labour markets and decent works; 4) unpaid care work (children, elderly, disabled); 5) human capital, girls access to education; 6) social protection systems; and 7) recognize women in agriculture and rural development.

4. METHODOLOGY

4.1 Overview of Methodology

The evaluation team consisted of one international consultant with broad experience of gender equality, different national programs on gender equality and familiarity with Swedish steering documents and methodological approaches for development cooperation. The team also involved a local gender consultant with experience from Kosovo. The team was gender balanced. The consultants prepared an interview guide (see Annex 1) and interview itinerary (see Annex 2) in close consultation with Sida. Besides interviews, consultants carried out on-line research and studied documents recommended by Sida and other stakeholders (see Annex 3). We appreciate the valuable assistance offered by the Kosovo Women's Network in terms of office space and translation.

4.2 Consultants' Independence

The assessors worked transparently and openly, since they are both independent from the development intervention. The only foreseen potential conflict of interest is that the local consultant is employed by the Kosovo Women's Network (KWN), an organisation that has received funding from Kvinna till Kvinna (among other donors). However, the consultant also works independently from KWN and has no specific interest aside from a well-functioning LGE and KPGE. Both consultants agree on the findings, conclusions, suggested recommendations, and lessons learned.

4.3 Field Research

The consultants interviewed 29 key stakeholders from 19 to 23 November in Pristina (see Annex 2). Each interview lasted 40 minutes to an hour. A focus group with GAOs was also organised. The interviews aimed to provide consultants with a consolidated and informed view of stakeholders' perceived challenges to monitoring and implementing the LGE and KPGE, as well as to identify areas for potential action to advance gender equality. Based on findings, the consultants have formulated proposed responses and solutions. All participants are treated with anonymity and confidentiality.

4.4 Interview Guide

An interview guide was developed and presented beforehand to Sida (see Annex 1). The guide had four sections: general questions, questions to governmental institutions, questions to donor agencies and questions to civil society and academia. The consultants used this as a guide, selecting only the most relevant questions for the relevant stakeholder being interviewed.

4.5 Stakeholder Involvement: Presentation of the Initial Findings

Participant checks are important for enhancing the validity of conclusions and recommendations by confirming these with key stakeholders. Participant checks can, in addition, further local ownership in the findings, facilitating future implementation. Therefore, the consultants compiled an initial executive summary, conclusions and recommendations, sending these to all stakeholders. They were invited to participate in a presentation of initial findings at Sida on 3 December. Stakeholders unavailable to participate could send feedback via email. All suggestions from stakeholders have been considered and incorporated in the document.

4.6 Assessment Limitations

The research limitations mainly relate to time and coverage. This important assessment would have needed more time to further review the extensive relevant documentation, sufficiently consult each stakeholder, ensure that more stakeholders were consulted (e.g., political parties, businesses, unions), and include visits to Kosovo's municipalities. Some important actors were unavailable: UNICEF, the Finnish Embassy, the Swiss Embassy, the Austrian Embassy, and the European Union Rule of Law Mission (EULEX) (though some provided feedback via email). While they were recommended in

interviews, the consultants did not have time to meet SHE-ERA Businesswomen's Association or Norma Lawyers' Association (though their report monitoring the LGE was consulted). The main limitation was the lack of possibilities to consult actors outside Pristina, including MGEs or non-governmental organizations (NGOs) in the interior, though AGE and KWN provided some information about their work. Even so, all meetings planned in consultation with Sida took place as expected, and we consider the assessment results based on interviews with 29 stakeholders from all levels and sectors valid.

Finally, one limitation lies in the nature of the law and the program to be revised. They cover almost all sectors of society, and many paragraphs (law) and areas of intervention (program) would deserve more in-depth studies. However, this study provides an overall assessment to the research questions, which was also the intention.

5. FINDINGS AND CONCLUSIONS

The key findings as per each research question are presented below, followed by conclusions with regard to the question.

5.1 How the Government Intends to Address Gender Inequalities

This section examines some of the key efforts of the Government of Kosovo towards addressing existing gender inequalities, as per the first research question. It also discusses parliamentary actions towards addressing gender inequalities.

5.1.1 Existing Laws, Policies, and Secondary Legislation

Within the context of Kosovo's eventual European integration, furthering gender equality is particularly important. Implementing the Law on Gender Equality is mentioned within Kosovo's European Partnership Action Plan (priority 116). Priority 39 also refers to the "promotion of woman's rights in Kosovo," including various actions towards gender equality. The Government of Kosovo considers European Integration a policy priority, and officials take annual progress reports related to Kosovo's potential future integration "as seriously as the Bible," as one respondent said. Therefore, progress reports can encourage government action towards furthering gender equality in Kosovo. However, **progress reports have seldom contained much attention to gender** to date, and gender has not been mainstreamed sufficiently throughout these reports.

The Constitution of the Republic Kosovo refers specifically to gender equality and includes the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Kosovo has a Law on Gender Equality (LGE), promulgated in 2004 under the prior United Nations Interim Administration Mission in Kosovo (UNMIK). In 2012, the Law underwent review by various stakeholders under the leadership of the Legal Office in the Office of the Prime Minister. UN agencies, the Organization for Security and Cooperation in Europe (OSCE), and the European delegation reviewed it and supplied comments. The LGE has not yet been distributed to civil society representatives for review. According to the EU Office, it should have been amended in June 2012. However, according to the Legal Office, a busy end of year schedule meant that the LGE probably would be sent to the Assembly of Kosovo in early 2013, following a public review.

Under the leadership of the Agency for Gender Equality (AGE) with support from UN Women and in coordination with other actors like UNDP, the EU Office, and women's organizations, the government is drafting a Strategy on United Nations Security Council Resolution (UNSCR) 1325 on Women, Peace and Security, which will soon be finalized. It has the potential to contribute to gender equality in various ways (e.g., women's participation in decision-making processes, negotiations, and redress for gender-based violence).

As per the LGE, the first Kosovo Action Plan for the Achievement of Gender Equality covered the period of 2003 to 2007. The second and current Kosovo Program for Gender Equality (KPGE) covers the period of 2008-2013. The document was adopted by the Assembly of Kosovo on 27 May 2010.

Additional secondary legislation has been adopted at the ministerial and sometimes municipal level. For example, the Ministry of Local Government Administration (MLGA) issued Administrative Instruction 2005/8 for the implementation of the Law on Gender Equality. It includes administrative guidance for the creation of Human Rights Units (HRU) in municipalities and job descriptions for MGEOs (though they sometimes serve as HRU coordinators simultaneously). Some municipalities like Prizren and Dragash have adopted their own municipal programs for gender equality.

5.1.2 Office for Good Governance, Human Rights, Equal Opportunities and Gender Issues

Until 2004, the Office for Good Governance, Human Rights, Equal Opportunities and Gender Issues (OGG) in the Office of the Prime Minister played a leading role in efforts to further gender equality, under its broader mandate to ensure human rights and combat discrimination. Since the establishment of AGE, OGG has not had a specific mandate for furthering gender equality, though the term “gender issues” remains part of the Office’s name. At first, relations between AGE and OGG were poor, due in part to the initial lack of clarity regarding their respective competencies. However, representatives report that relations have since improved and they now coordinate.

OGG has seven officers dealing with human rights, children’s rights, equal opportunities, good governance, disabled persons, and minorities, respectively. A Director leads the division, also serving as the government’s Human Rights Coordinator. As such, he must coordinate governmental reporting to international bodies, including on CEDAW. He oversees 40 Human Rights Units (HRUs) at the central level and 75 HRUs in municipalities.³ Recently, OGG began working with LGBT groups, forming an Advisory Group. OGG is in the process of finalizing a three-year Anti-Discrimination Plan.⁴

5.1.3 Agency for Gender Equality (AGE)

AGE was established within the Office of the Prime Minister in 2006. Women’s rights activists and some international actors advocated for its establishment within this Office as the highest decision-making body, so that AGE could ensure gender mainstreaming through the line ministries (which could not be done if AGE was a ministry or agency outside the Office). AGE has multiple responsibilities for furthering gender equality, outlined in the LGE and KPGE.

AGE has four departments: Reporting and Monitoring, Cooperation, Legislative, and Administrative and Budgeting. It presently employs 16 people, though the budget foresees 18. AGE has had multiple temporary Acting Chief Executive Officers (CEO). A permanent CEO was appointed in 2011.

Ministerial Gender Affairs Officers and Municipal Gender Equality Officers

AGE oversees the work of Gender Affairs Officers in each ministry and MGEOs in each municipality. These persons have the responsibility of mainstreaming gender within their respective ministries and municipalities, as well as monitoring and reporting on the implementation of the LGE and related policies.

5.1.4 Inter-Ministerial Group on Gender Equality

OGG led the Inter-Ministerial Group on Gender Equality until AGE took over. The group meets semi-annually and is comprised of Gender Affairs Officers (GAOs).

³ At the municipal level, HRUs conduct some monitoring, but they require capacity-building. HRUs also should have mandates for furthering women’s rights as human rights, and may require capacity building on how to do this in practice. Like MGEOs, they lack capacity for preparing concrete action plans with budgets.

⁴ It was noted that the Anti-Discrimination Law, which has relevance for gender equality, has similarly not been well implemented and also requires amending. The sanctions and procedures of implementation are unclear.

5.1.5 The Ombudsperson's Institution

The Ombudsperson's Institution receives complaints against the state. It receives funding from the state budget. The Institution deals with human rights abuses in general, and has a sector dealing solely with Gender Equality since 2005 (based on LGE, Art. 6). The LGE foresaw a Gender Attorney. However, in promulgation, the UNMIK Special Representative to the Secretary General (SRSG) decided that a Gender Attorney would overlap with the Ombudsperson's Institution. Therefore, the UNMIK Regulation (LGE) was promulgated without the Gender Attorney. In the new LGE the Ombudsperson Institution will likely take the place of the Gender Attorney, as the Institution has been responsible for carrying out these responsibilities to date. The Institution has dealt with cases of gender-based discrimination relating to work, inheritance, discrimination in institutions, domestic violence, social security, and access to education. It also monitors court cases when requested.

5.1.6 The Assembly of Kosovo Committee for Human Rights, Gender Equality, Missing Persons, and Petitions

The Assembly of Kosovo Committee for Human Rights, Gender Equality, Missing Persons, and Petitions monitors the implementation of the LGE. It has just carried out its first monitoring exercise, and will present its first monitoring report at the end of 2012. They have also monitored the Anti-discrimination Law, the Law on the Ombudsperson and the Law on Freedom of Religion. The Head of the Committee is also a member of the board of the Women's Caucus, facilitating cooperation.

5.1.7 The Women's Cross-Party Caucus

The Women's Cross-Party Caucus involves 40 women parliamentarians of diverse political parties and ethnicities. Established in 2005, the group has formalized, creating a strategic plan towards the goal of "making women an equal partner in society." The board has seven members and Ms. Teuta Sahatqija is the current elected President. They have had some advocacy successes (e.g., relating to the Labour Law), as well as gained the support of some male colleagues. They have organized various activities, including a "Week of Women" in April 2012, a Political Academy with promising women leaders, and meetings with women in municipalities. Towards implementing the KPGE, the Caucus has a two-hour program on RTV21 every month that involves women (and men) experts in discussing pertinent issues like the economy, budget, cancer, and violence. The Caucus receives support from NDI, UNDP, OSCE, UN Women, KtK, the Norwegian Embassy, Women Asia, and USAID.

"We have great cohesion."

5.1.8 Conclusions: How the Government Intends to Address Existing Gender Inequalities

Considering Kosovo's relatively short existence as a state, the government has succeeded in establishing numerous laws, policies, and secondary legislation towards addressing existing gender inequalities. The government also has put in place several mechanisms to implement these laws and policies at municipal and national levels. While government *intentions* for furthering gender equality are fairly comprehensive in writing, challenges remain in implementation, this report later elaborates.

5.2 How Kosovo Institutions Monitor and Report on LGE and KPGE

This section examines the how Kosovo institutions monitor and report on the LGE and KPGE, as per the second research question.

5.2.1 International Monitoring and Reporting

Although international bodies like the United Nations do not yet recognize Kosovo's independence, the Government of Kosovo has reported on the implementation of international conventions recognized by Kosovo. OGG has been tasked to monitor, evaluate, and report on all international conventions. OGG reported on the Convention for the Rights of the Children in 2006 and 2010. However, according to the OGG, the Government needs improved mechanisms for monitoring. AGE monitored and reported on CEDAW in 2008.

5.2.2 Monitoring and Reporting by the Gender Equality Attorney

The LGE requires the Gender Equality Attorney to monitor and supervise the implementation of the LGE and report annually, or more frequently, before the Assembly of Kosovo. If all of the Attorney's responsibilities were transferred to the Ombudsperson's Institution, it would now hold this responsibility (see 5.2.5 below).

5.2.3 Monitoring and Reporting by the Agency for Gender Equality

According to the LGE, AGE is obliged to "Implement and monitor the provisions of the present law and the regulations passed in accordance with the present law," as well as to monitor the implementation of the KPGE (Art. 5.2). Further, they are to "supervise" the implementation of both Kosovar and international acts and agreements on gender equality; and report on the implementation of the international acts and agreements approved by the government. LGE obliges AGE to "report before the government on the activities of the Office for the previous year no later than the end of March." AGE has prepared annual reports on its work, submitted to the Prime Minister. However, these reports do not examine the implementation of the LGE or KPGE specifically.⁵

The KPGE does not have clear indicators for monitoring, and most objectives lack indicators. The fact that no baseline or target has been established further complicates monitoring and evaluating progress. AGE lacks a consolidated monitoring and evaluation mechanism (e.g., database) or system that would bring together data from diverse ministries and the Statistical Office of Kosovo (SOK) to inform monitoring and evaluation. AGE should also review all governmental reports to ensure a gender perspective.

5.2.4 Monitoring and Reporting by MGEOs and Gender Affairs Officers in Ministries

Monitoring mechanisms are still missing at the municipal level. The accountability of MGEOs also remains unclear: to whom do they report, how often and on what? AGE needs to follow-up to regularly collect reports from MGEOs as well as to provide guidance and quality control in reporting. For this human capacity development is needed. GAOs in ministries also require capacity-building for monitoring and evaluation, including reviewing all new legislation from a gender perspective.

5.2.5 Monitoring and Reporting by the Ombudsperson's Institution

The Ombudsperson's Institution should monitor cases as rights abuses as well as produce annual reports. The Institution has produced regular annual reports, which periodically highlight issues where LGE, among other laws relating to gender equality, have not been implemented sufficiently. Some respondents commented that these reports have become "softer" in nature since international support to the Institution has declined. Institution representatives have cited an insufficient budget as a key factor limiting their ability to carry out monitoring, including related to gender equality mechanisms. Following international pressure, the Institution's request for additional funding in 2013 was respected. Greater independence in funding could bolster its independence.

5.2.6 The Statistical Office of Kosovo (SOK)

SOK should be involved in monitoring. While SOK has contributed data to reports on "women and men", no established procedures linked to monitoring the LGE and KPGE seem to exist. SOK does not always provide access to gender disaggregated data for independent scholars' analyses.

5.2.7 Assembly Oversight

The Committee for Human Rights, Gender Equality, Missing Persons, and Petitions has a responsibility for monitoring governmental efforts related to gender equality. To date, monitoring has been insufficient. However, the Committee has monitored the implementation of the LGE and will present its first monitoring report in 2012. The Committee also produces an annual report on its work.

⁵ See AGE, *Information Bulletin*, Pristina: AGE, 2012. AGE also supported the *Profili Gjinor i Kosoves* (Gender Profiles of Kosovo, Pristina, 2008) and *Survey Report: "Women in the Work Process and Decision-making in Kosovo"*, (Pristina, 2011) which examine aspects of the LGE and KPGE, but do not use a thorough monitoring process.

5.2.8 Conclusions: How Kosovo Institutions Monitor and Report on the LGE and KPGE

The monitoring and review of both the LGE and KPGE has been poor, and there has been no official report on their implementation made to the Assembly of Kosovo. This seems due in part to lack of knowledge among institutions regarding their responsibilities for monitoring and evaluation. In AGE's view, no confusion exists regarding responsibilities. AGE has not reported because the Parliament has not requested such a report on the implementation of the KPGE, according to AGE. However, according to LGE (Art. 4.6), the government should automatically report every two years.

AGE's responsibilities, means and timeframe for reporting should be clarified in the new LGE, as should other institutions' responsibilities for monitoring and reporting. AGE's contributions should be made clear as regards to monitoring of CEDAW, the Convention on Child Rights, Convention on Human Rights, and all other reporting vis-à-vis OGG. If OGG reports on behalf of the government, then a process of input and review from AGE should be considered in the timeframe for such reporting.

5.3 The EU/EC Legal Framework: Synergies and Gaps

The *EU acquis communautaire* is the accumulated legislation, legal acts, and court decisions that constitute the body of European Union (EU) law and, as such, are binding for EU Member States. The *acquis* covers legislation on gender equality and the Lisbon Treaty, enforced as a yardstick for determining whether a candidate meets the requirements for accession. These requirements are also commonly referred to as the legislative Copenhagen criteria.

The European Commission has adopted a five-year *strategy* for promoting equality between women and men (2010-2015). While the strategy targets Member States, it is also relevant for accession countries and European Neighbourhood countries as one of the strategies with which they need to align. The strategy explicitly states that candidate countries must fully embrace the fundamental principle of equality between women and men. The strategy aims, in particular, to make better use of women's potential, thereby contributing to the EU's overall economic and social goals. It translates the principles set out in the European Commission's Women's Charter into specific measures and spells out a series of actions based on five priorities: the economy and labour market; equal pay; equality in senior positions; tackling gender violence; and promoting equality beyond the EU.

The requirements that Kosovo must fulfil as per these criteria are extensive, and a thorough look at synergies and gaps would require a separate assessment of its own. In sum, with regard to synergies, Kosovo's legislation in the context of EU Accession is largely satisfactory, respondents said. The authors focus here on some key gaps identified during interviews with relevant stakeholders.

5.3.1 Insufficient Expertise Regarding EU/EC Legal Framework

Officials noted the need for improved expertise relating to gender equality as per EU norms. Kosovo institutions generally lack knowledge regarding what is required of Kosovo in the context of eventual possible accession. For example, the Ombudsperson's Institution requested training on international norms and ways to better integrate into relevant European networks.

The EU Office in Kosovo provides opportunities for institutional capacity-building in this regard. All requests for support pass through Kosovo's Ministry for European Integration. Multi-annual planning means that funding cannot be received quickly. However, approximately €68 million are available each year. The EU Office's TAEX Program provides technical assistance for two-year consultancies, through which member state experts can assist Kosovo institutions. The EU Office also can offer training and study trips.

5.3.2 Women's Economic Empowerment

According to EU Office officials, among the most important areas in need of support is women's economic empowerment, particularly in rural areas. Women's economic empowerment is crucial for EU integration, ensuring equal contributions to the economy. "Europe 2020: A strategy for smart, sustainable and inclusive growth" has a target of a 75% employment rate for women and men aged 20-64. The employment rate among women and men in Kosovo falls far below this target.

5.3.3 Reconciling Work and Family

A key factor in women's economic empowerment is childcare availability. The Barcelona Agreement has set a target for childcare provision for 2010. Childcare should be provided to at least 90% of children between the ages of three and school age and to 33% of children under the age of three. Kosovo clearly falls short in this area where public childcare is scarcely available and few can afford private care. Childcare hardly exists in Kosovo's rural areas.

In relation to reconciling work and family, little has been done in Kosovo. Insufficient childcare options, a general lack of preschools and kindergartens, inflexible working hours, and insufficient locations available for breast-feeding all make it difficult for women in particular to reconcile work and family responsibilities. Concern also has been voiced that new articles pertaining to Maternity Leave in the Labour Law could lead to gender discrimination in hiring. Further, women civil servants have reported gender-based discrimination in the workplace.⁶

5.3.4 Conclusions: The EU/EC Legal Framework: Synergies and Gaps

In sum, Kosovo's legislation in the context of potential future EU Accession is largely satisfactory. However, legislation could be reviewed from a human rights and gender equality perspective in the context of EU standards. Moving forward, civil servants' capacities to carry out such policy analyses, as well as to further and monitor the implementation of relevant legislation must be strengthened. Building Kosovar expertise, women's economic empowerment, and improved services towards reconciling work and family could all advance Kosovo's progress in the context of the EU/EC.

5.4 Civil Society's Role in Implementing the LGE and KPGE

The role of civil society in implementing the LGE and KPGE is made clear in both the Law and the Program. In the LGE, cooperation between institutions and civil society is foreseen towards its implementation. The KPGE includes civil society and NGOs among the actors responsible for implementing activities. This section examines how civil society has been involved in implementing the LGE and KPGE to date, as per the third research question. While the dozens of efforts carried out by civil society at municipal and national levels cannot be detailed here, a summary of the main areas in which they have been involved and some notable examples are presented.

5.4.1 Awareness-Raising

Civil society, particularly women-led NGOs, have played an important role in carrying out awareness-raising efforts. They have educated rural and urban populations about their rights as per the LGE. Dozens of civil society led awareness-raising efforts have dealt with issues ranging from women's inheritance rights to property rights to healthcare rights to human rights, including a life free from violence. Their interventions towards shifting cultural norms, particularly at the municipal level, are an important contribution to furthering the implementation of the LGE and KPGE.

5.4.2 Advocacy

A unique role for civil society is the ability to pressure the government. Where donors and foreign embassies cannot "tell the Kosovo Government what to do" and officials may fear losing their positions should they critique status quos allowing gender discrimination, CSOs play an important role

⁶ Office for Good Governance, Office of the Prime Minister, Republic of Kosovo. *Civil Servant Perception of Discrimination in the Public Administration of the Republic of Kosovo*. Vol. 2. 2007-2008.

in critiquing officials and calling for reform. For example, with institutional support from KtK, KWN has been able to react publicly to violations of women's rights (e.g., insufficient appointment women ambassadors, efforts to remove the gender quota in the Electoral Law, failures of courts to prosecute domestic violence-related crimes, rights abuses by healthcare providers, and insufficient reparations for war crimes committed against women).⁷

5.4.3 Monitoring and Evaluation

Civil society has played an important role in monitoring and evaluation, particularly considering the limited capacities and actions of the government in this direction. CSOs sometimes possess greater expertise or better strategies for monitoring than some institutions. For example, Norma Lawyers' Association, the Kosovar Centre for Gender Studies (KCGS), and KWN have all conducted research on aspects of the LGE and KPGE and their implementation. In some instances, they have done so at the request of public institutions and/or contributed their research to inform institutions' work. AGE and the Ombudsperson's Institution reported drawing from civil society expertise for monitoring. *Me Dona Zemra* monitored the implementation of LGE for the Assembly Commission, funded by NDI. AGE contracted KWN (funded by UNDP) for research that informed the Law on Protection against Domestic Violence, as well as the accompanying Strategy. Civil society expertise in policy-oriented research has been important for informing public policies.

5.4.4 Coordination (and the lack thereof)

Despite the LGE's call for coordination and some positive aforementioned examples of cooperation, reports also exist of poor coordination between civil society and institutions. Respondents said that AGE and MGEOS did not cooperate and coordinate sufficiently with women-led NGOs, which could be crucial allies in furthering gender equality. Additionally, coordination among civil society actors has not been good. Respondents cited numerous examples of overlap, particularly in the work of UN agencies and the OSCE (for specific examples, see Annex 4).

5.4.5 Key Challenges for Civil Society to Contribute to Implementing the LGE and KPGE

In addition to coordination challenges, funding for CSOs has reportedly declined, particularly for rural women's groups. One respondent noted that while CSOs are regularly consulted in governmental, donors', and other processes, CSO representatives are rarely paid for their time related to these consultations. To date, KtK funding has enabled some women's groups to be involved, but this support will soon end.

The EU Office has the EIDHR facility as one of the largest potential sources of funding for civil society, and some organizations have undertaken efforts related to furthering gender equality with EIDHR support. However, activists complain that "one needs a Master's degree" to complete the application, and argue that this makes it difficult for non-English speaking, rural, and/or marginalized groups to apply for funding. UN Women has recently started providing grants to grassroots organisations and KWN established in 2012 a Kosovo Women's Fund, supported by KtK, which provides micro-grants for women's NGOs that do not have access to other forms of funding due to language or capacity issues. For other actors funding efforts towards gender equality, see Annex 4.

5.4.6 Conclusions: Civil Society's Role in Implementing the LGE and KPGE

An active citizenry is crucial for ensuring the implementation of the LGE and KPGE. Civil society makes an important contribution to raising awareness among citizens about their rights; advocating for institutions to respect these rights and implement the LGE and KPGE. At the same time, better coordination between civil society and institutions, as well as among civil society actors, is important for efficient use of resources and strengthened joint efforts for the LGE and KPGE's implementation. With decreasing donor aid to Kosovo, sustainable financing of CSO efforts, particularly in rural areas and among potentially marginalized groups, presents a challenge.

⁷ KWN is an inter-ethnic network of 100 women's NGOs located throughout Kosovo. The Network takes actions based on issues identified and prioritized by its membership, outlined in its Strategic Plan.

5.5 Key Challenges to Implementing the LGE and KPGE

In addition to the research questions, Sida representatives requested that the assessment team focus on key challenges to implementing the LGE and KPGE, as well as potential interventions to address these challenges. This section responds to that request.

5.5.1 Deficiencies in the LGE

The LGE is not fully aligned with the Constitution of the Republic of Kosovo or harmonized with European standards towards eventual EU Integration. For example, EU definitions still need to be included as standard language within the LGE. The legal terminology is insufficiently clear, allowing for gaps in responsibilities and accountability. The role and responsibilities of the Gender Equality Attorney and the Ombudsperson Institution need to be made clear.

The present LGE lacks procedures for filing complaints or clear sanctions. For example, the Ombudsperson's Institution reported cases where instances of alleged gender discrimination were brought to municipal courts, but judges did not know how to deal with the cases. Which institution takes which procedures to address complaints needs to be clarified. Compensation and remedies following rights abuses also need to be clarified further. All of these issues should be addressed in the new LGE.

“You are equal, but we won't tell you how [to claim your rights].”

- Respondent on the LGE's unclear procedures for rights claims

The present LGE also does not consider Gender Responsive Budgeting (GRB). The roles and responsibilities within the budget process of AGE, MGEOs, and GAOs are unclear. The Budget Circular, which puts forth the process through which the Kosovo Budget is drafted and approved, should be revised to require mandatory consultations with gender equality officers in the respective institutions as part of the budget process.⁸

5.5.2 Insufficient Sub-legal Acts and By-Laws for the LGE

New and revised by-laws and sub-legal acts are still needed to implement the LGE, respondents said. For example, AGE still needs sub-legal acts to govern the functioning and interactions of MGEOs and GAOs. Their respective roles in implementation, monitoring, and reporting must be clarified in the new LGE, particularly in relation to OGG and HRUs at the municipal level.⁹

5.5.3 Insufficient Review of Laws and Policies as per the LGE

AGE must review all laws and sub-legal acts, ensuring that gender is mainstreamed within them and that they employ “gender sensitive language”. However, laws adopted after the LGE have not always taken the LGE sufficiently into consideration (e.g. Labour Law, Anti-Discrimination Law, Electoral Law). Respondents identified the need for a thorough review of Kosovo's existing legislation from a gender perspective.

5.5.4 Deficiencies with the KPGE

The KPGE is extremely broad with eight objectives crossing diverse sectors. The program and particularly its indicators lack specificity. As multiple respondents commented, the KPGE is “too much words on paper, rather than measurable indicators.” The responsibilities of each actor (e.g., ministry) are not defined clearly. This is particularly problematic when it comes to budgetary commitments for its implementation; the KPGE does not clearly state a budget or the actor responsible for allocating this budget for the majority of foreseen activities and objectives. As no responsibility was assigned, it is perhaps unsurprising that minimal budget has been allocated for its implementation.

⁸ This recommendation was also made by KWN in their recent report, *At What Cost?* (2012).

⁹ Issue identified by EC Progress Report 2009.

“You cannot do anything without men.”

- Activist on the need to include men more in the KPGE

The KPGE also fails to sufficiently integrate men among its target groups, which presents a crucial challenge to furthering gender equality and shifting existing gender norms, practices, and relations.

5.5.5 Poor Implementation of the LGE and KPGE

Respondents agreed that the LGE and KPGE had not been sufficiently implemented. The law is “just a piece of paper; it’s not being implemented,” one said. Respondents tended to attribute poor implementation to **insufficient political will**, particularly among “top” decision-makers. “It’s good on paper, but lacks ownership,” a respondent commented. For example, respondents said, this was illustrated by the slow appointment of the AGE’s CEO: “It’s not a political priority, and this is illustrated by the appointment of a young, inexperienced woman to the position of AGE CEO. They would have put someone more powerful there if they took it seriously.”

“We have good laws, but implementation is a problem.”

Within ministries, GAOs said they lacked support from ministers. “Our role is more as counsellors” rather than an executive role, they said. This prevented them from impacting policies within ministries. Similarly, at the municipal level respondents reported that “mayors are obstacles in developing gender equality offices” and have not considered gender mainstreaming a priority.

More broadly, respondents noted that the government, with international pressure, has tended to focus on community rights rather than individual rights. Attention to minority ethnic groups (or “communities”) should intersect with attention to gender-based discrimination, which often can be more easily addressed at the individual level.

“Internationals often have sidelined gender equality when focusing on minority rights.”

While no public report exists on the implementation of the KPGE, the greatest challenges to its implementation seem to include lack of ownership, clear responsibilities, budget, and know-how on integrating and mainstreaming gender equality into public policies and strategies.

5.5.6 Insufficient Budget and Unclear Budgetary Responsibilities

As suggested, insufficient budget allocations and/or unclear budgetary responsibilities also impact implementation of the LGE and KPGE. In Kosovo’s present Medium Term Expenditure Framework (MTEF) the budget focuses disproportionately on capital investments, particularly roads. This means that budgetary expenditures related to furthering human development, social protection, and the rule of law (also mentioned in the MTEF as governmental priorities) have been under-funded. Within Kosovo’s broader macroeconomic context, neither the LGE nor the KPGE have had sufficient budget set aside for their implementation. “It’s obvious that this is not very high on the agenda,” a respondent commented.

“Kosovo can be described as a place of total social neglect.”

- Respondent

“I don’t see the government doing it; they are doing asphalt.”

- Respondent

As a result, AGE, MGEOS and GAOs reported being under-financed. For example, MGEOS do not have their own budget line, but most go through mayors, HRUs, or other authorities to request budget allocations. At the same time, MGEOS lack skills in preparing budgets to accompany action plans in order to secure sufficient funding.¹⁰ Multiple respondents suggested that this issue be addressed by establishing a separate budget code for AGE, MGEOS, and GAOs.

¹⁰ UN Women, USAID and OSCE are working to assist them with developing these skills.

With regard to the KPGE, the specific ministries and/or actors that must make budget commitments and allocations for particular activities were not clearly specified within the Program, so ministries/actors do not feel responsible for allocating a budget for their implementation. The new LGE and KPGE should clarify budget responsibilities, assigning them to specific institutions.

5.5.7 Human Resource Challenges within AGE

Gender equality mechanisms have lacked sufficient capacity for pressuring institutions to implement the LGE and KPGE. Despite its powerful location in the Office of the Prime Minister, AGE has lacked political leverage. “AGE has failed to mobilize actors from different sectors towards furthering gender equality,” a respondent commented. Concern exists that they have been appointed due to political party affiliation and/or nepotism rather than adequate qualifications.¹¹ Politicization of these civil servant posts may prevent sufficient critique of government failures to implement relevant legislation towards gender equality.¹²

“AGE is independent in principle but heavily dependent on government in practice, particularly regarding what is allocated from the budget.”

Rather, respondents said, AGE has undertaken several “surface actions” (described as “NGOs’ work”), but has not taken a lead in transferring LGE into concrete policy or addressing the root causes of gender inequality through policy-making.

High staff turnover presented further challenges: “A lot of people come to work in the Agency for Gender Equality who are not really qualified and must be trained.” Then they leave for better paid salaries, respondents said. AGE loses investments made in human capacity and thus financial resources (e.g. spent on training).

5.5.8 Failure to Establish Municipal Offices for Gender Equality

The Offices for Gender Equality, foreseen to be established in each municipality as per the LGE, do not exist. Rather, MGEOs have been placed within HRUs, under mayors, or under the municipal administration, resulting in an unclear chain of reporting. Some MGEOs performed multiple functions (e.g., towards human rights and child rights as well), limiting the time they can dedicate to furthering gender equality. MGEOs reportedly lack capacities to push forward an agenda for gender equality at the municipal level. They need to be empowered to: identify local priorities; propose clear plans and budgets; and bring citizens’ voices into decision-making. UN Women, OSCE, NDI, and KWN are all providing some support to MGEOs in these areas.

5.5.9 Weak Rule of Law and Access to Justice in Kosovo

The weak rule of law and access to justice in Kosovo also prevent implementation. Even if clear procedures existed for filing cases based on violations of the LGE (which they do not), the backlog of cases (estimated at 150,000) means that new cases would wait a long time before gaining resolution. Kosovo also struggles to execute court decisions. Most citizens cannot afford to hire lawyers. Free legal aid is not available to all and depends heavily on international support (particularly from UNDP and USAID). Kosovo also lacks specialized judges. Lack of effective access to justice for women (e.g., in cases related to domestic violence, trafficking, alimony, child custody, and property rights) impedes gender equality.

5.5.10 Poor Implementation of KPGE Provisions Related to Health

KPGE provisions related to health cannot be implemented largely due to the fact that the health insurance law has yet to pass. Other services foreseen in the KPGE also remain unavailable, including:

¹¹ In the view of AGE, AGE staff and MGEOs do not change with shifts in political parties; they are civil servants recruited according to procedures outlined in the Law for Civil Service. Only the AGE CEO is appointed by the Government.

¹² Civil servants have reported discrimination within the workplace based on political party affiliation; 35.5% of civil servants reported personally facing some form of discrimination at work (OGG, 2007-2008).

chemotherapy and oncological radiotherapy for cancer (only cytostatic treatment exists); affordable and accessible mammography; and Papanicolaou tests. Kosovo also lacks psychological mentoring and support for persons suffering from cancer, as well as access to prostheses, wigs and family psychological support. Some progress has been made in recent years towards better access to mammography thanks to the work of Jeta-Vita, an NGO led by women fighting breast cancer.

5.5.11 Insufficient Access to Property Rights and Inheritance

Without a functioning cadastre, claiming property rights is difficult. Property sales and inheritance following death have not been well-documented; it is believed women seek their right to inheritance in only 2-3% of cases. The legally required spousal approval has only rarely been sought by courts, though this should involve an *ex officio* (automatic) procedure. Procedures need to be clarified. Additionally, tradition whereby property passes through the patriarchal lineage obstructs equal inheritance and property rights.¹³ Women reportedly often waive their right to inheritance because they do not want to upset their male relatives (or challenge relations important to their livelihoods).

5.5.12 Weak Implementation of Provisions Related to Women’s Economic Empowerment

Provisions related to women’s economic empowerment (WEE) have been little implemented. Women own an estimated 6% of businesses. Only 29% of women are active in the labour force. Women still lack access to resources both in private and public spheres which hinders their economic empowerment. Lack of access to property means that women lack collateral for securing loans. Thus, women running Small- and Medium-sized Enterprises (SMEs) struggle to expand their businesses. Women also lack access to distribution chains and markets for their products. No clear mechanisms exist for advancing women’s employment, respondents said.

Despite the general lack of progress, there have been a few notable positive developments. The “Prishtina Principles” that resulted from the International Women’s Summit in Kosovo on 4-6 October 2012, “Partnership for Change: Empowering Women” identified women’s economic empowerment as a priority. The summit resulted in the formation of a group of leading businesswomen self-identified as Kosovo’s G-7, who have committed to furthering WEE. The Ministry of Agriculture, Forestry, and Rural Development also received foreign funding for projects for rural development that prioritize support for women and youth, though how women access information about these funds is unclear.

In Kosovo, the few existing WEE measures tend to focus on entrepreneurs. Many additional areas require attention and arguably would further the economic wellbeing of more women, such as: facilitating women’s employment (there are many more women workers than women entrepreneurs), ensuring women’s right to property (as a critical form of capital), attention to unpaid care services, unpaid women in family businesses, women’s human capital, women’s pensions and security systems. There is a need to see WEE in a broader perspective than the current focus on women entrepreneurs.

5.5.13 Insufficient Conditions for Maternity (and Paternity) Leave

Provisions related to maternity leave are difficult to implement without the presence of accessible, state-funded kindergartens. Some respondents expressed concern that the financial burden for companies to pay maternity leave according to the new Labour Law dissuades companies from employing women, leading to gender discrimination in hiring. An inquiry into how the new Labour Law has impacted women’s employment could inform discussions around revising this provision. Private and public institutions also do not have spaces for breast-feeding, which makes it difficult for mothers to breast-feed for the recommended first year following the child’s birth. Greater gender equality is needed, namely via paternity leave.

5.5.14 Lack of Public Kindergartens and Preschools

¹³ For more on property and inheritance, see the Norma Women Lawyers’ Association report, and KCGS, *Women’s Property Inheritance Rights in Kosovo*, Pristina: KCGS, 2011.

Women's increased employment is obstructed by Kosovo's lack of public kindergartens and preschools. The few state-run kindergartens have limited space and women public servants receive priority for enrolment of their children. Private kindergartens are fairly expensive for most Kosovars and for most woman employment with the average Kosovo salary would not "pay" for childcare. Kindergartens are crucial to establishing an "enabling environment" for women's economic empowerment as well as enabling women to attend higher education (qualitative evidence suggest that women drop out of university after year two due to marriage and family obligations, hampering future job opportunities).

“Childcare facilities from the government are the closest way to gender equality.”

- Respondent

5.5.15 Unequal Participation in Decision-making

Equal participation in decision-making, defined as 40% of both genders under the LGE, has yet to be implemented. The Electoral Law which currently calls for women's and men's 30% representation (rather than 40% representation) in municipal assemblies and parliament is not harmonized with the LGE. Further, there have been attempts to do away with this quota and/or institute a closed list electoral system rather than the present open list system, allegedly by "party leaders who want to consolidate their position as the only candidate on the list." The Women's Caucus together with women in civil society have advocated for open lists where multiple candidates can be selected, increasing women's chances of election.

“We asked women assembly members, ‘What is the position of women in your political party?’ They responded, ‘Women’s position is very good. The President allows us to talk.’ Then we asked, ‘How many women lead your party branch offices?’ ‘0’ ‘How many women are vice presidents?’ ‘0’ ... Then we said, ‘My dear, your position in your political party is not very good.’”

Women remain under-represented at all levels, but especially in decision-making positions.¹⁴ The same is true for parliament, ministries, the executive branch, judicial branch, municipal elected and appointed officials, and within political parties. Women have faced discrimination in hiring and firing practices within the public administration.¹⁵ Yet, some positive examples exist. For example, the Ministry of Local Government Administration reports that half of its employees are women and women comprise 30% (though not 40%) of decision-making positions within the Ministry.

5.5.16 Insufficient Gender Mainstreaming in the Security Sector Reform Process

The Security Sector Reform process in Kosovo barely considered gender. The Kosovo Security Council does not consider issues pertinent to women's security, such as trafficking, domestic violence, or street security. Women are under-represented in this body. Respondents also suggested that those in the security sector have largely resisted training in gender mainstreaming because it is "not seen as relevant" to their work; this is true both in Kosovar and international institutions functioning in Kosovo. The current drafting of the Strategy on the Implementation of UNSCR 1325 could potentially address these issues. Positive examples of mainstreaming gender in security structures like the Kosovo Police and Kosovo Security Force exist.

5.5.17 Modest Progress towards Addressing Gender-Based Violence; Challenges Remain

Comparatively speaking, perhaps the most progress towards implementing KPGE has been made towards addressing gender-based violence (GBV). For example, Kosovo has a new Law on Protection against Domestic Violence that has replaced the UNMIK regulation. As foreseen in the KPGE, a new Program and Action Plan on Protection against Domestic Violence has been adopted. Both were informed by policy research and multi-sectoral input. However, numerous, well-documented issues remain. "A major obstacle for domestic violence is [the lack of timely access to] Protection Orders,"

¹⁴ See the report by the parliamentary Commission for Human Rights, Gender Equality, Missing Persons and Petitions, "Monitoring of the Implementation of the Law No. 2004/2 on Gender Equality in Kosovo," 2012.

¹⁵ Few women have filed appeals compared to men (KCSG, *Research Studies: The Study on the Impact on Women from Cutbacks in the Kosovo Civil Service*. Prishtina: KCSG, 2004).

as one respondent noted. “You cannot get one over the weekend and many crimes are committed then.”¹⁶ Kosovo also still lacks sufficient reintegration and rehabilitation systems (among other issues).¹⁷ An estimated 80% of persons who suffer violence (primarily women), go back to the same living environs where they suffered abuse following shelter. Shelters offer only temporary assistance and long-term options following shelter are not yet available.

5.5.18 Continuing Insufficient Knowledge about Gender-Mainstreaming

Another cross-cutting issue affecting the implementation of the LGE and KPGE is insufficient knowledge. Institutions still lack understanding regarding concepts related to gender mainstreaming, gender responsive budgeting, and “gender balance.” “Gender” is often framed as “women’s problems” rather than recognizing social relations underpinning inequality. As mentioned, gender equality mechanisms also lack capacities crucial for furthering gender equality at their respective levels of operation.

“Men do not attend workshops on gender in the different Ministries. Messages [about its importance] are needed from the top.”

“Some Ministries are difficult to address like the Ministry for Agriculture.”

Related, **culture and tradition** continue to be often mentioned as obstacles to gender equality and women’s rights in particular. Specific examples included the aforementioned fact that women tend not seek to claim their property rights; and continued insufficient understanding that “domestic violence is not a private affair; it’s a public one.” Multiple awareness-raising initiatives carried out by diverse actors are seeking to address cultural obstacles (see Annex 4). This includes an innovative effort by UNFPA, based on best international practices, to train religious leaders to recognize gender based violence and refer victims to institutions where assistance is available.

5.5.19 Insufficient Opportunities for Higher Education Related to Furthering Gender Equality

Poor higher education opportunities related to gender equality and insufficient support for gender mainstreaming within the University of Pristina also hamper efforts towards implementing the LGE and KPGE. First, the LGE is not implemented at the University of Pristina as the largest public university. While an Office for Gender Equality should exist within the Rectorate, it does not seem to function or receive sufficient support. Within the University gender-based discrimination seems to exist at multiple levels. A sexual harassment policy is not implemented at the University of Pristina and multiple reports of harassment against staff, teachers, and students exist. Further, there are many students and University employees who are parents, but the university lacks a kitchen (for breast-feeding) or kindergarten, which would allow for women’s equal participation.

The University could also do a better job of educating future civil servants. Some gender courses exist within anthropology, sociology, social work, and pedagogy. However, gender could be mainstreamed within all faculties, particularly the Faculty of Law. Respondents felt insufficient collaboration existed between policy-makers, activists and academics, particularly regarding research to inform policies.

5.5.20 Poor Coordination among Diverse Gender Equality Advocates

Poor coordination among diverse stakeholders has potentially undermined progress towards gender equality while creating inefficiencies in resource use. Coordination has been lacking among institutions. Reports also existed of multiple donors providing the same support to the same actors, sometimes only days apart (e.g., awareness-raising, trainings on domestic violence, trainings on GRB). Many donors lacked awareness regarding what others donors were doing.

¹⁶ This issue has been well-documented in multiple OSCE and KWN reports.

¹⁷ For more information, see the reports by KWN related to the legal outface on protection against domestic violence, its implementation, and budgetary allocations (e.g., *Security Begins at Home*, and *More than Words ‘Words on Paper’*).

One attempt to foster coordination has been the Security Gender Group, coordinated by UN Women. One respondent said that it used to be called the Security Gender Coordination Group, but its members often failed to coordinate, so women NGO activists insisted the word “coordination” be removed from the group’s title. The Group has a narrow focus: security. UNICEF coordinates a sub-group within this Group on domestic violence, whereas KWN coordinates the group addressing war rape. Coordination in other sectors is also important, and ideally AGE would take the lead on coordinating all relevant donor aid.¹⁸ For example, towards more efficient use of limited resources, ad hoc donor-led training related to gender equality (e.g., GRB, GBV) should be substituted with institutionalized courses and training provided by institutions wherever possible.

5.5.21 Conclusions: Challenges to Implementing the LGE and KPGE

With regard to specific sectors, respondents tended to agree that the LGE and KPGE have not been implemented sufficiently. Key challenges to implementing the LGE and KPGE include: deficiencies in the LGE; insufficient sub-legal acts and by-laws for the LGE; insufficient review of laws and policies as per the LGE; deficiencies with the KPGE; poor implementation of the LGE and KPGE; insufficient budget and unclear budgetary responsibilities; human resource challenges within AGE; failure to establish Municipal Offices for Gender Equality; weak rule of law and access to justice in Kosovo; poor implementation of KPGE provisions related to health; insufficient access to property rights and inheritance; weak implementation of provisions related to WEE; insufficient conditions for maternity and paternity leave; lack of public kindergartens and preschools; unequal participation in decision-making; insufficient gender mainstreaming in the Security Sector Reform process; challenges to addressing GBV; continuing insufficient knowledge about gender-mainstreaming; insufficient opportunities for higher education related to gender equality; and poor coordination.

6. RECOMMENDATIONS FOR FUTURE SUPPORT

6.1 General Recommendation to Sida

Support both governmental and civil society sectors simultaneously.

2013: Initiate long-term internal support for AGE. Sweden, as one of the most important donors when it comes to advancing gender equality, should take the lead in providing long-term institutional support for gender mechanisms in the Republic of Kosovo. This includes supporting AGE to coordinate the activities of all donors and other stakeholders involved in furthering gender equality. Experiences and lessons could be drawn from Bosnia and Herzegovina and Serbia’s mainstreaming mechanism support in which Sida has been engaged. The time is ripe for such support as an amended law will soon be passed and a new KPGE will need to be prepared to begin implementation in 2014. Thus, coordination and institutional development should begin in 2013.

Seconded long-term mentors, including local and/or international staff, coupled with specific trainings and capacity building by local and international experts could be the best tools for building AGE’s capacity. AGE is not interested in study trips or training, as they have had many, but need long-term professional support. Sida could consider seconding an expert to provide on-going mentoring to AGE and gender focal points. This could involve initial in-house training followed by consistent mentoring at all levels for a period of two to three years. The expert should not carry out tasks *for* these institutions, but rather mentor, advise and assist them in learning to carry out their own

¹⁸ Minister of EU Integration Vlora Çitaku organized a meeting with the heads of all embassies to discuss coordination. However, this focused on GBV. Coordination would be more sustainably placed within AGE.

responsibilities independently. The expert ideally would be located in Kosovo (towards cost efficiency) and command a strong knowledge of the political situation and issues faced by these institutions. Preconditions for secondment should include government commitment to not changing identified key staff who receives mentoring for an identified period of years and their contractual agreement to remain with the given institution for that period. More specifically, AGE needs support in the following areas:

- Providing input during the process of amending the LGE and reviewing laws and secondary legislation to ensure that they are in line with the LGE
- Coordinating donors and other stakeholders
- Taking the lead in a participatory process of drafting the new KPGE for 2014-2020, including revised activities, objectives, and indicators (including in consultation with the Statistical Office). With regard to budget, ensuring adequate commitments are made by responsible stakeholders. If the government can demonstrate that they put funds into the KPGE, donors may be more likely to provide matching support, but the initiative must come from the government.
- Begin developing a cross sectoral and multi-level monitoring and reporting system, involving SOK

Sida could proceed with the following steps:

1. Contact AGE to define their needs and suggestions for proceeding, ensuring ownership
2. Investigate further available donors in Kosovo interested in supporting efforts towards gender equality
3. Support AGE to organize donor and stakeholder meetings, coordinated with assistance from Sida
4. Write a ToR together with AGE for the seconded local/international consultants and for capacity building. Hold a tendering process through Sida. Consult Sida in Serbia and Bosnia Herzegovina about their experiences.
5. Facilitate connections between SOK and AGE.

In **2014 and beyond**, Sida can **continue supporting AGE and other gender equality mechanisms:**

- Supporting AGE to continue coordinating donors' and other stakeholders' work towards gender equality
- Training and building the capacity of all gender equality mechanisms in Kosovo, including related to different forms of WEE (e.g. unpaid care work)
- Improving internal communication among and within gender mechanisms at various levels (AGE, MGEOs, GAOs)
- Promoting AGE's work publicly and undertaking visibility actions
- Formulating projects, particularly for IPA
- Further establish and train gender equality mechanisms on cross-sectoral monitoring and reporting system, involving SOK
- Via this and other support to the Government of Kosovo, Sida can encourage the institutions that it supports to further gender equality, and hold them accountable to this

In **2013**, Sida can **continue supporting civil society** for their important efforts to independently monitor and advocate for LGE and KPGE implementation. Sida has a unique approach and experience in supporting civil society to promote gender equality and to contribute to a strengthened women's movement. Sida should consider continuing its support of civil society in this direction. Perhaps Sida could narrow its scope and focus on awareness-raising, monitoring, and/or advocacy for gender equality, particularly women's rights. Support could aim to build the capacities of sustainable independent monitors of and advocates for gender equality. As women in Kosovo are not homogenous, support should encourage inclusiveness of diverse women from various abilities, geographic areas, socio-economic statuses, ethnic groups, and sexual orientations. Sida could prioritize the following kinds of support for civil society:

- Diverse efforts related to WEE, in urban and rural areas

- Employment initiatives (e.g. supporting existing companies' efforts to include women in the work force).
- Monitoring and capacity building for GRB in urban and rural areas,
- Initiatives to improve women's education and access to education
- Support for women's health and well being
- Support to child care facilities
- Advocacy for incentives for men and/or independent educating of men in more gender equal roles within the home
- Realizing women's rights to inheritance and property
- Furthering women's representation and active participation in politics and decision-making
- Continued independent monitoring linked with follow-up advocacy in strategic areas that will further implement the LGE and KPGE
- Strategic advocacy to further implement the LGE or KPGE at the municipal or national levels

Sida could take the following steps towards continued support for civil society:

1. Discuss with other donors, civil society representatives, and AGE developing a Civil Society Fund for Gender Equality within the KPGE, with the same length as the KPGE, to which donors could commit resources for implementing the KPGE and LGE

6.2 A Menu of Other Potential Areas for Support

1. Support the government (supported by civil society) with a pilot project on childcare facilities

Women in Kosovo should not have to choose between family and work. In general, men with careers tend to have back-up systems at home. While some women have understanding and responsible husbands and/or parents, most do not have such support systems. This is not fair. Further, other types of families like single female-headed households cannot develop careers if publicly supported child care facilities are unavailable. The European Commission calls for economic efficiency, which demands that both women and men work. This requires childcare facilities. The EU also identifies a number of *reform measures* designed to help women and men reconcile their private and professional lives through: childcare facilities, pre-school service, flexible working arrangements and increased parental leave for men. Several directives aim to strengthen women's maternal rights in relation to employment.

Sida also has placed focus on unpaid care work as one of seven important elements in their strategy for Women's Economic Empowerment (WEE).¹⁹ Sida supported the 3R Strategy developed by Professor Diane Elson, including 1) Recognition: draws attention to the role of care in society and involves making contributions of carers visible. Recognition involves gathering quantitative and qualitative information about the scope of unpaid work and distribution of its burden among individuals, communities and other institutions. 2) Reduction: reducing unpaid care work frees time for women and girls to engage in formal jobs and/or social and political activities. To this end it is crucial to track changes in time use and to make sure that freed-up time is not simply consumed by other kinds of unpaid work or unpaid care. 3) Redistribution: It is important to establish a framework for a redistribution of responsibilities, time and resources. The aim is to ensure that the burden of care services and unpaid work tasks are shared more equitably between women and men, government, the private sector, communities and households.

A good starting point could be to have childcare facilities at the University of Pristina, where women drop out of university because of lack of childcare options. Another possibility could be supporting the establishment of public-sponsored childcare facilities in three parts of Pristina as a pilot project. The facilities could also be used for early training in gender equality between girls and boys. Studies could examine the effects of these measures. Here Sida may want to examine lessons learned from the few USAID-supported child care centers for entrepreneurs, and seek to coordinate.

¹⁹ Sida, "Quick Guide to What and How: Unpaid Care Work," Nov/Dec. 2012.

2. Improve coordination among all stakeholders.

AGE should take the lead in holding at least quarterly information-sharing coordination meetings with the participation of all actors working on gender equality (e.g., donors, UN agencies, NGOs, OSCE, officials, etc.). AGE should coordinate international funding towards decreasing overlap. A coordination database could be established for this purpose, building on the database already established by Sida. Via ongoing support to AGE, encourage improved coordination at various levels:

- Among donors and stakeholders
- Between AGE and MGEOs, and among MGEOs
- Between AGE, Women's Caucus and Committee for Human Rights, Gender Equality, Missing Persons, and Petitions
- Between AGE, NGOs, activists, and academics
- Between AGE and OGG, particularly related to monitoring, reporting, planning, and budgeting at all levels
- Between AGE and the Ombudsperson's Institution
- Between GAOs and Human Rights Units in ministries

3. Support improved monitoring system and evaluation, building the capacities of institutions.

Sida could consider funding a full review of the LGE and/or KPGE to inform their redrafting next year. Ideally this would be led by the institutions responsible, but would involve local and international experts to provide training and extensive follow-up mentoring to responsible bodies. For example, AGE, MGEOs, GAOs, and the Assembly Committee could be trained and then supported through intensive mentoring in establishing systems and a methodology, as well as carrying out monitoring and evaluation of the LGE and KPGE. This would produce essential information to inform the new KPGE, install sustainable monitoring systems, as well as build the capacities of officials for monitoring and evaluating in the future. This should be done in close coordination with other stakeholders, including women's NGOs. Experiences and lessons could be drawn from Bosnia and Herzegovina and Serbia's mainstreaming mechanism support in which Sida has been engaged.

AGE could be supported in **establishing an online database with all policies as well as gender analyses** carried out to inform policies towards making this information public, transparency, accountability, and fostering greater citizen participation in law-making.

AGE also could be supported to install an **inter-governmental monitoring and evaluation database**, shared across ministries, that brings together relevant statistics and data for monitoring and evaluating progress on the LGE and KPGE. SOK should play a central role in collecting data on all relevant gender indicators to inform monitoring. Processes can be established for regularly updating the database based on MGEOs' reports and annual reporting. It could be made publicly available. AGE also needs better procedures for monitoring the work of MGEOs.

4. Enhance knowledge and awareness relating to gender equality. A number of efforts by NGOs and/or institutions could be supported in this regard:

- Train officials (not only GEOs) how to implement the law within their sphere of influence. Enhance officials' knowledge of the obligations of different state agents as duty bearers.
- Inform citizens about their rights and challenge traditions that impede the law's implementation.
- Support more programs focusing on **gender roles and men**. For example, programs and affirmative actions could promote men's enhanced participation in the family, schools, and other positions traditionally held by women. Father schools, from a Swedish concept, has been very popular in the Ukraine, Georgia, and Lithuania to change gender stereotypes that prevent men from being social fathers, having better contact with their children, living a healthier, longer life, and having good private and professional cooperation with women.
- Incorporate in kindergarten curricula education regarding gender roles.
- Support debate clubs in schools that encourage young women and men leaders, as well as foster debate on issues related to gender equality (e.g., involve men in debating for women's rights).

5. Support revisions to the LGE, KPGE and relevant Sub-legal Acts

- In the new KPGE, ensure that only a few provisions of the LGE are targeted, towards real change; establish clearer indicators of their achievement; ensure that a budget is properly assessed for every activity, a responsible institution is identified, and that a budget is allocated by the responsible institution.
- In the new Law, specify **procedures for claims of rights abuses** and clearly identify relevant institutions. The LGE should specify for each type of case (e.g., economic, health, decision-making) where citizens can file claims and the procedures for doing so.
- Further clarify the monitoring and enforcement of the LGE.
- Register, review, and consolidate all sub-legal acts; make them publicly available. Carry out reviews of all sub-legal acts from a gender perspective, ideally led by AGE. The seconded person could build capacities for this (see below).
- Clearly identify a budget and ministries that should commit resources for implementation of the LGE and KPGE. Each relevant ministry should have a decision committing resources.
- Harmonize LGE with all other legislation, including the Electoral Law which currently calls for women's and men's 30% representation (rather than 40% representation) in municipal assemblies and parliament.
- Perhaps gender could be further mainstreamed within the **EC Progress Reports** for Kosovo (now feasibility studies). To date, gender equality has not received sufficient prominence in the Feasibility Study for Kosovo. This would apply pressure on Kosovo institutions to make progress towards gender equality.

6. Provide further support to AGE, MGEOs and GAOs to sustainably build their capacities.

Beyond AGE, decentralization has provided municipalities with additional competencies, and many services are now or soon will be provided at the municipal level. Municipal authorities thus require knowledge and skills for mainstreaming gender within their work at the municipal level. A mentor with Albanian language skills in particular and perhaps Serbian could facilitate mentoring of MGEOs, which should be carried out with a key focal point for these officers at AGE (towards building the AGE staff person's capacity for mentoring these officers in the future).

Additional support is needed in each of **AGE's clusters**: policy research, planning and development, networking and coordination, and monitoring and evaluation. Working Groups related to particular sectors could also be supported, coordinated by AGE with all relevant stakeholders (e.g., health, economic empowerment, GBV, participation in politics). AGE could build a network of supporters for work in each area.

A person could be seconded for a period of one to two years to mentor and build the capacities of the legal experts within AGE as well as the GAOs specifically related to **reviewing all laws, programs, and secondary legislation** from a gender perspective. While OSCE is providing support in 2013, as an external review it will not support the development of institutional capacities for future monitoring. GAOs also sought expertise in mainstreaming gender equality, budgeting for activities, GRB, assistance in concretely implementing LGE, and leadership skills.

7. Invest in education and development of women's human capital

- Support debate clubs and leadership training for women.
- Provide the University of Pristina with books, access to international journals, support in curricula development, and financing for academic research that ties into and informs policy (e.g., economic transition impact on women's economic position).
- Empower the Officer for Gender Equality in the University of Pristina.
- Establish vocational training programs that also target women.
- Create internship programs to provide youth with experience towards strengthening CVs and employability.
- Support **higher education** in relevant fields towards training future civil servants and gender advocates.
- Consider mainstreaming in the existing curricula attention to gender, particularly in the faculties of Law and European Integration.

8. Encourage transparent and gender-aware recruitment procedures in the public sector.

The Government needs to develop transparent and gender-aware recruitment procedures in which staff is recruited on merit. It also needs to work with talent management to attract and retain talented personnel, where women as well as men are considered based on their competences and not their sex or their contacts. All competences are needed to breach the work force shortage expected by 2040. Without raising women's employment rate, the deficit in Europe will be 24 million people, with a rise in women's employment rate at the level of men, the expected work force shortage will be reduced to 3 million people, according to the consultancy firm McKinsey. By having transparent and gender aware recruitment procedures you are also eliminating possibilities for nepotism and favouritism. As part of the **public administration reform**, ensure that: gender analysis informs the process; women and men have equal opportunities for positions amid lay-offs; job descriptions are clarified and wherever possible refer to gender responsibilities; minimum experience and competencies are put in place and followed for gender equality officers at all levels; principles of equal pay for equal work are followed at all levels as per LGE; and enhance the gender balance at all levels. UNDP has carried out some work in this direction, the results of which should be monitored and complemented.

9. Support women's economic empowerment measures.

This includes primarily furthering employment opportunities; guarantees for women property rights and inheritance; women's right to maternity leave; access to Micro Funds specifically for women entrepreneurs; support women farmers (they often work without salary or insurance); support equal opportunity measures in the work place; women's career development possibilities; and facilitate child care. Young entrepreneurs should be supported. **Build women's leadership capacities**, particularly at the municipal level from the bottom-up and within political parties towards future careers as leaders. Start with young politicians and politicians at the municipal level.

10. Invest in women's health and cancer screening and treatment.

It is a positive development that MoH has identified cancer treatment as a priority, particularly breast and cervical cancer. This could be expanded to also consider screening and treatment for men (e.g., colon cancer), towards gender equality. Kosovo still needs: chemotherapy treatment; psychological support for persons suffering cancer; prosthesis, wigs; regulated MoH distribution; campaigns for men related to cancer screening.

Annex 1. Interview Guide

Respondent:

Title:

Phone:

Date:

Institution/Organization:

E-mail:

To All Target Groups:

- Does the “de jure” legislation need “de facto” implementation measures? If yes, what have you identified in this regard?
- What deficiencies exist with the Kosovo Program for Gender Equality?
- What have been the greatest challenges in implementing the law and the KPGE to date?
- What kind of support is needed for further implementing the Law and Program? (Who needs what)
- Which areas of the Program lack progress, and would benefit from more expert support?

Target Group: Government Institutions

- How does the government of Kosovo intend to address existing gender inequalities?
- What deficiencies exist with the Law on Gender Equality?
- How do Kosovo institutions monitor the implementation of the Law on Gender Equality and KPGE?
- How do Kosovo institutions report on the implementation of the Law and KPGE?

Target Group: Donor Agencies

- What synergies already exist between Kosovo’s legislation and the EU/EC legal framework on gender equality? What gaps remain in your view?
- What role of support does your agency have towards implementing the Law and Program?
- What areas of the Program are you supporting? What do you plan to support in coming years?
- How do you as an agency monitor its implementation?

Target Group: Civil Society

- What role has civil society played in relation to the implementation of the Law and Program?
- How does civil society monitor the implementation of the Law and Program?
- What role could civil society play in the implementation of the Law and Program in the future?

Annex 2. Participants List / Interview Schedule

Date	Time	Respondents	Position	Institution
Tues., 20-Nov	10:00	Initial meeting with Sida		
	15:00	Besim M. Kajtazi	Director	Legal Office in the Office of the Prime Minister
	16:00	Ariana Qosaj-Mustafa	Legal Advisor	President of Kosovo (previously)
Wed., 21-Nov	09:30	Luljeta Gjonbalaj	Democracy and Governance Office	USAID
	11:00	Habit Hajredini	Human Rights Coordinator and Director	Office for Good Governance, Human Rights, Equal Opportunities and Gender Issues
	13:00	Petra Auer & Xhylijeta Devolli	Chief of Equality, Non-discrimination, and Anti-trafficking Section; Gender Advisor	OSCE
	15:00	Visare Nimani-Mujku	Assistant Representative	UNFPA
	16:00	Flora Macula	Head of Office	UN Women
	17:00	Vjollca Krasniqi	Professor	University of Pristina
Thur., 22-Nov	09:00	Brikena Sylemani	Gender Advisor	UNDP
	11:00	Teuta Saraqia	Chair	Women's Caucus
	12:00	Suzana Novoberali	Chair	Assembly of the Republic of Kosovo, Committee on Human Rights, Gender Equality, Missing Persons and Petitions
	13:00	Nita Luci & Linda Gusia	Professor	University of Pristina & American University of Kosovo
	14:00	Sami Kurteshi & Luljeta Domaniku	Ombudsperson; Legal Counsellor for Gender Equality	Ombudsperson Institution

	15:00	Aferdita Syla	Program Manager	National Democratic Institute
	16:00	Gaby Hagmuller & Visar Bivolaku	Social Development Team Leader; Policy Officer / Human Rights	European Union Office in Kosovo / EU Special Representative
	17:00	Lina Andéer	Field Representative	Kvinna till Kvinna
	18:00	Igballe Rogova	Executive Director	Kosovo Women's Network
Fri., 23-Nov	09:00	Fatime Jasiqi Kadrije Myrtaj Ferinaze Isufi Lirije Maksutaj Nazmije Kajtazi	Gender Equality Officer; Senior Officer for Gender Equality and Children Rights; Gender Equality Officer; Officer for the Protection of Victims of Domestic Violence; Gender Equality Officer	Ministry of Education, Science, Technology; Ministry of Local Government Administration Ministry of Labour and Social Work; Ministry of Labour and Social Work, Department of Social Work; Ministry of Health
	10:00	Edona Hajrullahu & Edi Gusia	Chief Executive; Chief Reporting and Monitoring Division	Agency for Gender Equality
	11:30	Debriefing with Sida		

Annex 3. Documents Reviewed

Development Assistance Committee Criteria

European Commission, “Strategy for Promoting Equality between Women and Men (2010-2015)”.

Government of Sweden, *On Equal Terms - Policy for the Promotion of Equality Work, 2010-2015*.

International Women’s Summit in Kosovo, “Partnership for Change: Empowering Women: Prishtina Principles” Prishtina, Kosovo, October 4-6, 2012. Included women’s economic empowerment, security, access to justice, increased political participation and representation.

Kosova Women’s Network. *At What Cost?* Prishtina: KWN, 2012.

_____. *More than ‘Words on Paper.’* Prishtina: KWN.

_____. *Security Begins at Home.* Prishtina: KWN.

Kosovar Center for Gender Studies. *Monitoring of the Implementation of Convention for Elimination of All Forms of Discrimination against Women (CEDAW) in Kosovo.* Prishtina: KCGS, 2008.

_____. *Perceptions of civil servants regarding sexual harassment in the workplace.* Prishtina: KCGS, 2010.

_____. *Research Studies: The Study on the Impact on Women from Cutbacks in the Kosovo Civil Service.* Prishtina: KCGS, 2004.

_____. *Women’s Property Inheritance Rights in Kosovo.* Prishtina: KCGS, 2011.

McKinsey, *Women Matter*, 2010.

Norma Lawyers’ Association. *Research and Monitoring the Implementation of the Law on Gender Equality.* Prishtina: Norma, publishing date unclear.

Republic of Kosovo, European Partnership Action Plan.

_____. *Kosovo Program for Gender Equality, 2008-2013*, 27 May 2010.

_____. *Kosovo Action Plan for Economic Empowerment of Women*, 2011.

_____. *Law on Gender Equality*

Republic of Kosovo, Office for Good Governance, Office of the Prime Minister, Republic of Kosovo. *Civil Servant Perception of Discrimination in the Public Administration of the Republic of Kosova.* Vol. 2. 2007-2008.

Republic of Kosovo, Office of the Prime Minister, Agency for Gender Equality. *Information Bulletin*, Prishtina: AGE, 2012.

_____. *Profili Gjinator i Kosoves (Gender Profiles of Kosovo)*, Prishtina: AGE, 2008.

_____. *Survey Report: “Women in the Work Process and Decision-making in Kosovo”*, Prishtina: AGE, 2011.

Sida, *Gender Equality in Practice: A Manual for Sida.*

_____. *How to Elaborate a Dialogue Plan on Gender Equality.*

_____. “Quick Guide to What and How: Unpaid Care Work,” Nov/Dec. 2012.

_____. *Sida at Work: Manual on Contribution.*

_____. *Sida Policy for Promoting Gender Equality.*

_____. *Women’s Economic Empowerment: Scope for Sida’s Engagement.*

UNFPA, *Early Marriages Kosovo*, Prishtina: UNFPA, 2012.

USAID, *Gender Analysis / Strategy*.

Other Key Documents

Barcelona Agreement

Europe 2020: A strategy for smart, sustainable and inclusive growth

EU Policy Paper on GE

Strategy on Equality Women and Men

EU Action Plan

Approach to 1325

EU Provisions on EU Accession including Stabilization Association Progress Dialogue (SAPD), which includes 8 areas: agriculture, environment rules of law, human rights and justice (where gender equality falls).

The Copenhagen criteria,

Progress Reports for Kosovo

Kosovo Multi-year Indicative Planning Document,
Guide to EU *aquis* on Gender Equality
The Accra Agenda for Action

Annex 4. Mapping of Programs Related to Gender Equality in Kosovo

This tentative table was compiled based on interviews conducted by the assessors and is not yet complete. Additional information is welcome, particularly where information is missing. Note: A comma denotes partnership, whereas a slash (/) denotes funding through the second actor(s) listed.

Actor (alphabetical)	Project	Period	Location
AGE	Documentary by RROGARAE on preventing early marriage among young RAE girls	2011	Kosovo
AGE/MDA	Research on representation of women in print media	2012	Kosovo
AGE supported by LOGOS, USAID/DEMI, GIZ, SIDA	Conference on “Gender Responsive Budgeting: Practices and Challenges”	2012	Prishtina
Care	Men and masculinities: working with youth		
EC ²⁰ /KMOP	Support to strengthening institutions in the fight against trafficking in human beings and domestic violence	2012-2013	Kosovo
EC/Caritas Kosovo w/ Community Building Mitrovica	EIDHR: Dialogue and reconciliation across the bridge in North Mitrovica	2010-2011	Mitrovica
EC/Centre to Protect Victims and Prevent Trafficking in Human Beings	EIDHR: Trafficking Prevention for Vulnerable Youth & Women in Kosovo	2011-2012	Kosovo
EC/European Centre for Minority Issues in Kosovo	EIDHR: Enhancing the positive impact of the law for vulnerable and marginalised groups in Kosovo	2011-2012	Kosovo
EC/KGSC w/ Centre for Visual Arts Multimedia and Youth Initiative for Human Rights	EIDHR: Making Gender Awareness Part of the Popular Culture	2012-2014	Kosovo
EC/Medica Kosova	EIDHR: Strengthening the role of elderly women in promoting gender equality.	2011-2012	Gjakova
EC/Lawyers Association NORMA	EIDHR: Research and monitoring of the Implementation of the Law on Gender Equality	2010-2011	Kosovo
EC/Reggio Terzo Mondo w/ Kosovo Shelter Coalition, AGE	EIDHR: Reintegration of Victims of Domestic Violence: Train social, health and shelter workers**; publish manual with counselling and social support services** ²¹ ; harmonize shelters’ internal procedures and referral systems** ²² ; strengthen stakeholder coordination**	2012-2014	Kosovo
Embassy of the Kingdom of the Netherlands/KWN	Gender Equality Advocacy Groups in 8 municipalities	2010-2012	8 municipalities
Embassy of the Kingdom of the Netherlands?/MAFRD	Support for rural development, focused on women, youth	2011-?	Kosovo
EU/UN Women, UNDP,	Enhancing Women’s Participation in Peacebuilding	2012-2014	Kosovo

²⁰ While the EC considered having an EIDHR-specific call for furthering gender equality in 2013, they were advised by their Local Advisory Group not to have a gender focus, as several other donors are very active in this area already. All EC projects must mainstream gender. However, the persons reviewing the proposals may lack expertise regarding what it means to mainstream gender. “Boxes we need to tick but we may not always have the expertise to ensure this is taken into account.”

²¹ OSCE has already published such a manual.

²² KWN supported shelters to do this in 2006. SOPs are being developed by AGE in collaboration with other ministries and stakeholders, which shelters will need to follow.

and OHCHR	and Post-Conflict Planning in Liberia, Timor-Leste, and Kosovo (UNSCR 1244). Global initiative to implement 1325: Support Kosovo Action Plan on UNSCR 1325, led by AGE; strengthen UN, EU collaboration on women, peace, security; enhance women's leadership by strengthening communication between Kosovar women politicians, CSOs and EU, UN top management, including via Global Open Day; Kosovo women impact UN security agenda		
Kosovo Foundation for Open Society (KFOS)	Support to Women's Caucus		
KGSC	Property and inheritance study		Kosovo
Norma	Property and inheritance study		Kosovo
OSCE (Gender Focal Point)	Gender Focal Point seconded from Finland for mainstreaming within OSCE; support Gender Affairs Officers	2012-2013	Kosovo
OSCE w/ AGE	Training on gender mainstreaming policies and legislation at local and central level, including key ministerial persons, legal offices (international expert)	Dec-2012	Kosovo
OSCE Equality, Non-discrimination and Anti-trafficking Sector w/ AGE and relevant ministries	Trained all stakeholders separately on LDV (judges, prosecutors, social workers, Victim Advocates, KP DVIU, shelters)**	2012	Kosovo
OSCE Democratization Department	Work with Women's Caucuses at municipal and central level** (trained on LGE, Program, building local action plans)	2001-2013	Kosovo
OSCE	Gender responsive budgeting training in municipalities**	2012	Kosovo
OSCE	Increase women's participation in local decision-making: coordination, women's concern.	2012-2013	Kosovo
OSCE	Increase responses to gender equality gaps and domestic violence	2012-2013	Kosovo
OSCE	Prepare commentary on LGE (AGE drafting with local expert)	2013	Kosovo
OSCE	Train health staff how to treat domestic violence victims** (requested by MoH)	2013	Kosovo
OSCE	Continue to support GBV helpline with Victim Advocates	2013	Kosovo
OSCE	Train women with disabilities on gender issues	2013	Kosovo
OSCE	Support combatting trafficking.	2012-2013	Kosovo
OSCE	Train teachers how to mainstream gender in secondary education	2013	Kosovo
OSCE	Support to the Assembly of Kosovo Women's Caucus: platform, regional cooperation, oversight mechanisms for LGE implementation	2012	Kosovo
Sida*/KtK	Women's Empowerment Programs: grants to women's organizations	2000-2014	Kosovo
Sida/Environment and Forestry	Encourage women students through scholarship schemes		Kosovo
Sida/OPIC and CRD	Promoting gender equality is a prerequisite for the work of Framework Organizations		Kosovo
Sida/Forum Syd Kosovo Programme	Young women and men targeted are organized to participate in decision-making processes.	2009-2012	Kosovo
Sida/Kosovo Education Strategy and Plan	Gender equality mainstreamed throughout the document		Kosovo
Sida/Business College in	To create a sustainable truly inclusive higher		Mitrovica

Mitrovica	vocational institution, producing young professional civil servants and business leaders To improve employability of graduates		
UN Women (UNKT GBV Program)	Develop capacity of local authorities for GRB** for domestic violence and coordination/referral mechanisms, SOPs**	2012-2014	Gjilan, Gjakova, Dragash
UN Women	16 Days against Violence against Women, targeting young men: website, video clip with men, Facebook, Twitter, billboards	2013	Kosovo
UN Women	Post-MDGs Global Consultation with women in Kosovo	2011-2014	Kosovo
UN Women	Funding for women's CSOs (\$280,000), particularly for security, inter-ethnic dialogue (including Norma for inter-ethnic work, RAE women's network)	2013-?	Kosovo
UN Women	Support Kosovo Police to establish women's association within police; study on retention of women	2012-2013?	Kosovo
UN Women	Develop capacity of MPs and Directors of Directorates for costing and GRB**	2013	Kosovo
UNDP	Capacity Development Facility Women's Economic Empowerment		
UN Women, EU, UNDP (Dutch)	Gender Justice Program / GBV: Legal Aid Offices, AGE, Ombudsperson, KJI	2012-2014	
UNDP*	Gender mainstreamed through 32 projects		Kosovo
UNDP (Kingdom of the Netherlands)	Advanced Gender Justice Project: Support legal empowerment, anti-discrimination and legal redress of disadvantaged communities especially women by increasing legal awareness and provision of legal aid with Legal Aid Commission, Kosovo Chamber of Advocates and CSOs; support transitional justice in cooperation with OHCHR; strengthen community's access to human rights bodies by improving the ability of the Ombudsperson Institution; support reduction of case backlog through improved mediation; strengthen duty bearers and stakeholders of the legal/justice sector of municipalities to address justice issues and put in place monitoring mechanisms for greater accountability.		
UNDP (Kingdom of the Netherlands)	Women's Safety and Security Initiative: Supported est. of LPDV, Program DV, building capacities of institutions working on anti-trafficking and DV; included campaign with AGE during 16 days of activism	2007-2014	Kosovo
UNDP	Active Labour Market Program: work placement through RECs with 50% women's involvement	2007-	
UNDP w/ ministries	Aid for Trade Program: seeks to increase the number of women in strategies for economic trade and engage women in SMEs		
UNDP	Supported MPA to revise all public servants' ToR in compliance with LGE	2011-2012	Kosovo
UNDP/SHE-ERA w/ U.S. Embassy, DANIDA	Supported NGO SHE-ERA to attend business to business forum in 2010 where she helped est. 4 indicators in SME strategy; and to organize international conference of businesswomen and publication. Next conference in 2013; awarding two best women farmers; conference int'l rural day with MAFRD	2010-2013	Kosovo

UNFPA, UNICEF	Promotion of education for girls towards preventing early marriage,	Ongoing	Kosovo
UNFPA/KWN, MoH (UNKT GBV Program)	Supporting drafting of curricula for healthcare workers on identifying GBV, referral and treatment; to be followed by training**	2012-2014	Kosovo
UNFPA, UNICEF (UNKT GBV Program)	Involving men in preventing GBV, including youth and religious leaders	2012-2014	Kosovo, esp. Gjilan, Dragash, Gjakova
UNFPA	Secondary analysis of census data from a gender perspective (and age)	Planned 2013	Kosovo
UNFPA, UNICEF, SOK	Multi-cluster indicator survey: for more concrete data on health (e.g., GBV, abortion, reproductive health, nutrition, by gender/age)	Planned 2013	Kosovo
UNFPA/SOK, Institute of Public Health	Causes of death survey (gender disaggregated), including follow-up related to census	2013	Kosovo
UNFPA (with UNICEF, WHO)/MOH	Capacity development of MOH for treating cervical and breast cancer		
USAID/NAAC	Women's Leadership Program	2012	Kosovo
USAID*	Gender mainstreamed in 36 projects within Democracy and Governance; and Economic Growth pillars	On-going	Kosovo
USAID	Rule of Law Portfolio includes working with Kosovo Chamber of Advocates' Gender Committee; training for judges on gender sensitive matters.	On-going	
USAID/NDI implemented/ Women's Caucus	"Kosovo Assembly Strengthening Program" & "Political Processes and Parties Support Program": Academy for political parties' female members on women's leadership; linking appointed and elected women at municipal and national levels; GRB** for women parliamentarians and 4 MGEOs, including understanding the budget; TV debates with women; Caucus's strategic planning; Strengthen women leaders by linking with municipalities; ensure better public policy from grassroots; identify municipal priorities link to constituencies.	2009-ongoing	Kosovo
USAID/DEMI	GRB in municipalities**		
USAID/IOM	Kosovo Anti-trafficking Program	2008-2012	Kosovo
USAID & UNDP*	> budget for gender		
USAID	Women's property and inheritance: assessment of property sector, focus on women's ownership and inheritance rights (now drafting concept paper)	Assessment in 2012	

* These actors mainstream gender through all of their programs using gender-specific indicators.

** Note overlap with other actors.

Annex 5. Known Progress towards Implementing Law on Gender Equality

This table was created by the assessors to summarize findings. The first column refers to the section of the Law on Gender Equality. The second column refers to the specific article. The third column contains the assessors' findings regarding the extent to which it has been implemented. Due to time restraints, the table may not be complete and additional information may exist.

Section	Article	Extent Implemented (Budget allocated)
Section 1 General Provisions	1.1. The present law shall preserve, treat and establish gender equality as a fundamental value for the democratic development of the Kosovo society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other fields of social life.	No: Equal opportunities for women and men's participation politically, economically, socially, and culturally do not yet exist.
	1.2. The present law creates the conditions and opportunities for gender equality through policies that support overall development, especially for the improvement of the females' status, so that they are entitled to authority in the family and society.	Partially: Policies established, but not yet implemented
	1.3. The provision of equal rights is the duty of the entire society and means the elimination of any barriers in achieving gender equality.	No: Equal rights still not present in society as barriers still exist
	1.4. Gender equality is based on the principle of equal behaviour and equal opportunity. Its implementation is exercised through the undertaking of positive measures and gender equality awareness policies.	Some: Policies exist and awareness-raising undertaken, but not yet implemented fully.
	1.5. The present law specifies the general and specific measures that need to be undertaken for the provision of equal rights and specifies the responsible authorities and their relevant competencies.	No: The law does not fully clarify the procedures through which rights abuses can be addressed. Further lack of clarity exists regarding the specific competencies of particular authorities.
Section 2 Definitions		N/A
Section 3 Institutions and Leading Bodies	3.1. The implementation of legal and affirmative measures establish equal participation for both females and males in legislative, executive, judicial bodies of all levels and in public institutions, so that representation of both genders in these institutions high its level of their representation in the general population of Kosovo.	No: Women and men are not participating equally in legislative, executive, judicial or public institutions.
	3.2. Equal gender participation of both females and males, according to Section 3.1, is achieved in cases where the participation of the particular gender in the institutions, bodies or at the level of authority is 40%.	No: Women are not participating at 40% in institutions.
	3.3. Equal gender participation, in compliance with section 3.2, must be observed during appointments in central and local government bodies.	No: Women are not appointed to 40% of positions in central and local government.
	3.4. Equal gender participation must be observed during the appointment of members of certain councils, committees and representative bodies within and outside Kosovo, by the competent institutions.	No: Women are not appointed to 40% of positions in central and local government.

	3.5. Gender equality must be observed when naming institutions, public undertakings, roads.	No: Women are under-represented in names of streets and schools (<8% in six main cities). ²³
Section 4 Responsible Bodies for the Achievement of Gender Equality and their Competences	The Assembly of Kosovo 4.1. The Assembly Kosovo shall observe the principles of equal gender representation during the establishment of working groups and delegations in accordance with its rules of procedure.	No: Women under-represented in working groups and delegations. ²⁴
	4.2. The Assembly of Kosovo shall review and approve a resolution on the Kosovo Program for Gender Equality.	Yes: KPGE approved by Assembly on 27 May 2010.
	4.3. The Assembly of Kosovo, every two years, shall review and approve the Government’s report on the implementation of the Kosovo Program for Gender Equality.	No: Such a report was never submitted to the Assembly for approval.
	The Government and Ministries 4.4. The Government shall draft the Kosovo Program for Gender Equality. The government shall establish a working group comprised of representatives of ministries, the Office for Gender Equality, municipalities, public institutions, civil society and other experts to work on this task.	Yes: This was done for both the first and second programs (evidenced by list of participants)
	4.5. The Government shall submit before the Assembly a draft resolution on the Kosovo Program for Gender Equality.	Yes: As the KPGE was approved.
	4.6. Every two years the Government shall report before the Assembly on the achievements of the Kosovo Program for Gender Equality.	No: The Government has never reported before the Assembly.
	4.7. The government and the ministries shall promote and provide for equal gender rights.	Partially: Qualitative evidence suggests that women and men do not have equal rights and opportunities within government and ministries.
	4.8. The Government, within its scope of work shall achieve the objectives of this law by undertaking general and special measures specified in the present law.	Partially: The Government, via AGE, has taken some measures. However, clearly the objectives of the law have not been achieved.
	4.9. The Government shall establish an inter-ministerial council which shall be comprised of Gender Affairs Officers of the ministries. The specific tasks and responsibilities of such council shall be set in a special Government.	Yes: The Inter-ministerial Group exists and meets regularly. Whether its responsibilities have been established is unknown.
	4.10. The ministries shall comply with the provisions of this law when drafting regulations or programs.	No: Existing laws and policies do not always comply with the provisions of the law (e.g., Electoral Law).
	4.11. The ministries shall collaborate with the Office of Gender Equality during the preparation of draft-laws, amendments to existing laws and they shall review recommendations by such Office concerning draft-laws and other documents in the aspect of gender equality prior to their presentation before the Government which takes the decisions.	Partially: AGE and GAOs report reviewing draft-laws. However, the quality of this review and their input has been critiqued.
	4.12. Each ministry shall appoint an officer for gender equality, who shall coordinate gender issues within the ministry. The authorities of the Gender Affairs Officers in the respective ministries shall be set in a special ministerial regulation, based on the Kosovo Civil Service Regulation.	Partially: Only one ministry does not have a gender officer. Their authorities are regulated. However, the extent to which these officers can “coordinate gender issues” has been hampered by insufficient political will, budget, and human capacity.

²³ Norma, p. 17.

²⁴ See Parliamentary Committee report, forthcoming.

	4.13. The Gender Affairs Officer, as specified by the foregoing paragraph shall be responsible for the implementation of the gender equality strategy within the framework of ministry's competencies, based on this Law and in collaboration with Office for Gender Equality of Kosovo.	Unclear/no: The extent to which GAOs have ensured the implementation of the strategy within their ministries is unclear. However, they have stated that they lacked sufficient budget and political will for furthering its implementation.
	Local Government Bodies 4.14. Local government bodies shall promote and establish equal opportunities, shall draft their policies taking into account gender equality and shall approve any necessary measures and undertake any activities to provide equal opportunities for both females and males.	Unclear/no: Unclear which measures they have taken or how gender is considered in municipal policies. However, clearly women do not have equal opportunities to employment. A couple municipalities have local programs towards gender equality.
	4.15. Local government bodies shall establish an Office of Gender Affairs and shall appoint a Gender Affairs Officer in municipality. The competencies of the Officers in municipalities shall be set in a special regulation drafted by the Department of Local Administration in the Ministry of Public Services and the Kosovo Civil Service Regulation.	Partially: Offices of Gender Affairs have not been established, but MGEOs have been appointed. Their competencies are stated in a Ministry of Local Public Administration policy.
	4.16. The Gender Affairs Officer in the respective municipality shall review every decision taken by the local government, prior to the endorsement.	Unclear: Unknown whether MGEOs review every decision taken, though their capacity for this has been questioned.
	4.17. The Gender Affairs Officer of the municipality shall collaborate with the Kosovo Office for Gender Equality.	Partially: They do collaborate but perhaps not as often as they should.
Section 5. The Office for Gender Equality	5.1. The Government of Kosovo shall establish the Office for Gender Equality as a separate governmental institution.	Yes: The Agency for Gender Equality (AGE) exists.
	5.2. The Office for Gender Equality shall: a) Implement and monitor the provisions of the present law and the regulations passed in accordance with the present law;	No: AGE has yet to carry out a formal monitoring of the law and KPGE, and has only been able to implement aspects of these. A Steering Committee for monitoring the implementation of KPGE was established by a government decision in August 2012. Committee led by Deputy Prime Minister Kusari Lila.
	b) Propose before the Government and the ministries the compilation, alteration and amendment of laws and regulations, and the approval of other measures;	Perhaps: AGE states that they review laws, but that their comments are not always accepted; others feel they do not sufficiently review laws
	c) Draft gender equality promotion policies and supervise its implementation;	Partially: AGE took the lead in drafting the programs for gender equality, among other policies (e.g., protection against domestic violence, UNSCR 1325). However, it could perform better at supervising implementation.
	d) Supervise the implementation of international acts and agreements on gender equality;	Partially: AGE monitored CEDAW at least once. ²⁵
	e) Prepare reports on the implementation of the international acts and agreements, approved by the Government, on gender equality in Kosovo	Partially: AGE prepared a report on CEDAW.

²⁵ Considering Kosovo's political circumstances, the CEDAW Committee, "without prejudice to Kosovo's final political status at that time, requested that UNMIK in cooperation with the Provisional Institutions of Self-Government (PISG) write a report on the implementation of CEDAW in Kosovo since 1999, for submission by 1 June 2008. The KGSC also carried out a monitoring exercise on the implementation of CEDAW in Kosovo, producing a shadow report.

	f) Coordinate the preparation of the Kosovo Program on Gender Equality, and monitor its implementation;	Partially: AGE coordinated preparation, but monitoring has been ad-hoc.
	g) Cooperate with the Gender Affairs Officers of the ministries and local governments;	Partially: AGE cooperates with the ministries regularly via the Inter-ministerial Coordination Group and sometimes with the MGEOs.
	h) Cooperate with non-governmental organizations, acting in the field of gender equality, and provide partial funding for their projects or activities;	Partially: AGE has cooperated with NGOs and provided funding via donors, though seldom or minimally from the government budget. In 2012, subsidized NGO projects in the amount of €30,000.
	i) Cooperate with public institutions and provide partial funding for their projects or activities;	Partially: Some cooperation, though with some institutions it could be improved. Minimal funding available.
	j) Propose the conditions and criteria for partial funding, which are determined by the government;	Unclear: It is unknown whether AGE has proposed conditions and criteria for funding.
	k) Coordinate activities for implementation of general gender regulations, including the facilitation of professional assistance for the development of appropriate methods and techniques.	No: It is unknown how AGE carries out coordination and facilitation.
	k) Propose research and analysis initiatives in the field of gender equality;	Yes: AGE has proposed research relating to domestic violence and women’s presence in the media, among others. ²⁶
	m) Work on increasing gender equality awareness;	Yes: AGE has led various awareness-raising campaigns
	n) Report before government on the activities of the Office for the previous year, no later than the end of March.	Yes: AGE prepares an annual report for the government (Prime Minister) on the office’s activities.
Section 6 The Gender Equality Attorney		Partially: With Regulation No. 2004/18 on the Promulgation of the “Law on Gender Equality in Kosovo”, the “Gender Equality Attorney” was moved to the “Gender Equality Unit” within the Ombudsperson Institution in Kosovo. This Unit has the mandate to address all issues of gender discrimination and has responsibilities in reviewing draft legislation and commenting on the implementation of this law and of existing legislation, as it relates to gender issues.

²⁶ AGE reported submitting a ToR for research on women’s access to natural resources including land and property to: GIZ, UN WOMEN, and USAID. AGE supported research on maternity leave by QEC at: <http://abgj.rks-gov.net/Portals/0/Pushimi%20i%20lehonis%C3%AB.%20Ligji%20i%20ri%20i%20pun%C3%ABs%20dhe%20pun%C3%ABsimi%20i%20femrave%20n%C3%AB%20tregun%20e%20pun%C3%ABs%20-%20RAPORT%201.pdf>.

Section 7 Review of Gender Equality Violation Cases		See section 6
Section 8 The Funding of the Gender Equality Attorney and of the Kosovo Office for Gender Equality	The Gender Equality Attorney and the Kosovo Office for Gender Equality shall be funded by the Kosovo Consolidated Budget.	See Section 6
Section 9 The Collection of Informatio n and Gender Statistics	9.1. All data and statistical and non-statistical information collected, verified and processed by the central and local bodies, public services and institutions, public and private undertakings and other entities shall be presented according to the gender structure	Mostly: Most data (where available) is disaggregated by gender.
	9.2. Gender equality must be taken into account during the preparation of reports, analysis and projects by the central and local bodies, public institutions, public and private undertakings and other entities.	Sometimes: Gender analysis is only sometimes considered in preparing reports, analyses and projects.
	9.3. The Institutions of Kosovo which according to the relevant laws are authorized to collect verify process and analyse statistics, shall include the gender indicator on all of their activities, population registration, demographic surveys, and any surveys of other kinds.	Mostly: The Statistical Office of Kosovo usually collects and analyses statistics by gender.
	9.4. All data, statistical and non-statistical information that are collected, verified and processed in compliance with section 9.1 shall become a composite part of a statistical data base and may be accessed in accordance with the legal provisions that regulate the protection of the citizens' personal data, and in compliance with the Law on the Access of Official Documentation.	Partially: It is unclear whether such a database particularly related to gender equality exists. Further, the data is not all publicly accessible.
Section 10 Political Parties	10.1. All registered Political Parties shall ensure, in compliance with section 3.2, that both females and males are equally represented.	No: Political parties tend not to ensure equal representation.
Section 11 Civil Society	11.1. Non-governmental organizations, associations and foundations in the field of gender equality shall collaborate and coordinate their work with government institutions and other institutions as foreseen by the present Law.	Sometimes: There are positive examples of collaboration, but at the same time there are also examples of poor coordination.
	11.2. Civil society bodies contribute to the implementation of the present law.	Yes: Numerous examples exist of civil society contributions to implementing the law.
Section 12 Economy	12.1. The economic, financial, employment and social welfare legislation and the macroeconomic, micro-economic, financial and privatization programs including the right of heritage and property, loans and natural resources shall enable the equal and full participation of both females and males.	Partially: The existing legislation largely guarantees equal participation, though further policies could be put in place to advance equal participation in practice.
	12.2. The competent bodies and legal entities with public authorizations, and financial institutions shall, under equal conditions, provide both females and males with access to revenues and the distribution of revenues that are allocated for the stimulation of businesses and self-employment.	No: Women have not had equal access to revenues for stimulating businesses.

Section 13 Employment Section 14 Education	13.1. Public and private sector undertakings and legislative and executive institutions shall provide equal rights and opportunities for females and males in labour and employment sector.	No: Women do not have equal opportunities for employment in public and private, legislative and executive institutions.
	13.2. Vacancies shall be available equally for females and males.	Unclear: The assessors did not have time to review this.
	13.3. Announcement of job vacancies shall not contain any words or expressions that might cause gender discrimination. This paragraph 13.3 shall not be applied to cases where such announcement or declarations are published to achieve a gender balance in a certain professional sector, provided however that such intention is clearly stated in the annunciation.	No: The Ombudsperson Institution <i>ex officio Report 48/05</i> regarding gender discrimination in announcement job vacancies found discrimination based on gender.
	13.4. The election criteria and conditions for the vacancies of any field or sector and in all professional levels in the private and public sector, take into account gender equality.	Unclear: The assessors did not have time to review this.
	13.5. Employers shall pay an equal salary for both males and females, for the same work and for the work of the same importance and shall also provide equal employment and working conditions and rights.	Partially: Public institutions must make payments based on position. However, as men tend to hold higher positions, they tend to receive higher salaries.
	13.6. Employers ensure that both female and male employees have equal opportunity to attend education and professional training and attend courses that aim to improve professional skills or prepare them for other professions.	Unclear: The assessors did not have time to review this.
	13.7. Employers or institutions that provide professional training or any individual participating in such training shall not discriminate any individual on gender basis.	Partially: Some representatives of ministries said equal access exists; others reported to OGG that there was unequal access. ²⁷
	13.8. Employers shall provide equal treatment for females and males in the labour sector and shall take measures to ensure that vacancies or positions are not categorized specifically for females or males.	Unclear: The assessors did not have time to review this.
	13.9. Employers take all necessary measures to enable females and males to correspond to both their professional and family obligations. The time schedule, in accordance with the needs of labour the market and family state of employees, must be organized in such a way that female employees can return to their previous posts after maternity leave, parental leave, abortion leave, sick leave or after the time spent out of the place of work due to family emergencies or professional training.	No: While there have been developments in the Labour Law, in practice women and men do not have equal roles for family care and work. Women still tend to have most family responsibilities, and few employers enable work/family reconciliation (e.g., breast-feeding breaks, childcare, kitchen availability, extra time off for family emergencies)
	13.10. All female and male employees have the right to become members and take active part in the employees' or employers' unions or in any other professional organization and receive the benefits from such membership.	Unclear: The assessors did not have time to review this.
	13.11. Harassment and sexual harassment in the working place is prohibited.	No: Sufficient policies do not exist yet to prohibit harassment, and sexual harassment clearly exists. ²⁸

²⁷ Office for Good Governance, Office of the Prime Minister, Republic of Kosovo. *Civil Servant Perception of Discrimination in the Public Administration of the Republic of Kosovo*. Vol. 2. 2007-2008.

²⁸ Ibid. See also, KCGS, *Perceptions of civil servants regarding sexual harassment in the workplace*, Prishtina: KCGS, 2010. They reported that no institutions had developed institutional mechanisms to address sexual harassment at work, and that sexual harassment still exists in the workplace. Most of the 540 public servants they interviewed at central and municipal levels (77.2%) believed sexual harassment existed in public institutions, and 16.6% had suffered sexual harassment themselves. Victims tended to be women.

	13.12. The expulsion of an employee is prohibited in cases when such employee demands the implementation of the present law.	Unclear: The assessors did not have time to review this.
	13.13. Expulsion from work, temporary suspension, unfairness regarding the work safety, working conditions or the recognition of his/her works due to his/her complaint for sexual harassment or discrimination on gender bases, is prohibited.	Unclear: The assessors did not have time to review this.
	13.14. In cases of job cuts or job closings, discrimination on gender basis is prohibited.	No: KCGS found discrimination against women existed in public sector.
	13.15 Unpaid work of females and males is considered as a contribution to the development of the family and the society in cases of: a) The care for family welfare; b) The care for children; c) The care for other members of the family; d) The work on agriculture and family economy, etc.; The rights established by the present paragraph shall be implemented in compliance with the legislation of social insurance, politics and other measures.	Unclear: The assessors did not have time to review this, but it does not seem that unpaid work is treated in the social insurance legislation or other policies.
	13.16. Protection during work for females and males as well as the benefits from social insurance for short time labour, temporary labour and home labour shall be regulated by the applicable legislation.	Unclear: The assessors did not have time to review this.
	14.1. Equal right to education must be provided for females and males in all levels of education to ensure their equal active participation in the society, family and the labour market.	Partially: While equal rights should exist, in practice women do not have equal access to education.
	14.2. The competent bodies and institutions in the field of education of all levels shall establish, implement and supervise policies with the purpose of ensuring gender equality, especially concerning: a) Access to education; b) Gender Equality Education; c) The preparation, approval and implementation of the curriculum d) The preparation of school materials and texts and the review of existing school materials; e) Research on the status of genders in Kosovo, as a specific method in education. f) The inclusion of females and males in professional and advisory training, for those professions which have been traditionally considered only for males or females; g) Equal participation of females and males in all sports and leisure activities during the educational hours.	Partially: While some policies exist, they are not sufficient or implemented enough to ensure equal access to education, sufficient education related to gender equality; adequate sensitivity in curricula preparation (see KCGS study), textbooks, and materials; sufficient research related to gender status; or inclusion of men or women into training in non-traditional professions. The assessors did not have time to review inclusion in sports.
	14.3. Gender discrimination is prohibited in all schools and other educational and pedagogical institutions.	No: Reports of gender discrimination continue, particularly against women at the University of Pristina.
Section 15 Media	15.1. All media (written, audio-visual and electronic) shall promote equality between females and males through: a) Educational programs; b) Ensuring possibility for the equal presence of female and male journalists in their staff; c) Promoting the equal role of females and males in the society; d) Providing accurate and complete information on gender equality.	No: Review of media illustrates that equality is not yet fully promoted. The assessors did not have time to review all aspects of this. NDI has held some workshops with media regarding portrayal of women in media.

	15.2. The Broadcasting and publishing of gender discrimination programs, materials or information is prohibited.	Unclear: The assessors did not have time to review this.
	15.3. The public display of any individual in a way that constitutes an insult or degradation on gender or sexual basis is prohibited.	Unclear: The assessors did not have time to review this.
Section 16 Gender Equality and Civil Rights	16.1. The age of adulthood for both genders in Kosovo is eighteen (18).	Yes: This is reflected in Kosovo legislation.
	16.2. Marriage is legally recognized, by the civil registration act and establishes rights and obligations, except if otherwise foreseen by other legislation	Yes: This is reflected in Kosovo legislation.
	16.3. The marriage registration act is allowed after reaching the age of consent, except if otherwise foreseen by other applicable laws.	Yes: This is reflected in Kosovo legislation. Persons age 17 and older can marry following court approval.
	16.4. Any person female or male may not register more than one marriage at the same time.	Yes: For the most part this is implemented. Though in practice a few cases of polygamy exist but are not legally registered.
	16.5. Conditional and forced marriages and marriages against the will of the persons who are to be married are illegal and punishable by law.	Yes: This is reflected in the criminal code. In practice some cases have been reported. ²⁹
	16.6. The property created during matrimony is registered in the public registers as a common property in the name of both partners.	No: While the law calls for this, it rarely happens in practice (see Norma pp. 21-2)
	16.7. The institution that exercises the registration of property shall to act in accordance with paragraph 16.6 of the present law.	No: (See Norma pp. 21-2)
	16.8. The work of both partners through which common property is created, is considered equal contribution for the creation of the common property.	No: This does not occur in practice.
	16.9. The common registered property in compliance with section 16.7, is administered jointly and may not be alienated without the consent both partners.	No
	16.10. In case of divorce, the common property is equally divided.	No
	16.11. In case of the death of one of the spouses, the inherited property is divided between the surviving partner and the other inheritors in compliance with the applicable law.	No
	16.12. Children of both genders are entitled to an equal share of the inherited property.	No: They may be entitled, but they do not receive it in practice.
	16.13. Inheritors, females and males can obtain and can renounce his/hers share, after the registration of their inherited property.	Yes: Evidence exists of women renouncing their share (KGSC).
	16.14. People of both genders shall have equal access to the insurance system and social welfare during their entire life.	Unclear: The assessors did not have time to review this.

²⁹ See UNFPA, *Early Marriages Kosovo*, Pristina: UNFPA, 2012.

Section 17 Penalty Provisions	<p>17.1. Employers are subject to a fine of 1.000 to 5.000 Euros in case of violation of paragraph 13.5 of the present law. Responsible person is subject to fine of 500 to 1.500 Euros in case of violation of paragraph 13.5 of the present law.</p> <p>17.2. Employers are subject to a fine of 5.000 to 10.000 Euros in case of violation of paragraph 13.12, 13.13 of the present law. Responsible person is subject to fine of 1.000 to 3.000 Euros in case of violation of paragraph 13.12 and 13.13 of the present law.</p> <p>17.3. Legal entities are subject to a fine of 5.000 to 10.000 Euros in case of violation of paragraph 15.2 of the present law. Responsible person is subject to fine of 1.000 to 3.000 Euros in case of violation of paragraph 15.2 of the present law.</p> <p>17.4. The authorized institutions and the person responsible for the registration of properties in the public register are subject to a fine of 10.000 to 20.000 Euros in case of violation of paragraph 16.7 of the present law.</p> <p>17.5 Funds collected by fines are collected into Kosovo Consolidate Budget.</p>	Unclear: The assessors did not have time to review this section to see if the foreseen fines have ever been applied.
Section 18 Interim Provisions	<p>18.1. Within a period of 6 (six) months from the entry into force of the present law the Kosovo Government shall submit to the Assembly of Kosovo, the Resolution on the Kosovo Program for Gender Equality.</p> <p>18.2. Within a period of 3 (three) months from the entry into force of the present law, the Kosovo Government shall issue a regulation for the establishment of the Office for Gender Equality.</p> <p>18.3. Within a period of 3 (three) months from the entry into force of the present law, the Kosovo Government shall nominate the person for the gender Equality Attorney position before the Assembly of Kosovo.</p> <p>18.4. Within a period of 30 (thirty) days from the date of accepting the proposal from paragraph 18.3, the Assembly of Kosovo shall appoint the Gender Equality Attorney.</p> <p>18.5. Within a period of 30 (thirty) days the Gender Equality Attorney shall nominate his/her deputy before the Assembly of Kosovo.</p> <p>18.6. Within a period of 30 (thirty) days from the day of receiving the proposal specified in paragraph 18.5, the Assembly of Kosovo shall elect the Deputy of the Gender Equality Attorney.</p> <p>18.7. Within a period of 3 (three) months from the entering into force of the present law, the Ministries shall appoint the Officers of Gender Affairs.</p> <p>18.8 Within a period of 3 (three) months Municipal Administration appoint the Officers of Gender Affairs in the Municipality.</p>	<p>Partially: The Resolution on the first KPGE was submitted, but took longer than 6 months.</p> <p>Partially: The establishment of AGE was delayed.</p> <p>N/A: See section 6.</p> <p>N/A/no: The position was not appointed (see section 6). The selection of the permanent AGE CEO was delayed.</p> <p>N/A</p> <p>N/A</p> <p>Mostly: Most ministries have Officers of Gender Equality (though some were appointed late)</p> <p>Yes: MGEOs have been appointed in municipalities.</p>
Section 19 Final Provisions	<p>19.1. Judicial protection of gender equality is guaranteed.</p> <p>19.2. Gender discrimination is prohibited by law in all fields of social life in Kosovo.</p> <p>19.3. This Law does not impede the implementation of other laws into force, which set gender equality violation penalties.</p>	<p>No: In practice numerous examples of failures to protect gender equality exist.</p> <p>Partially: Gender discrimination is prohibited by law, but this is not implemented.</p> <p>Unclear: The assessors did not have time to review this.</p>

Section 20	The present law shall enter into force after the approval by the Assembly of Kosovo and its promulgation. Law No.2004/2, 19 February 2004	N/A
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Annex 6. Known Progress towards Implementing the Kosovo Program on Gender Equality

The assessors compiled this table to summarize tentative findings related to the implementation of the Kosovo Program on Gender Equality (KPGE). The first eight columns derive directly from the KPGE. The final grey column includes findings as per the implementation to date of each “measurement” or activity in the KPGE.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
1. Dissemination of values and practices that promote gender equality, the protection of rights and empowerment of women	1.1 The implementation, monitoring and periodic assessment of the implementation of the KPGE, LGE as well as other documents through an indexed framework and public awareness on the achievements and challenges	1.1.1 The creation of mechanisms for the implementation and monitoring of pro-gender policies, such as gender-mainstreamed budget, mechanisms for participation, mechanisms for public transparency, etc.	NGO AGE Donors Local government Central government institutions	2008	20.000	A series of indicators for the measurement of pro-gender policies and governance. The number of trained workers for the implementation of mechanisms.	Parliament AGE Civil society	No system in place: Some information collected from different ministries and SOK.
		1.1.2 The creation of a structure (institute/centre) for gender studies aiming: policy orientation, public awareness, securing literature on gender issues, etc.	AGE Donors International institutions NGO	2008-2009	200.000	The Resource Centre for Gender Issues set up. Literature on gender issues. Studies statistical records A database	Studies carried out by centre	No: Resource Centre not created. EC suggested SOK carry out such research, towards preventing overlap.
		1.1.3 Undertake initiatives for positive discrimination	AGE	2008-2013	10.000 every year	Number of initiatives undertaken within a year	Results achieved from initiatives taken	Some: positive discrimination, including scholarships

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
2. Increase of access for women and girls to quality education	2.1 Improvement of indicators of enrolment, attendance and development in compulsory education	2.1.1 Ensuring quality education	MEST Local Government Education Department (DKA) NGO Community	2008 continuous ly	Central government MEST (MEST Strategy)	Number of licensed teachers; adequate facilities for teaching	MEST, Sector of Regional Education Inspection DKA NGO	Partially: According to MEST they have developed the curricula; improved school leadership in planning, budget management, etc.; built teachers' capacities; and improved educational facilities
		2.1.2 Establishment of local resources available to safely transport students (girls) to attend school and their on-going functioning	Local authorities Municipalities MEST	2008 and continuous ly	MEST (MEST Strategy)	Number and per cent of girls that transfer from class 4 of primary education to class 5 of 19 education	DKA (Municipal Education Directorate) Periodic reports	Partially: MEST provides transport for students with disabilities. Transport generally is responsibility of municipalities, according to MEST, and varies based on their budgets: some provide, others not.
		2.1.3 Improve the physical environment at school and safety at school	MEST Local authorities Donors NGO Community Police	2013	MEST (MEST Strategy)	Number of schools where the physical environment is improved by 2010; environment safe and friendly for girls and boys in schools	MEST DKA Reports compiled with the participation of citizens	Partially: Between 2003 and 2011, MEST built 120 schools and renovated 55. Investment in security unknown.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
		2.1.4 Organize informal education for girls and women from poor areas (rural and remote) as well as for women and girls with special needs at all levels of education	MEST NGO Donors MPMS	2008-2013	MEST MPMS	Professional training courses for women and girls; number of courses; number of participants in informal courses; number of women and girls integrated or employed	MEST, MPMS, Donors, etc.	Partially: Adult education exists for some, but is under jurisdiction of municipalities which often lack sufficient financial support for providing these courses.
		2.1.5 Effective implementation of the legal infrastructure of MEST	MEST SIAR DKA Schools	2008 and continuously		Reports by relevant institutions	MEST estimates government NGO	Partially: Need to strengthen monitoring and evaluation system towards more effective implementation
	2.2. Improvement of school curricula that promote gender equality	2.2.1 Building programs to increase education opportunities for teenage girls who have dropped out of school, through activities that provide skills and expand their life experiences.	MEST Civil society NGO Donors	2008	10.000	Number of girls included in programs	MEST NGO	Partially: In 2011 developed education (grade 1-9) in cooperation with GIZ in six municipalities: Pristina, Gjilan, Prizren, Fushe Kosovo, Klina and Kacanik). Sustainability unclear.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
		2.2.2 In the university curricula, treat gender through special topics, and introduce a subject that addresses this issue	MEST Universities AGE	2008	35.000	Curricula approved	MEST, DKA, Pedagogical institute of Kosovo	Some courses on gender exist (since before 2008); new course in Philosophy Dept. from 2013
		2.2.3 Review continuing education programs and textbooks for gender stereotypes	Universities and pedagogical staff, MEST Expert group	2008-2010	No cost	Upgrade texts	MEST NGO Communities	No: MEST in process of reviewing, after which new texts will be drafted as needed.
		2.2.4 Assign gender analysis as one of important criteria for selection of the best texts for publication (texts of teachers, students and other teaching aids; guides for teachers, training modules, and providing training methodology for teachers)	AGE MEST Expert group Pedagogical Institute of Kosovo	2008-2010		Adequate textbooks, programs, modules, and training	MEST NGO Communities Pedagogical Institute of Kosovo	Partially: MEST has developed and adopted standards for textbooks, which include gender equality. The review and publishing of new texts incomplete.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
	2.3 Improvement of women participation in teaching, planning and managing of education	2.3.1 Create favourable conditions for the participation and equal employment of women and men in education institutions, teaching and management	MEST MPMS MSHP Civil society AGE	2008-2010		Research, relevant institutions' reports	Reports of: Government AGE MEST NGO	Partially: An objective of the Education Strategic Plan, it must be implemented at the local level. According to MEST, women comprise 17% of the 794 directors of pre-university educational institutions in 34 municipalities and 8% of the 37 directors of DKA in 2011/12.
		2.3.2 Create mitigating circumstances for the development and advancement of women in higher education	MEST UP Rector AGE NGO	2008-2013		Number of female students graduate, Number of female MA and doctorate graduates	Reports of MEST, NGO studies, reports of rector	Some: AGE provided 10 scholarships for women to attend university. MEST

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
	2.4 Strengthening of institutional and programmatic capacities of MEST to integrate effectively issues of gender equality in planning, implementation and monitoring of strategy of education objectives.	2.4.1 Preparation of training modules for teachers, managers and administrators of educational institutions, where gender is integrated as a specific topic and increased participation in these trainings	MEST, Authorities, School administrators NGOs offering training IKAP			Number of training modules and number of participants receiving certificates. Continuity of training programs	Training unit (MEST) DKA Schools Pedagogical Institute of Kosovo IKAP NGO	Unknown: the assessors did not have time to examine this.
		2.4.2 Preparation of modules for training teaches on gender where the “triangle” is included: citizens, parents, teachers	MEST NGOs offering training	2008	No cost	Quality training modules	MEST NGO	Some: Some training has been provided
	2.5 Improvement of social and cultural attitudes in the community and family, promoting the values and relevance of the education of girls (including the roles and contributions of women in development).	2.5.1 Create an awareness raising campaign based on the school, parent, and community study, particularly in rural and remote areas, on the relevance and profits of education for girls, including continuation of education for girls beyond the elementary school level.	MEST, school administration and teaching staff, communities and parents.	2008-2010	10.000	Detailed information on social and cultural attitudes on the education of women.	Completion of research	Partially: MEST annually organizes an Education for All Campaign and Girls’ Day, which promote education as a fundamental human right.

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		2.5.2 Organize seminars, training sessions, for the elimination of stereotypes that encourage gender inequality in schools.	MEST MED Relevant institutions NGO	2008-2013		Annual rise of the number of women in education (MEST statistics).	MEST & appropriate institutions	Partially: MEST organized training for teachers, educators, authors and editors of textbooks.
		2.5.3 Create an information base with materials, manuals, and guides on gender belonging and equality from the perspectives of teachers, parents, and communities.	MEST AGE NGOs	2008 On-going		Supplied libraries. MEST web-page (separate link with information on gender issues).	Government institutions (MEST, MCYS, AGE), NGO (specialized in gender and other issues).	Partially: Prepared and distributed guides for educators and teachers of undergraduate education.
3. Improve the health of women and girls.	3.1 Ensure that health policies and programs respond to the specific gender health differences and needs.	3.1.1 To determine by law the right to health insurance for all links in the health service chain (for men and women).	MH MLSW AGE Parliament	2010	NA No cost	Law on health insurance (in force), Health insurance implementation scheme.		No: health insurance law not passed
		3.1.2 To include diagnosis groups, which directly pertain to the reproductive health of women and girls, within the basic coverage package of the health insurance scheme.	MH Groups of experts		See the budget of MH	Number of obligatory vaccines defined		No: health insurance law not passed

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		3.1.3 To legitimate the right to financial compensation for maternity, including unemployed women.			Budget foreseen in health insurance scheme.			No: no health insurance law. Concern that maternity leave policy means companies discriminate against women re: employment
		3.1.4 Harmonize interdepartmental legal acts pertaining to maternity leave and related issues.				Legal documents harmonized		Seems incomplete?
		3.1.5 To include medication for the treatment of sexually transmitted diseases and HIV/AIDS within the health insurance scheme.	MH	2010	See the strategy of health.	Number of reimbursable medications.		No: health insurance does not exist yet.
		3.1.6 Secure free Human Papilloma Virus (HPV) vaccination, as an efficient means of reducing cervical cancer (consult with minister, Kosovo National Institute for Public Health, evidence).	MH	2010		Number of women diagnosed women Health centres set up.		No: Vaccines not yet available and not foreseen by the Mo*H yet.

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	3.2 Increase knowledge and understanding of women's and men's health and their needs	3.2.1 Collection and annual reporting of gender segregated data with the aim of monitoring indexes for women and men's health.	SOK MPS AGE Local government	Starting from 2008				Mostly: SOK carried out annual DHS with UNFPA support. Census data now available. Some data incomplete.
		3.2.2 Increase awareness of society on gender based violence as a threat to public health.	AGE MH Donors	Each year				Yes: Awareness-raising campaigns, supported by donors.
		3.2.3 Draft strategies on population development, health, and fertility, which are appropriate for women and men in increasing their requests for health services.	AGE WHO Schools Donors					No: Strategies do not yet exist. Census data might be available in SOK. UNFPA financed officials' participation in training on topic.
		3.2.4 Initiate an information and educational campaign, promoting the idea that men and women share responsibility for family health and planning.	AGE MH	Each year				No: no known governmental campaign. UNFPA, UNICEF, WHO educating women, youth in family planning.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
		3.2.5 Develop educational (school) program guidelines on nutrition, hygiene, and family planning for boys and girls.						Unknown
	3.3 Support and guarantee full and equal access at all levels of healthcare service, while increasing the response of the health system towards women and girls, and the health needs of women.	3.3.1 Collect gender disaggregated data on the use of private and public health service.						No
		3.3.2 Increase access to healthcare institutions.						No
		3.3.3 Secure, for women in particular, a system of emergency transportation and community engagement for the efficient transport of women to hospitals						No
		3.3.4 Make gender part of the curricula and syllabi of respective courses at the Faculty of Medicine and Nursing School.						No: in general not part. Only very basic information; further information in family medicine.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
		3.3.5 Train medical professionals for the identification and treatment of victims of domestic violence.				Number of professionals trained		Progress: MH supported by UNFPA nearly completed curricula. Training in 2013.
		3.3.6 Conduct annual screening campaigns for examinations such as: complete blood/ urine tests, mammography, pap-smears, etc., which aid early recovery of anaemia, breast cancer, cervical cancer, venereal diseases and infections.						Progress: MH offers free screening (pap-smear, mammography) via public health centres. MH campaign for screening all public servants. (NGO and Women's Caucus campaigns)
4. Economic empowerment of women and girls.	4.1 Increase the number of women entrepreneurs by providing possibility of more access to property, capital	4.1.1 Creation of loan programs for women in general and those in rural areas in particular.	Government, parliament, parliamentary commission, AGE	2008-2010	None	Increase the number of women entrepreneurs by 20%	AGE, parliamentary commission, civil society, NGO	No: one step taken with a Women's Economic Empowerment Strategy was created, but loan program not in place.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
	and loans.	4.1.2 Encourage the development of small businesses managed by women through microfinance programs, business clubs, and development funds for small business loans, combined with professional development on technology transfer, service development and marketing.	Government, MEF, MTI, OEK, AKB, Donors	2008-2012	200.000	Increase the number of women managers by 15%	AGE,OEK,AKB, civil society, donors, banking institutions	No: Recently initiative at President's Conference to form group. Few real steps take yet.
5 Improvement of employment indicators for women and girls	5.1 Improvement by 2010 of indexes for labour, work force participation, reduction of levels of unemployment	5.1.1 Undertake a series of studies (research) on the participation of women in the economy and work force.	MPMS-DPP Donors NPO World Bank UNDP AGE Local Government	2008	100.000	Findings and recommendation for the improvement of employment policies and women's economic empowerment		Partially: Only regular SOK data available. AGE has some information in report on "Women in the Work Process and Decision Making in Kosovo"

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
	for women, improvement of employment structures.	5.1.2 Establishment of transparent schemes for the collection of information on employment rights and legislation, information on the work force, access to education and professional development, access to property and loans.	MLSF Employment offices Employment agencies NGOs Local government Media Donors	2008-2010	300.000	The number of women employed, assisted and offered mediation for employment. A friendly environment for the information, mediation, and education of women		No
		5.1.3 Increase the number of employment services for poor women.	MLSW NGO Local Government Donors	2008-10	100.000	The number of services for women in poor families		No
	5.2 Intensify the encouragement of employment through the increase of institutions for professional development and their distribution in rural areas.	5.2.1 Increase of professional development courses for women and girls in the absence of appropriate education.	MLSW NGO Labour offices Donors	2008-2010				Not investigated

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	5.3 Reduction to 50% ³⁰ of the number of people living in extreme poverty by the year 2015	5.3.1 Advancement of efficient social schemes for social welfare support in favour of poor families with the aim of taking them out of the poverty cycle.	MLSW-DMS Government Assembly	2010		Policies, programs, and measure for the impoverished, and pro-gender equality		No
		5.3.2 Drafting of pro-gender employment policies.	MLSW Assembly Employment offices					No?
		5.3.3 Creation of programs for categories with social needs, such as: trafficked women and girls, women with special needs or disability (women at risk).	MLSW-DPP Donors, government, NGOs	2008-2010				Partially: Primarily with donor support: USAID/ IOM and Recent launching of EC program. OGG working to translate policies into Braille for the blind; plan for RAE.

³⁰ MDG- Government engagement for the attainment of millennium goals by the year 2015.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
		5.3.4 Encourage the development of small businesses managed by women, business clubs, and development funds (loans) for small businesses, combined with professional development work on technology transfers, service development and marketing.	MLSW, donors, government, NGOs, (Chamber of Commerce of Kosovo)	2008-2010	200.000			No
6 Improvement of the social situation of women at risk by improving their access to quality social services.	6.1 Social welfare support to poor families by categorizing them according to the problems they face, and by giving priority to families with women heads of households.	6.1.1 Formulation of policies for support to poor women through social services and assistance.	MLSW Local Government	2008		Improved progender policies and programs. Friendly environment for women and girls that experience social problems.		No special support identified.
		6.1.2 Creation of efficient social schemes for social welfare support in favour of poor families with the aim of taking them out of the poverty cycle.	MLSW Government Parliament	2010	See KDSP	Reduction to 50% by the year 2015 of the number of people who live in extreme poverty.	Research Living Standard Measurement Survey	No: Does not presently seem sufficient.

Strategic Objective	Objectives	Measurement	Agency Responsible and Partners	Timeline	Resources / Budget EUR	Monitoring Indicators	Monitoring & Assessment Tools	Extent Implemented
	6. 2 Improvement of community services for women with social problems	6.2.1 Strengthen of institutional structures (public and non-public) for the treatment of victims of violence and trafficking in human beings (such as counselling services, temporary shelter) not only in urban but also village areas where this problem may be more harshly present.	MLSW LG NGO Donors International and local organisations	2008-2013	1.000.000	The number of professional services offered for women and girls in rural areas		Progress: Law and Program on Protection against Domestic Violence drafted and approved. All services not yet provided.
		6.2.2 Training of staff (police, courts, central and municipal government) for the treatment of victims of violence and trafficking in human beings.	MLSW NGO MoJ MoIA UNDP International organisations	Started on 2005 on-going	60.000	Number of persons/professionals trained Number of trainings sessions held		Progress: Multiple donor-funded programs with more/less cooperation with institutions (UNDP, UN Women, OSCE)
		6.2.3 Reintegration of women and girls victims of gender violence	NGO Donors MLSW AGE MoJ KSP	Began in 2006	80.000	Number of women reintegrated		Minimal: Poor reintegration to date. Largely donor-funded

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		6.2.4 Drafting of a national strategy against domestic violence (consolidating a referral system for victims of domestic violence)	Government MLSW AGE UNDP Civil Society University	2008	30.000	Drafted strategy Working groups established Number of participants in the process	Strategy document	Mostly: Strategy completed. AGE leading drafting of SOPs for referral now.
		6.2.5 Improvement of social and health services for elderly women (unaided) and those with social problems	MLSW Government MoH Donors	2008-2013		Number of services established	Studies Research	No: Linked to health insurance law
7. Improve the image of women in media and culture	7.1 Improve the image of women in media and culture	7.1.1 Create media spaces for distinguished and infamous women.	MCYS Media	2008-2013		Increased participation of women	Media AGE NGO reports, studies	Some: Women's Caucus regular program. AGE has access to public RTK, lacks financial means to produce a film or a TV ad.
		7.1.2 Support women's activities through the media	Media	2012		Larger number of programs that cover the activities of women	Media Independent Media Commission Reports	Some: (Not governmental strategy)
	7.2 Overthrow gender stereotypes through policies of media	7.2.1 Promote the exchange of perspectives and good practices in media	Media MCYSRI NGOs	2012	80.000	Increase of media programs that respect the principles of gender equality.	Media Independent Media Commission reports	Some: Difficult to measure

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	institutions and products	7.2.2 Create and improve units that monitor media, with the aim of integrating gender perspectives and promoting gender equality in media, in ways in which written materials and programs are produced.	Media Public Institutions NGO	2012	15.000 each year	Increase of media programs that respect the principles of gender equality.	Public institutions reports NGO reports	Some: Unit that monitors media not created, but AGE carried out monitoring. Also KGSC.
		7.2.3 Create and improve units that monitor media, with the aim of integrating gender perspectives and promoting gender equality in media, in ways in which written materials and programs are produced.	Public institutions Private and public media operators	2012	Budget of each media	Number of women and girls in leadership positions.	Institutions NGO Media partners	(same as above: perhaps misprint)
		7.2.4 Conduct research (study) on the status of women journalists, artists, etc., in media and culture, and include guidelines for the improvement of working conditions of women journalists, artists, etc.	MCYS Research institutions and organizations	2012		Number of conducted studies and gathered results	Government institutions Media operators NGO	No: no known study exists

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		7.2.5 Adopt, by radio and television stations, a plan for the increase of programs (in quantity and quality) for women, by women, and concerning gender issues (including all age groups, particularly children).	Governmental institutions Media operators NGO	2008-2012		Number of shows and information sites in electronic media	Government institutions Media operators NGO	No: no known plan exists; difficult as non-governmental
		7.2.6 Adopt, by print media, a plan for the increase of written materials, in quantity and quality, concerning issues of gender and the promotion of values of women in society.	Print media	2008-2012		Number of articles and space allotted in print media	Monitoring reports on print media	No: No known strategy exists. AGE is monitoring via MDA in 2012
		7.2.7 Create procedures, by print and audio-visual media, for considering customer complaints towards media entrepreneurs or advertisers, regarding media or add contents which depict women or men in a discriminatory manner.	Government institutions Courts Kosovo Journalist Association	2012			Reports produced by: Government institutions AGE Media partners NGO	Unknown: Perhaps via IMC.

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		7.2.8 Revise the ethical code of journalists, in order to further emphasize restraint from the use of stereotypes and violent and/or pornographic materials, which discriminate women or violate their rights.	Media Journalists associations Legal experts	2012		Ethical code of journalists revised	Monitoring process	No: Difficult as non-governmental. AGE & UNDP provided training for journalists and editors on reporting on DV 2011-2012. OSCE also.
8. Achieve equal participation of both genders in decision-making on all relevant issues in society.	8.1 The Strictly implementation of the Law on Gender Equality.	8.1.1 To inform the institutions and political parties about the LGE, local and international instruments which promote and advance gender equality in decision-making.	AGE, Gender Focal points, MEST, Informal women's parliamentary group, Media, Civil society, Local and central government, International organizations of human rights	2008-2013		The number of women in decision-making in politics increased. Mechanisms for achieving gender equality implemented Integration of a gender perspective in all policies that motivate institutions at the central and local level, and society as a whole.		Progress: AGE "only 40% campaign" and training for MGEOs on LGE, CEDAW; manual on LGE; Women's Caucus meetings with parties, 22 municipalities; various NGO activities
		8.1.2 Organize the monitoring of the Law for Equal opportunities as well all instruments which promote and encourage the implementation of the law.	Decision-making structures within political parties and women's forums in political parties.		20.000 every 3 Year			No

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	8.2 Harmonization of laws and dispositions of the LGE with international standards which promote and encourage gender equality in decision-making	8.2.1 To harmonize the Working Guidelines of the Kosovo Assembly and those of municipal assemblies with the LGE.	Parliament Municipal focal points		No cost			No: Women's Caucus is working on this via four demands.