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Gender Equality: At the Centre of IT... and Beyond

A Gender Analysis of Digitalisation in Kosovo

Implemented by:

Kosovo Women's Network
Serving, Protecting and Promoting the Rights of Women and Girls

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Kosovo Women's Network,
2024

Implemented by:

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10 Acronyms and Abbreviations

AAAAP	Availability, accessibility, adoption, awareness, and protection
ACA	Agency for Prevention of Corruption or Anti-Corruption Agency
ACCESS	Access to Market and Digitalisation Services for Kosovar Businesses
ADA	Austrian Development Agency
ADC	Austrian Development Cooperation
AGE	Agency for Gender Equality
AI	Artificial Intelligence
AIP	Information and Privacy Agency
AIS	Agency for Information Society
ALLED	Aligning Education for Employment
ALMP	Active labour market programmes
AVETAE	Agency for Vocational Education and Training and Adult Education
AVR	Augmented and virtual reality
B2B	Business to business
CAPI	Computer-assisted Personal Interview
CAWI	Computer-assisted Web Interview
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEFTA	Central European Free Trade Agreement
CLIP	Country Level Implementation Plan
CMIS	Case Management Information System
CPC	Criminal Procedure Code
CSA	Cyber Security Agency
CSO	Civil society organisation
CSR	Corporate Social Responsibility
CSW	Centre for Social Work
CVETA	Council for VET and Adults
DA	Digital Agenda
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DPAR	Department of PAR
DSC	Digital Skills and Competence
EARK	Employment Agency of the Republic of Kosovo
EC	European Commission
EIA	Environmental Impact Assessment
eID	Electronic identification and authentication
EIGE	European Institute for Gender Equality
EISM	Employment Information System Management
EMIS	Education Management Information System
EQUAPRO	Coalition for Gender Equality in the EU Accession Process

ERA	European Reform Agenda
ERP	Economic Reform Programme
ETI	Educational and Training Institutions
ETF	European Training Foundation
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
FADN	Farm Accountancy Data Network
FAO	Food and Agriculture Organization of the United Nations
FFP	Firearms Focal Point
G(E)IA	Gender (Equality) Impact Assessment
GAP III	EU Gender Action Plan III
GDP	Gross Domestic Product
GDRP	General Data Protection Regulation
GEO	Gender Equality Officer
GHG	Greenhouse Gases
GIZ	*Deutsche Gesellschaft für Internationale Zusammenarbeit* [German Agency for International Cooperation]
GRPFM	Gender Responsive Public Financial Management
HEI	Higher Education Institution
HEMIS	Higher Education Management Information System
HIS	Health Information System
HRMIS	Human Resources Management (electronic system)
IADK	Initiative for Agriculture Development of Kosovo
ICK	Innovation Centre Kosovo
ICT	Information and Communication Technologies
ILO	International Labour Organisation
IMC	Independent Media Commission
IPA III	Instrument for Pre-Accession III
IT	Information Technology
ITP	Innovation and Training Park (Prizren)
IVET	Vocational Education and Training Institution
KAA	Kosovo Accreditation Agency
KAS	Kosovo Agency of Statistics
KBRA	Kosovo Business Registration Agency
KEC	Kosovo Education Centre
KEEN	Kosovo Education and Employment Network
KEPA	Kosovo Environmental Protection Agency
KGSC	Kosovar Gender Studies Centre
KIESA	Kosovo Investment and Enterprise Agency
KIPA	Kosovo Institute for Public Administration
KIPRED	Kosovar Institute for Policy Research and Development
KJC	Kosovo Judicial Council
KODE	Kosovo Digital Economy Project
KP	Kosovo Police
KPC	Kosovo Prosecutorial Council
KRIS	Kosovo Research Information System
KSF	Kosovo Security Force
KWN	Kosovo Women's Network
LGBTIQ+	Lesbian, Gay, Bisexual, Trans*, Intersex, Queer, and other identifying persons

LIIS	Labor Inspectorate Information System
LPPD	Law on Protection of Personal Data
MAFRD	Ministry for Agriculture, Forestry, and Rural Development
MCC	Millennium Challenge Corporation
MED	Municipal Education Directorate
MESPI	Ministry of Environment, Spatial Planning, and Infrastructure
MESTI	Ministry of Education, Science, Technology, and Innovation
MFK	Millennium Foundation Kosovo
MFLT	Ministry of Finance, Labour, and Transfers
MIA	Ministry of Internal Affairs
MIET	Ministry of Industry, Entrepreneurship, and Trade
MLSW	Ministry of Labour and Social Welfare
MTEF	Medium-Term Expenditure Framework
MTI	Ministry of Trade and Industry (now MIET)
MSME	Micro, small, and medium-sized enterprises
MP	Member of Parliament
NA	Not applicable
ND	No date
NDI	National Democratic Institute
NDS	National Development Strategy
NIPH	National Institute of Public Health
NGO	Non-governmental organisation
NPISAA	National Programme for the Implementation of the Stabilisation and Association Agreement
ODK	Open Data Kosovo
OECD	Organisation for Economic Co-operation and Development
OPM	Office of the Prime Minister
OSCE	Organisation for Security and Co-operation in Europe
PAR	Public Administration Reform
PARS	Public Administration Reform Strategy
PEFA	Public Expenditure and Financial Accountability
PMT	Proxy Means Test
PRAB	Program for Reducing Administrative Burden
PPRC	Public Procurement Regulatory Commission
RAEPC	Regulatory Authority of Electronic and Postal Communication
RAPEX	Rapid Alert System for Dangerous Non-Food Products
RTK	Radio Television Kosovo
SAA	Stabilisation and Association Agreement
SAS	Social Assistance Scheme
SDG	Sustainable Development Goal
SEA	Strategic Environmental Assessment
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons
SEMS	Electronic System for Student Management
Sida	Swedish International Development Cooperation Agency
SIGMA	Support for Improvement in Governance and Management
SIGTAS	Standard Integrated Government Tax Administration System
SME	Small and medium enterprise
SOP	Standard Operating Procedure
SSD	Social Schemes Department

STEM	Science, Technology, Engineering, and Mathematics
STIKK	Kosovo Association of Information and Communication Technology
TACSO	EU Technical Assistance to Civil Society Organisations
TAK	Tax Administration of Kosovo
TPA	Teacher Performance Assessment
TV	Television
UCCK	University Clinical Centre of Kosovo
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNECE	United Nations Economic Commission for Europe
UNFCCC	United Nations Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UNIDO	United Nations Industrial Development Organization
UNICEF	United Nations International Children's Emergency Fund
UNMIK	United Nations Mission in Kosovo
UNODA	United Nations Office for Disarmament Affairs
UNODC	United Nations Office on Drugs and Crime
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
VA	Victim Advocate
VAT	Value Added Tax
VET	Vocational Education and Training
VoIP	Voice over Internet Protocol
VPN	Virtual Private Network
VTC	Vocational Training Centre
WB	Western Balkan
WCSO	Women's rights civil society organisation
WHO	World Health Organisation
WOW	Women in Online Work
WSRA	Water Service Regulatory Authority
WPS	Women, Peace, and Security
WTO	World Trade Organisation
YOU	Youth Online and Upward

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Executive Summary

Kosovo is working towards the digital transition in several sectors. Digitalisation involves developing and using digital technologies in governance, public services, education, business, health, and other areas of life. The Law on Gender Equality obliges the Government of Kosovo to further gender equality and encourages that gender analyses inform all laws, policies, and programmes, including those related to digitalisation. Few gender analyses exist to inform these efforts. This gender analysis aims to support government efforts to integrate a gender perspective in designing new laws, policies, and programmes related to digitalisation. As its title suggests, this analysis seeks to ensure that furthering gender equality is firmly at the centre of all efforts related to Information Technology (IT), as well as beyond IT.

The digital transition is a priority for Kosovo on its path to EU Accession. The European Commission (EC) has emphasised that this transition must be fair and just and must encourage women's full participation. The EC's Instrument for Pre-Accession (IPA) III for the Western Balkans (WB) financially supports the digital transition. The EC's Gender Action Plan (GAP) III foresees that digital technologies can accelerate progress on gender equality and women's empowerment in education, employment, entrepreneurship, and addressing gender-based violence. Digital solutions can help women cope with emergencies (e.g., related to the COVID-19 pandemic, environment, and humanitarian crises amid conflict), mitigate social and economic issues, improve access to financing, and build resilience. Thus, the EU Office in Kosovo GAP III Country Level Implementation Plan (CLIP) includes digitalisation among the thematic areas of engagement. GAP III requires that all EU-supported external actions, including IPA III actions, be informed by gender analyses. Kosovo lacks such analyses.

This gender analysis seeks to contribute to knowledge about past and potential impacts of digitalisation on women and men in Kosovo. It aims to support the Government of Kosovo by informing Gender (Equality) Impact Assessments (G[E]IA) required for laws and policies, including recommendations for how the Government can further gender equality related to digitalisation. It also aims to support the EU and its contractors with gender analysis to inform digital reforms, political dialogues, and IPA III programming. It seeks to inform civil society advocacy and monitoring towards a more gender-responsive EU Accession process.

The Kosovo Women's Network (KWN) adapted the United Nations Development Programme's (UNDP) Inclusive Digital Transformation Model to include gender analysis. KWN hopes that the resulting Gender-responsive

Inclusive Digital Transformation Model developed through this analysis can be useful for other countries and actors. Using this Model, the analysis examined the dimensions of Regulation (i.e., laws and policies), Governance, Infrastructure, People, and Business to assess their gender-responsiveness, considering the UNDP-identified crosscutting catalysts for digital inclusion: availability, accessibility, adoption, awareness, and protection. KWN used the Model to analyse the gender-responsiveness of the digital transition to date related to the Assembly of Kosovo, government, and public administration; rule of law; social services; education; employment; business and trade; agriculture; climate change and environment; health; and media and communications. Research methods included policy analysis, content analysis, quantitative analysis of existing data, and interviews with key informants. The following findings emerged related to the dimensions of Regulation, Governance, Infrastructure, People, and Business.

Regulation

Very few laws and policies related to digitalisation respond to the differing positions and needs of diverse women, men, girls, and boys. Contributing to this status is that fact that the Government has seldom conducted the required G(E)IAs to inform the legal framework on digitalisation. As a result, gender-neutral laws and policies likely contribute to reinforcing existing gender inequalities. Official monitoring reports rarely have been prepared on the implementation of laws and strategies, let alone ex-post gender impact analyses on the extent to which laws and policies have impacted diverse women and men. Such analyses could have provided evidence to inform new laws and strategies. Ongoing reforms to the legal framework offer opportunities for establishing more gender-responsive laws and policies in various sectors, as elaborated on in the Recommendations chapter.

Governance

Except in education and health sectors, women are underrepresented in planning, coordinating, implementing, monitoring, and evaluating laws, policies, and programmes pertaining to digitalisation. Officials responsible for digitalisation tend to lack capabilities for gender-responsive policymaking, while gender equality officers (GEOs) lack expertise in digitalisation. Insufficient coordination contributes to weak gender mainstreaming of laws, policies, and programmes. Institutions provide most digital public services through the eKosova platform. Few digital public services are gender responsive. Digital systems for tracking gender-disaggregated data on users are poor or unavailable. Institutions have not implemented gender-responsive budgeting in digitalisation efforts, including online funding and procurement, despite obligations in the Law on Gender Equality.

Infrastructure

Connectivity infrastructure is well developed and widely available. Generally, digital tools such as smart phones are available. However, several limitations exist in the access of institutions, service providers, and diverse women and men to hardware and software that facilitate digitalisation. Software seldom enables adequate processing of gender-disaggregated data, particularly by ethnicity, age, rural/urban location, disability, and other key socioeconomic

and demographic indicators. Insufficient collection and analysis of gender-disaggregated data hinders institutions' ability to use data or evidence to inform gender-responsive laws, policies, and programmes. Software does not always offer adequately gender-responsive protections related to personal data, privacy, and cybersecurity. Interoperability of digital systems could save time and enhance security, such as in gender-based violence cases. It requires further development and adoption by responsible institutions. A few innovation ecosystems exist, but information on their gender-responsiveness is limited.

People

Women and men generally have access to digital tools, though particular groups including Roma, Ashkali, Egyptians, and the poor, have less access. Women and men tend to use digital tools primarily for social purposes, though men use digital tools slightly more than women for doing business and networking. Neither gender uses online digital services much, and women apparently less so due to socialised gender norms by which men tend to be registered with institutions as heads of households. Both women and men's digital literacy skills seem weak in accessing digital decision-making processes, information, services, and funding. Poor access to education and continued training contribute to this situation. Women may face added time, financial, and transportation issues in accessing digital knowledge and education. Currently, a gender balance exists among women and men with digital-related university degrees, but women are underrepresented among digital business owners. Women's socialised gender role as caretakers means they have less time to learn about or engage in digitalisation processes. Minority women and men face added barriers in accessing digital services due to poor availability of services in their languages. Persons with disabilities, particularly the blind and partially sighted, face similar challenges. Minimal quantitative data exists regarding digital wellbeing, including protection of personal data, privacy, and cybersecurity. Qualitative research suggests that women are at greater risk of cyberbullying, sexual harassment, and gender-based violence via the internet, given socialised power relations. Given unclear legal definitions, institutions lack knowledge and experience in treating such cases, and victims lack trust in institutions. Meanwhile, digital solutions have been used to reach isolated women suffering violence.

Business

Technology adoption is slow in most sectors, given people's preferences for known ways of doing business. While minimal gender-disaggregated data is available, women in business generally face added obstacles in having time and accessing financing. The COVID-19 pandemic created additional challenges for women-led businesses; women had to juggle running their businesses in a difficult operating environment with more household responsibilities. Limited data is accessible on who has benefitted from financing for digitalisation. However, historically, men have benefitted more than women as they own more businesses. Some programmes have targeted women-owned businesses and start-ups. Limited information is available regarding corporate social responsibility (CSR), particularly from a gender perspective.

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Recommendations

This gender analysis offers detailed recommendations for laws, policies, programmes, and actions for each responsible actor, towards integrating a gender perspective in the digitalisation process in Kosovo.

Introduction

Digitalisation, as defined by UNDP, is "the use of digital technologies to change an organization's business model, including creating new or improved ways of delivering services, and improving the quality of what is delivered".[1] UNDP differentiates the process of digitalisation from digitisation, which is simply "converting physical information into digital formats".[2] While "business" features in several definitions of digitalisation, digital transformation of a society occurs "at the intersection of people, business, and technology".[3] Digital transformation involves creating "fundamentally new capabilities" in business, government, and people's lives,[4] extending into public services, education, healthcare, justice, social services, and employment. According to UNDP, "Emerging digital technologies and the opportunities they offer have the potential to profoundly improve the ways in which public institutions engage, provide services to people and enable them to lead healthy and productive lives".[5] Online public services offered during the COVID-19 pandemic revealed the need for more services and highlighted opportunities for reaching persons in isolation, such as women experiencing violence and persons with disabilities.

Internet availability, a vital precondition for digitalisation, is widespread in Kosovo. According to the Kosovo Agency of Statistics (KAS), in 2022, 97.9% of households had access to the internet.[6] Kosovo has one of the highest levels of high-speed internet subscription per household in Europe.[7]

Although not a signatory to Agenda 2030 and the United Nations (UN) Sustainable Development Goals (SDGs) because of its political status, Kosovo has embraced SDGs. The Assembly of the Republic of Kosovo committed

[1] UNDP, Future Forward: UNDP Digital Strategy, 2019, p. 5.

[2] Ibid.

[3] SAS – Analytics and Software Solutions, "Digital Transformation: What it is and why it matters", 2019, accessed 3 August 2023.

[4] Allan Martin, cited in S. Kraus, et al., "Digital Transformation: An Overview of the Current State of the Art of Research", SAGE Open, 11.3 2021, p. 4.

[5] UNDP, "UNDP pilots the Digital Readiness Assessment in Kosovo", 2021, accessed 3 August 2023.

[6] Government, KAS, Results of the Survey on the Usage of Information and Communication Technology in 2022, Series 5: Social Statistics 2022, p. 9.

[7] World Bank, "Digital Infrastructure Boosts Resilience and Improves Lives in Rural Kosovo", 2023, accessed 3 August 2023.

voluntarily to implementing Agenda 2030 through a parliamentary resolution,[8] the Stabilisation and Association Agreement (SAA),[9] the European Reform Agenda (ERA),[10] and the Economic Reform Program (ERP).[11] According to SDG 5 on Gender Equality, the Government needs to "Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women".[12]

In the present "digital decade", a Europe fit for the digital age is among the EC's top six priorities.[13] The WB Agenda on Innovation, Research, Education, Culture, Youth, and Sport reaffirms this EC priority, calling for a digital transformation that "works for people" in modernising WB economies, creating jobs, and addressing inequality.[14] Among this Agenda's priorities is reducing gender inequalities and the digital divide. The Economic and Investment Plan for the WB will contribute to the green and digital transition, which could positively affect Kosovo's competitiveness. Financial support for the digital transition is among the EC's priorities for external financing to the WB,[15] and the Government of Kosovo can utilise this support for digitalisation efforts. Given that furthering digitalisation is a prerequisite for EU accession,[16] Kosovo is drafting, amending, or updating numerous laws and policies related to digitalisation.

Gender analysis must inform all laws, policies, and programmes relating to digitalisation. In addition to EC requirements for gender analysis,[17] the Kosovo Law on Gender Equality calls for institutions to conduct gender analysis (analysing the status of women and men) towards preventing gender-based

[8] Republic of Kosovo, Assembly, The commitment of Kosovo, Resolution on the Adoption of Sustainable Development Goals, 2018.

[9] Official Journal of the European Union, Stabilisation Association Agreement, 2016.

[10] Republic of Kosovo, Government, European Reform Agenda, 2021.

[11] Republic of Kosovo, Government, Ministry of Finance, Labour, and Transfers (MFLT), "National Economic Reform Programme", accessed 6 November 2023.

[12] UN, Kosovo, "Our Work on the Sustainable Development Goals in Kosovo", SDG 5 – Gender Equality, target 5.B, accessed 3 August 2023.

[13] EC, "A Europe fit for the digital age, Empowering people with a new generation of technologies", accessed on 3 August 2023; Ursula Von der Leyen, EC President, "A Union that strives for more; My agenda for Europe", Political Guidelines for the next European Commission 2019-2024, 2019; European Foundation for the Improvement of Living and Working Conditions, Eurofound, "Digitalisation", position paper, 7 July 2023, accessed 3 August 2023; European Digital SME Alliance, "Sustainable Digitalisation: Strengthening Europe's Digital Sovereignty", 2020.

[14] EU, Western Balkans Agenda on Innovation, Research, Education, Culture, Youth and Sport, 2020.

[15] EU, Official Journal of the European Union, Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III).

[16] Official Journal of the European Union, Stabilisation Association Agreement, 2016, Article 110, Information society.

[17] The EU GAP III emphasises the need for gender analysis to inform the EU's political engagement and external financing, including as part of IPA III. Gender analysis also must inform the assignment of gender markers to actions.

discrimination and ensuring gender equality.[18] The Government's Better Regulation Strategy 2.0 elaborated on this responsibility, requiring Gender (Equality) Impact Assessments [G(E)IAs] as part of Regulatory Impact Assessments to inform all government laws, policies, and programmes.[19] The Strategy emphasises that G(E)IAs can prevent unintended negative consequences and strengthen intended positive effects of laws and policies, including contributing to women's empowerment.[20] The Agency for Gender Equality (AGE) in the Office of the Prime Minister (OPM) provided guidelines on how to conduct G(E)IAs.[21] Ex ante G(E)IAs should identify the different effects that a proposed policy may have on men and women, as well as whether it adequately addresses inequalities, contributes to gender equality, and corresponds with gender equality principles and Kosovo's national gender equality agenda.[22] The Government should have conducted G(E)IAs to inform all laws and policies relating to digitalisation since 2017 when the Better Regulation Strategy was adopted. Although the Strategy has expired, legislation analysed in this gender analysis was drafted when the Strategy was applicable. Commitments to gender analysis and gender mainstreaming laws and policies remain valid based on the Law on Gender Equality. The Guidelines and Manual for Developing Concept Documents requires conducting 12 assessments as part of the Regulatory Impact Assessment, including G(E)IAs.[23]

A gender analysis of digitalisation is urgently needed in Kosovo to inform reforms. Policymakers must consider potential differences in availability, access, adoption, awareness, protection, and impact that digitalisation may have on diverse women, men, girls, and boys. Pre-existing gender norms and relations may affect opportunities and barriers for diverse women and men's participation, access to resources, and power when it comes to digitalisation, a phenomenon referred to as the "digital gender divide".[24] Meanwhile, "intersectionality" refers to the ways ethnicity, age, geographic location, language, (dis)ability, socioeconomic situation, sexual orientation, and gender identity can intersect such that individual women, men, girls, boys, and other identifying persons may face additional barriers in benefiting from digitalisation. Throughout this report, KWN uses the term "diversity" to refer to intersectional considerations.[25]

[18] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, Article 5, 2015.

[19] Republic of Kosovo, Government, OPM, Better Regulation Strategy 2.0 for Kosovo 2017-2021.

[20] Ibid., p. 29.

[21] Republic of Kosovo, Government, OPM, AGE, Gender Equality Impact Assessment Manual, 2019.

[22] Ibid.

[23] Republic of Kosovo, Government, OPM, Guidelines and Manual for Developing Concept Documents, 2018.

[24] Organisation for Economic Co-operation and Development (OECD), Bridging the Digital Gender Divide, 2018, p. 22.

[25] This term is also used in EU GAP III, referencing women and girls "in all their diversity".

When this research began, few gender analyses on digitalisation existed globally,[26] and comprehensive methodologies could not be found. Therefore, KWN in close cooperation with EQUAPRO, UNDP, Kosovo institutions, and other stakeholders established a new methodology for conducting gender analysis related to digitalisation. It is summarised in the following sections.[27]

Research Aims

This research aims to increase knowledge regarding the different potential and actual impacts of digitalisation on diverse women, men, boys, and girls in Kosovo, from a gender perspective. First, it aims to support the Government of Kosovo by informing G(E)IAs required for laws, strategies, policies, and programmes on digitalisation, and by offering recommendations for how the Government can further gender equality as part of digitalisation. Second, it aims to support the EU and its contractors with gender analysis to inform political dialogues with the Government related to the EU Accession process and the design of IPA III programming. Third, it aims to provide civil society with evidence to inform advocacy and monitoring for a more gender-responsive, or gender-transformative, EU Accession process. Additionally, this research established and piloted a new methodology for gender analysis related to digitalisation that can inform analyses elsewhere, particularly in the WB and in the context of EU Accession.

Research Questions

This research sought to answer the following research questions and sub-questions:

1. To what extent do Kosovo's laws, policies, and strategies related to digitalisation respond to the potentially differing positions and needs of diverse women, men, girls, and boys in reference to: participation, access to resources, rights, norms, and values?[28]

[26] See: UNDP, Gender Equality in Digitalization: Key issues for Programming, 2021; OECD, Bridging the Digital Gender Divide, 2018; Association of Progressive Communications, Mapping research in Gender and Digital Technology, 2017; Food and Agriculture Organization of the United Nations (FAO), *Genderresponsive-digitalization: A critical component of the COVID-19 response in Africa*, 2021; United Nations Industrial Development Organization (UNIDO), The impact of new digital technologies on gender equality in developing countries, 2019.

[27] KWN is committed to transparency of method, and further information about the methodology can be obtained by contacting info@womensnetwork.org.

[28] In addition to being key areas of focus in gender analyses generally, these are the main areas that AGE instructs that G(E)IA should examine (AGE, Gender Equality Impact Assessment Manual). AGE's guidance informed the research design and methodology.

1.1. What objectives, indicators, and budgets do government policies, strategies, action plans, and programmes related to digitalisation have towards furthering gender equality?

1.2. How could laws and policies better respond to diverse women and men's positions and needs, enabling transformative changes towards gender equality?

2. To what extent have diverse women and men had equal access to digitalisation, including participation, resources, rights, norms, and values?

2.1. What might be root causes of any identified "digital gender divide"?

2.2. How might any identified gender inequalities be better addressed by the Government through laws, policies, and/or their implementation towards a more gender-transformative approach?

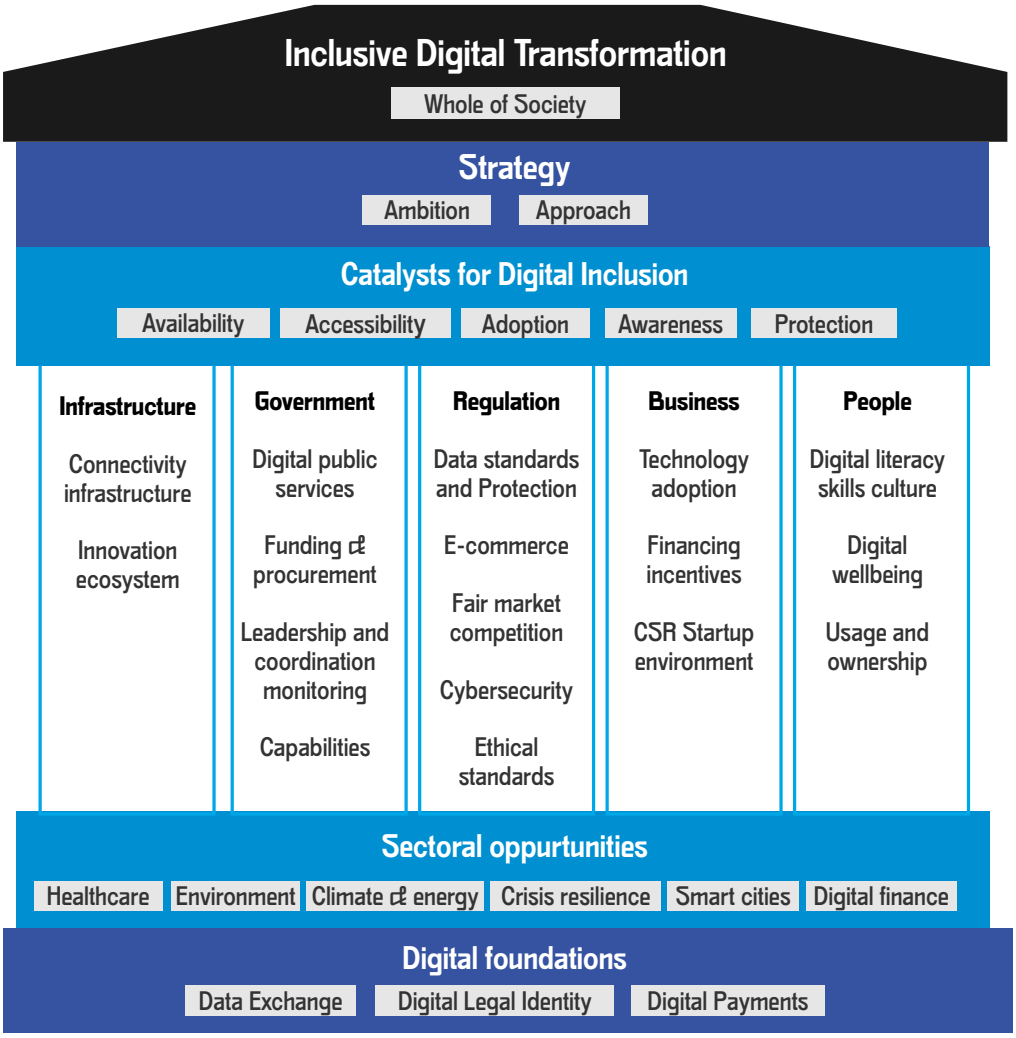
Conceptual Framework: Integrating Gender Analysis in UNDP's Inclusive Digital Transformation Framework

UNDP has created a conceptual model towards an "inclusive whole-of-society digital transformation" (see Figure 1).[29] UNDP identifies availability, accessibility, adoption, awareness, and protection (AAAAP) as "catalysts for digital inclusion" towards a digitalisation process with "no one left behind". The Model includes five dimensions related to digitalisation: Infrastructure (connectivity, innovation ecosystem); Government (digital public services, funding and procurement, leadership and coordination, monitoring, and capabilities); Regulation (data standards and protection, e-commerce, fair market competition, cybersecurity, and ethical standards); Business (technology adoption, financing incentives, CSR, and start-up environment); and People (digital literacy skills, culture, digital wellbeing, usage, and ownership). The catalysts for digital inclusion have implications and should be considered related to each dimension. As the Model illustrates, UNDP considers sectoral opportunities for digitalisation in healthcare, environment, climate and energy, crisis resilience, smart cities, and digital finance.

[29] UNDP, "Inclusive Whole-of-Society Digital Transformation: Digital Readiness Assessment Fact Sheet", 2021.

Using this Model, UNDP developed a methodology for assessing a country's digital readiness, which examines the same five dimensions and similar sub-dimensions. Based on this assessment, UNDP categorises countries according to a five-point scale.[30] UNDP carried out the Digital Readiness

Figure 1. UNDP's Inclusive Digital Transformation Model



Assessment in Kosovo in 2021.[31] It also conducted a Digital Household Survey in 2022, asking 2,400 households about "accessibility, usage, and affordability of digital tools" and services.[32] UNDP concluded that "Kosovo is systematically advancing in key areas of digital transformation".[33] Specific gender-disaggregated findings are referenced in this report.

[30] This includes: 1) Basic, 2) Opportunistic, 3) Systematic, 4) Differentiating, and 5) Transformative.

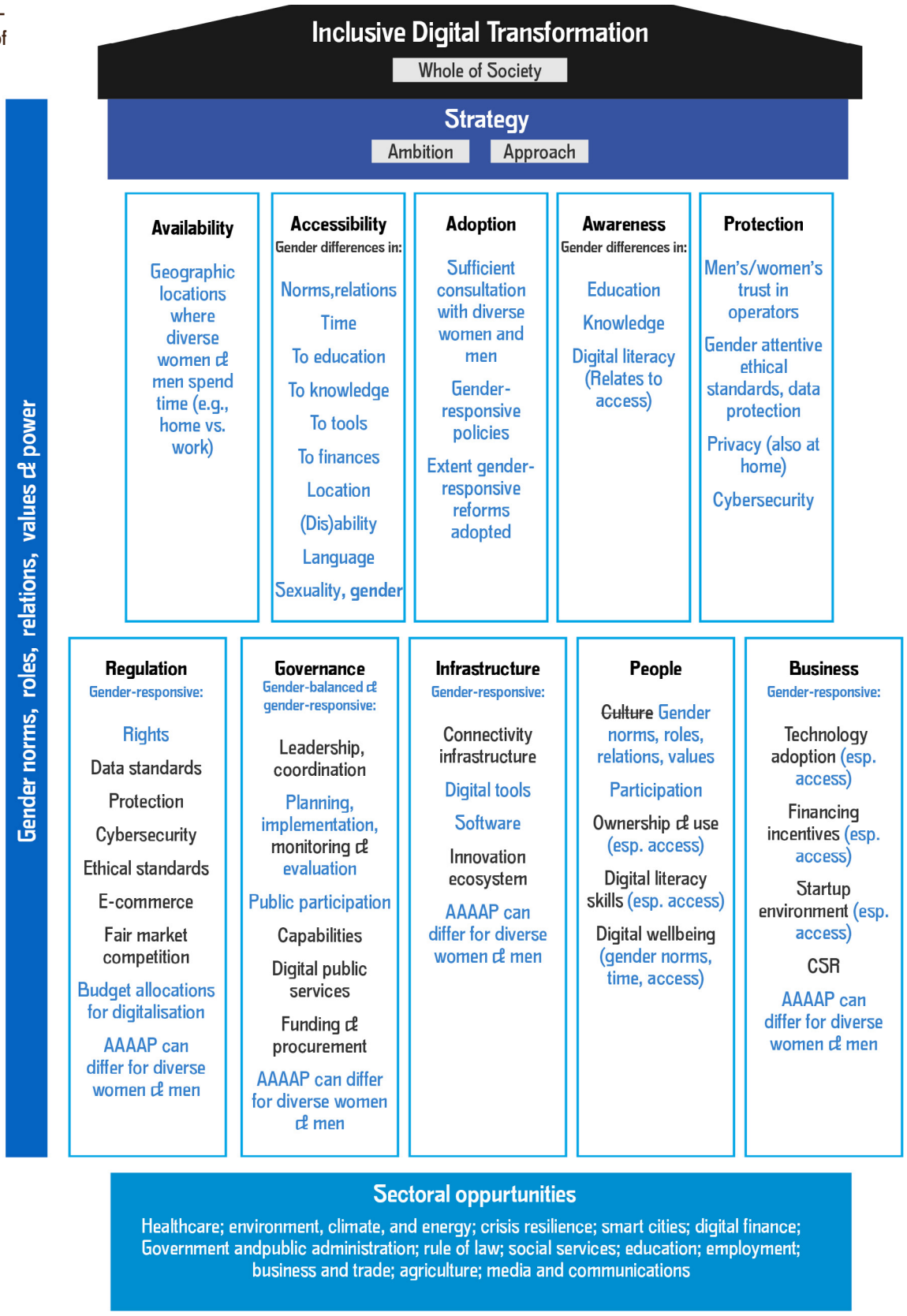
[31] UNDP, "Digital: Towards Inclusive, Whole-of-Society Digital Transformation", accessed 3 August 2023.

[32] Ibid. For more, see: UNDP, "Digital Household Survey", accessed [31] August 2023.

[33] Ibid.

KWN used UNDP's Model to inform the conceptual framework for this research, integrating intersectional gender analysis into it as indicated by blue text in Figure 2; KWN also adapted the layout of UNDP's Model slightly.

Figure 2. KWN's Gender-responsive Adaptation of UNDP's Inclusive Digital Transformation Model



In relation to dimensions and catalysts for digital inclusion, KWN considered sub-questions pertaining to potential differences in diverse women and men's participation, access to resources, rights, norms, and values. KWN's Model was elaborated through an iterative research process with adjustments made based on findings. KWN thus employed grounded theory, a method based on empirical data that aims to challenge dominant views and provide new interpretations, shedding light on what often remains obscured.[34] This approach is in line with respected feminist research practice, which seeks to undo traditional power dynamics between the "expert researcher" and the researched by actively acknowledging research participants' expertise and engaging them in all phases of the research, including analysis. KWN thus adjusted the Model based on information gleaned from field work, adding sub-dimensions to better reflect findings derived "from the ground up". KWN has elaborated on UNDP's five catalysts for digital inclusion to include gender analysis:

- **Availability** includes whether digital networks, tools, and software exist and are offered to diverse women and men in all locations.
- **Accessibility** considers how gender roles, norms, and relations may support or hinder digitalisation, including access to time, education, knowledge, tools, equipment, finances, and locations. These aspects may especially affect women, disabled persons, and ethnic minorities.
- **Adoption** relates to whether laws and policies are gender responsive.
- **Awareness** examines gender differences in education, knowledge, and digital literacy, which relate to access to education and knowledge.
- **Protection** attends to diverse men and women's trust in operators, the gender attentiveness of ethical standards, data protection, privacy online and at home in using information and communication technologies (ICT), and cybersecurity for diverse women and men.

KWN's Model integrates gender into UNDP's dimensions, examining these in each chapter. For readability, KWN reordered the dimensions in chapters and the Model. First, each chapter examines the **Regulation** dimension, assessing the gender-responsiveness of laws, policies, and draft legislation pertaining to digitalisation, their **availability** and **adoption**. Related to **adoption** in practice, Regulation sections assess whether adequate gender-responsive objectives, indicators, baselines, targets, and budgets exist for strategies and action plans. KWN could only examine the implementation of gender equality commitments if laws and policies attended to furthering gender equality; KWN obviously could not assess implementation of non-existent commitments. Regulation sections address the Model's sub-dimensions of

[34] B. Ackerly and J. True, *Doing Feminist Research in Political and Social Science*, 2nd edition, London: Red Globe Press, 2020.

gender-responsive defence of **rights**, **data standards**, **protection** (also a catalyst), **ethical standards**, and **cybersecurity**. The chapters on rule of law and on business elaborate on sub-dimensions of **e-commerce**, **fair market competition**, and **cybersecurity** and their gender-responsiveness. Clearly, within Regulation sections, **protection** is a relevant catalyst in considering to what extent men and women's privacy data and security are protected by the legal framework. Meanwhile the gender-responsive implementation of laws and policies can differ based on **awareness** and **accessibility** that diverse women and men have, though these topics are treated more in relation to **People**.

Second, chapters examine the **Governance** dimension; KWN adjusted the UNDP Model's concept from "Government" to consider the more inclusive *act* of governing. This expanded the definition, enabling analysis of other institutions responsible for digitalisation, such as the Assembly of the Republic of Kosovo, public administration, justice institutions, and independent bodies. Within this dimension, KWN first examines the gender responsiveness of the sub-dimensions of **leadership**, **coordination, planning, implementation, monitoring,** and **evaluation,** as well as gender-balance: the extent to which diverse women and men participate in governance and institutions responsible for digitalisation. Whether the Government has enabled **public participation** is discussed where relevant. Second, it examines the Government and responsible institutions' **capabilities** to support gender-responsive digitalisation, which relates to the catalyst of **awareness**. Third, the sub-dimension of **digital public services** attends to the gender-responsiveness of **available** digital services provided by responsible institutions. While this is closely interrelated with the infrastructure that institutions have available to provide such services, KWN conceptualised digital public services to include the services provided by institutions to the public and not the technical hardware or software available within the institution. Software and hardware availability are treated under the Infrastructure section of each chapter. The fourth sub-dimension of **funding and procurement** assesses the gender-responsiveness of government funding, including use of gender-responsive budgeting and e-procurement. Catalysts of **availability**, **accessibility**, **adoption**, **awareness**, and **protection** are all relevant to the Government and responsible institutions, but primarily discussed in relation to other dimensions.

The third dimension, **Infrastructure**, examines the extent to which sub-dimensions of **internet connectivity**, **digital tools**, hardware, and **software** are **available** in Kosovo. The existence of infrastructure conditions the availability of public services. Thus, KWN differentiated Infrastructure from public services (what the Government provides) by conceptualising infrastructure to refer solely to the technical hardware and software available. Infrastructure includes "a network of computers and communication systems

providing facilities for a worldwide exchange of data between systems and users".[35] Infrastructure facilitates digital governance, but the Government is responsible for developing digital services. Similarly, whether these are **available** to diverse women and men depends on **accessibility**, whereas **access** is treated within the People dimension. Another sub-dimension based on UNDP's Model is **innovation ecosystem**, its **availability** in Kosovo, diverse women and men's **awareness** of it, and the extent to which they can **access** it, discussed in the People dimension. An innovation ecosystem involves different actors, relationships, and resources intersecting to create a great idea and scale it up for transformative impact.[36] Actors may include governments, civil society, the private sector, universities, and individual entrepreneurs.

The fourth dimension of **People** attends to the sub-dimension of **participation**, added to the UNDP Model to examine the extent to which diverse women and men have **access** to, **awareness** about, and **protection** for **participating** in digitalisation processes, including policymaking. A second sub-dimension is **ownership and use**, the extent to which diverse women and men have **access** to digital tools and the extent to which they use them. A third sub-dimension examines diverse women and men's **digital literacy skills**, which relates to the catalysts of **awareness** and **accessibility**. The fourth sub-dimension discusses how digitalisation has affected diverse women and men's **digital wellbeing**. Regarding catalysts, **awareness** about the effects of digitalisation, as well as awareness of and access to protection mechanisms can relate to digital wellbeing. The catalyst of **protection** is particularly relevant in assessing how diverse women and men have data protection, privacy, and cybersecurity in practice.

KWN removed **culture** from its adaptation of UNDP's **People** dimension because feminist scholars have critiqued the term for neo-colonialist usages that support "othering" by portraying culture as an obstacle to human rights.[37] Such understandings ignore that culture is the product of actively maintained socialisation processes and that no homogeneous, static culture exists. Attributing norms to culture thus can reinforce the status quo.[38] The Convention on the Elimination of All Forms of Discrimination against Women

[35] J. Marijn, A.S. Chun, J. R. Gil-Garcia, "Building the Next Generation of Digital Government Infrastructures", *Government Information Quarterly*, 26 (2), 2009.

[36] International Development Innovation Alliance, "What is an Innovation Ecosystem?", accessed 6 November 2023.

[37] S. E. Merry, "Human Rights Law and the Demonization of Culture (And Anthropology Along the Way)", *Political and Legal Anthropology Review,* 26(1), 2003. See also R. Coomaraswamy, "Identity Within: Cultural Relativism, Minority Rights and the Empowerment of Women", *The George Washington International Law Review* 34(3), 2002.

[38] For example, in Kosovo culture has been used to justify property remaining registered in men's names, despite the harm done to women; and in the statistical surveying of men assumed "heads of households", which can ignore and contribute to the underrepresentation of women in statistical findings.

(CEDAW) condemns using culture to justify antiquated legal systems that violate women's rights.[39]

Instead, KWN analysed **gender norms, roles, relations, and values** as crosscutting throughout the Model and analysis (see figures 2 and 3).

The **Business** dimension examines the gender-responsiveness of **technology adoption**, **financing incentives** for businesses to digitalise their operations, **CSR**, and **startup environments**. Catalysts include **accessibility** related to diverse women and men's access in digitalising businesses, their **awareness** of opportunities related to digitalisation, and the extent to which businesses adequately ensure **protections** for diverse women and men in their operations, ethical standards, data protection, privacy, and cybersecurity. Figure 3 summarises KWN's Gender-responsive Inclusive Digital Transformation Model.

[39] UN General Assembly, CEDAW, 1979; S. E. Merry, "Constructing a Global Law-Violence against Women and the Human Rights System", *Law & Social Inquiry*, 28(4), 2003, pp. 945-947.

Figure 3. KWN's Gender-responsive Inclusive Digital Transformation Model, Simplified

Gender-responsive Inclusive Digital Transformation

Whole of Society

Catalysts for Digital Inclusion

1. Availability

Geographic locations where diverse women & men spend time (e.g., home vs. work)

2. Accessibility

Gender differences in:

- Norms, relations
- Time
- Education
- Knowledge
- Tools
- Finances
- Location
- (Dis)ability
- Language
- Sexuality, gender identity

3. Adoption

- Sufficient consultation with diverse women and men
- Gender-responsive policies
- Extent adopted by different genders

4. Awareness

Gender differences in:

- Education
- Knowledge
- Digital literacy

5. Protection

- Men's/women's trust in operators
- Gender attentive ethical standards, data protection
- Privacy (also at home)
- ******
- Cybersecurity

Gender roles, Norms, Relations, Values & power

Gender roles, Norms, Relations, Values & power

Gender roles, Norms, Relations, Values & power

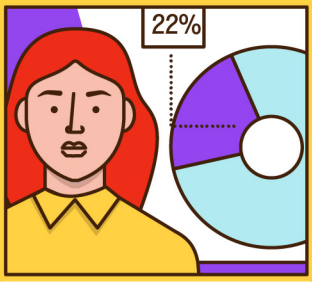
Regulation

Gender-responsive:

- Rights
- Data standards
- Protection
- Cybersecurity
- Ethical standards
- E-commerce
- Fair market competition
- Budget allocations for digitalisation

Governance

Gender-balanced & gender-responsive:



- Leadership & coordination

- Planning, implementation, monitoring & evaluation

- Capabilities

- Digital public services

- Public participation

- Funding & procurement

Infrastructure

Gender-responsive:

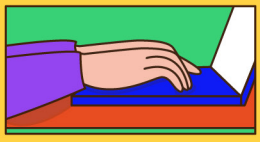
- Connectivity infrastructure
- Digital tools
- Software
- Innovation ecosystem

AAAAP can differ for diverse women & men

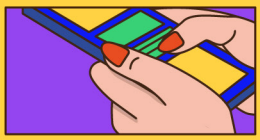
People

- Gender norms, roles, relations, values

- Participation



- Ownership & use (esp. access)



- Digital literacy skills (esp. access)

- Digital wellbeing (gender norms, time, access)

Business

Gender-responsive:

- Technology adoption (esp. access)
- Financing incentives (esp. access)
- Startup environment (esp. access)
- CSR

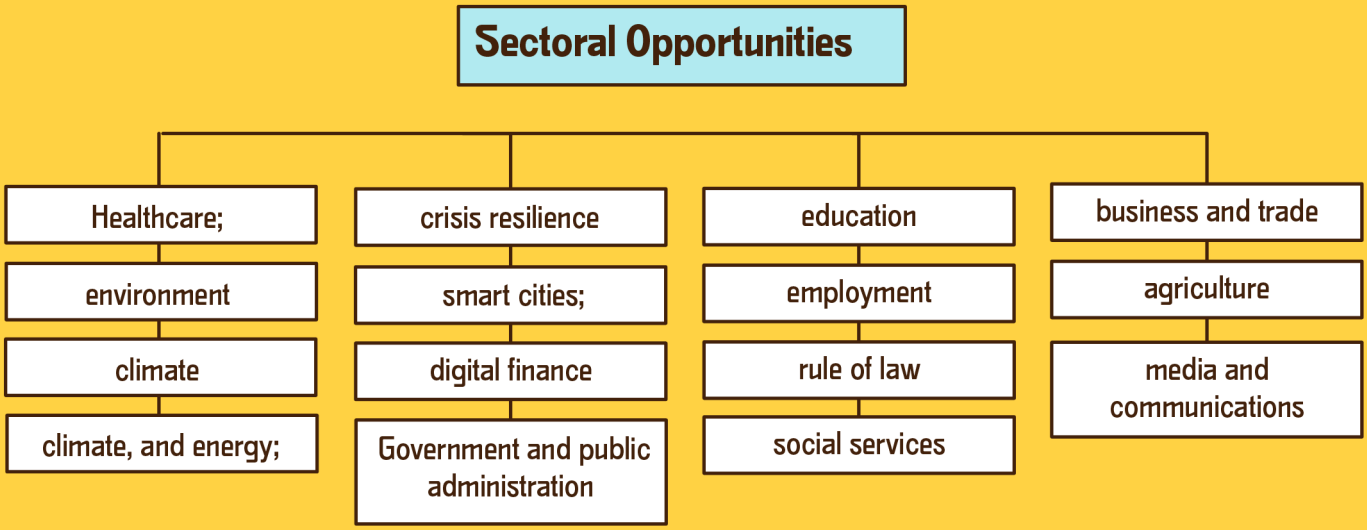
AAAAP can differ for diverse women & men

Gender roles, Norms, Relations, Values & power

Gender roles, Norms, Relations, Values & power

Gender roles, Norms, Relations, Values & power

Figure 3. KWN's Gender-responsive Inclusive Digital Transformation Model, Simplified



In informing its Model, KWN drew from the gender analysis framework presented by Jhpiego, a Johns Hopkins University affiliate.[40] It provided a general framework for integrating gender analysis using the domains of institutions, laws, and policies; practices and participation; access to assets; and beliefs and perceptions (see Figure 4). Notably, power is crosscutting, as Jhpiego explains in reference to its Gender Analysis Framework:

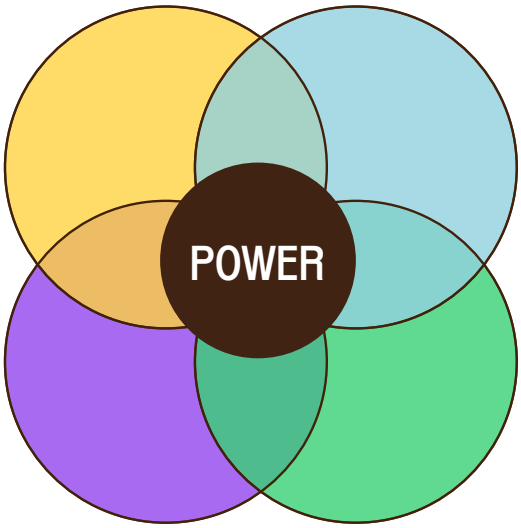
> Power: Pervades all domains – it informs who has, can acquire and can expend the authority to acquire and expend assets. [...] It determines if an individual can take advantage of opportunities, can exercise rights, move about and associate with others, enter into legal contracts, and run for and hold office. Power also determines the way men and women are treated by different types of institutions, policies, and laws. The way in which people are treated forms an important part of what it means to be socially marginalized and disempowered. Providers' discriminatory attitudes, for instance, reinforce and deepen inequalities. Providers, particularly lower-level women providers, may also experience discrimination and mistreatment in their workplaces, as a result of gendered hierarchies.[41]

[40] Johns Hopkins University, "Gender Analysis Framework", accessed 12 August 2023.

[41] Ibid.

Figure 4. Jhpiego Gender Analysis Framework

THE GENDER ANALYSIS FRAMEWORK



Assets access to

- Natural Resources
- Productive Assets
- Income
- Information
- Knowledge
- Social Networks

Beliefs and Perceptions

Influence:

- Access to Opportunities
- Mobility and Decisions
- Expectations about
- Appropriate Behavior

Practices and Participation

- Time, Space and Mobility
- Household and Community Division of Labor
- Participation Rates In Different Activities
- Roles

Institutions, Laws and Policies

- Due Process
- Education
- Employment Opportunities
- Health Services
- Infrastructure
- Ownership and Inheritance Rights

Thus, power relations and structures are discussed throughout the report, as crucial to understanding the socialised power dynamics that may affect diverse women and men's access to and engagement in the digital transformation.

The research team sought to consistently include intersectional gender analysis, considering potentially converging inequalities that diverse individuals may face related to gender and age, ethnicity, socioeconomic status, geographic location, disability, gender identity, and/or sexual preference. However, relevant data seldom was available. It should be noted that the terms women, men, girls, and boys are used in this report to emphasise the need to consider gender differences. This is not meant to ignore the needs of people who do not identify with these gender binaries, and readers are

asked to consider that all references to multiple genders throughout the report should be interpreted to include other non-binary identifying persons. This choice was made for brevity as well as the need to bring attention to differences among women, men, girls, and boys where more data is available. Where gender-disaggregated data was unavailable, it can be assumed that other data also was unavailable unless otherwise stated.

In this report, KWN attends to UNDP's Sectoral Opportunities for digitalisation in the respective chapters on healthcare and on environmental protection, energy, and climate change response. The first chapter includes a discussion on smart cities and digital public finances, whereas the chapter on business and trade attends to digital financing. Crisis resilience is treated in chapters on climate change and on rule of law related to security. In addition to UNDP's identified sectors, KWN's gender analysis examines the Government, public administration, rule of law, social services, education, employment, business and trade, agriculture, and media and communications sectors.

Research Methods

Given the limited literature and publicly accessible data on digitalisation and gender in Kosovo, in responding to the research questions, KWN used a phased, iterative approach to conducting this research. This approach involved mixed methods, enabling KWN to adapt and to identify further interview participants as needed.

The first phase included a desk review of relevant EU treaties, directives, laws, policies, documents, reports, strategies, and publications pertaining to digitalisation in Kosovo, digitalisation and gender in Kosovo, and other institutional data related to digitalisation. This included obtaining data from responsible actors. This phase also involved assessing the availability of data pertaining to EU GAP III objectives and indicators relating to digitalisation,[42] as well as UN SDG targets related to digitalisation,[43] towards consolidating any available baseline data in Kosovo.

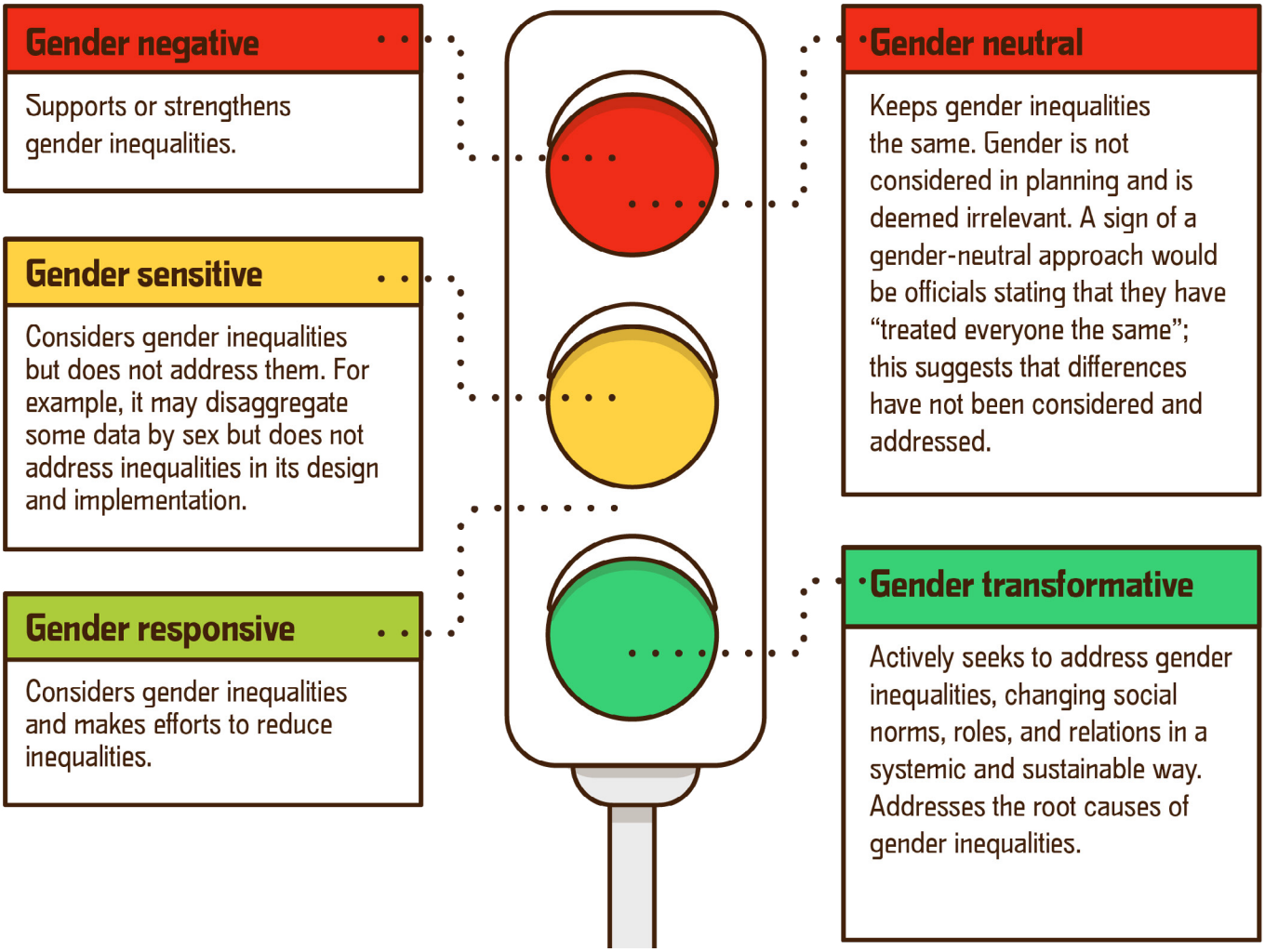
For the Regulation dimension of the Model, the second phase involved content gender analysis of the relevant legal and policy framework related to digitalisation in Kosovo. Although some policies had expired, they were still analysed towards identifying lessons learned to inform new policies. This included examining all identified public policies relating to each sector. The team first searched key words to see if each law or policy contained any commitments to digitalisation. Second, the team conducted a rapid assessment of the extent to which paragraphs pertaining to digitalisation

[42] Data was difficult to secure, so findings are not reported herein.

[43] See Annex 2.

in each law and policy referred to gender, again using key-word searches.[44] Then, researchers analysed the extent to which each policy had objectives, indicators, and budgets towards gender equality related to digitalisation. Third, the team analysed the extent to which each digitalisation-related law and policy was gender negative, gender neutral, gender sensitive, gender responsive, or gender transformative, using an established five-point "Traffic Lights" scale (see Figure 5). In line with Kosovo and EU commitments, all laws and policies should seek to be at least gender-responsive, but ideally gender-transformative. Recommendations were framed towards achieving these aims.

Figure 5. "Traffic Lights" Scale of Gender-transformativeness



[44] Related to digitalisation, key words included: digital, internet, e-, ICT, technology, communication, online, computer, cyber, network, innovative, STEM, and Artificial Intelligence. Related to gender, key words included: gender, girl, boy, woman, women, man, men, female, male, equality, his, him, her, she, and he.

[45] "Traffic light: gender sensitivity scale", adapted by KWN from Sanja Nikolin's methodology used by the Gender Budget Watchdog Network, 2021.

In the Regulation section of each chapter, the reader may assume that laws that were gender negative or gender neutral did not include objectives, indicators, or budgets towards gender quality. Therefore, this finding is not repeated each time.

The third research phase involved semi-structured interviews conducted by a team of three researchers with key stakeholders, including representatives of institutions responsible for implementing laws, policies, and programmes related to digitalisation; international actors and contractors engaged in supporting digitalisation-related reforms; CSOs engaged in digitalisation, ICT, and/or furthering gender equality; and business representatives. In total, 46 people participated in interviews or provided information in writing, including 26 women and 20 men.[46] Sectors lacking data are noted to inform future research.

KWN also drew from data collected through UNDP's online Digital Readiness Survey, and Digital Household Survey; the Millennium Challenge Corporation's (MCC) time use study; KAS data; and other available data. The team analysed data with reference to the research questions and sub-questions. Percentages are rounded to the nearest whole percent.

During this phase, as relates to **Governance**, the team performed content, textual, and image analysis of the websites of responsible institutions, examining the extent to which information provided, language used, and images shown were gender responsive. Content analysis included gender analysis of institutions' websites in terms of open government and the provision of transparent information; parliamentary committee meeting minutes based on information digitally available since 2021; and e-procurement postings at the end of August 2023, including analysis of the first ten contract tenders listed by date and those referencing gender-related terms in their titles. The analysis focused on the national level given that most digital reforms have been at this central level for Kosovo-wide use. Findings from these mixed methods are summarised in this report.

Limitations and Validity

Key limitations included minimal existing and available data; weak research participant understanding of concepts related to digitalisation, gender, and their interrelationships; government priorities, such as national security

[46] See Annex 3, Research Participants.

issues, that contributed to delays; government changes that required substantial report revisions following ministry reshuffling and policy changes; challenges related to the COVID-19 pandemic; and time constraints. Notably, the legal and policy analysis was updated as of mid-December 2023, and newer legislation may have been approved since then, rending findings outdated. The research team sought to enhance validity through triangulation of methods, data sources, and researchers. KWN organised participant checks and a consultative peer review process through which academics, lawyers, officials, CSOs, EU representatives, UN agencies, and sectoral experts reviewed the draft report towards reducing error or bias.

Overview of Contents

The first chapter assesses digitalisation from a gender perspective, including attention to the Assembly of the Republic of Kosovo, Government, and public administration. Each chapter that follows focuses on a different sector, including rule of law; social services; education; employment; business and trade; agriculture; climate change; health; and media and communications. Using KWN's Gender-responsive Inclusive Digital Transformation Model, each chapter begins with a gender analysis of Regulation, that is the legal and policy framework pertaining to digitalisation in that sector. Chapters then examine the gender-responsiveness, inclusiveness, and accessibility of Governance related to digitalisation; this includes awareness of officials about gender-responsive digitalisation. Third, each chapter examines the gender-responsiveness of Infrastructure and the extent to which it is available and accessible with sufficient protections. Finally, each chapter looks at People: diverse women and men's participation, ownership, and use of digitalisation tools and processes; digital literacy skills; and digital wellbeing, considering how availability, accessibility, awareness, and protection may affect these. The gender-responsiveness of digitalisation related to the Business dimension of the Model is examined primarily in the Business and Trade chapter. Finally, recommendations are presented for responsible institutions, the EU, and other actors towards supporting a more gender-transformative, or at least gender-responsive, digitalisation process for Kosovo.

01

Gender Analysis of Digitalisation

Digitalisation offers opportunities for improving access to economic opportunities, knowledge, education, public services, and justice. It can contribute to social inclusion, such as by engaging persons in rural areas and with disabilities more in terms of education and the economy. Yet not everyone necessarily benefits equally from digitalisation. Social perceptions, gender roles, relationships, and power relations among diverse women and men can affect their access to digitalisation and its benefits. Knowledge, ownership, access, use, perceptions, and power related to digitalisation can differ for persons from diverse social groups, genders, and abilities.[1] Globally, digital exclusion seems to be greater in rural areas, hindering women and girls' access to digital services.[2] If left unchecked, digital technologies can create new vulnerability, inequality, and exclusion. Challenges to the digital transformation include poor access to information, insufficient data on skills gaps, and inadequate human resources.[3] Digitalisation can put women at risk through online harassment and physical stalking assisted by digital technology. This and limited knowledge may undermine digital trust, further contributing to digital exclusion.

[1] OECD, Bridging the Digital Gender Divide, 2018, p. 22.

[2] Inter-American Institute for Cooperation on Agriculture, Inter-American Development Bank, and International Fund for Agricultural Development, Research by the University of Oxford/IICA/IDB/IFAD "Digital Exclusion: An Obstacle that Hinders Rural Women's Work", 2020.

[3] Ibid.

This chapter provides an overview of the gender-responsiveness of digitalisation in Kosovo. Given the responsibilities of the Assembly of Kosovo, Government of Kosovo, and public administration to lead digitalisation processes, particularly the OPM and the Ministry of Internal Affairs (MIA), as responsible for public administration reform (PAR). The chapter discusses the obligations and initiatives of these entities towards furthering digitalisation, related to the Governance pillar of the Gender-responsive Inclusive Digital Transformation Model. This includes efforts to digitalise the work of the Assembly of Kosovo, Government, and public administration. Later chapters discuss the Government's role in digitalising specific sectors. As per the Regulation dimension of the Model, the chapter begins by analysing the gender-responsiveness of the legal framework related to digitalisation overall, to the Assembly of Kosovo, to the Government, and to the public administration. Then, it examines the other dimensions from a gender perspective: Governance, Infrastructure, and People. A separate chapter discusses Business and Trade.

Regulation: Gender Analysis of Laws and Policies Related to Digitalisation

In 2016, Kosovo signed its first contractual agreement with the EU, the SAA. Kosovo has committed to advancing digitalisation through EU Accession documents related to the SAA, such as the National Programme for the Implementation of the Stabilisation Association Agreement (NPISAA) 2022-2026,[4] ERA II Action Plan,[5] and ERP.[6]

Any laws and policies drafted since the Better Regulation Strategy 2.0 was adopted in 2017 should be based on gender analysis and thus should reference gender.

Related to digitalisation, Kosovo must undertake PAR. The EU does not have any formal legal body that regulates public administration, its procedural regulations and agreements, or a specific administrative law that potential candidate countries can use as an example.[7] However, the Acquis Communautaire and EU treaties contain principles that define good governance and set key criteria.[8] Kosovo has committed to these in its SAA.[9] It is striving to accomplish reforms through actions and measures specified in ERA II[10] and other strategic documents. The Government agreed to accept the EU's financial support for PAR by signing the IPA agreement between Kosovo and the EU.[11]

Any laws and policies drafted since the Better Regulation Strategy 2.0[12] was adopted in 2017 should be based on gender analysis and thus should reference gender. In the context of realising Kosovo's commitments to EU Accession, this section analyses the gender-responsiveness of laws and policies pertaining to digitalisation, including the work of the Assembly of Kosovo, Government, and public administration. Sector-specific laws and strategies are discussed in later chapters. UNDP's Inclusive Digital Transformation

[4] Republic of Kosovo, Government, NPISAA 2022-2026, 2022.

[5] Republic of Kosovo, Government, Second Phase of EU-Kosovo Political Priorities: European Reform Agenda (ERA) II, 2021.

[6] Republic of Kosovo, Government, Economic Reform Programme (ERP).

[7] Support for Improvement in Governance and Management (SIGMA), "European Principles for the Public Administration" [Parime Europiane të Administratës Publike], 2001, p. 16.

[8] EU, SIGMA, and OECD "Principles of Public Administration" [Parimet e Administratës Publike], ND, p. 6.

[9] EU, Official Journal of the European Union, Stabilisation Association Agreement, 2016, Article 120, Public Administration, 2016.

[10] Republic of Kosovo, Government, Action Plan for implementation of the second phase of political priorities - ERA II, Pillar 1.2., 2021.

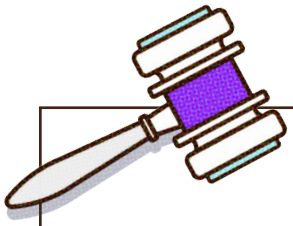
[11] Republic of Kosovo, Government, "Edict for Ratification of International Agreement" [Dekret për ratifikimin e marrëveshjes ndërkombëtare], [in Albanian], 2017, Specific Objective 4.

[12] Republic of Kosovo, Government, OPM, Better Regulation Strategy 2017-2021, 2017.

Model has outlined various aspects of regulation related to digitalisation that Kosovo must consider, including data standards and protection, e-commerce, fair market competition, cybersecurity, and ethical standards. These are discussed broadly in this section and more specifically in later chapters.

Constitution of the Republic of Kosovo

The Constitution ensures gender equality "as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other areas of societal life".[13] No one shall be discriminated against based on gender,[14] and the composition of various institutions should reflect the principle of gender equality.



No one shall be discriminated against based on gender.

CEDAW addresses discrimination by persons, organisations, or enterprises in political and public life, employment, vocational training, education, and services.[15] Adopted in 1979, it does not refer to digitalisation explicitly, but does commit to ending *all* forms of discrimination against women. CEDAW is applicable in Kosovo via the Constitution of the Republic of Kosovo.[16] The Constitution also includes the Convention on the Rights of the Child, which recognises the rights of children to privacy, including online.[17]

Criminal Code of the Republic of Kosovo

A new Criminal Code was adopted in 2019, including provisions and definitions related to gender-based violence.[18] The Code refers to online protection in articles 231 and 232 in relation to children and pornography, and in Article 186 on harassment. Article 327 regulates intrusion into computer systems. The Code does not define cyberviolence, cybercrime, or data protection. Generally, provisions relevant to digitalisation are **gender neutral**.[19] The EU has put forward a Proposal for a Directive of the European Parliament and of the Council on combating violence against women and domestic violence, including "crimes on the basis of sex and various forms of online violence ('cyber violence'), including nonconsensual sharing or manipulation of intimate material, cyber stalking and cyber harassment".[20] If this proposal is adopted, Kosovo will need to harmonise its legislation.

[13] Republic of Kosovo, Constitution, 2008, Article 7.

[14] Ibid., Article 24.

[15] UN, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979.

[16] Republic of Kosovo, Constitution of the Republic of Kosovo, 2008, Article 22.6.

[17] Ibid., Article 22.7.

[18] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019.

[19] See the Introduction chapter for an explanation of levels of gender transformation.

[20] EC, Proposal for a Directive of the European Parliament and of the Council on combating violence against women and domestic violence, COM/2022/105 final.

Criminal Procedure Code

The Kosovo Criminal Procedure Code (CPC) was amended in 2022.[21] It does not refer to cyberviolence or cybercrime. It does mention "intrusions in computer systems" and "intrusions on the other person's computer". The CPC is **gender neutral**, though it should consider gender, as elaborated on in the Rule of Law chapter. KWN found no evidence that an ex-ante or ex-post G(E)IA was conducted to inform the amended Code.

Law on Prevention and Fight of Cybercrime

Adopted in 2010, this Law aims to address cybercrime with "measures to prevent, discover, and sanction violations through computer systems", while observing human rights and protecting personal information.[22] The Law states that the responsible institutions should cooperate with service providers and CSOs to organise information campaigns on cybercrime and risks for computer users.[23] No reports or ex-post gender analyses examine the extent to which this Law has been implemented. The Law does not attend to the need to target diverse women and men with this information; or to how cybercrime or cyberviolence may affect women, men, girls, boys, Lesbian, Gay, Bisexual, Trans*,[24] Intersex, Queer, or other identifying (LGBTIQ+)[25] persons. Therefore, this Law is **gender neutral**.

Law on Protection of Personal Data

This Law was enacted in 2010 and amended in 2019. It "determines the rights, responsibilities, principles and punitive measures with respect to the protection of personal data and privacy of individuals".[26] It outlines institutional responsibilities for monitoring the legitimacy of data processing and access to public documents. Although Kosovo is not an EU Member State, the Law is aligned with the EU General Data Protection Regulation (GDPR), listing data subject rights, such as to access, rectification, and deletion.[27] It considers sensitive "any personal information revealing racial or ethnic origin, political or philosophical opinions, religious beliefs, trade-union membership or any information on health status and sex life", as well as criminal records. It specifies sexual orientation as a special, endangered category in processing personal data. Yet, KWN found no evidence that a G(E)IA informed this Law. It makes no reference to gender differences in data protection.

[21] Republic of Kosovo, Assembly, Code No. 08/L-032 The Criminal Procedure Code of Kosovo, 2022.

[22] Republic of Kosovo, Assembly, Law No. 03/L-166 on Prevention and Fight of the Cybercrime, 2010, Article 1.

[23] Ibid., Article 5.

[24] The Asterix after "Trans" indicates inclusion of diverse persons and identities affiliated with this term.

[25] While KWN uses this acronym to facilitate reading and to reduce the length of this report, it is not meant to assume that these very diverse groups comprise a single community. Rather, each group is quite different, and a single, unified community does not exist. Treating this as a single community homogenises groups that are quite different and obscures the needs and interests of specific groups, as discussed later in this chapter under People.

[26] Republic of Kosovo, Assembly, Law No. 06/l-082 on Protection of Personal Data, 2019, Article 1.

[27] One Trust Data Guidance, Regulatory Research Software, Kosovo, Summary, accessed 7 November 2023.

Article 35 foresees that a data protection impact assessment should be undertaken when processing data, particularly using new technologies. This assessment should consider the nature, scope, context, and purposes of data processing, particularly if it is likely to result in high risk to people's rights and freedoms. The assessment does not require a gender impact assessment. Nor does the Information and Privacy Agency (AIP)[28] provide publicly available information as to whether these assessments are conducted and if they include gender analysis. AIP and its Information and Data Protection Commissioner are responsible for enforcing data protection laws, monitoring the implementation of the Law on Protection of Personal Data (LPPD), reviewing the Law's compliance with other legislation, investigating complaints, and imposing fines and sanctions for non-compliance.[29] KWN could not find any AIP reports monitoring the implementation of the Law, towards examining the gender-responsiveness of such monitoring.[30]

Thus, while opportunities exist for a gender-responsive LPPD, the current Law is **gender neutral.**

Law on Electronic Communications

This 2012 Law, amended in 2017,[31] established the legal framework for electronic communications services and aims to promote competition, innovation, and investment in the sector. The Law regulates:

- Access and interconnection: electronic communications providers must serve other providers with access to their networks and facilities, fairly and without discrimination.
- Universal service: providers must ensure that basic electronic communications services are available to all users, including those in rural and remote areas.
- Consumer protection: includes requirements for transparency, fairness, and quality service.
- Data protection in the context of electronic communications services.
- Enforcement by establishing the Regulatory Authority of Electronic and Postal Communications (RAEPC) as responsible for enforcing its provisions, including the power to impose fines and other sanctions for noncompliance.

The Law does not attend to gender and thus is **gender neutral.**

RAEPC provides yearly reports monitoring the Law on Electronic Communications. Monitoring has not involved gender analysis. Its 2021

[28] On its website, the Information and Privacy Agency uses the acronyms IPA and AIP in English. In this report, KWN uses the Albanian language acronym, *Agjencia për Informim dhe Privatesi* (AIP), to avoid confusing this Agency with the English acronym for the Instrument for Pre-Accession (IPA).

[29] Information and Privacy Agency, website, accessed 7 November 2023.

[30] Ibid., "Publications".

[31] Republic of Kosovo, Assembly, Law No. 04/L-109 on Electronic Communications, 2012.

Report states that they have "treated 242 complaints of consumers towards operators which offer electronic communication and postal services" and "approximately 20 incidents and cybernetic threats".[32] However, no gender-disaggregated data is provided to track gender differences in reporting or use of these services. In terms of the Radio Monitoring and Network Security Objective, specified as a key aspect of RAEPC's upcoming action plan, they mention the need to comply with European and international standards. This would include the need to draw from best EU practices in consumer rights, including tracking gender-disaggregated data on complaints, threats, and incidents, as well as including a gender perspective in monitoring the Law on Electronic Communications.

Law on Information Society Government Bodies

This 2013 Law tasks the Agency for Information Society (AIS) in the ministry responsible for public administration with developing and implementing ICT for institutions.[33] It "proposes and coordinates" all ICT policies, including the Government strategy and action plan for e-governance. Moreover, the Law renders AIS responsible for developing ICT and related infrastructure, promoting investments in it, establishing ICT training including for public servants, increasing ICT use in institutions, and coordination related to ICT in the Government.[34] It is also responsible for data management for the State Data Electronic Centre, security of electronic data and communications, ensuring protection of personal data, supporting address of cybercrime, protecting intellectual property rights, and supporting electronic access to public information. The Law does not contain any references to gender and is **gender neutral**, though it could have included attention to gender balance in the Agency and AIS duties to ensure equal access to diverse women and men, to further gender equality related to ICT, and to ensure gender-disaggregated data management by the State Data Electronic Centre, for example.

Law on Child Protection

This 2019 Law requires institutions responsible for child protection, including schools, social services, and healthcare providers, to provide information and raise awareness on risks associated with online activities.[35] It requires parents or children's legal guardians to be informed about the potential internet-related risks and how to minimise them. The Law establishes measures against websites with pornographic content and those that could damage the health or life of a child. It requires responsible institutions to provide safe internet access in public spaces, including restricting access sites with inappropriate content for children. Further, "Internet cafes and video games service providers must ensure that: the content of these services

[32] RAEPC, Annual Work Report, 2021.

[33] Republic of Kosovo, Assembly, Law No. 04/L-145 on Information Society Government Bodies, 2013, Article 5.

[34] Ibid., Article 6.

[35] Republic of Kosovo, Assembly, Law No. 06/L-084 on Child Protection, 2019.

is appropriate for the age of a child and in accordance with international norms."[36] No provisions or definitions refer to protecting girls or boys specifically from online violence and threats, which would pave the way for responsible institutions to treat such cases. The ways that online violence likely threatens girls (e.g., through social media, pornography) and boys (e.g., via online gaming and cyberbullying) could have been treated in the Law.[37]

The Law foresees that the Government, based on a proposal by the Ministry of Internal Affairs, shall issue a sub-legal act on the protection of children from internet cafes and video games, including specific measures against pornographic content, punishing online child abusers, reducing children's access to health- and life-threatening material, and assisting children at risk of any form of online violence. However, this Act remained a draft in 2023. The last draft opened for public consultations did not include any reference to gender or gender-based violence. Nor did it define "digital violence", "inappropriate materials", or "abuse".[38] Thus, it seems that no gender equality impact assessment informed its drafting, and the draft was **gender neutral**. Further, no institution seems to have clear responsibilities for monitoring the protection of children related to internet access and use.

Law on General Administrative Procedure

This 2016 Law "aims to ensure effective pursuance of public authority in the service of the public interest whilst guaranteeing the protection of the rights and legitimate interests of persons".[39] The Law specifies that public bodies shall abide by the principle of equality and non-discrimination.[40] It recognises electronic documents as an eligible form of administrative act, stating that the Government may define by special decision other safe methods that secure the authenticity and integrity of electronic documents.[41] This Law includes no gender perspective and is **gender neutral**. Opportunities existed for a more gender-responsive text. For example, Article 11 states "a public organ conducting an administrative proceeding shall ensure that the ignorance of a party shall not result in weaker protection to its rights and legitimate interests". Different phrasing could have stated, "shall ensure that low levels of knowledge among women or men shall not result in weaker protection of their rights and interests". The Law could have foreseen affirmative measures for reaching diverse women and men who may not possess the same levels of knowledge in using (digital) public services. According to the Strategy

[36] Ibid., Article 53.

[37] For further information, see the People section.

[38] OPM, Public Consultation Platform, Draft Administrative Instruction No./2019 on children/student Online Protection at the Pre-University Education Institutions, 2019.

[39] Republic of Kosovo, Assembly, Law No. 05/L-031 on General Administrative Procedure, 2016, Article 1.

[40] Ibid., Article 6.

[41] Ibid., Article 46.

for Modernisation of Public Administration, the administration has faced challenges in implementing this Law.[42]

Law on Gender Equality

This 2015 Law requires equal representation of women and men, defined as 50% of each gender, at all levels of decision-making in the Government, public administration, and independent bodies.[43] It requires the Government and public administration to regularly record, register, process, and submit gender-disaggregated data, including institutions' data on services provided, to KAS.[44] This relates to the need to maintain digitalised data, including on users of digital public services. The Law contains measures to prevent gender-based discrimination and ensure gender equality, by:

Law requires equal representation of women and men, at all levels of decision-making:

- In the Government
- Public administration
- Independent bodies

1.1. analysing the status of women and men in the respective organization and field; 1.2. adoption of strategies and action plans for the promotion and establishment of gender equality in accordance with the Kosovo Program for Gender Equality; 1.3. gender mainstreaming of all policies, documents and legislation; 1.4. ensuring that the selection, recruitment and appointment processes, including for leading positions, are in line with the requirement for equal representation of women and men; 1.5. inclusion of gender budgeting in all areas, as a necessary tool to guarantee that the principle of gender equality is respected in collecting, distribution and allocation of resources; 1.6. ensuring equal representation of women and men in all conferences, meetings, seminars and trainings inside and outside the country; 1.7. allocating adequate human and financial resources to programs, projects and initiatives for the achievement of gender equality and women's empowerment; 1.8. gender division of all data and collected statistical information shall be recorded, registered, processed and [submitted to KAS].[45]

The Law is **gender responsive,** and these measures are relevant to all institutions' efforts towards digitalisation. However, as this research illustrates, the Law on Gender Equality rarely has been implemented in designing policies related to digitalisation, budgeting for them, or implementing them.

[42] Republic of Kosovo, Government, Ministry of Public Administration, Strategy on Modernisation of Public Administration 2015-2020, 2015, p. 22.

[43] Republic of Kosovo, Assembly, Law No. 05/L-020 on Gender Equality, 2015, Article 6.

[44] Ibid., Article 5.

[45] Ibid.

Overall, the implementation of the Law on Gender Equality remains weak and uneven.[46]

Law on Official Statistics

This 2011 Law regulates official statistics in compliance with international standards.[47] KAS can draw data from statistical units, administrative records, or other means.[48] Article 3 regulates the Principles of Official Statistics, including: relevance, impartiality, objectivity, reliability, cost-effectiveness, professional independence, transparency, statistical confidentiality, coordination and harmonisation, and use of individual data exclusively for statistical purposes.

Although the Law on Gender Equality requires collection of gender-disaggregated data, the Law on Official Statistics does not explicitly require KAS or other institutions to collect it. Officials have stated that the Law on Statistics does not need to specify requirements for gender-disaggregated data as the Law on Gender Equality already does so.[49] This assessment is incorrect, as insufficient harmonisation of these laws contributes to poor implementation.[50] When two laws address related issues but have inconsistent requirements, it can create confusion and uncertainty regarding which law to apply. Harmonisation ensures that laws work together seamlessly, leading to a more effective, coherent legal framework.

This Law is **gender neutral** as it does not mention gender at all. It only refers to "he" and "she" related to sanctions. Nor do the Principles refer to gender equality, intersectionality, or inclusivity. The Law does not specify a gender-responsive approach to **protection**, such as considering that women and girls may have different needs and risks in providing data. Nor are gender aspects of **ethical standards** in statistical research considered.

The Law was amended in 2019,[51] transposing the EU regulation on statistics,[52] to better regulate data confidentiality and fundamental principles of official statistics. This Law did not address the aforementioned issues either and remains **gender neutral.**

[46] EC, Kosovo 2022 Report, 2022, p. 29.

[47] Republic of Kosovo, Assembly, Law No. 04/L-036 on Official Statistics of the Republic of Kosovo, 2011, Article 1.

[48] Ibid., Chapter 4, p. 13.

[49] KWN interviews, 2021-2022, and conversations with officials.

[50] KWN observations based on interviews and data requests submitted to multiple bodies in the Government and public administration, 2021-2023.

[51] Republic of Kosovo, Assembly, Law No. 06/L-058 on Amending and Supplementing the Law No. 04/L-036 on Official Statistics of the Republic of Kosovo, 2019.

[52] EU, Official Journal of the European Union, Regulation (EU) 2015/759 of the European Parliament and of the Council of 29 April 2019 amending Regulation (EC) No. 223/2009 on European Statistics, 2015.

Law on Public Financial Management and Accountability

This 2008 Law regulates the budget, capital, operating expenditures, financial management, accounting, budget accountability, and financial reporting systems for public authorities and undertakings.[53] The Law does not refer to digitalisation, such as digitalised planning, implementation, management, monitoring, or publication of budgets and expenditures. Nor does the Law refer to gender-responsive budgeting, despite requirements in the Law on Gender Equality.[54] This hampers the institutionalisation and implementation of gender-responsive budgeting. The Law is **gender neutral**.

In 2022, the Ministry of Finance, Labour, and Transfers (MFLT) published a draft "Concept Paper in the area of Public Finance Management", towards informing a new law. The Concept notes that "No preconditions have been created for the provision of digital services".[55] It foresees that the new law should enable the Ministry and budget organisations to digitalise processes, including electronic signatures.[56] In Annex 4, Fundamental rights impact assessment form, related to "Equal treatment", a footnote states, "Gender equality is addressed in Gender Impact Assessment".[57] However, this is not explained, and it is unclear if a G(E)IA informed the Concept. The chapter on Identification and Assessment of Future Impacts states that the proposed options for the new law "will not have an impact" on gender equality.[58] Nor does the Concept consider that specific groups may face higher risks than others (e.g., based on gender and age or disability). Nor does it mention gender-responsive budgeting in digital public financial management systems. As such, the draft Concept is **gender neutral**.

Law on Local Government Finance

Adopted in 2008 and amended in 2016, this Law defines the rules, criteria, and procedures for financing local government. Based on the Constitution, it recognises the need to specify financial resources for municipalities.[59] The Law does not discuss digitalisation of municipal financing, and it only mentions gender in relation to Specific Grants for Education and Health. These grants are allocated to municipalities based on a formula established by the Grants Commission, which considers the "age and gender distribution of the population registered with primary health care providers, and the number of elderly persons and of persons needing special health care".[60] The Law does not mention gender-responsive budgeting. It is **gender neutral**.

[53] Republic of Kosovo, Assembly, Law No. 03/L-048 on Public Financial Management and Accountability, 2008.

[54] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, Article 4.

[55] MFLT, Concept Paper in the area of Public Finance Management, 2022.

[56] Ibid., pp. 70 and 82.

[57] Ibid., p. 104.

[58] Ibid., p. 84.

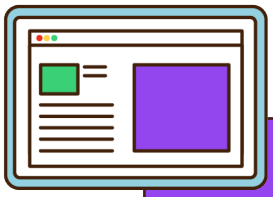
[59] Republic of Kosovo, Assembly, Law No. 03/L-049 on Local Government Finance, 2008. The amendment does not contain this Article.

[60] Ibid., Article 25.

The 2016 amendments to this Law do not include any attention to digitalisation or gender.[61] A draft law on Local Government Finance was circulated in 2019. It does not attend to digitalisation or gender equality. Women are mentioned only in the Specific Grants for Health article.[62] It does not require digitalised gender-responsive budgeting, despite Law on Gender Equality requirements[63] and annual budget circulars that oblige municipalities to provide gender-responsive budgeting annexes.[64] There is no evidence that the draft-law has been informed by a G(E)IA. As such, the draft law is **gender neutral**.

Law on Procurement

This 2016 Law makes the Public Procurement Regulatory Commission (PPRC) responsible for developing, operating, and supervising the public procurement system. On the Government's decision, Article 67 states that electronic procurement will become mandatory. The Law authorises PPRC to issue rules for contracting authorities to use electronic procurement. PPRC must maintain a website with public procurement information.[65] The Law states that the contracting authority may set "specific conditions in the contract which allow taking into consideration social objectives", including the "obligation to implement, during the execution of the contract, measures that are designed to promote gender equality or diversity on other grounds".[66] Thus, the Law provides for gender-responsive procurement. It does not oblige PPRC to collect, track, and publish electronically gender-disaggregated data related to procurement dossiers. While the Law is somewhat gender responsive, its language could be improved and further specified. Moreover, the Law could be explicitly gender responsive in its requirements to collect, track, and publish gender-disaggregated data. As the Law is undergoing amendment, this is an opportune time to consider improvements.



Article 67 states that electronic procurement will become mandatory.

[61] Republic of Kosovo, Assembly, Law No. 05/L-108 on Amending and Supplementing the Law No. 03/L-049 on Local Government Finance, 2016.

[62] Republic of Kosovo, Government, OPM, Office for Good Governance, Public Consultation, Draft Law on Local Governance Financing, 2019.

[63] Republic of Kosovo, Assembly, Law No. 05/L-020 on Gender Equality, 2015, Article 6.

[64] See, for example, MFLT, Budgetary Circular 2024/01, 22 May 2023.

[65] Republic of Kosovo, Public Procurement Regulatory Commission, "e-Procurement", accessed 16 August 2023.

[66] Republic of Kosovo, Assembly, Law No. 05/L -068 on Amending and Supplementing the Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, 2016 amended and supplemented with the Law No. 04/L-237, Article 17.

Regulation on Rules of Procedure of the Assembly of the Republic of Kosovo

This Regulation defines the organisation and functioning of the Assembly and its bodies as well as the rights and obligations of Members of Parliament (MPs). In terms of digitalisation, it regulates electronic communication among deputies, electronic confirmation of their attendance, open voting (electronically or by hand raise), electronic meetings, and voting in extraordinary situations.[67] It states that "Each draft law proceeded to the Assembly shall be tabled in paper and in an electronic format, drafted in: Albanian, Serbian and English language."[68] Requirements for ensuring transparency of votes cast to enable gender-disaggregated analysis is not stated explicitly, though this data appears to be recorded. Whether draft laws need to be checked to ensure G(E)IAs have been conducted and informed the laws, is not stated.

Regulation on Disciplinary Procedures in the Civil Service

In accordance with the Law on the Civil Service,[69] this 2011 Regulation defines minor and serious offenses in the civil service.[70] It considers sexual harassment a serious violation and defines it as any civil servant, public official, or party using "physical or verbal conduct of a sexual nature that violates the dignity of a woman or a man at work and which is undesirable or offensive to the person".[71] No relationship is indicated between the Administrative Instruction on internet use and this Regulation, such as using the internet or electronic means for sexual harassment. This Regulation generally is gender sensitive given its attention to sexual harassment affecting women and men but remains **gender neutral** regarding digitalisation, given the lack of attention to disciplinary procedures for gender-related rights violations occurring via digital means.

Administrative Instruction on the Use and Management of Internet in Institutions of the Republic of Kosovo

Adopted in 2011, this Administrative Instruction sets rules, standards, and limitations for using the internet in institutions.[72] It mentions using the internet for developing job-related habits and skills, accessing information that can contribute to increasing the performance of officials and their professional promotion, as well as easing communication among external persons

[67] Republic of Kosovo, Assembly, The Regulation on Rules of Procedure of the Assembly of the Republic of Kosovo, 2022.

[68] Ibid., Article 71.

[69] Republic of Kosovo, Assembly, Law No. 03/L-149 on the Civil Service of the Republic of Kosovo, 2010, affected by the Law No. 06/L-114 on Public Officials, 2019.

[70] Ministry of Public Administration, Regulation No. 04/2011 on Disciplinary Procedures in the Civil Service.

[71] Ibid., Article 6, paragraph 1.20.

[72] Republic of Kosovo, Government, Ministry of Public Administration, Administrative Instruction No. 1/2011 on the Use and Management of Internet in Institutions of the Republic of Kosovo, 2011.

and staff.[73] Article 7 restricts internet use, forbidding opening websites that contain violence, threats, racial or sexual harassment, or other acts that are inconsistent with state standards and policies.

While the Instruction does not mention gender explicitly, this Article could regulate the protection of women and girls, as likely targets of sexual harassment, while providing equal protections for men and boys. KWN research has shown that "women [64%] are significantly more likely than men to have experienced sexual harassment [33%]".[74] Meanwhile, the Kosovar Gender Studies Centre (KGSC) found that sexual harassment remains prevalent in public institutions, including electronically.[75]

[64%] [33%]

women are significantly more likely than men to have experienced sexual harassment.

The Instruction does not clearly regulate **data protection**, **ethical standards**, **privacy**, or **cybersecurity** for public servants when using the internet or attend to potentially related gender issues. Nor does it state sanctions applicable when officials fail to comply with restrictions, other than restricting their internet access. The Instruction fails to list responsible entities and mechanisms in the public administration where internet misuse can be reported. No clear monitoring or implementation mechanism exists. Therefore, KWN could not find any data regarding the number of cases reported or public officials sanctioned for internet misuse. Given its lack of attention to these gender-relevant issues, the Instruction is **gender neutral**.

Better Regulation Strategy 2.0 for Kosovo 2017-2021

This Strategy had tools for developing legislation and policies, including five aspects: economic, social, technological, environmental, and crosscutting.[76] Through an additional budget appropriation, it foresaw €264,000 for improving IT and reducing administrative burden for citizens.[77] The Strategy introduced the G(E)IA as obligatory for all institutions as part of ex-ante policy analysis. It emphasised the importance of using G(E)IA for improving the quality of Gender Equality Analysis in developing Concept Documents for laws and policies, towards ensuring that legislation would reduce all forms of discrimination.[78] The Strategy also aimed to strengthen the position of AGE in policymaking. It was **gender responsive** in calling for gender analysis to inform all policymaking, including digitalisation policies; it had the potential to contribute to gender-transformative changes.

However, interviews and content analysis of laws and policies drafted since this Strategy was adopted suggest that few officials have implemented the G(E)IA. No assessment or evaluation has examined G(E)IA implementation in

[73] Ibid., Article 3, Paragraph 1.3 and 1.5.

[74] KWN, Sexual Harassment in Kosovo, 2016, p. 23.

[75] KGSC, Sexual Harassment in the Public Administration, 2020.

[76] Republic of Kosovo, Government, OPM, Better Regulation Strategy 2.0 for Kosovo 2017-2021, pp. 12-13.

[77] Ibid., p. 61, Figure 1.

[78] Ibid., p. 13.

policymaking. Meanwhile, this research suggests that reasons for its minimal application include poor awareness among officials about this requirement, inadequate knowledge on how to conduct G(E)IAs despite AGE's guidance,[79] limited capacities for carrying out gender analysis, financial limitations, insufficient time allocated, poor accountability among responsible officials, and a lack of enforcement of legal obligations.[80] Additionally, socialised gender norms among women and men in the Government contribute to beliefs that gender differences do not exist, that all people are "the same", and that gender analysis therefore is unnecessary for informing policymaking. These issues have negatively affected the application of G(E)IAs in policymaking generally, undermining the use of G(E)IAs to inform digitalisation policies specifically. Officials' limited knowledge on digitalisation contributes to gender-neutral and gender-negative policymaking.

This Strategy is no longer in effect. However, as mentioned in the Introduction, the Law on Gender Equality establishes the legal basis for officials to use G(E)IAs in policymaking, and the Guidelines and Manual for Developing Concept Documents also calls for G(E)IAs.[81] Additionally, since 2015, the Government has had guidance for conducting ex-post impact assessments of primary legislation, albeit not of strategic documents.[82] The guidance did not include a gender perspective, such as requiring ex-post gender impact analysis. However, the new manual on ex-post evaluation of legislation includes questions related to the impact of public policies on gender equality.[83]

National Development Strategy 2016-2021

The 2030 Agenda for Sustainable Development and the National Development Strategy 2016-2021 (NDS) provide the framework for the Sustainable Development Goals (SDGs) and the Sustainable Development Council's activities. Adopted in 2016, the NDS included activities to deploy ICT infrastructure.[84] The challenges related to ICT, planned activities, and impact all lack a gender perspective. Through the Investment and Employment Fund, NDS planned to launch the Small and Medium Enterprises (SMEs) Competitiveness Scheme or a thematic scheme for Innovation Growth in

[79] Republic of Kosovo, Government, OPM, AGE, Gender Equality Impact Assessment Manual, 2019. AGE noted that from 2018 to 2020, more than 700 civil servants underwent training on this, which suggests adequate awareness (comment on draft report, 2023). However, KWN's interviews suggested lack of awareness and knowledge.

[80] The latter two issues were identified by AGE in comments on the draft report. AGE noted that these issues are outside AGE's authority. Between 2018 and 2020, AGE commented on more than 70 concept documents, including beyond digitalisation-related themes, and assessed the extent to which these comments were addressed (AGE comment on draft report, 2023).

[81] Republic of Kosovo, Government, OPM, Guidelines and Manual for Developing Concept Documents, 2018.

[82] Republic of Kosovo, Government of Kosovo, Guidelines for the Ex-Post Evaluation of Legislation in the Republic of Kosovo [in Albanian], 2015.

[83] Republic of Kosovo, Government of Kosovo, Manual on Ex Post Evaluation of Legal Acts, 2023.

[84] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021 (NDS), 2016, Measure 30.

the IT Sector. No affirmative measures were mentioned, such as prioritising grants or technical assistance for women-owned businesses. The NDS did discuss barriers women face in the informal economy and property ownership, aiming to address these.[85] However, no digitalisation related NDS measure targets women specifically. Thus, the NDS 2016-2021 is generally **gender sensitive**, as it considers a few gender inequalities. However, it does not address them and thus is not gender responsive. Moreover, it does not contain any gender perspective related to digitalisation measures, rendering this NDS section **gender neutral**. The new NDS remained a draft in mid-2023. Meanwhile, in 2018, the Assembly passed a Resolution adopting SDGs.[86]

The roadmap for implementing the NDS was **adopted** in April 2017, establishing objectives, costs, performance indicators, and the NDS monitoring system. It foresaw annual monitoring and reporting on the operational plan. The roadmap is no longer publicly available, so KWN could not assess the gender-responsiveness of planned expenditures. The first and only publicly available NDS monitoring report was published in October 2018,[87] but it does not reflect a gender perspective. The GAP Institute and Kosovo 2.0, non-governmental organisations (NGOs), monitored the implementation of NDS measure 2.2.3 "Women's participation in the workforce" in 2021, targeted to increase participation from 12% to 27%.[88] Considering trends in 2015 to 2019, the authors observed that such a significant increase "would have been nearly impossible even in the case of a non-pandemic period", and the average annual increase in 2020 and 2021 was only 0.75%.[89] Thus, this overly ambitious gender-equality-relevant aim was not achieved. No evaluation of the NDS and its roadmap, inclusive of an ex-post gender impact assessment, is publicly available, though such an evaluation could inform the new NDS.

Meanwhile, the Council set targets for each parliamentary committee, and it reportedly cooperates with parliamentarians, institutions, international organisations, and CSOs towards implementing and monitoring SDGs.[90] The Assembly will have to report on progress on SDG 5 on Gender Equality, which requires efforts towards ending all forms of discrimination against women and girls, access to quality education, participation in employment, equal pay, and balanced representation in leadership positions.[91] Implementing

[85] Ibid, Measure 7, Activity 3, and Measure 13, Activity 4.

[86] Republic of Kosovo, Assembly, No. 06-R-001, Resolution on the adoption of the Sustainable Development Goals, 2018. See also: The commitment of Kosovo towards Sustainable Development Goals.

[87] Republic of Kosovo, Government, *First report on Implementation and Results of the National Development Strategy 2016-2021*; also noted in Kosovo 2.0, GAP Institute, National Development Strategy: progress, setbacks and future expectations, 2021, p. 3.

[88] Kosovo 2.0, GAP Institute, National Development Strategy: progress, setbacks and future expectations, 2021, p. 6.

[89] Ibid., p. 6.

[90] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021 (NDS), 2016.

[91] EU, Sustainable development in the European Union Monitoring report on progress towards the SDGs in an EU context 2023 edition, Luxembourg: Publications Office of the European Union, 2023.

SDG indicator 5.c.1 would require providing digitally available information related to Government efforts to institutionalise gender-responsive budgeting. They also will have to report on SDG 4 on Quality Education, which requires efforts on basic education, tertiary education, adult learning, and digital skills. KWN could not find publicly available information on progress on these or other SDGs or on the Council's work. In 2020, the Council met and discussed drafting an Action Plan for the draft NDS.[92] However, according to the Assembly's website, no Council meetings have taken place since then. Establishing clear commitments, indicators, and timeframes for progress on SDG aims related to gender and digitalisation would be important for transparently reporting progress.

Government Program

This Program is the main document through which the Government communicates its vision to citizens. The 2021-2025 Program has two priorities: minimising the impact on public health and addressing the economic and social consequences of the COVID-19 pandemic.[93] It notes that the Government will focus on combating crime and corruption and on Kosovo's economic and social transformation, towards social inclusion for all citizens. Digitalisation is mentioned in terms of digitalising public administration and e-services, education, the justice system, businesses (prioritising women-owned businesses), and enhancing ICT infrastructure. The Program does not state how the digital transformation may be used to improve gender equality. However, under Human Rights and Gender Equality, it commits to advancing gender budgeting policies and to conducing gender impact assessments to inform new Government policies. This could have been implemented in Government policies related to digitalisation. However, as this research shows, this commitment has not been fulfilled. The Program is **gender sensitive** in that it mentions women and gender equality, but it does not contain specific objectives towards gender equality.

Kosovo Program on Gender Equality 2020-2024

AGE created the Kosovo Program on Gender Equality 2020-2024 based on Law on Gender Equality requirements.[94] It aims to ensure that gender equality is at the centre of transformation processes in all structures, institutions, policies, procedures, practices, and programmes of the Government, agencies, civil society, the private sector, and donors.[95] The document only mentions digitalisation related to occupational segregation, stating that only 22% of employees in the ICT sector are women. It notes that "girls are less interested in [the] ICT sector, although this sector offers very good employment

[92] Republic of Kosovo, Assembly, "The Council for Sustainable Development meets for a session", 19 November 2020, accessed 16 August 2023.

[93] Republic of Kosovo, Government, OPM, Programi i Qeverisë së Republikës së Kosovës 2021-2025, [Program of the Government of the Republic of Kosovo 2021-2025] [in Albanian], 2021, p. 5.

[94] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 11.

[95] Republic of Kosovo, Government, OPM, AGE, Kosovo Program for Gender Equality 2020-2024, 2020, p. 9.

opportunities, provides income above the country's average [and has] more potential for exporting services, and home-based employment".[96] The Program does not have any objectives or activities towards gender equality in digitalisation.

Overall, the Program is **gender transformative**, as it seeks to address root causes of gender inequalities. It has clear objectives and indicators towards advancing gender equality. It has an Action Plan and budget with some expenses covered by donors and others by the Kosovo budget. Most objectives state that they do not have additional costs or that the costs are calculated within other ministries' sectoral strategies. This could present a risk to implementation if other ministries do not integrate objectives, indicators, and budgets towards gender equality in their strategies and action plans. If other strategies do not clearly align their aims with the Program and disaggregate indicators and budgets by gender, then monitoring and evaluating outcomes and expenditures towards achieving the aims of the Program will be difficult.

In May 2023, AGE published a monitoring and evaluation report on the implementation of the Program's Action Plan for 2020-2022 in 2020-2021. The report did not include comprehensive information, given that not all implementers reported on their work, despite AGE's request.[97] Regarding digitalisation, the report only mentions that "UN Women supported the development of the digital mapping platform and report to identify municipalities at high risk of school dropouts by young women and girls from minority communities."[98] The Program's Action Plan reportedly received more financing than initially planned, particularly given additional financing to address the COVID-19 pandemic.[99]

European Reform Agenda II

The ERA II Action Plan, adopted in 2021, foresees increasing the employment rate, especially of groups that are "less likely to be employed" by supporting IT employment opportunities, women's employment, employment schemes for youth, and new training profiles.[100] Institutions responsible for ERA II implementation must allocate an adequate budget for implementing measures envisaged for 2022 and 2023.[101] It includes PAR IT activities, primarily towards reducing administrative burden. ERA II calls for approving

[96] Ibid., p. 25.

[97] AGE, comment on draft report, November 2023. This included the EC as among the largest funders, AGE stated.

[98] Republic of Kosovo, Government, OPM, AGE, Monitoring and evaluation report on the achievement of the objectives for the indicators and the implementation of the activities of KPGE Action Plan 2020-2022, Reporting period: 2020 and 2021, 2023, p. 127.

[99] AGE, comment on draft report, November 2023.

[100] Republic of Kosovo, Government, Second Phase of EU-Kosovo Political Priorities: European Reform Agenda (ERA) II, 2021, Pillar 3, Employment, Education and Health, indicators: 3.1.c.1.1., 3.1.c.1.4., and 3.2.b.2.1.

[101] Ibid., p. 6.

a new Public Administration Reform Strategy (PARS) 2021-2026, which was completed.[102] Related to digitalisation, ERA II does not refer explicitly to gender. For example, it does not discuss how reducing public administration burdens by digitalising services on the eKosova platform may affect diverse women and men differently. Although ERA II includes specific sub-priorities, activities, and a few indicators on gender equality, its Action Plan is **gender neutral** related to digitalisation; it does not include gender-equality-relevant objectives, indicators, or budget. It could have recalled the requirement for a G(E)IA to inform the new PARS, including IT aspects.

KWN only found one published report monitoring ERA II, which covers July-September 2021. The report mentions gender once, related to approving the "Administrative Instruction for tasks, responsibilities, procedures, and criteria for the selection of the director and deputy director of the pre-university educational and training institution, including gender aspects".[103] Thus, monitoring contained limited gender analysis.

Kosovo IT Strategy

Adopted in 2016, the Strategy sought to promote development of Kosovo's Information Technology (IT) industry, considered "the main driver for economic growth, employment, and innovation".[104] It aimed to increase the sector's international competitiveness based on digital excellence.[105] Its nine strategic pillars focused on IT, Company Excellence and Quality, Export Promotion, Domestic Market Development, IT Education, IT Cluster and Collaboration, Entrepreneurship, Innovation and Applied Research and Development, and Investment Promotion. All measures were foreseen to be finished by 2018. Despite its detailed objectives, the Strategy does not mention gender equality, women, or men. The problem analysis and objectives do not include data, programmes, or affirmative measures tailored to the needs, knowledge levels, and potentially different situations of diverse women and men. The Strategy does not consider the barriers that women and men may face in terms of accessibility, time for using ICT tools, possession of equipment, geographic location, social status, ability, age, and gender roles and stereotypes. Thus, the Kosovo IT Strategy was **gender neutral.**

Scenarios for monitoring and evaluating the Strategy were proposed by the working group responsible for appointing an institution to monitor its

[102] Indicator 1.2.a.1.6., ERA II Action Plan.

[103] OPM, Report on the implementation of the Action Plan for the implementation of the second phase of the agreed political priorities between the European Union and the Republic of Kosovo - Agenda for European Reforms (ERA II) during the period of July - September 2021, p. 33.

[104] Republic of Kosovo, Government, Ministry of Economic Development and the Kosovo Association of Information and Communication Technology (STIKK), Kosovo IT Strategy, 2016, p. 9.

[105] Ibid., p. 67.

implementation.[106] No publicly available information exists to show that a monitoring body exists or that gender equality experts such as AGE were consulted. KWN found no evidence of monitoring reports on the implementation of the Kosovo IT Strategy, though an ex-post gender impact assessment could have helped to inform the new digital agenda.

Communication and Information Strategy 2018-2021

Adopted in 2018, this Strategy aimed to further citizens' understanding of the EU Accession process "to enable citizens to make an informed choice and participate actively in shaping Kosovo's European future".[107] The Strategy aimed to use digital communications, harnessing and leveraging the influence of "digital influencers, such as online bloggers and vloggers, to build trust and reach; as well as to strengthen use of digital social media platforms, and actively encourage participation and engagement by civil society and opinion multipliers".[108] It states that communications should aim to reach all Kosovars, regardless of ethnicity, religion, gender, class, wealth, education, or age. It aimed to ensure that gender and social inclusion were mainstreamed in communication activities and to strengthen communication through enhanced cooperation with GEOs.[109] However, its Action Plan did not include any objectives or indicators specifically related to gender equality, such as in electronic awareness-raising campaigns. Nor was any budget foreseen towards gender equality. KWN found no evidence that it was informed by a G(E)IA. Thus, the Strategy was **gender neutral**.

Electronic Communication Sector Policy – Digital Agenda for Kosova 2013-2020

Adopted in 2013, this Policy aimed to "define the priorities, objectives, and tasks of ICT development to maximise the social and economic advantages".[110] The Policy's main objectives were to: "1. develop ICT infrastructure; 2. develop and promote the use of electronic content and services; and 3. enhance Kosovar residents' ability to use ICT".[111] This Policy did not consider the position of women or men related to the digital agenda. For example, the objective to enhance people's ability to use ICT contained no incentives

[106] The working group included STIKK, Innovation Centre Kosovo (ICK), the Ministry of Labour and Social Welfare (MLSW), the University of Prishtina, Kosovo Investment and Enterprise Agency (KIESA), Ministry of Economic Development, Ministry of Trade and Industry (MTI), Ministry of Education, Science and Technology (MEST), Ministry of Finance, Ministry of Culture, Youth and Sports Support Agency, *Deutsche Gesellschaft für Internationale Zusammenarbeit* [German Agency for International Cooperation] (GIZ), Norwegian Ministry of Foreign Affairs, and Swiss Development Cooperation.

[107] Republic of Kosovo, Government, Ministry of European Integration, Communication and Information Strategy in support of Kosovo's European Integration Process 2018 - 2021, 2018.

[108] Ibid., Objective 4, p. 18.

[109] Ibid., Objective 3, p. 16.

[110] Republic of Kosovo, Government, Ministry of Economic Development, The Electronic Communication Sector Policy – Digital Agenda for Kosova 2013-2020, 2013.

[111] Ibid., p. 3.

or tailored approaches for women and girls to increase their ICT use.[112] Nor did it include gender-disaggregated data on internet use; it did mention a lack of internet use by the elderly, rural households, low-income residents, and persons with disabilities. The Policy concluded that a "Considerable number of Kosova's residents uses a computer or the internet on a daily basis: the internet is used to declare taxes, to access bank services, to search for professional or entertainment content". Gender-disaggregated data on use was not provided. No activities specifically targeted women or men towards increasing their ICT knowledge, facilitating their access to ICT, addressing their different needs, or discussing potential impacts of ICT on women and men. Thus, the Policy did not attend to gender differences in relation to ICT; it did not consider the different levels of digital skills that women and men may have due to existing social norms and stereotypes. Therefore, this policy was **gender neutral**. It has been replaced by the Digital Agenda 2030. KWN found no evidence of an ex-post gender impact assessment of this Digital Agenda 2013-2020, which could have informed the new one.

Digital Agenda of Kosovo 2030

The Digital Agenda (DA) 2030 is among the most important policies paving the way for digitalisation in Kosovo. Adopted in 2023, this cross-sectoral strategy defines priorities for the "ongoing digital transformation of the economy and society as influenced by innovative technologies and global digital trends".[113] It has five strategic objectives:

1. Advanced secure digital infrastructure
2. Digital transformation of businesses
3. Digitalisation of public services
4. Digitally skilled population and innovative Research and Development ecosystem
5. Strengthened cybersecurity ecosystem[114]

During the consultation process, KWN sought to inform the draft DA with a draft of this Gender Analysis of Digitalisation. In August 2022, through the Government's public consultation platform, KWN provided substantial comments on the draft DA, based on initial findings from this analysis. Among the main recommendations, KWN highlighted the lack of gender-disaggregated data and the need for such data to inform all digital interventions. KWN also noted the need to conduct G(E)IAs prior to finalising all policies planned in the draft DA. KWN emphasised that if the Government does not consider

[112] Ibid., Objective 3.4.3.

[113] Government, Digital Agenda of Kosovo 2030: Strategic orientation for transformation of Kosovo into a successful digital country, 2023, p. 3.

[114] Ibid.

and address gender differences, interventions may inadvertently involve gender biases and not address diverse women and men's needs. The draft DA involved a consultative process.

The DA targets citizens and businesses generally, without considering the different needs and positions of diverse women and men. It pays little attention to furthering gender equality. Objectives and actions do not reflect diverse needs. Nor do affirmative measures plan to address gender differences. It includes only one relevant indicator under strategic objective 4: Digital Skilled Population and Innovative R&D [Research and Development] Ecosystem: "Increase in number of employed ICT specialists, with convergence between women and men". However, the targets are not gender-disaggregated.[115] Despite opportunities to include affirmative measures for women-owned businesses, strategic objective 2, Digital Transformation of Businesses, does not disaggregate targets by gender.[116] Nor does specific objective 2.2, Increase Digital Skills of Employees, include affirmative measures, such as disaggregating by gender the targeted number of persons to be employed or trained in ICT skills.[117] Overall, the DA is **gender neutral** because it only tracks progress related to people, individuals, citizens, employees, trainees, SMEs, and businesses, rather than ensuring intersectional gender-disaggregated targets for the digital transformation to reach diverse women, men, and other identifying persons.

E-Government Strategy Kosovo 2023-2027

This Strategy focuses on public sector digitalisation towards achieving the DA's vision.[118] It has six objectives:

1. E-Government coordination at strategic and operational levels is implemented
2. Digital competencies in the public sector are sufficient to develop, govern, and use public digital services
3. "Whole of government" enterprise architecture, supported by standards and technology frameworks, is ensured
4. Public digital services are user-centric, inclusive, and actively used
5. Government organisations and systems are resilient to cyber threats
6. E-Government innovation is supported by public-private partnerships at the national and international level

[115] Ibid., p. 34.

[116] Ibid., p. 31.

[117] Ibid., p. 31.

[118] Republic of Kosovo, Government, MIA, e-Government Strategy Kosovo 2023-2027, 2023.

The Strategy has a corresponding Action Plan with specific objectives, actions, and indicators. None are gender mainstreamed, though several indicators could have been, such as related to voluntary turnover among public sector IT personnel and IT job applications. As per obligations in the Law on Gender Equality,[119] this objective (II.1) also could have included special measures to hire more women as IT personnel, considering that they are underrepresented.[120] Related to outcome (IV) that "citizens trust digital channels and choose digital services", it is unclear how the Government will measure "trust" or if it will consider different responses from diverse women and men. The Action Plan does not mention the need to collect, maintain, and publish better gender-disaggregated data either, though it has an objective (I.2) to establish information and data policy in the public sector. As such, the e-Governance Strategy is **gender neutral**.

Public Finance Management Reform Strategy of Kosovo

This Strategy for 2016-2020 aimed to achieve sound financial management by improving systems that ensure fiscal discipline, operational efficiency, and effective allocation of public resources.[121] It observed the importance of budgetary resources for public service delivery, adding that improving the public finance management system will affect all services and benefit citizens. The Public Expenditure and Financial Accountability (PEFA) methodology guided the drafting of this Strategy. PEFA is an internationally renowned methodology for assessing public financial management performance.[122] However, the Strategy was drafted before the PEFA Supplementary Framework for Assessing Gender Responsive Public Financial Management (GRPFM) existed.[123] It is a set of nine indicators that measure the degree to which a country's public financial management systems address the different needs of diverse subgroups of men and women and promote gender equality. UN SDG indicator 5.c.1. also identifies best practices in gender-responsive budgeting,[124] and Kosovo has committed to implementing SDGs.[125]

Public Finance Management Reform Strategy 2016-2020 did not contain any gender analysis, gender perspective, objectives, or indicators towards gender equality.

[119] Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 6, Special measures.

[120] Information received based on data requests sent to all ministries in Kosovo.

[121] Republic of Kosovo, Government, Ministry of Finance, Public Finance Management Reform Strategy of Kosovo 2016-2020, 2018.

[122] PEFA, "What is PEFA?", accessed 8 November 2023. It uses using 94 characteristics (dimensions) across 31 key components of public financial management (indicators) in seven broad areas of activity (pillars).

[123] PEFA Supplementary Framework for Assessing Gender Responsive Public Financial Management, 2020.

[124] UN, "SDG indicator metadata", accessed 8 November 2023.

[125] Assembly, No. 06-R-001, Resolution on the adoption of the Sustainable Development Goals, 2018.

Although these did not exist when the Strategy was drafted and thus indicators for improving gender-responsive budgeting could not be included in this Strategy, the Law on Gender Equality has required gender-responsive budgeting since 2015.[126]

Public Finance Management Reform Strategy 2016-2020 did not contain any gender analysis, gender perspective, objectives, or indicators towards gender equality or related to digitalising public financial management systems. It never mentioned gender, women, men, female, male, or other gender-equality-related terminology. Meanwhile, gender-responsive budgeting can increase equality, transparency, effectiveness, and efficiency in public finance management.[127] Thus, gender-responsive budgeting should have been integrated into digital public finance management systems. The Strategy is **gender neutral** and potentially **gender negative:** by ignoring the need for gender-responsive budgeting, it can contribute to upholding the status quo and potentially reinforcing rather than addressing gender inequalities.

The Strategy has expired, and KWN could not find information regarding the status of a new Strategy. The process of creating a new strategy offers the opportunity to further gender equality by including clear objectives, indicators, actions, and budget towards institutionalising gender-responsive budgeting in digital financial management systems in line with the Law on Gender Equality. The new strategy should be based on a G(E)IA or findings from an ex-post evaluation of the 2016-2020 Strategy inclusive of a gender impact assessment;[128] this has not been conducted. AGE prepared comments to inform the new Strategy, including based on PEFA, but these were not considered.[129]

Strategy for Improving Policy Planning and Coordination in Kosovo (Integrated Planning System) 2017-2021

This was one of four main strategies related to the Kosovo Strategic Framework for Public Administration Reform, along with the Better Regulation Strategy 2014-2020, Strategy on Modernisation of Public Administration 2015-2018, and Public Finance Management Reform Strategy.[130] This Strategy's main goal was improving the planning system to avoid fragmentation and overlap in political and financial planning processes, strengthening the administration in preparing for EU accession.[131] Integrated planning was assumed to include electronic and online coordination. Despite requirements in the Law for Gender Equality for gender analysis to inform new laws and policies, the

[126] Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 5, Paragraph 1.5.

[127] For further information, see KWN, A Practical User's Guide: Gender Responsive Budgeting at the Central Level, 2017 and KWN, "Monitoring the Implementation of SDG Indicator 5.c.1 in Kosovo", 2022.

[128] Republic of Kosovo, Government of Kosovo, Manual on Ex Post Evaluation of Legal Acts, 2023.

[129] AGE comment on draft report, November 2023.

[130] Republic of Kosovo, Government, OPM, Strategy for Improving Policy Planning and Coordination in Kosovo (Integrated Planning System) 2017-2021, 2016.

[131] Ibid., p. 15.

Strategy and its Action Plan, objectives, and indicators attend neither to digitalisation nor to gender equality. The Strategy is **gender neutral**.

Strategy for Modernisation of Public Administration

This Strategy for 2015-2020 considered enhancing ICT use a priority, towards increasing the application of e-governance as a precondition for modernising public administration.[132] It identified the main challenges in providing services, such as the public administration not implementing sufficiently the Law on General Administrative Procedure, electronic platforms not being integrated in the interoperability framework, electronic services not being developed sufficiently, and citizens being under-informed about how to realise their rights in accessing public services.[133] It analysed accessibility and quality of digital services but not from a gender perspective. The Strategy emphasised the importance of e-Government services and creating "one stop shops" and online applications for public services for each institution at central and local levels, increasing efficiency and facilitating access for citizens and businesses.[134] It stated that when receiving services, citizens would be able to use IT solutions, including those suitable for disabled persons, though it provided no indicators. An objective was that institutions should apply an electronic system for human resources management (HRMIS) across the civil service.[135]

AGE provided comments on the Strategy, but they were not integrated.[136] The Strategy did not discuss the difficulties women and men may face in accessing digital services nor contain any gender analysis of how one-stop shops would reach and improve public services for diverse women and men in urban and rural areas. This occurred, even though this Strategy was part of the PAR package of strategies, included as part of the IPA contract, which considered gender equality an important objective. Thus, this Strategy was **gender neutral**, whereas it could have incorporated gender analysis and attention to diverse women and men's needs related to digitalising public services. HRMIS could have considered issues in line with the Law on Gender Equality such as the collection, analysis, and use of gender-disaggregated data, enabling analysis of human resource trends; the application of affirmative measures in human resource management towards women's equal participation in the civil service; and informing policies and programmes that could contribute to improved gender equality in the public administration. PARS 2022-2027 has replaced this Strategy.

[132] Republic of Kosovo, Government, Ministry of Public Administration, Strategy on Modernisation of Public Administration 2015-2020, 2015, p. 4.

[133] Ibid., p. 22.

[134] Ibid., p. 23.

[135] Ibid., Specific Objective 2, p. 34.

[136] AGE comment on draft report, November 2023.

Public Administration Reform Strategy 2022-2027

PARS establishes objectives and guidelines for developing and modernising public administration.[137] It observes that digitalisation of public and administrative services has progressed slowly, amid a lack of central level policy for service delivery standards, insufficient government coordination, weak implementation of legislation on general administrative procedures, and poor harmonisation of legislation regulating specific sectoral services. The Strategy prioritises "increasing access to public services and multiplying service delivery channels towards digital services".[138] It plans standardisation of public services and further investments in ICT infrastructure, including the Government Gateway Platform. The Strategy states that this will lead to better service delivery, enabled by the introduction of digital signature and digital payments. Only one indicator corresponds with these plans: "The number of sophisticated digitalized services on the digital Kosova portal", which had a baseline of 0 in 2022 and a target of 95% in 2027.[139] The indicator is ambitious and yet vague: it is unclear what "sophisticated digitalized services" are, and the indicator is a number while the target is a percentage. The Kosovo Program for Reducing Administrative Burden (PRAB) plans a review of service delivery to inform the digitalisation of services.[140] As a new governmental programme, PRAB should address regulatory and administrative barriers that hinder economic development and affect the satisfaction of public service users. PRAB foresees establishing mechanisms that prevent new barriers and burdens in future legislation based on prior (ex-ante) assessments.

Any review of service delivery should involve a G(E)IA to understand the barriers diverse women and men may face in using digital public services. Although the EU conducted a regional gender analysis to inform PAR in the WB several years ago, it has yet to be made publicly available. Meanwhile, neither PRAB nor the Strategy explicitly mentions that ex-ante assessments should include G(E)IAs. PARS does not mention gender, women, men, male, or female. It does not commit to a gender-responsive approach to service delivery, adapted to the needs of diverse women and men. Nor does it include objectives or indicators towards gender equality. Although recently adopted, the Strategy seemingly did not undergo a G(E)IA. AGE conducted gender analysis and provided recommendations for gender mainstreaming the Strategy, but these were not incorporated by the working group.[141] The Strategy is **gender neutral**.[142]

[137] Republic of Kosovo, Government, MIA, Public Administration Reform Strategy 2022-2027, 2022, p. 9.

[138] Ibid., Specific Objective 4, p. 46.

[139] Ibid., p. 8.

[140] Ibid., p. 46.

[141] AGE, comment on draft report, November 2023.

[142] Ibid.

Programme of Official Statistics 2018-2022

The OPM oversees statistics through KAS, which conducts its work based on Eurostat methodologies. This Programme set priorities for the Statistical System based on the Law on Official Statistics.[143] It had two gender-related objectives: to use additional socioeconomic indicators for gender analysis and to increase the use of key indicators such as gender and age in estimating the number of residents in Kosovo. No data within it except social statistics required gender-disaggregated data. The Programme reiterated that KAS has several e-Government systems, such as for work attendance, human resources management, payment management, evidencing and controlling financial means, electronic archiving of administrative documents, and office material supply.[144] KAS has hundreds of databases, electronic registers, back-ups on various servers, and advanced IT applications and systems. In this Programme, KAS prioritised upgrading its IT infrastructure capacities for the PXWeb platform, also known as the ASK Data Platform. While ASK Data needs timely, intersectional, gender-disaggregated data, the Programme did not foresee this explicitly.

Related to Business Statistics, KAS planned to administer a new survey on IT and ICT in businesses.[145] It is unclear whether the survey would include a gender perspective. On Living Standards Statistics, KAS foresaw developing an ICT survey using Computer Assisted Personal Interviews (CAPI).[146] Introducing this could have gender-related implications, but these were not considered in the Programme. While references to gender-disaggregated data were **gender responsive,** only a couple such references existed; most of the Programme was **gender neutral**.

Aside from the KAS 2021 Annual Report,[147] KWN could not find any assessment of the Programme's implementation to examine if it involved gender impact analysis. As this Programme has expired, opportunities exist to conduct an ex-post gender impact assessment, particularly related to the introduction of CAPI, analysing gender-related results and needs to inform the new Programme.

NPISAA 2022-2026

This is the sixth programme for the implementation of the SAA between the EU and Kosovo. It should be implemented in conjunction with the ERA II Action Plan, which summarises political priorities agreed on between the EU and Kosovo.[148] Therefore, it is aligned with the ERA II Action Plan, Government Program 2021-2025, and OPM Strategic and Operational Plans. On

[143] Republic of Kosovo, Government, OPM, KAS, Programme of Official Statistics 2018-2022, 2017, p. 6.

[144] Ibid., p. 18.

[145] Ibid., Sub-objective 1.3.

[146] Ibid., Sub-objective 1.2.

[147] Republic of Kosovo Government, PMO, KAS, Annual Report 2021.

[148] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022.

digitalisation and governance, it observes that MIA successfully established the National Network (eKosova platform), encompassing all central and local administration and a Centre of State Data.[149] NPISAA notes that plans are underway to introduce new modules, as well as to ensure continuous modernisation of the public administration through constant maintenance, investment in services, alignment with the growing demand for electronic services, technological advancements, and enhanced security measures. Based on SAA requirements and the EC Kosovo Report 2022, the Programme envisages advancing electronic governance to increase the effectiveness and transparency of public services; developing the state portal of online services, providing these services to citizens, businesses, and public servants, and integrating other services provided by institutions in the portal; and increasing transparency to the public by publishing institutions' data.[150] NPISAA foresees developing an effective, sustainable statistical system that can "ensure reliable, objective and accurate data, which are comparable to European statistics, and which are needed to plan and monitor transition and reform processes".[151] Further it plans to "establish a monitoring system for the implementation of the Law on Gender Equality", as well as to adopt a new strategy against domestic violence and implement G(E)IAs, which could involve digitalisation of these systems though it is not explicitly stated.[152]

NPISAA does not mention that any gender analysis was undertaken to inform its design. The Law on Gender Equality is not referenced as part of the legal framework relevant to Public Administration. NPISAA uses the phrase "implementing the principles of gender equality" but does not define what this entails in the context of PAR. NPISAA does not refer explicitly to the need for the Government and public administration to collect and report gender-disaggregated statistics nor to the use of gender-responsive digital infrastructure in collecting and transparently reporting statistics and institutional data, despite requirements in the Law on Gender Equality. Therefore, NPISAA actions related to digitalisation, including of government, public administration, and statistics, are **gender neutral**.

NPISAA has quarterly and annual monitoring reports. The 2021 NPISAA report mentioned gender-related activities that it considered implemented, but none related explicitly to digitalisation.[153] These activities could have integrated attention to digitalisation, such as by including capacity building of institutional mechanisms on gender-based cyberviolence or supporting women's economic empowerment through ICT-related projects and equipment. Awareness-raising campaigns could have included attention to how gender stereotypes can relate to online violence. The 2022 NPISAA

[149] Ibid., p. 26.

[150] Ibid., Midterm Priority Objectives, p. 27.

[151] Ibid., p. 158.

[152] Ibid.

[153] Republic of Kosovo, Government, OPM, Report on implementation of National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) during 2021, 2022, p. 66.

monitoring report mentions gender related to the same activities as the 2021 report. It does not report on any actions related to gender and digitalisation. The 2022 report stated that reforms were implemented related to "procedural documents on human resource management, digitalization of management of such resources, and administrative burden reduction through the reduction and digitalization of permits and licenses".[154] The gender-responsiveness of human resource management reforms was unclear.

Generally, given the NPISAA's lack of gender-responsive objectives, indicators, and targets related to digitalising the government, public administration, and statistics, it is difficult to monitor progress towards furthering gender equality. Future iterations of the NPISAA could address this by including more gender-responsive objectives, indicators, and targets, identified based on G(E)IA or a gender analysis updated annually.

Economic Reform Programme 2023-2025

Since 2015, all EU candidate countries and potential candidates have been obliged to prepare ERPs.[155] The ERP 2023-2025 plans to digitalise administrative services (permits) in eight ministries and the OPM towards "improving the environment for doing business by reducing the administrative burden and reforming inspections".[156] The measure plans to impact investments, stimulating women's increased labour market participation. The ERP also plans to extend "ICT infrastructure and services for socio-economic development, advanced public services, as well as digitalization of the education system", including AIS developing further the eKosova Platform, applying electronic payments, expanding the Interactive/Interoperability Platform.[157] These activities are ongoing, but digitalising public services through eKosova has not included a gender perspective to date.[158] The ERP plans that a World Bank-financed Strengthening Digital Governance Project will support the digital transformation, including by improving the Government's ability to address potential digital risks, digitalising public services related to citizens' lifecycle to reduce administrative burden, and developing capacity building and an innovation centre at AIP. While an Environmental and Social Impact Assessment was

The ERP 2023-2025 plans to digitalise administrative services (permits) in eight ministries.

[154] Republic of Kosovo, Government, OPM, Report on implementation of National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) during 2022, 2023, "Public Administration", p. 15.

[155] EC, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), "Economic Governance", accessed 8 November 2023.

[156] Republic of Kosovo, Government, Economic Reform Programme (ERP) 2023-2025, 2023, Reform Measure 6, Activity 2. These include MIA, the Ministry for Agriculture, Forestry, and Rural Development (MAFRD), Ministry of Environment, Spatial Planning, and Inspections (MESPI), Ministry of Health, Ministry of Economy, MEST, Ministry of Justice, Ministry of Culture, Youth and Sport, and AIS. It targets digitalising 50 services in 2023 and 250 in 2024.

[157] Ibid., Reform Measure 10.

[158] KWN conversations with AIS, 2023.

conducted to inform the Project, KWN found no evidence of a G(E)IA.[159] The ERP plans to impact employment positively by "expanding opportunities for digital work, with a special focus on young people, women and people with disabilities".[160] It is unclear how the measure will reach youth, women, and people with disabilities as no relevant indicators exist. Overall, regarding digital governance, the ERP mentions gender but does not clearly address gender inequalities and thus is **gender sensitive** but not gender responsive.

Local Self-Government Strategy 2016-2026

This Strategy aims to provide better municipal services and to increase citizens' quality of life, including by "increasing professional and infrastructural capacities" in IT and digitalising administrative services.[161] It notes that local self-governance will need to expedite e-service reforms in the next decade.[162] The Strategy offers no baselines, indicators, or targets towards its objectives. Gender is not mentioned, and it lacks gender analysis, though this could have informed the Strategy, such as how diverse women and men at the local level may face obstacles accessing digital services. Thus, the Strategy is **gender neutral**. The Strategy notes that a team of professionals will be responsible for periodic and annual monitoring, evaluation, and reporting on implementation, including impact. This could include gender impact analysis. However, KWN did not find any such reports online to assess this.

A budget of €195,000 is planned for "supporting young women and youth in rural areas".

Strategy for Youth 2019-2023

This Strategy aims to improve the situation of youth ages 15 to 24.[163] It also aims to encourage cooperation among youth organisations, as well as between central and municipal bodies to strengthen youth policies and programmes.[164] The Strategy includes a few scarce references to IT. It plans training on prevention and protection from violence, threats from the internet, terrorism, and other threats that undermine a safe environment for youth.[165] Although published in 2019, it does attend to the needs of diverse young women and men in ICT. A budget of €195,000 is planned for "supporting young women and youth in rural areas"

[159] The World Bank, "Strengthening Digital Governance for Service Delivery", "Project Documents", accessed on 7 November 2023.

[160] ERP 2023-2025, Measure 10.

[161] Republic of Kosovo, Government, Ministry of Local Government Administration, Local Self-Government Strategy 2016-2026, 2016, p. 179.

[162] Ibid., p. 18.

[163] Republic of Kosovo, Government, Ministry of Culture, Youth and Sport, Strategy for Youth 2019-2023, 2019.

[164] Ibid., p. 3.

[165] Ibid., p. 16.

for 2019-2023,[166] but it is unclear from where the budget will be allocated, and it is not gender-disaggregated as per best practices in gender-responsive budgeting. Indicators refer to activities (e.g., 20 projects annually or five advocacy events).[167] Gender analysis is lacking, and the strategy is not aligned with the Kosovo Program for Gender Equality 2020-2024. The expected impact on diverse young women and men in rural areas is unclear. Overall, the Strategy is **gender negative**, as gender stereotypes are reinforced through the language used. KWN found no reports monitoring the Strategy's implementation, so gender impacts could not be assessed. Gender analysis could inform future renditions of the Strategy.

Action Plan for Open Assembly 2023-2026

While noting that this Plan is aligned with the Strategic Plan of the Assembly, the Assembly has not had a Strategic Plan since 2020. Therefore, this Plan does not accompany any Strategy presently in force. The Plan foresees advancing communication technology and digitalising Assembly services.[168] Among the Plan's objectives are updating MPs' profiles, creating a guide on the e-Parliament platform, and functionalising e-participation to increase citizens' communication with MPs.[169] The Plan foresees digital solutions for remote parliamentary processes, particularly amid emergencies like COVID-19.[170] Another objective involves establishing a digital archive and library, so that citizens have improved access to the Assembly's work through the internet.[171]

The Plan does not consider the diverse needs of women and men, such as how to improve communication among women and men citizens and MPs through e-participation. For instance, for the objective on launching the e-participation platform, an indicator is "Preparation of annual reports on citizens' requests and concerns". It does not plan to track gender-disaggregated data on citizens' reporting concerns. This Plan considers gender in one objective: "Detailed publication of expenses of deputies and the state budget, including a gender perspective, aiming to enhance parliamentary accountability". A corresponding activity is to analyse "the state budget and public expenditure reports from a gender perspective".[172] These are gender-responsive actions that could involve digital solutions. However, related to digitalisation, this Plan is **gender neutral**.

[166] Ibid., Activity 3.3.5.

[167] Ibid., p. 53.

[168] Republic of Kosovo, Assembly, Action Plan for Open Assembly 2023-2026, [in Albanian], 2022.

[169] Ibid., pp. 26-28.

[170] Ibid., p. 29.

[171] Ibid., p. 19.

[172] Ibid., p. 26.

Kosovo Sector Reform Contract for Public Administration Reform

Signed by the Government and EU in 2017, this Contract provided sectoral budget support to help Kosovo "improve the accountability, transparency, and efficiency of its public administration, focusing on the needs of citizens and businesses".[173] It established that PAR would focus on: 1. Development and Coordination of Policies, 2. Public Service and Management of Human Resources, and 3. Public Financial Management. The Annex states that gender equality is an important objective.[174] Women are not mentioned in the document, and gender equality is not reflected in the logical framework, objectives, or indicators. Objectives do not address the potentially different needs of women and men related to PAR. Nor does it mention how the Law on Gender Equality may be implemented amid reforms, such as by applying affirmative measures in recruiting and promoting human resources. Objectives do not mention digitalisation, such as related to Specific Objective 3 on increasing efficiency and professionalism or Specific Objective 4 on "Improving the quality of public services for citizen and businesses", though the SAA signed in 2016 stated that Kosovo needs to prepare citizens for the digital era.[175] Overall, the Contract is **gender neutral**, as there are no objectives or indicators towards gender equality. According to AGE, as the basis for PAR, the implementation of this Contract has contributed to gender-based discrimination in the 2019 Law on Public Officials and the PAR Strategy, which have failed to comply with the spirit of the Law on Gender Equality, despite AGE's requests and recommendations.[176]

Governance

This section examines the extent to which diverse women and men have participated in leading, planning, implementing, coordinating, monitoring, and evaluating gender-responsive policies and programmes related to digitalisation. It focuses on the Assembly of the Republic of Kosovo, Government, and public administration's capabilities, digital public services, state funding, and procurement, considering the catalysts of availability, accessibility, awareness, and adequate protections.

Assembly of the Republic of Kosovo

In terms of **leadership**, the Assembly is the highest decision-making body and the legislative institution in the Republic of Kosovo, elected by the people.[177]

[173] Republic of Kosovo, President, Decree for Ratification of International Agreement, Nr. DMN-009-2017, Sector Reform Contract for Public Administration Reform, [in Albanian], 2017, p. 11.

[174] Ibid., Annex IA v.1.1.

[175] EU, Official Journal of the European Union, Stabilisation Association Agreement, 2016, Article 110, "Information Society", p. 81.

[176] AGE, comment on draft report, November 2023.

[177] Republic of Kosovo, Assembly of the Republic of Kosovo, "Role and Competencies of the Assembly", website, accessed 9 November 2023.

The Assembly is responsible for monitoring the Government and controls the budget through annual approval of the budget law. It has 120 MPs and a quota requiring each political party to have at least 30% women and 30% men on their electoral candidate lists.[178] This requirement is not aligned with the Law on Gender Equality, which calls for equal participation, defined as 50%.[179] In 2023, the Assembly had 40 women (33%) and 80 men (67%). Women's unequal **participation** among MPs may contribute to underrepresentation of diverse women's priorities in lawmaking, as well as in monitoring and evaluating Government performance.

No regulation, guidelines, or digital system exists for parliamentary committees' task of legislative **review**, including of the gender-responsiveness of draft laws. The Rules of Procedure of the Assembly do not include any articles assigning members of parliamentary committees the task of ensuring that the Government has conducted the required G(E)IA before draft acts reach parliamentary committees. Committees conduct a general assessment upon receiving draft legislation. While no clear requirements exist, this would be the time for the Assembly to review G(E)IAs, like its obligations to review budgetary impact and harmonisation with the EU Acquis.[180]

2022

In 2022, among the 2,005 speeches delivered in the General Assembly, only 1% were gender related.

To date, there has not been much debate in the General Assembly related to a gender-responsive digitalisation process. In 2022, among the 2,005 speeches delivered in the General Assembly, only 23 (1%) were gender related.[181] Meanwhile, Assembly debate has involved gender negative and discriminatory statements by MPs. The Kosovo Law Institute has recommended that the Assembly engage stakeholders in drafting a comprehensive Code of Conduct for MPs that provides a comprehensive framework for addressing unparliamentarily conduct, including language used by MPs.[182] The Code of Conduct could ask MPs to improve accountability and transparency, including a gender perspective.

[178] Assembly of the Republic of Kosovo, Law no. 03/L-073 on Elections in the Republic of Kosovo, 2008, Article 27.

[179] Republic of Kosovo, Assembly, Law No. 05/L-020 on Gender Equality, 2015, Article 6.

[180] Republic of Kosovo, Assembly, Rules of Procedure of the Assembly of the Republic of Kosovo, 2022, Article 71, "Conditions for tabling a draft law".

[181] Kosovo Law Institute, "Dobët, Raporti i monitorimit të punës së Kuvendit të Kosovës për vitin 2022" ["Weak, Monitoring Report on the work of the Assembly of Kosovo for 2022"] [available only in Albanian], 2023, p. 19.

[182] Ibid., p. 15.

KWN's research suggests that no parliamentary committee seems to be responsible for **monitoring** the entire digitalisation process. No online source specifies the parliamentary committee responsible for overseeing the OPM's Committee for Digital Transformation. The parliamentary committee for Human Rights, Gender Equality, Victims of Sexual Violence during the War, Missing Persons, and Petitions has the mandate to review draft laws from a gender perspective. In the absence of another gender equality mechanism with the responsibility to ensure the gender mainstreaming of all laws, the Commission should ensure AGE's expertise is considered and informs the lawmaking process.[183] It has nine women (90%) and one man (10%).[184] Men's underrepresentation in this committee may hinder their contributions to legislation on how to have a more inclusive approach to digitalisation that furthers gender equality, as well as monitoring its implementation. Over two years, this Committee has held 64 meetings for which written public records are available. Gender was mentioned in 38 meetings (59%).[185] The Committee has yet to discuss gender-responsive budgeting,[186] despite responsibilities for parliamentary oversight.

The parliamentary Committee for Budget, Labor, and Transfer has the responsibility to review and propose draft laws related to budget appropriations, public finance, international agreements, and fiscal liabilities. It assesses budgetary impacts, oversees policy implementation, and holds public hearings. Also, it monitors social welfare, employment policies, labour laws and state aid, while addressing matters concerning pensions, social security, and family policies. It has two women (20%) and eight men (80%),[187] so women are underrepresented in decision-making and parliamentary oversight. In two years, this Committee never discussed gender-responsive budgeting. During its 106 meetings for which public records exist, only 15 (14%) involved mention of gender.[188]

The parliamentary Committee for Oversight of Public Finances has the responsibility of monitoring the legality and performance of public expenditures, including reports from the National Audit Office, budget organisations,

[183] AGE, comment on draft report, November 2023.

[184] Republic of Kosovo, Assembly, Committee on Human Rights, Gender Equality, Victims of Sexual Violence During the War, Missing Persons and Petitions, website, 2019, accessed 14 August 2023.

[185] Ibid., "Calendar of activities of the Committee", gender was mentioned on the following dates: 27.04. 2021; 11.05.2021; 12.05.2021; 18.05.2021; 07.06.2021; 15.06.2021; 22.06.2021; 29.06.2021; 24.09.2021; 07.10.2021; 22.11.2021; 23.11.2021; 16.12.2021; 22.12.2021; 29.12.2021; 24.01.2022; 31.01.2022; 07.02.2022; 15.02.2022; 13.04.2022; 10.05.2022; 05.07.2022; 01.08.2022; 21.09.2022; 11.10.2022; 25.10.2022; 1.11.2022; 13.12.2022; 20.12.2022; 07.03.2023; 28.03.2023; 19.04.2023, 10.05.2023; 18.05.2023;16.06.2023; 05.07.2023, accessed on 15 August 2023.

[186] KWN, "Monitoring the Implementation of SDG Indicator 5.c.1 in Kosovo", 2022.

[187] Republic of Kosovo, Assembly, Committee on Budget, Labor and Transfer, website, 2019, accessed 14 August 2023.

[188] Ibid., "Calendar of activities of the Committee": 16.06.2021; 3.11.2021; 17.11.2021; 7.12.2021; 8.12.2021; 30.03.2022; 13.04.2022; 25.05.2022; 08.06.2022; 13.07.2022; 12.10.2022; 3.02.2023; 27.02.2023; 28.03.2023; 14.06.2023, accessed on 15 August 2023.

and public enterprises. It reviews draft laws, monitors law implementation, and examines reports from oversight institutions. It handles the selection of external auditors for the National Audit Office, assesses its annual performance, and recommends actions to the Committee on Budget, Labor, and Transfer; it initiates auditor elections and arranges public hearings as per Assembly rules. It has a gender-balance of six men and five women.[189] In two years, this Committee held 64 public meetings. Gender was mentioned in only five meetings (8%).[190] For example, regarding the €12 million provided for digitalisation projects in municipalities, MP Mirlinda Sadiku asked how the criterion of gender equality was respected by municipalities as this was not mentioned in the Audit Report of 2021. The meeting minutes state that the Minister answered the question, but the answer was not published in the public record.[191] This raises questions regarding transparency in the gender-responsiveness of Government investments towards digitalisation. Otherwise, the Committee has not discussed gender-responsive budgeting, including related to digitalisation. The Committee has not published videos of meetings on its website. The space reserved for the "agenda of the day" for this Committee is blank; they do not post agendas for upcoming meetings.[192] This and other errors and omissions impede access to information on the Committee's work for diverse women and men.

While the Rules of Procedure allow for **coordination** among parliamentary committees,[193] the extent to which coordination exists seems minimal. No publicly available evidence exists of any joint parliamentary hearing on gender and human rights or gender-responsive budgeting as they pertain to digitalisation. The absence of parliamentary debate on these themes likely contributes to the insufficient gender perspective in legislation and policies relating to digitalisation.

Thus, parliamentary **monitoring** and **evaluation** of digitalisation efforts from a gender perspective has been minimal. Parliamentary committees have not monitored the implementation of G(E)IAs, gender-responsive lawmaking, or gender-responsive budgeting, including related to digitalisation.[194] For example, the Ministry of Local Government Administration's annual work report for 2022 and for the first half of 2023 mention e-governance, but they do not provide any information on furthering gender equality as part of

[189] Republic of Kosovo, Assembly, Committee for Oversight of Public Finances, website, accessed 14 August 2023.

[190] Ibid., "Calendar of activities of the Committee": 21.07.2021; 22.09.2021; 01.02.2022; 02.08.2022; 20.09.2022.

[191] Ibid., "Minutes", 1 February 2022, pp. 8-9, accessed 15 August 2023.

[192] Ibid., "Calendar of activities of the Committee", accessed 15 August 2023.

[193] Pursuant to Article 76 of the Constitution, Assembly, Rules of Procedure of the Assembly of the Republic of Kosovo, 2022, Chapter VIII, Assembly Committees, Article 29 - Competences of the committees.

[194] E. Gueye, "Gender Equality in Kosovo", Luxembourg Development Cooperation Agency, 2021.

this process.[195] The EU summarised: "coordination between parliamentary committees needs significant improvements. The Gender Equality Law is a piece of domestic legislation considerably recognised by the MPs but gender-responsive planning/budgeting aside from coordination, needs further [secondary] legislation development/enactment, design, and implementation of an appropriate monitoring framework as well as tailored training, indeed."[196]

Capabilities

No needs assessment seems to have analysed the needs of MPs for training related to digitalisation, digital literacy, gender mainstreaming, or gender-responsive digitalisation. Therefore, capacities of MPs and their staffs are unknown. Generally, some MPs' statements in Parliament indicate insufficient **awareness** and understanding of gender norms, stereotypes, and relations. For instance, in March 2021, an MP stated that femicide does not exist in Kosovo and that this term is being used "in the name of aggressive feminism".[197] Statements like this illustrate poor knowledge of gender norms, which could undermine gender-responsive legislating, including related to digitalisation.

As part of digitisation processes, the Assembly and development partners have organised training for Assembly staff on using digital platforms like e-Parliament, the Legislative Tracking System, and the Digital Archiving System.[198] MPs were offered information sessions on how to use these platforms. In 2021, the National Democratic Institute (NDI) and ICK provided professional training for Assembly staff on data visualisation and developed a Social Media Guideline. The Kosovo Democratic Institute provided training in 2018 and 2019 on data visualisation. However, the extent to which the Assembly's work has been digitalised visually, particularly related to gender, seems minimal according to what is available online. No known training has focused on gender-responsive digitalisation. Nor was information available as to whether diverse women and men MPs and their staffs had **access** to training, which could vary according to their gender, time available, and other factors.

The EU in cooperation with two parliamentary committees is drafting a Gender Impact Assessment toolkit for MPs and responsible personnel, which

[195] Republic of Kosovo, Government, Ministry of Local Government Administration, "Raporti i Punës së Ministrisë së Administrimit të Pushtetit Lokal (Janar - Dhjetor, 2022)" ["Report of the Ministry of Local Government Administration (January - December 2022)"] [Albanian only], 2023, p. 19, accessed on 15 August 2023; "Raporti i punës së Ministrisë së Administrimit të Pushtetit Lokal Janar - Qershor 2023", [Report of the Ministry of Local Government Administration (January - December 2022)] [Albanian only], 2023, p. 18, accessed on 15 August 2023.

[196] KWN correspondence, 17 August 2023.

[197] *Epoka e re*, "Musliu reacts on deputy Fejza: There is no femicide in Kosovo", March 2023.

[198] KWN correspondence with NDI, 22 August 2023. Information in this paragraph derived from this correspondence and KWN's review of the Assembly website in August 2023.

aims to assist gender-responsive legislative scrutiny.[199] The EU is supporting capacity development of personnel and information exchange among parliamentary committees in using instruments related to the implementation of the Government's ex-ante Regulatory Impact Assessment, post-legislative scrutiny, and AGE's G(E)IA Manual.[200] The EU plans to conduct an institutional capacity assessment to inform improvements to institutional governance and gender-responsive digitalisation.[201]

Digital Public Services

The Assembly has a functional and frequently updated website.[202] It is available in three languages: Albanian, Serbian, and English. Generally, visuals and language on the website are **gender neutral**. The Assembly redesigned its website to make it more user-friendly, transparent, and engaging, supported by NDI. It includes a Forum for Parliamentary Transparency.[203] It plans to include a civic education corner and webpage on the Women's Caucus.[204] In 2017, the Assembly launched the electronic Legislative Tracking System, [205]an online platform that citizens can use to follow the status of draft laws. It includes all documents related to legislation under Assembly review as well as adopted laws. Users can receive notifications via email when new documents are added to the platform. While this could be an ideal location to upload G(E)IAs, among other Government-prepared assessments to inform draft laws, these are not currently publicly available. The Assembly launched a Law Data system, which facilitates the structuring of legal acts, bylaws, and the connections between them.[206]

E-Profiles contain information on MPs' performance, including "attendance, speeches (positions), legislative initiatives, and voting patterns of members".[207] Profiles can link to MPs' social media, though this feature has been underused.[208] Profiles are individual and features do not yet allow for gender-based analysis, such as voting trends of women and men, or searchable text like gender-related statements made by parliamentarians. The Assembly has a Facebook page with posts on its work, including information about draft legislation. During the COVID-19 pandemic, the Assembly broadcast committee meetings and provided substantial information through Facebook.[209]

[199] KWN correspondence with the EU, 17 August 2023.

[200] Ibid., see: OPM, AGE, Gender Equality Impact Assessment Manual, 2019.

[201] Ibid.

[202] Republic of Kosovo, Assembly of the Republic of Kosova, website, accessed 17 August 2023.

[203] Ibid., "Forum for Parliamentary Transparency", accessed 16 August 2023.

[204] KWN correspondence with NDI, 2021.

[205] Republic of Kosovo, Assembly, website, "Draft-laws", accessed 10 November 2023.

[206] KWN correspondence with NDI, August 2023.

[207] Ibid. See also the profiles, accessed 16 August 2023.

[208] KWN correspondence with NDI, 2021.

[209] *Kuvendi i Republikës së Kosovës - Skupština Republike Kosova* [Assembly of the Republic of Kosovo], Facebook, accessed 8 August 2023.

That page can be filtered with the term "*gjinore*" [gender] to show relevant posts on meetings or discussions the Assembly has had.[210]

The "Ask the MP" platform enables citizens to communicate online with their elected officials. In Albanian, "*Pyete deputetin*", the name of the platform, implies that deputies are men. After entering personal data, people can ask MPs questions. The form does not request the person's gender, so it is not possible to track who tends to use the platform. Online gender-disaggregated data on citizens asking questions or MPs receiving them and providing responses was unavailable. People can schedule a visit to the Assembly building or to attend a plenary session by filing a visit request online.[211]

Developed in 2020, the children's education corner of the Assembly's website had a mission of enabling students to learn about the Parliament, good governance, and democracy. However, the site does not appear to be functional, so no gender analysis could be conducted.

The fact that several digital services are un**available** is evidenced online, as well as by the Assembly's Action Plan for 2023-2026.[212] The Assembly lacks an electronic library and e-Archive. It has started digitising almost 8,000 archival materials with more than 50,000 pages.[213] Digitisation is being done for all archival material dating back to 2001, as part of the Action Plan. Whether this will enable searching for content related to gender equality is yet to be seen. Currently, the archival system poses challenges in locating discussions on gender topics in Parliamentary meetings that occurred between 2001 and 2019 because some files were scanned in PDF formats[214] such that "gender" or other key words cannot be searched. Considering that the archive period spans 18 years, it would require significant time to manually review all files on Parliamentary meetings from a gender perspective. Another challenge is identifying the specific committee to which meeting minutes belong because files' titles are labelled only as "committee meeting", lacking specific committees' names.[215] The Assembly's website does not contain committee meeting minutes for 2020. Currently, committee meeting minutes posted on committee subcategories date from 2021 onwards.[216] Meeting minutes are posted only in Albanian and Serbian languages. Sometimes minutes that

[210] Ibid., search for "gjinore", accessed 8 August 2023.

[211] Republic of Kosovo, Assembly, "Welcome in the Visitors' Center", website, accessed 9 November 2023.

[212] Republic of Kosovo, Assembly, Action Plan for Open Assembly 2023-2026, [in Albanian], 2022.

[213] Ibid., p. 19.

[214] Republic of Kosovo, Assembly, website, "Procesverbalet dhe transkriptet 2001 – 2007" ["Minutes and transcripts 2001 – 2007", in Albanian], accessed 9 November 2023.

[215] Republic of Kosovo, Assembly, website, "Minutes and verbatim records 2007 – 2019", accessed 16 August 2023.

[216] Republic of Kosovo, Assembly, website, "Parliamentary committees" accessed 16 August 2023. Thus, KWN only analysed the digitised records that were searchable.

should be posted in English are posted in Albanian.[217] Errors exist in the location where meeting minutes are posted. For example, meeting minutes for 15 and 29 November 2022 were posted in Serbian on the Albanian language version of the website,[218] and files in Albanian were posted on the Serbian version. This error was repeated for eight meetings.[219] Such mistakes hamper digital access to information for diverse women and men.

AIS is responsible for the **protection** of electronic communication in the Assembly. KWN struggled to find other publicly available, gender-related information on cybersecurity, ethics, and data protection in the Assembly.

Funding and Procurement

The Assembly does not provide any digital visualisation of Budget of Kosovo revenues or expenditures. Doing so would be in line with UN SDG indicator 5.c.1. The financial reports on the Assembly's website are in Excel spreadsheets and do not contain gender-disaggregated data.[220] Generally, Kosovo uses line-item rather than programmatic budgeting, which makes it difficult to implement gender-responsive budgeting. The Medium-Term Expenditure Framework (MTEF) is one of few official documents where objectives, indicators, baselines, targets, and activities towards gender equality can be specified. Pillar IV of the MTEF states that gender budgeting is crucial for enhancing fiscal discipline in central and local institutions.[221] However, the Assembly has not implemented gender-responsive budgeting in its MTEF or budget. The required annex to the budget including gender-responsive information, requested by MFLT in the budget circular, was not available for public review either.

The audit report of the annual financial statements of the Assembly for 2022 does not mention gender-responsive budgeting.[222] Nor did the National Audit Office provide any recommendations to integrate gender-responsive budgeting into the financial practices of the Assembly. These documents suggest that the Assembly has not implemented gender-responsive budgeting in its operations, including those related to digitalisation.

When it comes to e-procurement, the Assembly has not posted any calls or tender dossiers related to e-procurement on its website. KWN reviewed 42

[217] Ibid.

[218] Ibid., "Kalendari i aktiviteteve të komisionit", ["Calendar of activities of the Committee"], dates are posted in incorrect languages on 15.11.2022 and 29.11.2022, accessed on 15 August 2023.

[219] Ibid., "Kalendar aktivnosti komisije" ["Calendar of activities of the Committee"], dates were in the wrong language; 08.06.2021; 22.06.2021; 06.07.2021; 13.07.2021; 21.07.2021; 18.10.2021; 27.09.2022; 20.10.2022; 15.11.2021; 29.11.2022, accessed on 15 August 2023.

[220] Republic of Kosovo, Assembly, website, "Financial Reports," accessed 9 October 2023.

[221] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, p. 19, accessed 5 October 2023.

[222] Republic of Kosovo, National Audit Office[Audit report of the annual financial statements of the Assembly of the Republic of Kosovo for the year 2022] [in Albanian], 2023, accessed 5 October 2023.

job vacancies. While these did not exhibit gender bias in the language used, only two (5%) were formulated in such a way as to actively encourage both males and females to apply.[223] The terms "women" and "female" were mentioned 11 times (26% of vacancies), including an explanation that the Council should include women.[224] None of the job vacancies included statements encouraging applicants of all genders or underrepresented genders to apply.

Government of the Republic of Kosovo: OPM

Regarding **leadership**, the Government has made efforts towards expediting digitalisation, using the EU Accession process as a catalyst.[225] The OPM leads digitalisation efforts. A research participant observed that the OPM, specifically the Strategic Development Office, must approve all digital reforms before implementation can commence, and this is partially why the coordination body for digitalisation was established.[226] This supports a coordinated effort across ministries and municipalities, contributing to efficiency in the reform process by streamlining reforms. At the same time, this centralisation reportedly has contributed to delays in the digitalisation process as planned works have been postponed pending approval of the DA and OPM.[227]

In collaboration with the Ministry of Economy, the OPM is responsible for **monitoring** and **evaluating** DA implementation.[228] As these are relatively new processes, it is early to discuss monitoring and evaluation, inclusive of gender analysis, though this will be important for the future. The OPM can take the lead in putting in place requirements for all laws and policies to undergo a required G(E)IA prior to being proceeded to the Assembly. While the requirement exists as part of the regulatory framework, it is not **implemented** in practice. Illustrative of a recurring trend in interviews, one research participant observed, "As a general rule, I've never heard that laws are assessed before they are rewritten, let alone for a gender perspective or any other perspective." This suggests that ex-ante gender analyses are not undertaken to inform the drafting of laws. The same participant continued: "Legal offices are very narrow in their vision. 'It is the law. We have already done it like this, and we have to do it like this'". Legal offices used the templates "they have always used" to develop new legislation, including related to digitalisation. As initial laws and policies lacked attention to gender, so

[223] For example, see: Republic of Kosovo, Assembly, website, "Archived advertisements", date 14 June 2023, accessed 5 October 2023. It called for one member of the Kosovo Judicial Council (KJC), using male and female nouns.

[224] Republic of Kosovo, Assembly, website, "Employment Archive, date 1 June 2022", accessed 5 October 2023.

[225] For examples, see the prior section.

[226] KWN interviews, 2021 and 2023.

[227] Ibid., and comments made during SAA consultations on Social Policy, Innovation, and Employment, 2023.

[228] Government, Digital Agenda of Kosovo 2030: Strategic orientation for transformation of Kosovo into a successful digital country, 2023, p. 24.

too have draft laws based on them, and thus the infrastructure developed based on these laws.[229]

The OPM established a Commission on Digital Transformation in November 2022 to supervise and support successful implementation of the digital transformation process in institutions.[230] The Commission can approve new policies, measures, incentives, and financial resources for ICT and the digital transformation. In addition to leadership, it has a **coordinating** and **monitoring** role at the national level. Members of this high-level Commission include ministers of MFLT, MIA, and the Ministry of Economy.[231] All six Commission members are men, except the Minister of Economy. The Decision establishing the Commission does not include responsibilities for furthering gender equality as part of the digital transformation. Related to **monitoring**, the Commission had their first meeting in December 2022.[232] According to the published points, the discussion focused on e-governance to enhance transparency and accountability and to improve services for citizens and businesses. The first meeting did not involve any discussion of gender equality related to the digital transformation. Given the newness of this Commission, monitoring and evaluation have been minimal, not to mention from a gender perspective.

Office of the Prime Minister, Agency for Gender Equality

> "Officials change, [but they have the] same approach. All they say is, 'We didn't know [we had to consult you]. We will do it next time.' They don't even know what GEOs' responsibilities are."
>
> — GEO, Ministry

AGE is responsible for reviewing draft laws and policies from a gender perspective for the Government, including related to digitalisation.[233] With ministries, GEOs have the responsibility to review draft laws and policies pertaining to specific sectors from a gender perspective, as well as to support attention to gender equality during their implementation, monitoring, and evaluation.[234] GEOs in municipalities have similar responsibilities. Given their knowledge from prior training, perhaps GEOs could contribute expertise for gender mainstreaming policies and programmes related to digitalisation. However, KWN interviews suggested a recurring trend that AGE and GEOs were neither informed of nor consulted during policy-making processes related to digitalisation.[235] AGE said they were consulted on only a couple of laws and policies related to digitalisation (DA and e-commerce). AGE did not know

[229] For further information, see the Infrastructure section.

[230] Government, OPM, Decision No. 11/106, Establishing the Commission for digital transformation, 2022.

[231] Ibid.

[232] OPM, website, "The first meeting of the Commission for Digital Transformation is held", 23 December 2022, accessed 17 August 2023.

[233] Republic of Kosovo, Government, Regulation no. 12/2016 on duties and responsibilities of relevant officials for gender equality in ministries and municipalities, 2016.

[234] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 12.

[235] KWN interviews with GEOs, 2021 and 2022.

whether G(E)IAs had been conducted to inform these.[236] AGE's minimal **participation** in the lawmaking process likely contributed to several laws and policies related to digitalisation not being gender responsive.

Regarding **capabilities**, GEOs recurrently observed that they lacked information about digitalisation processes. When asked if they were engaged in these processes, they said they were not **aware** of anything related to digitalisation. This suggests that GEOs have not been consulted as part of these processes. As a GEO told KWN, "I am not engaged within the Ministry.".[237] GEOs recurrently expressed concerns that they were sidelined from decision-making. Insufficient **participation** of GEOs in decision-making related to digitalisation likely contributed to insufficient gender mainstreaming of policies and programmes, including during implementation, monitoring, and evaluation. Even if GEOs may not possess digital capabilities, as some research participants observed, involving them in the digital transformation process would be important to ensure that they are learning among their colleagues; this would develop their expertise and enable them to better mainstream such policies and programmes in the future.

AGE has a website with publications, news, activities, and calls for applications.[238] However, AGE does not offer any online **digital services**. For this, it references the eKosova platform. KWN did not find information online about AGE **funding** for activities related to digitalisation. AGE conducts **procurement** through the OPM.[239]

Office of the Prime Minister, Kosovo Agency of Statistics

KAS has operated under the OPM since December 2011. It is responsible for collecting, processing, and publishing official statistical data.[240] The Agency collects economic, social, agriculture, and other general data. Despite legal obligations, institutions' **coordination** with KAS and use of KAS data are minimal.[241] No legal obligations exist for KAS to share data with other institutions.[242] No digitalised system exists to facilitate interoperability, such as the direct submission of statistics from line ministries to KAS, including gender-disaggregated data.

KAS collaborates with Eurostat, the EU's statistical office, which produces statistics in partnership with national statistical institutes and other national

[236] KWN interview, 2023.

[237] KWN interview, November 2021.

[238] Republic of Kosovo, OPM, Agency for Gender Equality, website, accessed 17 August 2023.

[239] AGE, comment on draft report, November 2023.

[240] KAS, Kosovo Agency of Statistics, accessed 17 August 2023. KAS was redoing its website, and it was not functioning during much of the period of finalising this report. Therefore, some hyperlinks may no longer function.

[241] UNDP, Mapping Data Collection for Development/Enhanced Institutional Capacities for Data Use in Kosovo, 2023, p. 24.

[242] Ibid.

authorities in EU Member States.[243] Regarding gender-related statistics, the European Institute for Gender Equality (EIGE) has developed the Gender Equality Index, "a tool to measure the progress of gender equality in the EU".[244] Using official data from Eurostat, it seeks to identify gender inequalities and provide data to support policymakers "to design more effective gender equality measures".[245] With EU financing, EIGE has supported WB countries to establish gender equality indices. Kosovo has received this technical support. However, it lacks data to populate several dimensions. Gender Equality Index data could inform policymaking, including related to digitalisation.

Regarding **capabilities**, generally inadequate training of staff in data management, according to UNDP, results in "a lack of access to, understanding of or exchange with KAS data online, and thus a lost opportunity to collect original institutional data and create a system for exchange with KAS".[246] KAS has a gender focal point in the Social Statistics Department, but it is unclear whether this is officially part of her job description.[247] The extent to which gender is mainstreamed in KAS's other work is limited, due in part to limited capacities among staff for gender analysis and insufficient human resources.[248] Moreover, the fact that she sits in a particular section may hinder the extent to which she can support the gathering and reporting of gender statistics across various sectors. The problem is compounded by officials lacking knowledge for intersectional gender analysis. UNDP has recommended that KAS hold more working groups with institutions, training, and workshops on data management.[249]

In terms of **digital public services**, the Agency launched a new website on 16 August 2023.[250] Generally, the website is gender sensitive. The ASK Platform allows for disaggregating data by gender and other criteria. However, gender-disaggregated data sometimes is unavailable related to various indicators, such as ethnicity or rural residency. KAS online publications do not always provide clear gender-disaggregated information.

Ministry of Internal Affairs, Agency for Information Society

The ministry responsible for public administration, formerly the Ministry of Public Administration and now MIA, has housed AIS since 2020. While several

[243] Eurostat, website., accessed 9 November 2023.

[244] EIGE, website, "Gender Equality Index", accessed 9 November 2023.

[245] Ibid.

[246] UNDP, Mapping Data Collection for Development/Enhanced Institutional Capacities for Data Use in Kosovo, 2023, p. 24.

[247] KWN, "Kosovo Assessment Report: Gender Mainstreaming of the EU Accession Process", 2022.

[248] KWN, "Kosovo Assessment Report: Gender Mainstreaming the EU Accession Process", 2023; KWN observations; and AGE comment on draft report, November 2023.

[249] UNDP, Mapping Data Collection for Development/Enhanced Institutional Capacities for Data Use in Kosovo, 2023, p. 28.

[250] KAS, website, Kosovo Agency of Statistics, accessed 17 August 2023 and AGE, comment on draft report, November 2023.

institutions have responsibilities related to ensuring gender-responsive digitalisation, AIS is a key government body. AIS supports ICT development, promotes investments in information society, develops IT training together with the Kosovo Institute for Public Administration (KIPA), and "coordinates, leads and supervises the processes and mechanisms of electronic governance in relation to the ICT infrastructure".[251] AIS is responsible for open data, expanding the **availability** of internet services in institutions and ensuring security and **protection** of electronic and data communication infrastructure. As needed, AIS assists institutions in addressing cybercrime and protects electronic personal data. AIS also is responsible for **coordinating** the distribution of these services to municipalities, including internet and connectivity infrastructure, as well as data protection. Municipalities should address any issues they have through AIS's internal system. AIS administers the Government's eKosova platform, which facilitates delivery of electronic **digital public services** across central and local public administration, as well as the Centre of the State Data.[252] Line ministries select which services to digitalise on the eKosova platform.[253] AIS hosts a call centre as part of the Directorate for Network and Telecommunication.[254] Further information and data related to the call centre, its responsibilities, and services was unavailable online.

Women's participation in AIS is low. All AIS employees are men, and the team does not have any gender expertise.

Women's **participation** in AIS is low. All AIS employees are men, and the team does not have any gender expertise.[255] When asked if they consider a gender perspective in their work, AIS representatives said yes, as "there are many women who work in call centres and provide support to citizens using the eKosova platform". This suggests a narrow understanding of the ways in which a gender perspective could be integrated in their work, and insufficient **capabilities** for ensuring a gender-responsive digitalisation process. AIS employees have not attended any gender equality training.[256] This affects their capacities to understand the need to consult more, diverse women and men to inform the digitalisation of public services. As of 2021, they had not undertaken any gender analysis to guide their work, and they said they were working on the eKosova platform "for all citizens", not considering any gender differences. They do not maintain gender-disaggregated data on callers or conduct gender analyses of trends. This suggests a gender-neutral approach, which could ignore

[251] Assembly, Law No. 04/L-145 on Information Society Government Bodies, 2013; and Republic of Kosovo, Public Administration, AIS, website, "Functions of the Agency".

[252] Republic of Kosovo, Government, OPM, Report on implementation of National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) during 2022, 2023, p. 26.

[253] KWN interview with AIS, October 2023.

[254] AIS, website, "Directorate for Network and Telecommunication".

[255] KWN interview 2021.

[256] KWN interview with AIS, October 2023.

differences in the needs of diverse women and men. When asked to provide real time gender-disaggregated data on eKosova users, they initially could not comprehend the need for such data to inform policymaking. However, when KWN explained its relevance, AIS representatives said they were willing to consider adding such data.

Regarding **public services**, the Government began implementing the Open Data Initiative in 2016, and AIS has managed the Open Data portal since 2018, while the Government should promote it.[257] This public administration process "encourages openness, accountability" and the distribution of information to citizens.[258] It is a catalogue of metadata released by the public administration. Most institutions now have Open Government Data on their websites. In 2023, the Portal had 205 datasets. Categories include Government and Public Sector; Education, Culture, and Sport; Agriculture; Health; Economy and Finance; Justice and Security; Procurement; Population and Society; Environment; Transport and Infrastructure; Science and Technology; and Politics. However, only 14 of 31 government organisations (e.g., ministries, agencies, and municipalities) have provided data.[259] In general, little data is available, and even less is gender-disaggregated or related to indicators measuring gender equality. Further, the database does not appear to have been updated since 2020. Institutions tend not to publish data on their websites but maintain data for internal use only.[260] According to UNDP, civil society pressure has contributed to the Government releasing more data in the last five years.[261] UNDP has suggested that stronger legal requirements could support improved data availability. Meanwhile, the lack of gender-disaggregated open data was a recurrent concern among institutions.[262] Insufficient gender-disaggregated institutional data hampers monitoring, evaluation, and planning based on evidence and required gender analyses.

The gender-disaggregated data **available** on the platform is scarce and relatively old. For example, the site has KAS 2018 labour force survey data and gender-disaggregated data from the now non-existent Ministry of Public Administration on complaints received from public officials in 2016. Data sets have category tags (e.g., procurement, education, health, institutions' staff) on which responsible institutions could have provided data on the services they offer. However, not all tags reflect these responsibilities. As an example of incomplete data, the previous MLSW only provided data related to war veterans and civil victims, though it dealt with several other categories for which gender-disaggregated data could be provided, like survivors of sexual violence during the war, recipients of shelter services following

[257] Republic of Kosovo, Public Administration, website, "Open Data", accessed 9 November 2023.

[258] Ibid.

[259] Ibid., "Organisations".

[260] UNDP, Mapping Data Collection for Development/Enhanced Institutional Capacities for Data Use in Kosovo, 2023, p. 26.

[261] Ibid., p. 7.

[262] KWN interviews, 2022.

gender-based violence, social assistance recipients, pensioners, and various categories of social service beneficiaries.[263] While all institutions should have departments for regularly collecting, analysing, and publishing statistical and administrative data, even the institutions that had such departments have dissolved them; this lack of institutional structure responsible for collecting data contributes to the lack of gender-disaggregated data.[264]

MIA chairs the Council of Ministers for PAR, a high-level political authority composed of ministers of MFLT; Ministry of Local Administration; Ministry of Industry, Entrepreneurship, and Trade (MIET); Ministry of Justice; and the OPM's political advisor. It is responsible for **monitoring**, including overseeing the implementation of PAR strategies, reviewing progress reports, undertaking corrective measures, supporting the Government and Assembly in streamlining agencies and in introducing accountability mechanisms, supporting progress in the EU Sectoral Reform Contract,[265] and proposing changes to PAR strategies.[266] In 2023, the Council consisted of three women and three men. At a technical level, MIA leads while the Council oversees internal **coordination** of the PAR strategic framework at the political level. The Decision establishing the Council does not list any responsibilities related to integrating gender equality in PAR. Further, AGE is not a member of these bodies, and gender-responsive policymaking and programming are not explicitly stated in their mandate, apart from the Law on Gender Equality's general provisions for all ministries.

In 2023, MIA had a rather gender-balanced staff: 156 were women (49%) and 164 were men (51%).[267] In decision-making positions, however, 25 were women (38%) and 41 were men (62%), suggesting women's underrepresentation in decision-making, including related to digitisation.

Within MIA, the Department of PAR (DPAR) works on strategic aspects of service delivery, the Legal Department covers legal aspects, and AIS is responsible for administrative simplification and IT solutions.[268] DPAR is responsible for **coordinating** and **monitoring** the implementation of PAR strategies, including PARS 2022-2027. According to the EC, all of these

[263] MLSW's duties have been transferred to MFLT and to the Ministry of Justice, as discussed in the chapter on Social Services.

[264] AGE, comment on draft report, November 2023.

[265] Kosovoprojects.EU, "Capacity Building", "Support to Sector Reform Contract on Public Administration Reform", accessed 9 November 2023.

[266] Official Gazette of the Republic of Kosovo, Government Decisions, Decision on the organization and operation of the Council of Ministers for PAR and the structures responsible for coordination, monitoring and implementation of strategic documents of PAR, no. 04/09, dated 21 April 2021.

[267] KWN correspondence with MIA, 4 July 2023.

[268] MIA, Public Administration Reform Strategy 2022-2027, 2023, p. 26.

entities lack proper cooperation and coordination.[269] The EC Kosovo Report 2022 notes that more political support is needed to make the Council a functioning body that regularly monitors and reports on PAR.[270] MIA's limited **capacities** have prevented it from effectively supervising and leading PAR.[271] MIA competencies on PAR have not been fully transposed into its internal organisation, so no organisational unit has the responsibility for general administrative procedures or a broader service delivery policy, including digitalisation of services.[272]

In 2023, MIA had a rather gender-balanced staff: 49% were women and 51% were men

In decision-making positions, however, 38% were women and 62% were men

According to PARS, DPAR has developed a digital platform where institutions responsible for implementing measures can submit data for **monitoring** the PARS Action Plan in real time. This is meant to enhance **implementation** of indicators and targets, as well as to provide transparent information on progress to the public.[273] DPAR will be responsible for data collection, administration, and managing monitoring tools, data analysis, and reporting. As the new PARS does not have any specific objectives or indicators related to gender equality, gender-disaggregated data may not be tracked in the monitoring platform. Tracking gender-disaggregated data and indicators of furthering gender equality could facilitate monitoring, evaluation, and planning.

According to SIGMA, the absence of a central institution responsible for developing policies for overall delivery of public services has led to a lack of service delivery standards: "There is no institution which monitors how service delivery is performed in practice, or how many services are digitalized, and there are no reliable data to inform a structured and comprehensive approach to standardizing service delivery."[274] The EC Kosovo 2022 Report noted that although the eKosova digital portal provided services to citizens and businesses, it was insufficient for addressing issues with over-the-counter service delivery.[275] The report observed issues of unreliable data on service delivery and inefficient data collection regarding groups in socially vulnerable situations, including persons with disabilities. PARS 2022-2027 has prioritised standardising and digitalising public registers and services, including by creating a central online register of administrative services.[276]

[269] EC, Kosovo 2022 Report.

[270] Ibid., p. 13.

[271] Ibid.

[272] MIA, Public Administration Reform Strategy, 2022-2027, p. 26.

[273] EC, Kosovo 2022 Report, p. 12.

[274] EU, SIGMA, and OECD, Monitoring Report: The Principles of Public Administration: Kosovo, 2021, p. 116.

[275] EC, Kosovo 2022 Report, p. 16.

[276] MIA, Public Administration Reform Strategy 2022-2027, 2023, p. 5.

Ministry of Economy

The Ministry of Economy has multiple responsibilities for **leading** digitalisation efforts related to the economy and employment. Namely, it has led the expansive World Bank-supported Kosovo Digital Economy Project (KODE) from 2019 to 2023.[277] KODE aims to establish broadband interconnection infrastructure in underserved regions, nurture human capital, and strengthen digital businesses, towards integrating Kosovo into the digital economy of the future.[278] The Ministry is discussed further in the chapter on Business and Trade.

Information and Privacy Agency

According to the Law, the State Agency of Personal Data Protection, referred to as the Agency for Information and Privacy (AIP), is an independent agency responsible for implementing rules for protection of personal data.[279] AIP oversees **implementation** of the Law on Access to Public Documents and Law on the Protection of Personal Data.[280] Its purpose is to safeguard the fundamental rights and freedoms of individuals concerning the processing of **personal data** and to ensure access to public documents. AIP should promote and train public institutions to implement the Law on Access to Public Documents.[281] The Agency has responsibilities such as supporting fundamental rights to personal data protection; informing and advising public and private bodies on data protection; advising governmental bodies on legislative and administrative measures; deciding on complaints; and monitoring implementation of this law.[282]

The Agency started conducting inspections in 2021, but insufficient human resources made it difficult to identify and treat threats, including gender-related threats, research participants said. Indeed, specific **capabilities** and skill sets would be needed. The Agency did not maintain gender-disaggregated data. AIP noted that they used to have the capability to initiate legal charges on data protection violations, but that they did not have these capacities anymore. They lacked capabilities for conducting field inspections due to their relatively small staff.[283] This also presents an issue related to gender expertise in the team.

Regarding **public services,** AIP has an online platform where people can file complaints. The website features an online form that requests the person's name and contact information and provides a text box to explain the

[277] Republic of Kosovo, Government, National Program for the Implementation of the Stabilization Association Agreement (NPISAA) 2022-2026, 2022, p. 123.

[278] Ibid., p. 123. For further information about KODE, see the chapter on Employment and Labour.

[279] Government, MIA, Kosovo Police, General Director of Kosovo Police, Administrative Instruction No. 04/2012 for Standards and Methods on Collection, Retention, Use and Removal of Personal Data for Police Purposes, 2021, Article 2.

[280] Information and Privacy Agency, website, "About Us", accessed 9 November 2023.

[281] Ibid.

[282] Ibid.

[283] KWN interview, 2021.

complaint.[284] AIP publishes decisions on complaints and updates its website with advice and instructions on data protection mechanisms.[285] This site does not contain any gender perspective. For instance, the latest data protection manual that AIP published does not include any observances on the way diverse women and men's data may be threatened by certain operators.[286] Women often are prey to the publication of their identities related to harassment or gender-based violence. Publication of their pictures online can contribute to damage and re-traumatisation. Although the Agency manual provides several examples on similar data breaches, none discusses data protection specific to women.

In 2021, AIP published a report that measured citizens' knowledge about AIP and its services.[287] It concluded that 30% of people had requested public documents, whereas 72% had never used this tool. Additionally, 61% of respondents were unaware of AIP. Thus, most did not know they had the right to request information or send a complaint. The report did not contain gender-disaggregated data, so women and men's knowledge about, access to, and use of AIP services was unavailable for gender analysis. AIP has conducted several outreach efforts, described in the chapter on Rule of Law.

Municipalities

Municipalities do not seem to have any bodies responsible for IT or the digital transformation.[288] Municipal officials reportedly lacked knowledge and **capacities** for digitalisation, including basic **digital skills**.[289] Municipalities relied heavily on AIS to resolve issues with internet infrastructure and for IT problem solving.[290] Lack of sufficient resources was among the reasons given for this centralisation of services.[291] Thus, little progress has been made in Kosovo towards establishing smart, **digital cities**, that is cities "where innovation and technology are used for efficient and sustainable use of resources" to "transform communities into connected, cleaner, safer, and more comfortable, and highly energy-efficient places to live".[292]

In 2020-2021, UNDP supported the Prizren Digital City Network project, which sought to digitalise different locations in Prizren for tourists.[293] UNDP,

[284] AIP, website, "Complaint Request", accessed 16 August 2023.

[285] AIP, website, "Protection of Personal Data", accessed 2 September 2023.

[286] AIP, Manual on the Protection of Personal Data, 2023.

[287] AIP, Raporti i Statistikave te Anketimit [Survey Statistics Report] [in Albanian], 2021, p. 29. The survey was distributed to citizens in seven municipalities. AIP received 446 responses.

[288] KWN review of departments and positions enlisted on municipal websites, August 2023.

[289] KWN interview with AIS, 2021.

[290] Ibid.

[291] Ibid.

[292] Friedrich Naumann Foundation for Freedom Western Balkans, Kosovo - Smart Cities Now and the Future, 2020, p. 8.

[293] UNDP, "City Experiment Fund – Prizren Digital City Network Project", accessed 2 September 2023; correspondence with UNDP, November 2023.

the Municipality of Prishtina/ Priština, and private sector experts also have initiated discussions towards creating a "digital twin",[294] collecting and using data towards informing public administration and urban planning.[295] It can help identify security issues and risks, including from a gender perspective, such as to improve public lighting and decrease sexual harassment that tends to affect women and girls. Meanwhile, a report has evaluated "Kosovo's local self-government units on [the] SmartCity Concept" and identified smart-city initiatives.[296] It evaluated administrative, public services, urban planning, energy, ICT, and open-data-related initiatives towards smart or digital cities. Of these, only the ICT and open data category mentioned gender, such as "smart property registration" for landowners and their property rights in Krushe e Madhe / Velika Kruša village. The report stated that the feature enabled single women heads of households to claim their property rights, apply loans, and establish business cooperatives.[297] Other categories could have included gender analysis, discussing the extent to which smart city initiatives have been accessible to and beneficial for diverse women and men. Further opportunities exist, such as digitalising public transport services, which would make cities more gender-responsive to women's needs: for example, helping them better organise their time with access to real-time information on bus schedules. Meanwhile, the "Pristina Walks" mobile app contains interviews and short videos that tourists can use when visiting the city.[298] The app is gender and ethnically representative in that it presents locations commemorating different women and men, such as the Mother Theresa statue, Heroines Memorial, Ibrahim Rugova statue, and Vuk Karadžić statue.

In 2020, men held 69 senior management positions in ministries whereas women held only 9.

Participation

According to the Law on Gender Equality, women and men should **participate** equally (defined as 50% of each gender) at all levels of decision-making, and the Government should apply affirmative measures in areas where women are underrepresented.[299] In 2020, men held 69 senior management positions (88%) in ministries whereas women held only nine (12%).[300] Meanwhile, men held 882 (70%) of the management positions in ministries and women held 375 (30%) such positions.[301] Even fewer women work in IT positions. IT

[294] The Digital Twin model is based on the idea that a digital informational construct about a physical system could be created as an entity on its own (Michael Grieves and John Vickers, "Digital Twin: Mitigating Unpredictable, Undesirable Emergent Behavior in Complex Systems", 31 August 2016, accessed 30 December 2023).

[295] UNDP, "Digital Twins: Bridging data gaps for sustainable urban development", 31 October 2022, accessed 9 November 2023.

[296] Friedrich Naumann Foundation for Freedom Western Balkans, p. 5.

[297] Ibid., p. 38.

[298] Oral History Kosovo, "An Interactive City Map: Pristina Walks", 2023; Pristina Walks, Google Play Application, App Store Application.

[299] Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 6.

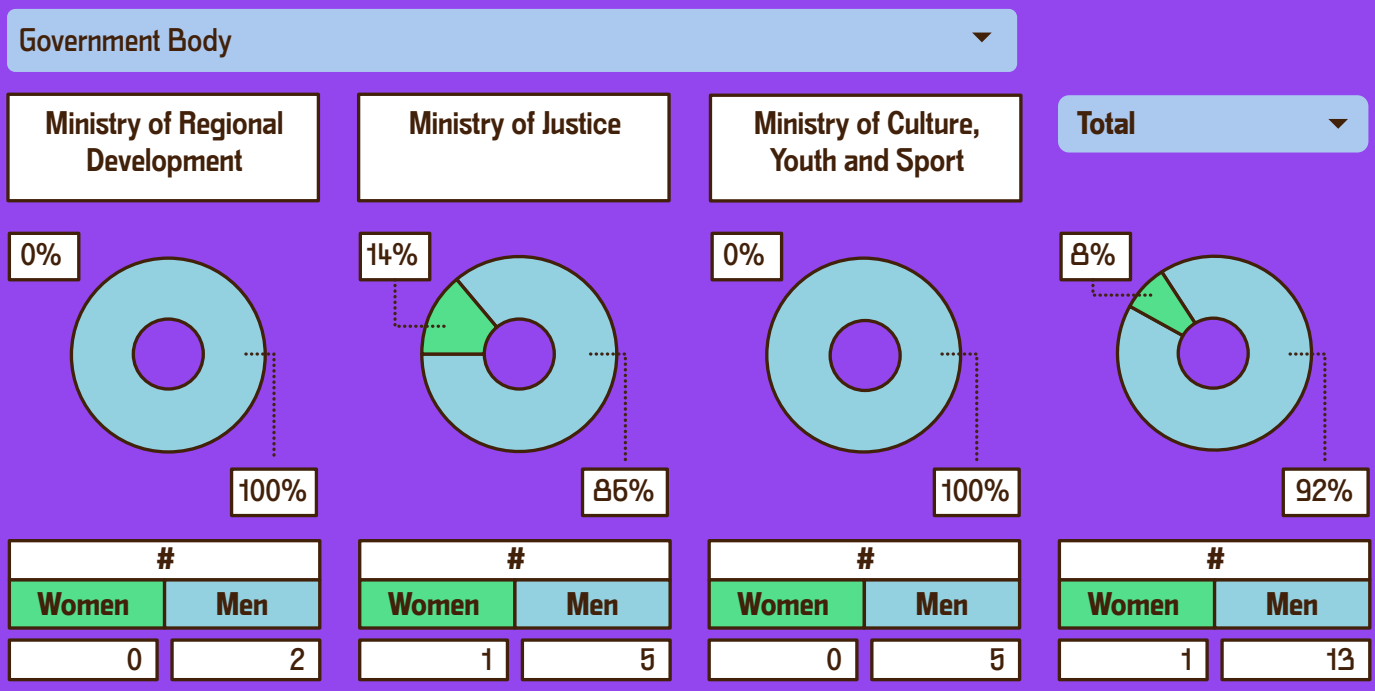
[300] Republic of Kosovo, Government, OPM, KAS, *Women and Men in Kosovo 2020-2021*, 2020, p. 60.

[301] Ibid., p. 60.

professionals, directors, and officers, especially in managerial positions, tend to be men.[302] Within the public administration, each ministry has a Technology Department or IT Unit responsible for providing logistics for ministry staff, managing inventory, and providing needs-based services.[303] Women generally have been underrepresented among IT staff (see Table 1).[304] In ministries that provided data for this research, 92% of IT department heads were men. This illustrates women's low participation in IT in the public administration, which may contribute to underrepresentation and failure to address issues women face in IT.

The GEOs interviewed tended to state that public officials consider digitalisation a "male dominated" sector and that the expertise of women GEOs, or women public officials, was often considered irrelevant.[305]

Table 1. Gender Representation in Government IT Staff



[302] KWN interviews, 2021.

[303] Republic of Kosovo, Public Administration, "Division of IT and logistic services", accessed 9 November 2023.

[304] KWN correspondence with Kosovo institutions, 2022. Data was requested from all ministries and municipalities, but only those included here provided the requested data following multiple requests by KWN.

[305] KWN interviews, 2021 and 2022.

Even though more men than women worked in IT positions, non-GEO officials seemed to believe that **gender stereotypes and norms** related to women in IT had diminished over time.[306] They tended to think that affirmative measures were not needed to recruit more women as IT professionals in the public administration. When asked if they had tried using affirmative measures when recruiting digital expertise, officials tended to refer to the principle of meritocracy. This is illustrative of a broader pattern that KWN has observed in the Government and public administration whereby meritocracy is considered more important than, and at odds with, using affirmative measures foreseen by the Law on Gender Equality.[307] Although this Law foresees the use of affirmative measures towards achieving a gender balance in the Government and public administration, affirmative measures rarely are applied as officials tend to feel that they undermine principles of meritocracy. This contributes to women's underrepresentation in decision-making processes generally within the Government and public administration, including specifically related to digitalisation. This can contribute to insufficient consideration of diverse women's views in digitalisation-related policies and programmes. Further, considering the historic gender imbalance in the Government and public administration, any future software for human resource recruitment and promotion would need to consider existing gender biases that may affect algorithms, even inadvertently, contributing to continued inequalities.

> "Within the Ministry, I have no access to policy making. Here, you're responsible about designating tasks for yourself. You don't get delegated anything!"
>
> — GEO

Officials stated that women were encouraged to apply for jobs but that they did not possess the expertise that men had. For example, one official said, "We do not specify gender in job openings and many females have applied, but according to their technical preparedness in this field, females have known less". While this and similar comments made during interviews may indicate limited capabilities among women for these positions, such statements also could suggest potential gender bias in hiring. Officials may, even inadvertently, uphold social assumptions based on gender norms and stereotypes that men are better qualified for such positions simply because they are men. A fuller inquiry examining hiring and promotion practices in the public administration could shed light on reasons for women's underrepresentation in decision-making and IT positions. That the public administration offers

[306] KWN interviews, 2021 and 2022.

[307] Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 6.

comparatively lower wages than the private sector also may dissuade women and men from applying.[308]

Related to diverse women and men's **participation in government and governance**, institutions have developed several initiatives, according to UNDP, such as "public consultation platforms, public service digitization, e-participation platforms and budget transparency tools".[309] Established in 2016, the Office for Good Governance in the OPM leads and coordinates the public consultation process, supported by coordinators for public consultations in the OPM, ministries, and municipalities.[310] The Government created the online Public Consultation Platform to "facilitate the public consultation process", including public and nongovernmental actors, CSOs, and other partners in policy- and decision-making processes.[311] People can search for public consultations, documents, and statistics.[312] No gender-disaggregated data about who uses the Platform is publicly available.

The EC Kosovo 2022 Report observed that public consultations on draft legislation are organised very late in the process and inputs provided by civil society are not systematically reflected.[313] According to women's rights civil society organisations (WCSOs), especially at the local level, the Government has not raised public awareness about the opportunity to participate in decision-making processes through the online public consultation Platform. The Government does not have a strategy for including more CSOs in using the Platform, particularly local CSOs, considering that the Platform now includes public policies and consultation schedules for municipalities. Nor is the Platform accessible for persons with disabilities. However, the Office for Good Governance in cooperation with the Organisation for Security and Co-operation in Europe (OSCE) in Kosovo has worked on improving the Platform's functionality, including access for persons with disabilities.[314] Updates are planned to provide deaf and blind people with access to contributing to policymaking.

KWN found no evidence that PAR, such as strategies for reducing administrative burdens for citizens, has been based on public consultations.

[308] AGE, comment on draft report, 2023.

[309] UNDP, Mapping Data Collection for Development/Enhanced Institutional Capacities for Data Use in Kosovo, 2023, p. 7.

[310] Republic of Kosovo, OPM, Office for Good Governance, Regulation No. 05/2016 on Minimum Standards for Public Consultations, 2016; Republic of Kosovo, Government, Ministry of Local Government Administration, Administrative Instruction (MLGA) No. 06/2018 on Minimum Standards of Public Consultation in Municipalities, 2018.

[311] Government, OPM, Office for Good Governance, Public Consultation Platform, "About".

[312] Republic of Kosovo, Government, OPM, Office for Good Governance, Public Consultations Platform, accessed 27 November 2023.

[313] EC, Kosovo 2022 Report, p. 14.

[314] Government, OPM, Office for Good Governance, Annual Report on Public Consultations in the Government of the Republic of Kosovo, 2022, p. 12.

Municipalities rarely engage women in public hearings, such as on budget.[315] Several factors hinder women's **access** to participating in government and governance, including leadership, IT positions, and public consultation processes such as insufficient time to work or gain knowledge,[316] lack of information about public consultation processes, irregular public transportation particularly in rural areas, inaccessible public buildings for persons with disabilities, and language barriers to participating in governance.[317] The fact that women tend to be underrepresented generally in decision-making positions contributes to their underrepresentation in policymaking, including related to digitalisation.[318] Therefore, the possibility exists that women's perspectives and needs may be underrepresented in policymaking, as well as in implementation, monitoring, and evaluating digitalisation processes. Men also have participated minimally in policymaking related to digitalisation. Limited participation of diverse women and men in designing applications or software related to digitalising public services can lead to design flaws and anomalies in proper usage. Policy interventions that do not ensure consultation with diverse women and men may contribute to bias and fail to meet the needs of vulnerable groups. Women and men of different geographic locations, abilities, ages, and ethnicities could provide insight regarding which forms of administrative burden they face and potentially make useful recommendations.

In terms of **awareness** and public **access** to decision-making processes on digitalisation, historically, the Government and public administration have done little to inform diverse women and men how they can contribute, especially from a gender perspective.[319] KWN's experience suggests that CSOs and women and men citizens have lacked **awareness** on how they can participate, which hampered their engagement in decision-making. Insufficient consultation of gender expertise likely contributed to the gender neutral or gender negative nature of digitalisation-related policies. Now the time is opportune for diverse contributors, women and men, CSOs, and WCSOs, to provide input in drafting these policies. Ensuring use of gender analysis and diverse women and men's participation in the public consultation process could contribute to diverse insight that would make new digital policies more gender-responsive or transformative.

[315] KWN discussions with KWN member organisations working in municipalities.

[316] KWN's research has shown that women have less time available than men given their household responsibilities, as elaborated in the People section of this chapter.

[317] Women have identified these as issues hindering their participation in politics generally (KWN Lobby for Gender Equality meetings), which also affect their participation related to digitalisation. Women with disabilities and minority women stated that they lacked access to decision-making due to language as well as poor transportation (KWN focus groups, 2022; KWN interviews with WCSOs).

[318] KWN interviews with WCSOs.

[319] KWN interviews, 2021.

Capabilities

No known comprehensive assessment has examined responsible officials' levels of **awareness**, **education**, **knowledge**, and capabilities for supporting gender-responsive digitalisation. KWN's interviews suggested that officials' capacities were rather limited. Officials observed during interviews that they had inadequate human resources for supporting digitalisation. According to AIS, individuals specialising in digitalisation tended to work in the private sector because it paid better than government positions. Digital experts working in government or public administration did not seem to possess gender-related expertise.[320]

> "It's become common knowledge that they are not very tech savvy [...] I know the Government hastaken measures in blocking a range of sites and applications that [public servants] cannot access as they thought it was the best way to protect [them]"
>
> — Research participant supporting digitalisation reforms

While the Law on Information Society Government Bodies foresaw KIPA's engagement to identify and address IT training needs in the public administration,[321] this does not seem to have happened yet. Digitalisation efforts have not included long-term plans for increasing the digital skills of municipal officials or investing in adequate IT human resources to support a smoother, gender-responsive digital transformation. Such initiatives would contribute to the Local Self-Government Strategy 2016-2026, which aims to provide better municipal services and increase the quality of life of citizens by improving professional IT capacities.[322] Notably, creating a long-term plan for training civil servants based on an assessment of training needs and improving infrastructure to enable electronic written testing of candidates are planned among PARS actions for 2022-2024.[323] The Plan does not have any gender-disaggregated targets.

Meanwhile, the EC Kosovo 2022 Report noted line ministry capacities required improvement to increase the use of Regulatory Impact Assessments in policymaking and to make public consultations as well as these assessments more effective.[324] This would need to involve G(E)IAs, including for laws and policies related to digitalisation. AGE has recommended that the Government establish and implement a "gatekeeper" mechanism, whereby draft laws and concept documents would not be proceeded for approval until a G(E)IA was conducted and AGE's suggested addressed.[325]

[320] KWN interviews.

[321] Republic of Kosovo, Assembly, Law No. 04/L-145 on Information Society Government Bodies, 2013, Article 6, paragraph 2.9.

[322] Republic of Kosovo, Government, Ministry of Local Government Administration, Local Self-Government Strategy 2016-2026, 2016, p. 179.

[323] Republic of Kosovo, Government, MIA, Public Administration Reform Strategy 2022-2027, 2022, p. 63.

[324] EC, Kosovo 2022 Report, p. 14.

[325] AGE, comment on draft report, November 2023.

Digital Public Services

Regarding **digital public services**, the Government is in a nascent phase. This became evident during the COVID-19 pandemic, when the Government struggled to turn to digital solutions quickly. While the Government had plans to launch the eKosova platform before the pandemic, the platform gained public attention primarily during the pandemic when the Government used it to facilitate the distribution of COVID-19 vaccines.[326] The Government later expanded the platform to include more online services. Now, managed by AIS, eKosova offers electronically several public services found in institutions' physical offices. It has approximately 150 public services for citizens and businesses.[327] Box 1 lists digital public services available via eKosova.[328]

Box 1. Digital Public Services Available through eKosova

Education

Application - Textbooks and school materials (Grades 1 to 5)

Application - School materials (Grades 6 to 9)

Division for recognition/ equivalence and academic information - Other administrative fees for recognition of pre-university education diplomas

Division for recognition/ equivalence and academic information

Other administrative fees for recognition of higher education diplomas

Division for recognition/ equivalence and academic information - Fee for verification of public and privateschool documents

Student Center - Participations

Student Center - Rent from public facilitie

Fee for verification of various documents

Fee for licensing private educational, vocational, pre-university training institutions

Fee for licensing private educational institutions and preschools

University of Prizren and Ferizaj: rent from public building

Universities of Prishtina, Peja, Gjilan, Gjakova, Mitrovica, Ferizaj - participation

Kosovo Accreditation Agency-accreditation fee

Albanological Institute of Prishtina - rent from buildings

Agency for Vocational Education and Training-Technical High School-March 11 Prizren-Participations

Agency for Vocational Education and Training - High School of Machinery - St. Gjeqov - Participations

Agency for Vocational Education and Training - Prizren High School of Competence - Participations

[326] KWN interview with AIS, 2023. See chapter on Health for more information.

[327] MIA, Public Administration Reform Strategy 2022-2027, 2022, p. 16; KWN interview with AIS, October 2023.

[328] MIA, AIS, eKosova, accessed November 2023.

Agency for Vocational Education and Training-High School of Competence - Ferizaj - Rent from public buildings

University of Prishtina "Hasan Prishtina" - Revenues from projects

University of Prishtina "Hasan Prishtina" - Revenues from the sale of goods

University of Prishtina "Hasan Prishtina" - Sale of services

National Qualification Authority - other administrative tasks

Learning Recognition Application

Application for the 2023-2024 scholarship for Roma, Ashkali and Egyptian students

Job

Declaration for participation in the union

Consular Services

Apostille and Legalization Stamp in the Ministry of Foreign Affairs and Diaspora (MFAD)

Legal Auditors

Application for legal audit firm for license renewal

Application for legal audit firm for the first time

Application for legal auditor for license renewal

Application for legal auditor for the first time

Application for foreign legal audit companies

Application for renewal of foreign company license for legal audits

Address

Declaration of postal address

Grants and Subsidies

Public call for support for micro, small and medium-sized enterprises in investing in efficient heating equipment

E-Municipality

Administrative permits and procedures for the Municipality of Prizren

Administrative permits and procedures for the Municipality of Lipjan

Banners

Verify Banners from the Kosovo Agency for Medical Products and Equipment

Document Verification

Verification of documents through digital signature

Verification of electronic documents

Civil Status

Birth Certificate

Extract

Marriage Certificate

Birth Certificate for Family Members

Extract for Family Members

Marriage Certificate for Family Members

Death Certificate for Family Members

Taxes

Bill of Individual Property Tax

Bill of Property Tax to other Persons

Bill of Business Property Tax

Family

Applying for Maternity Supplements

Applying for Child Supplements

Application for Personal Loan Subsidy

Health

Set appointment for vaccination against COVID-19

Set appointment for vaccination against COVID-19 for others

Electronic Vaccination Passport

Vehicle

Municipal Tax for Personal Registration

Municipal Vehicle Tax for other Persons

Continue vehicle registration

Continuation of business vehicle registration

Request for custom license plates from the individual owner

Request for custom license plates from business owner

Police

Search individual fines

Search fine by reference code

Criminal background check request

Application for a new Police Officer

Utilities

Regional Water and Wastewater Company (RWC) Prishtina - See invoices and balances by property

Kosovo Electricity Supply Company (KESCO) Electricity bills

Prishtina Municipality – view the waste collection bills for your property; and for other people

Prizren Municipality – view the waste collection bills for your property; and for other people

Vushtrri Municipality – view the waste collection bills for your property; and for other people

Mitrovica Municipality – view the waste collection bills for your property; and for other people

Property

Certificate of real estate rights

Certificates on rights to real estate for family members

Coordinates of the cadastral unit; and for family members

Copy of the plan of the cadastral unit; and for family members

Contributions and Pensions

Account statement for pension savings

Judiciary

Certificate on criminal convictions

Monitoring the status of individual cases in court

Online Data Platform

Security Fund

Donation through electronic payment with commercial banks

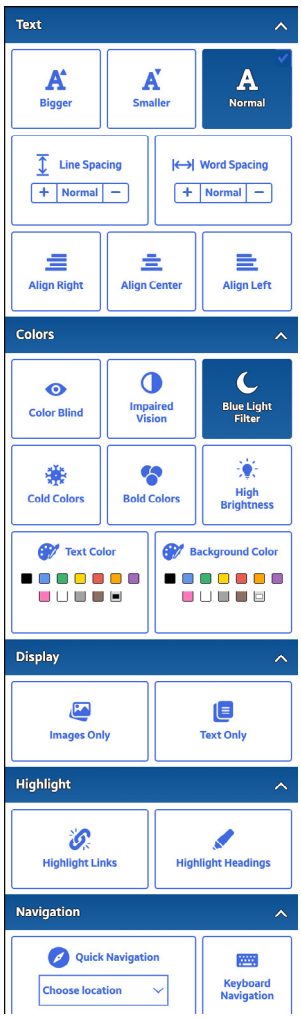
Donation through electronic payment from non-banking financial institutions

Donation through physical payment to non-banking financial institutions (NBFI)

Bank transfer from within the country to the Treasury account in Kosovo

The platform has a user feedback option, which reportedly "has proven useful in identifying gaps" and can inform monitoring and improvements.[329] Plans are underway to introduce new modules soon.[330]

Figure 6. Accessibility options on eKosova



The eKosova platform is available in Albanian, English, and Serbian. It has a "Help" tool that can guide people using the platform.[331] An icon labelled "Accessibility" can be used to change the text (bigger, smaller, aligning), colours (e.g., for persons who are colour blind or have impaired vision), and display.[332] However, when users click to view a page as text only or images only, the webpage often "crashes"[333] or takes significant time to process the request; this feature requires further updating or refining to ensure accessibility for diverse users. Although there are no significant gender differences in text and imagery, visuals on the platform could be more gender-balanced or relate to furthering gender equality. The platform lacks an audio feature that would make it accessible for individuals with visual impairments. The accessibility options that do exist are only available in the English language (Figure 6).

Through the Treasury of the Republic of Kosovo, MFLT has opened a special bank account for receiving funds designated for the country's "Security Fund". EKosova invites "citizens of Kosovo and our compatriots in the diaspora to contribute to state security". Kosovo's Security Strategy defines "security" with a neoliberal connotation, suggesting that militarisation contributes "security" so public funding should be directed towards military-industrial systems.[334] Military spending can undermine investments in other key aspects of human security, such as health and education.[335] A military-focused definition of security can ignore other aspects of security, like health, food, and safety from gender-based violence. The Security Strategy and eKosova platform's narrow definition could hinder financial support for other aspects of human security. EKosova could have involved opportunities to support other aspects of human security, beyond militarisation which may affect women and men negatively. Thus, while eKosova may have been designed using a seemingly gender-neutral approach, some aspects could have gender negative consequences, contributing to insecurity rather than reducing it.

AIS did not consult gender experts or AGE for ideas to make the eKosova platform more gender responsive. The reason, they said, was because the

[329] MIA, Public Administration Reform Strategy 2022-2027.

[330] KWN interview with AIS, October 2023.

[331] MIA, AIS, eKosova, accessed 21 August 2023.

[332] Ibid.

[333] A website is said to crash when it malfunctions, or the screen display locks up.

[334] Republic of Kosovo, Government, OPM, Kosovo Security Strategy 2022-2027, 2022.

[335] Jules Falquet, "A Gender Perspective on Neoliberal Globalization: 'Global Women' in the Shadow of Military-Industrial Systems", originally published as "*Ce que le genre fait à l'analyse de la mondialisation néolibérale*", Regards *croisés sur l'économie*, "*Peut-on faire l'économie du genre?*", 2014, nr. 15, pp. 341-355.

platform was primarily designed to support vaccinations according to urgent needs affiliated with the COVID-19 pandemic.[336] However, the platform has continued to undergo updates since then, which did not involve consultations with diverse women and men.[337] Maintaining and publishing gender-disaggregated data on users would be in line with the Law on Gender Equality.[338] However, AIS does not track, monitor, or publish gender-disaggregated data related to the eKosova platform. The Agency can track gender-disaggregated data on users of each service provided. They possess some data, but do not use it to inform eKosova updates because "responsible persons for collecting data only track the data they need".[339] This statement suggests AIS may not consider that differentiating users by their gender could provide needed information. Nor does AIS periodically conduct gender impact analysis related to the platform to understand the needs, knowledge, or uses of eKosova by diverse women and men, though such information could facilitate improvements.

According to AIS, there is a system of three-level data **protection** as per the eIDAS EU Regulation, and the only data used to create a profile are the name and surname of the user; thus, data is considered secure.[340]

When asked if they have ever used the eKosova platform, 13% of respondents to the 2022 UNDP survey (14% of women and 11% of men) said they had never heard of it.[341] Such information could inform policymakers about who is using these services, and thus who may lack **access**, particularly if such data were disaggregated by geographic location, age, ethnicity, language, and other demographic indicators. Such information could inform policy interventions towards ensuring diverse people have access to gender-responsive online services. If the Government used such data to tailor the platform to diverse users and their digital knowledge, it could make the platform more user-friendly and thus more utilised.

EKosova periodically published short videos on its social media, promoting the number of users by certain categories of services (e.g., property, family services, police).[342] None of the clips provides gender-disaggregated data on the number of women and men using these services. AIS, among others, could use data regarding users' gender, age, geographic location, ability, or other information to improve citizens' awareness related to the platform's services, using an intersectional gender responsive approach.

[336] KWN interview, November 2021.

[337] KWN interview with AIS, October 2023.

[338] Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 5, 1.8.

[339] KWN interview, November 2021.

[340] KWN interview with AIS, 2021.

[341] UNDP, Digital Household Survey, 2022.

[342] MIA, AIS, eKosova. For example, see the video clip on the number of users of family services.

Towards enhancing public **awareness** on how to use public services, eKosova has 16 videos with instructions on how to use the platform's services, walking users through the options available.[343] These videos also are on YouTube, and a few have been shared on eKosova's Facebook page.[344] However, citizens still seem unaware that they can use these online facilities.[345] Broader campaigns could have increased awareness about the platform, how data is used, the services available, how to access them, and how people can protect themselves from data violations. The Government has not had sufficiently gender-responsive information campaigns to increase the awareness of diverse women and men about digital public services. AIS mentioned that they do not really do awareness-raising.[346]

> "Awareness-raising of citizens (related to their digital well-being) is general. There is no gender-based aspect there. Our mission is to protect all citizens' rights equally. We don't make any exceptions, and we do not hold any gender disaggregated data."
>
> — AIP

Generally, KWN found that institutions were unclear whose responsibility it was to ensure that diverse women and men be made aware of the impacts of the digital transformation, data processing, and their overall digital wellbeing, as well as of existing protection mechanisms. Representatives of the Ministry of Justice, AIP, and the KP Cyber Security Unit said that awareness-raising was not part of their jurisdiction. Despite their uncertainty, all these institutions have awareness-raising responsibilities in their statutes or corresponding laws regulating their scope of work.[347] The Agency observed that citizens were not aware that AIP or the Commissioner for Privacy and Information existed. Further, AIP representatives said, "awareness-raising of citizens (related to their digital wellbeing) is general. There is no gender-based aspect there. Our mission is to protect all citizens' rights equally. We don't make any exceptions and we do not hold any gender-disaggregated data." This suggests that AIP has had a gender-neutral approach to awareness-raising, ignoring that diverse women and men have different outreach needs. Thus, relevant information may not reach them. Moreover, AIS seems not to have considered the different ways that women and men provide personal data and risks to which they may be exposed. Maintaining gender-disaggregated data on rights violations detected by AIP could help

[343] MIA, AIS, eKosova, "Watch video guides", accessed 17 August 2023.

[344] MIA, AIS, eKosova.

[345] RTV Dukagjini, "Qytetarët pa njohuri për 'EKosova', platformën për aplikim për subvencionim" [Citizens not informed of "EKosova" platform for subventions applications] [in Albanian], October 2022. See the section on People.

[346] KWN interview, November 2021.

[347] Republic of Kosovo, Assembly, Law No. 04/L-076 on Police, 2012, Article 2; Law No. 04/L-145 on Information Society Government Bodies, 2013; Law No. 06/l-082 on Protection of Personal Data, 2019, Article 64.

identify gender differences, enabling the Agency to organise better-targeted outreach.

Funding and Procurement

Given that several institutions are responsible for digitalisation and that it is addressed through various strategies, it is difficult to have a comprehensive understanding of the total **funding** allocated or spent on digitalisation overall, let alone from a gender perspective. PARS actions for 2022 through 2024 are estimated to cost over €10 million,[348] but the budget is not disaggregated by gender and no clear allocations are made for furthering gender equality related to PAR reforms. For KODE, the Government received credit amounting to €20.7 million from the World Bank for 2019 through 2023, with support from other donors.[349] EU IPA funds are supporting the project "EU Support for the Competitiveness of the Kosovo ICT Sector" (€3 million).[350] Gender-responsive budgeting does not seem to have been used to inform any of these budgets or expenditures, despite requirements in the Law on Gender Equality.

Generally, the Government has been slow to implement legal requirements for gender-responsive budgeting,[351] including related to digitalisation. Institutions do not provide easily accessible information on gender-responsive budgeting. The 2023 Law on the Budget of Kosovo does not contain this information.[352] In terms of budget transparency, the Government has not published information online regarding the gender-responsiveness of expenditures or how Government funds have benefitted diverse women and men.[353] Nor are municipal budget documents published in a user-friendly way.[354] Additionally, issues exist with accessing municipal websites, attributed to slow speeds or malfunction, resulting in an approximate three-minute delay in opening budget-related documents.[355] Making improvements would be in line with the Law on Gender Equality, as well as commitments to implementing UN SDGs, specifically indicator 5.c.1. on making gender-disaggregated budget information available online in a timely manner and in a way that people understand.[356]

The Government has established **e-procurement**. Hypothetically, this system applies to all public institutions, though e-procurement does not seem to be **available** across all ministries and municipalities. Managed by the PPRC

[348] Republic of Kosovo, Government, MIA, Public Administration Reform Strategy 2022-2027, 2022, p. 63.

[349] Republic of Kosovo, Government, NPISAA 2022-2026, p. 123.

[350] Ibid.

[351] KWN, "Monitoring the Implementation of SDG Indicator 5.c.1 in Kosovo", 2022.

[352] GAP Institute, "Gender-Responsive Budgeting in Municipalities Report", 2023.

[353] KWN, "Monitoring the Implementation of SDG Indicator 5.c.1 in Kosovo", 2022.

[354] GAP Institute, "Gender-Responsive Budgeting in Municipalities Report", 2023.

[355] GAP Institute, 2022 Municipal Budget Transparency Index, 2023.

[356] UN, "SDG indicator metadata", accessed 8 November 2023.

in the National Audit Office of Kosovo, the Central Procurement System is an electronic platform for publishing procurement notices and conducting procurement processes.[357] The PPRC offered data related to procurement by:

a) Budget: companies awarded the most projects based on total value
b) Company: companies that signed the most contracts
c) Institution/Company: companies that have received the most projects based on a combination of the institution providing the funding and the company.[358]

These components do not offer any gender-disaggregated data, though such data would facilitate understanding of the extent to which women and men have benefitted from government contracts or how contracts may have contributed to gender equality.

Various non-governmental online platforms (re)publish tenders and procurement notices. For example, the Open Procurement Transparency Portal is run by CSO *Lëvizja FOL* ("Speak up" movement) funded by the United States Agency for International Development (USAID). This open procurement portal aims to increase the transparency of public expenditures.[359] Since information related to procurement procedures may be limited, interested parties, citizens, and businesses can use keywords to search for procurement notices.

MIA has published minimal information about funding and procurement online. Under its website domain for Public Administration, NGOs have been able to apply for government funding online since 2016.[360] NGOs can register online, uploading data and requested documents. Meanwhile, the AIS-managed Open Data portal category for Procurement has no data available.[361] EKosova offers the opportunity for businesses to apply online for subventions and grants, as elaborated in later chapters.[362] According to officials, the applications process is easy, as the portal already contains personal data of registered users; businesses simply upload data and documents when they apply.[363] The Agency for Agricultural Development in MAFRD provides online applications for agriculture grants and subventions for farmers, businesses,

[357] *Komisioni Rregullativ i Prokurimit Publik* [Public Procurement Regulatory Commission] [in Albanian], website, 2023, accessed 10 November 2023.

[358] Ibid.

[359] FOL, "Open Procurement", 2023, accessed 10 November 2023.

[360] MIA, "Electronic System of Non-Governmental Organizations", 2023, accessed 10 November 2023.

[361] Republic of Kosovo, "Open Data", website, 2018, accessed 10 November 2023.

[362] See the chapters on Business and Trade and Agriculture.

[363] KWN interview, November 2021.

and start-ups.[364] KIESA in MIET offers a platform called "*Biznesi Im*" (My Business) with digital services supporting enterprises, such as for writing business proposals, project proposals, and self-evaluations.[365] In the end of 2023, *Biznesi Im* had 487 users.[366]

The Law on Procurement provides for considering criteria related to gender equality in procurement processes. Contracting authorities can request that contractors are "ensuring certain labour conditions, environmental protection, and consideration of social objectives, such as the obligation to implement, during the execution of the contract, measures that are designed to promote gender equality or diversity on other grounds".[367] However, KWN's conversations with officials suggested that they rarely include gender-related criteria in government procurement processes, with the exception of some agricultural subsidies.

None of the e-procurement platforms discussed here seems to have been adapted to the needs of diverse women and men users. No information was available on how **aware** diverse women and men are about these digital procurement platforms or if they have used them. Nor was there any information published demonstrating the extent to which officials used gender-responsive affirmative measures during digital procurement processes. As of 2021, finance officers generally lacked **knowledge** about relevant provisions in the laws on gender equality and procurement and thus lacked **capabilities** for organising gender-responsive digital procurement processes.[368]

Infrastructure

This section examines the extent to which gender-responsive infrastructure for digitalisation is available with adequate protections in the Assembly, Government, public administration, and population. This includes connectivity infrastructure, digital tools, software, and an ecosystem that fosters digital innovation.

[364] Republic of Kosovo, MAFRD, website, "Agency for Agriculture Development", 2023.

[365] ACCESS/KIESA, Biznesi Im [My Business] [in Albanian and Serbian], 2023.

[366] Ibid., accessed 10 November 2023.

[367] Republic of Kosovo, Assembly, Law No. 05/L -068 on Amending and Supplementing the Law No. 04/L-042 on Public Procurement of the Republic of Kosovo, 2016, Article 31.

[368] KWN, "The pandemic knows no gender?", 2020.

Connectivity

After the war in Kosovo, the digital technology infrastructure in South East Europe was "under-developed", and fewer than 5% of people had internet.[369] Now, in terms of **connectivity infrastructure**, 99% of Kosovars are connected to the electricity grid and have internet.[370] The same percentage of women and men, 97%, connect with Wi-Fi; 48% of women and 50% of men connect with LTE/3G/4G; and 41% of women and 47% of men connect with cable internet.[371]

Digital Tools and Software

Not all women and men, including those working in public institutions, have **access** to computers, tablets, and smart phones, as elaborated on in the next section. The Assembly and Government have several forms of **software**, as mentioned. The Assembly has developed the e-Parliament platform, which involves an internal service management system.[372] Although the legal framework provides for e-voting, the Assembly does not have a digitalised system for voting.[373] The voting system reportedly has failed to function for more than three years. MPs lack electronic identification cards for tracking their presence or absence during parliamentary sessions. A digitalised system could facilitate gender analysis of MPs' attendance and voting patterns, enabling improved transparency of their work. Although the Assembly has a website that livestreams plenary sessions and it states that these sessions are usually archived,[374] the sessions are unavailable on the Assembly's official website. As such, they cannot be used to examine MPs' commitments or language used during plenary sessions. An independent initiative has published Assembly plenary session transcripts from 2007 to March 2023.[375] Interaction with these datasets is available in multiple languages, enabling access for diverse people.

E-government systems exist for work attendance, human resources management, payment management, evidencing and controlling financial means, electronic archiving of administrative documents, and office supplies.[376] The eKosova platform provides services online. According to UNDP, Government lack of "software to record, manipulate and create automatic reports on data, and appropriate software and processes for data gathering, processing, and

[369] Council of Europe, "Technological Strategies for the Reconstruction and Economic Development of South-Eastern Europe", Committee on Science and Technology, Council of Europe, 2000.

[370] UNDP, Digital Household Survey, 2022.

[371] UNDP, Digital Household Survey, 2022.

[372] KWN correspondence with NDI, 22 August 2023.

[373] Gazeta Blic, "Nuk punon sistemi i digjitalizuar i Kuvendit, ankohen deputetët" [Digitalised Assembly system does not work, deputies complain] [Albanian only], June 2023, accessed 2 September 2023.

[374] Assembly of the Republic of Kosovo, "The Regulation for the Order and Access of Media and the Public in the Work of the Assembly", Rule 17, "Internet Webpage".

[375] Kushtrim Visoka, "Datasets, Kosovo Parliament Transcriptions", 2020, accessed August 2023.

[376] Republic of Kosovo, Government, OPM, KAS, Programme of Official Statistics 2018-2022, 2017, p. 18.

analysis hinders the ability of institutions to digitalize institutional work".[377] KAS does not seem to have the infrastructure for interactive, publicly accessible, and understandable portrayal of statistics, though some progress has been made with the ASK Platform. E-governance software has opportunities for improvement related to its gender-responsiveness and the types of data it collects, stores, analyses, and presents visually in meaningful ways to diverse women and men. The Government does not actively maintain all websites, contributing to the unavailability of data on institutions' work and potential data loss.[378] The Government also lacks infrastructure for data storage, and data is stored on personal computers, which can cause data loss[379] and security concerns.

AIS noted that **data protection** mechanisms embedded in this infrastructure are aligned with EU policies and only personal information pertinent to delivering public services is collected.[380] Further research is needed on whether hardware and software infrastructure offer adequate **protections** in terms of privacy and data protection adapted to the needs of diverse women and men.

Regarding public administration, e-governance includes IT systems that create opportunities for better, faster, and more timely public services.[381] The IT telecommunication system extends throughout Kosovo and connects more than 500 central and local institutional buildings, enabling the provision of electronic services to citizens, businesses, and public administration.[382] The state network infrastructure consists of a microwave, optical, Wi-Fi, and VPN network.[383] In April 2022, the public administration published the Interoperability Framework of the Republic of Kosovo. Based on the European Interoperability Framework, the term "interoperability" means: "the ability of diverse organizations to interact towards mutually agreed common goals, involving the sharing of records, information and knowledge, through the business processes they support and use [of] ICT systems". The Framework aims to establish new citizen-oriented state information systems to facilitate service delivery.[384] Information management systems are planned to be integrated across the public administration towards enriching and simplifying services delivery. At present, the public administration has a few digital services, including the Systems Centre, established by the former Ministry of Public Administration for communicating through official email, internet, institutional domains and sub-domains; IT security; communications with

[377] UNDP, Mapping Data Collection for Development/Enhanced Institutional Capacities for Data Use in Kosovo, p. 25.

[378] Ibid.

[379] Ibid.

[380] KWN interview, 2021.

[381] Republic of Kosovo, Public Administration, "e-Governance", 2023, accessed 10 November 2023.

[382] Ibid.

[383] Ibid.

[384] Republic of Kosovo, Government, Ministry of Public Administration, Interoperability Framework of the Republic of Kosovo, n.d.

Voice over Internet Protocol (VoIP) and video conferencing; hosting official websites; and managing the state network.[385] Meanwhile, SIGMA reported limited progress in the digitalisation of user-friendly services.[386] Important enablers such as digital signature and e-payment solutions are unavailable, and plans for establishing one-stop shops were behind schedule in 2021.[387]

None of this infrastructure seems to have been examined from a gender perspective. The Interoperability Framework does not attend to gender differences, such as measures to reduce administrative burden. The user-friendliness of online platforms is not based on gender disaggregated data of users. AIS has not maintained gender-disaggregated data on users.[388] Generally, interviews suggested that the development of digital infrastructure in Kosovo seems not to have considered gender or been based on gender analysis. A research participant that had supported the Government in developing digitalised systems reflected:

> "When we talk about gender, everybody knows that it's important, but it's not that we are doing it properly. [...] Perhaps it's because we aredoing things the way thateveryone has always done them."
>
> — Supporter of digitalisation in Kosovo

[The Government] already had the basic system in place, and we just used the words they already had there and literally added more modules. [...] We really didn't even have time to think about these important elements as we had to design and functionalise these systems under time restraints. Unfortunately, we work on a project basis and if the deadline passes and you haven't delivered, it's not good for the organisation or the project. So, we do sometimes push things through. It's not always possible [to consider everything], especially if there is an existing system to build on. What you are asking for is a redesign of the entire system for which we, and probably the Ministry, don't have money. In these circumstances, we did the best we could. [...] When we talk about gender, everybody knows that it's important, but it's not that we are doing it properly. [...] Perhaps it's because we are doing things the way that everyone has always done them. Also, I think the general understanding is that we have so many other problems that this [attention to gender] doesn't get anywhere. As I said, laws are not assessed [on their gender impact], let alone other initiatives.[389]

[385] Ibid.

[386] EU, SIGMA, and OECD, Monitoring Report: The Principles of Public Administration: Kosovo, 2021, p. 115.

[387] Ibid. For more information about on one-stop shops, see the Business and Trade chapter.

[388] KWN interview, 2021.

[389] KWN interview, 2023.

Time constraints and legacy systems seem to have contributed to reinforcing the status quo, which can be gender neutral or even gender negative. Public institutions have tended to use gender (woman/man) or sex (female/male) in online modules and digital services.[390] The discussion as to whether "other" should be added as a category for persons not identifying as one of these binary categories seems never to have entered discussion. Gender seems not to have been considered a priority, or even relevant, to the development of digital infrastructure.

The use of digital infrastructure for collecting and processing statistical data, including digital tools like CAPI and Computer-assisted Web Interviewing (CAWI), is relatively new in Kosovo. In its 2021 Annual Report, KAS noted advancements in new technologies and methodologies for data collection through CAPI and CAWI methods.[391] KAS reported using CAPI for the first time in its Labour Force Survey 2021 and referred to plans to use these digital tools in other statistical surveys. KAS observed that the adoption of CAPI and CAWI methods has posed challenges "given the limited capacities of KAS, then due to concerns about the cost of equipment and expertise, the reorganization of statistical processes and training, the quality of technology, the lack of internet connectivity of handheld devices, human capacities and resistance to change."[392] Nevertheless, KAS noted that "a majority of surveys have been successfully conducted using the CAPI and CAWI methods, including a Survey on Gender Based Violence."[393] Such infrastructure can support safer, confidential spaces for women and men to report sensitive information, like violence. Such infrastructure depends on users having sufficient knowledge and capacities to understand questions and for using the equipment. Otherwise, they could contribute to incorrect data.

Innovation Ecosystem

An **innovation ecosystem** is an environment conducive to creativity and innovation related to digitalisation. The Government, private sector, and CSOs have worked to develop the innovation ecosystem in Kosovo, towards supporting and promoting entrepreneurship. STIKK, ICK, and KIESA have organised networking among the private sector, CSOs, economic chambers, and investors to support collaborative developments and innovative ideas. Kosovo has seen a growing number of startups, incubators, and accelerators, especially in the tech sector.[394] ICK considered startups to be the main

[390] The same seems to have occurred with the term "nationality", which appears, albeit incorrectly, in the legal framework and institutions' practices. Nationality refers to the national status of people: the country where they have citizenship. Most people in Kosovo have citizenship as Kosovars, apart from Serbs living in northern Kosovo who may have Serbian citizenship or dual citizenship. Usually in forms, institutions should be seeking to collect data on "ethnicity", which refers to the ethnic group with which a person identifies.

[391] Government, OPM, KAS, Annual Report 2021.

[392] Ibid., p. 23.

[393] Ibid.

[394] KWN interview with ICK, 2022.

actors in the ecosystem focused on innovation and new methods, along with the Government, research centres, incubators, accelerators, corporations, and investors.[395] Education that facilitates a culture of innovation also was emphasised by research participants as essential.[396]

The ICK Incubator provides an environment for commercialisation of viable business ideas, as well as visibility in the market for both new and existing companies, including by offering social area services (e.g., ICK event area, business presentations, fora, and conferences).[397] The recently launched Innovation and Training Park (ITP) in Prizren promises to be "the most unique location in the region, that fosters collaboration in a vibrant community, aiming to become the regional hub for entrepreneurship innovation, business and skills development, and a source of innovative and successful ideas".[398] ITP Prizren aims to create incentives to boost Kosovo's innovative ecosystem by connecting people, improving their performance, and creating employment profiles and skill sets aligned with market demands.[399] ITP has a commuter bus service for visitors, students, and employees. Their website has little information on the inclusion of diverse women and men in activities, as students, trainees, or visitors.

Little information was available on the gender-responsiveness of innovation ecosystems. The lack of gender-disaggregated data on innovation ecosystems' beneficiaries made it difficult to assess their gender inclusiveness. ICK has observed differences in **access** due to skills gaps, inadequate infrastructure, and broader socio-economic conditions.[400] Generally, women have less access to funding and credit than do men.[401] Limited capital may make it difficult for women-owned enterprises to access venture capital and engage in innovative ecosystems.

People

Considering gendered social norms, roles, and relations, this section examines diverse women and men's participation and access, ownership and use, literacy skills, and wellbeing related to digital governance and public services.

Access and Participation

Availability differs from access. While internet infrastructure and new technologies may be widely available, not all people have equal **access** to

[395] KWN correspondence with ICK, 2022.

[396] KWN interviews, 2023.

[397] ICK, "Incubator services", accessed 10 November 2023.

[398] Innovation and Training Park Prizren, accessed 10 November 2023.

[399] Ibid.

[400] KWN interview.

[401] KWN, Kosovo Gender Analysis, 2018, p. 41.

them. The main barriers that girls and women faced in accessing digital technologies and participating in digital life, according to responses to a dichotomous question, were affordability (e.g., insufficient income to pay for data or a device) (71%) and availability (i.e., broadband access) (29%); men faced the same challenges at similar rates.[402] The main obstacle to accessing digital technologies for Roma, Ashkali, and Egyptian women and men was affordability (100%). For Bosnian women the main obstacle was affordability (100%), while Bosnian men said affordability (86%) and availability (14%) were main issues. Serb women considered the main barrier to be affordability (55%) or availability (45%). While 59% of Serb men considered affordability the main barrier, 41% considered it to be availability. Individuals with disabilities were the most vulnerable to digital exclusion (32% of women and 35% of men), followed by low-income households (29% of women and men from these households).[403] Women in rural areas disproportionally had less access to technology and information.[404]

Factors such as ownership, time, economic position, geographical location, and levels of knowledge among women and men may impact their access to new digital equipment, tools, and information. For example, higher quality phones with greater digital capacities may not be equally affordable for all, and women may have fewer **financial resources** accessible to them than men, given their generally weaker socioeconomic position. Men (50%) have higher employment rates than women (17%).[405] Employed women earn 20% lower wages than men in the private sector and 8% lower in the public sector.[406] Thus, men have more financial resources for purchasing and using digital tools.

Insufficient research exists concerning how socialised **gender norms**, **stereotypes**, and **relations** may affect diverse women and men's access to online public services, such as which family members are more apt to make payments online. Context suggests that gender norms related to education (among older generations), financial resources, and time may affect access to public services, though further research is needed. Given gender norms, parents still tend to limit girls' online communication.[407] **Ethnicity** and related **language** barriers may pose challenges for accessing online services. For Roma, Ashkali, and Egyptian girls and boys, the pandemic revealed a general lack of access to digital tools. **Age** can hamper accessibility. Elderly women and men tend to face more challenges in using digital platforms and equipment, as illustrated by their struggles in accessing digital health services

[402] UNDP, Digital Household Survey, 2022.

[403] Ibid.

[404] UN Women, "In Kosovo, Gender-Responsive Budgeting Raises Hope for Rural Women," *UN Women – Europe and Central Asia* (blog), 2021.

[405] KAS, Labour Force Survey in Kosovo Q3 2021, 2022, p. 15.

[406] Republic of Kosovo, Government, OPM, AGE, Gender Pay Gap in Kosovo, 2020, p. 15.

[407] KWN interview with KGSC, 2021.

during the pandemic[408] or using online education platforms.[409] While 67% of women ages 18-25 considered affordability a key obstacle and 33% said availability was a main obstacle in accessing digital technologies, 76% of women ages 66-75 considered affordability and 24% considered accessibility as main obstacles.[410] Similar age differences existed among men.

LGBTIQ+ persons may not have options available in line with their gender identities or needed services, such as the possibility to select a specific gender or sex, "other identifying" gender or sex, or to decline choosing. Interviews suggested that gender identity was not considered in digital reforms. "This was never discussed or debated," one research participant observed.[411] Another said that growing discussion surrounding transgender and other-identifying persons outside the male-female binary has contributed to confusion about what constituted gender-responsive policymaking and programming. The participant reflected:

> because of age, education, and prior experiences, [officials] were not able to deal with the appearance of a third gender, or a group of no gender. [In] the [WB] region, it's like talking about the devil. Kosovo is more liberal, and we don't have these problems here, but there are some hidden things. And this new appearance [...] took some space in terms of support financially, attention, etc. [Also, officials] started to be quiet because the issue became too complicated.[412]

Where officials lacked knowledge and understanding about different gender identities and sexual orientations, some hesitated to discuss gender equality, including in reference to women and men, concerned that they might make a mistake, use an incorrect term, or misrepresent concepts or identities. Thus, lack of knowledge and fear of social blunder contributed to some officials avoiding any discussion related to gender. Some research participants observed that the arrival of trans* and other identities to public discussions "took space" away from women specifically.[413] Lesbians and bisexuals often are ignored amid growing attention to trans* and other identities, an activist said. Discussions on these issues are barely beginning to occur among LGBTIQ+ groups and persons; thus, they have yet to reach policymaking discussions where these issues are little understood and even less discussed.

[408] KWN interview, 2021.

[409] Kosovo 2.0, "Perspectives, Education, Rethinking Teaching in the Wake of the Pandemic", 2022.

[410] UNDP, Digital Household Survey, 2022.

[411] KWN interview, 2023.

[412] KWN interview, August 2023.

[413] KWN interview, September 2023.

As a result, the needs of lesbian, gay, bisexual, trans*, intersex, queer, and other identifying persons have seldom been addressed in policymaking and programming, including digitalisation.

Another research participant reflected that similar issues have existed with other groups:

> We [in development work] might say "RAE" [but] Roma, Ashkali, and Egyptians are three totally separate ethnic groups with different histories, identities, and languages [...] so sometimes you cluster these groups in one programme or project, and then it remains there as a concept. Then it becomes paradigm.[414]

The research participant emphasised the need for programming and policy-making that distinguish between groups, including related to digitalisation. Related to including an intersectional perspective in digitalisation, AGE expressed concerns, noting that as a single institution with limited resources, it does not have capacities for gender mainstreaming with an intersectional perspective; inter-institutional coordination and joint efforts are needed.[415]

Potentially related to ethnicity, the absence of digital services in specific **languages** can be a barrier to access. Albanian and Serbian are official languages in Kosovo with equal status in institutions.[416] Municipalities may use other official languages as well, like Turkish, Bosnian, and Romani.[417] However, sometimes public documents are available in only one of the official languages, usually Albanian. Minority ethnic groups have reported inconsistent use of official languages by the public administration, including on institutions' websites.[418] Serb-majority municipalities' websites tend to be inaccessible and non-functional; this can mean that Serbian-language speakers may face challenges accessing information or public services.[419]

Persons with **disabilities**, and parents of children with disabilities (often women as caretakers) face added challenges in accessing public services generally, let alone digitally. Transportation to in-person services presents

[414] KWN interview, August 2023.

[415] AGE comment on draft report, November 2023.

[416] Republic of Kosovo, Assembly, Law no. 02/L-37 on the use languages, 2007, Article 2.

[417] Ibid., Article 2, paragraph 1.2.

[418] Republic of Kosovo, Government, MIA, Public Administration Reform Strategy 2022-2027, 2022, p. 29.

[419] From 10 Serb-majority municipalities, only four (Shtërpcë/Štrpce, Novobërdë/Novo Brdo, Graçanicë/Gračanica, and Partesh/Parteš) have functional websites that contain minimal information, mostly in Serbian only (accessed 18 August 2023).

multiple challenges in terms of cost as well as building and communication access.[420] Thus, their need for online public services of all forms is arguably accentuated. Women members of CSO Handikos observed that if the government had considered their recommendations, the eKosova platform and COVID-19 vaccination process would have prioritised vaccination of persons with disabilities, especially those classified with lower levels of immunity.[421] However, their recommendation was not implemented. According to KWN's correspondence with persons with disabilities, the government has not undertaken any action to tailor programmes or information campaigns about digital public services to the needs of women and men with disabilities.

Women may not have as much **time** as men to use digital tools or to further their knowledge with digital literacy skills. On average, women are 3.1 times more likely than men to spend time on household and family care, with men dedicating an average of 2.5 hours per day to childcare and cleaning compared to women spending 7.2 hours on these responsibilities.[422] Men are more likely to spend time on hobbies and computing (0.1 hours), mass media consumption (2 hours), and travel (0.7 hours) than women, who report spending no time on hobbies or computing and about 1.2 hours on mass media.[423] STIKK's research category of "housewives" used internet equipment and connections the least each day (2.4 hours), compared to other categories of respondents who identified as "employed" (3.5 hours), "unemployed" (3.5 hours), and "student" (5.0 hours).[424] Only six percent of the surveyed "housewives" used computers and 22% had mobile internet subscriptions. The time women spend on household responsibilities suggests that care responsibilities likely hinder many women's digital participation. Without having time to access digital public services, women may miss out on public consultation processes, funding opportunities, and ways they could contribute to a more gender-sensitive and user-friendly public administration.

Ownership and Use

Kosovo is considered among the countries thriving with digital technology with "nearly everyone" using the internet.[425] According to UNDP, in 2022 internet **usage** was high with 99% of Kosovars using internet, including 99.3% of women, and 98.6% of men.[426] According to STIKK, in 2019, internet use

[420] KWN conversations with KWN member WCSOs, 2020-2021.

[421] KWN interviews, 2022.

[422] MCC, "Evidence Platform", Kosovo Threshold – Labor Force & Time Use Study, 2018, p. 96.

[423] Ibid.

[424] STIKK, Internet Penetration and Usage in Kosovo, 2019, p. 8. This research involved a quantitative face-to-face survey with a random sample of 1,100 respondents ages 15+ years, conducted on 5-12 June 2019.

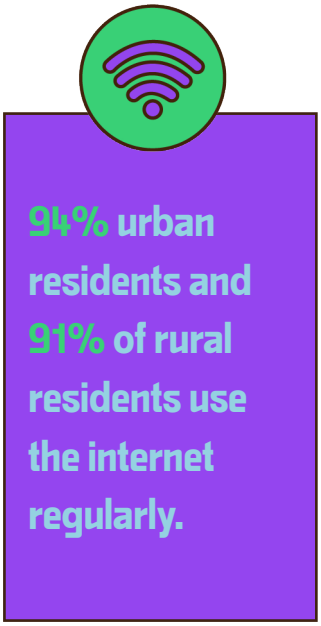
[425] World Economic Forum, "How Kosovo Made High-Speed Internet Access a Reality for Everyone" June 2023, accessed 10 November 2023.

[426] UNDP, Digital Household Survey, 2022.

was almost the same among people in different geographic areas with 94% of urban residents and 91% of rural residents using the internet regularly.[427]

Among the devices used, most households used digital cable television (99%), followed by smart phones (98%), and laptops (65%). Most frequently, people used a smart phone to connect to the internet at home (95% of women and 96% of men), while 31% of women and 39% of men used a tablet.[428]

Out of their total time spent on the internet on a normal day, respondents spent 73% of that time on mobile phones, 14% on TV, 8% on computers, 3% on tablets, and 2% on equipment used for playing video games (e.g., Sony play station, Xbox, Nintendo).[429] Generally, people used the internet primarily for communication (87%); 88% of women and 86% of men used the internet for one-to-one communication.[430] Meanwhile, 79% of women and 77% of men used it for social communication with several people simultaneously. High internet usage is mostly related to social media. Only 31% of people (30% of women, and 32% of men) said they used the internet to find materials for research or education. Online platforms tended not to publish gender-disaggregated data regarding women and men users, so it was difficult to analyse usage by gender.[431] Applications and platforms not designed based on gender analysis of the needs of end-users may not be user-friendly, hindering women and men's use and participation. For example, CSOs have expressed concern that some Government platforms, such as the Public Consultation platform, are not user-friendly,[432] particularly for persons with disabilities.[433] Further, CSOs' knowledge of the platform's existence, let alone its use, has remained low.[434]



Recent measurements show that 60% of Kosovo citizens switched to using public digital services during the pandemic and that 33% used online services to receive personal documents.[435] Data are not gender disaggregated. The eKosova platform tracks the number of users of each service. The Government reports that the number of registered users is constantly increasing, confirming user interest.[436] As of August 2023, eKosova had 798,000 registered users and 383 million platform visits.[437] As of November 2021, according to AIS, the

[427] STIKK, Internet Penetration and Usage in Kosovo, 2019, p. 7.

[428] UNDP, Digital Household Survey, 2022.

[429] STIKK, Internet Penetration and Usage in Kosovo, 2019, p. 9.

[430] UNDP, Digital Household Survey 2022.

[431] KWN interviews and examination of online platforms.

[432] KWN conversations and experiences with CSOs, including KWN member WCSOs, and as part of the Council for Collaboration of the Government and Civil Society.

[433] See the section on Governance.

[434] KWN conversations with member WCSOs and CSOs in the Council for Collaboration of the Government and Civil Society.

[435] AIS, data provided to KWN, 2021.

[436] Republic of Kosovo, Government, MIA, Public Administration Reform Strategy 2022-2027, 2022.

[437] EKosova, accessed 21 August 2022.

platform had more women (53%) than men (47%) with profiles, whereas 3,000 profiles did not have a gender specified (0.5%).[438] Meanwhile, 1.42 million users were men (60%) and 702,363 were women (40%). The number of users and profiles differs because creating a profile entails uploading personal documents, whereas users can access the platform but not use its services. This suggests that more women have created profiles to use the platform than men. The platform offers data on the use of specific services. For example, 1.88 million people used the service Taxes, 2.3 million used Health services, 459,000 used Civil Status services, 885,000 used Police services, 491,000 used Family services, 846,000 used Vehicle services, and 179,000 used Grants services.[439] Gender-disaggregated data is tracked but not publicly available, and no data was available on users' ages, ethnicities, or geographic locations.

According to UNDP's 2022 Digital Household Survey, 69% of respondents had used the eKosova state portal, including 67% of women and 70% of men.[440] Albeit from a different data source, this may suggest an increase since 2021. Meanwhile, 10% of women and 11% of men noted that they found in-person services more comfortable. Although eKosova reaches throughout Kosovo, the platform's services reportedly are less used in northern Kosovo's Serb-majority municipalities. UNDP found that 52% of Kosovo Serbs reported never having used the platform, 34% had never heard of it, and only 14% stated that they had used it.[441] Most Roma (78%) indicated that the platform needs to be made simpler for use. According to AIS, youth have no difficulties using the platform, but elderly women and men need assistance and instructions. Women and men in rural areas encountered difficulties, though AIS reported assisting them through their call centre.

UNDP survey respondents mostly used eKosova to set appointments for receiving the COVID-19 vaccine (66%), with a similar rate among women and men. Some 91% of respondents said they were satisfied with services offered by the portal, but 44% said that adding more services would improve the platform. When asked which eKosova services were used most by women and men, AIS said they were planning to extract this data and that they had held a special training module on tracking gender-disaggregated data. However, despite KWN's requests for more recent information and data, AIS has not provided updates since November 2021. As gender-disaggregated data is unavailable online regarding individual eKosova services, it cannot be understood if diverse women and men use various aspects of the platform at similar rates. However, broader contextual data can shed light on likely trends. Considering that statistically, men own more property than women,[442]

[438] AIS, data provided to KWN, 2021.

[439] EKosova, accessed 20 August 2023.

[440] UNDP, Digital Household Survey, 2022.

[441] Ibid.

[442] KWN, *Kosovo Gender Analysis*, 2018, p. 12.

they likely use the platform's services on property, vehicle registration, and taxes more. Also considering that 95% of criminal records involve men being convicted or sentenced, and men are more engaged in civil claims,[443] men likely constitute the majority of eKosova users of judiciary and police services.

As noted, the narrow definition of security likely means that any online giving for "security" in Kosovo will contribute to the male-dominant field of militarised security and may not contribute to security for diverse women and men. The only services that clearly benefit women users and which women likely use more than men are applying for maternity leave and child supplements. Thus, the platform appears to be tailored somewhat more to services used by men. Other services that could be beneficial to women and men include additional services related to healthcare, social services, and social housing. Overall, as AGE observed, a gender analysis is needed to assess how diverse women and men are using the platform, whether they are aware of it, and how it can better serve their needs. While unavailable at present, gender-disaggregated data on complaints and administrative gaps in available eKosova services could support such a gender analysis and needed reforms to the system.

As usage relates to accessibility, the lower number of active women users of the platform may indicate that women encounter more structural barriers than men in using digital public services. Women may lack access to education, time, resources, and proper digital tools and equipment for using public services. Digital public services can provide an opportunity for women and men to save time by accessing services online rather than having to visit multiple institutions physically. Given that women may have children in tow due to their caring roles, digital services could potentially make their lives easier than trying to carry children on public transport or navigate poor walkways and access ramps to public buildings where public services are traditionally provided. Digital public services can potentially be more accessible for rural women and men as well as persons with **disabilities**.

CSOs, including WCSOs, could use digitalisation to support their work, from internal operations to citizen engagement, communications, e-learning, awareness-raising through audiovisual materials, and advocacy. Activists have shared that the use of digital technologies helps facilitate people's awareness related to changes needed in their countries.[444] The COVID-19 pandemic arguably accelerated CSOs' use of digital technology for their work. Improvements in open government can create spaces for CSOs' enhanced engagement in policymaking and decision-making processes. However,

[443] Ibid., p. 11.

[444] European Center for Non-Profit Law, "Digital Assemblies: How Institutions and Civil Society can work together to protect the right to peaceful assembly in the digital space", 27 March 2023.

not all CSOs were ready to "reap the benefits" of the digital transition.[445] Positive effects have included more efficient use of limited resources like time, transportation, and printing costs, which dually contributed to decreasing environmental impacts of projects through reduced CO^2 emissions from transportation and less use of energy and materials for printing.[446] At the same time, challenges included the "fight for space" where marginalised CSOs could not compete for online attention compared to larger CSOs and actors; exhaustion from online meetings and a struggle to select which of the plethora of events to follow; equal access to software, particularly due to Kosovo's unrecognised political status; untransparent, biased algorithms, which often require financial investments to secure public attention; unreliable information, such as from the use of Artificial Intelligence (AI); fake news and anti-gender online campaigns, accompanied by the dangers they present, particularly for women human rights defenders; and insufficient knowledge and capacities among most CSOs to ensure adequate safeguards, data protection, cybersecurity, and digital wellbeing for their staff and beneficiaries.[447] As Teuta Sahatqija from Women in Tech observed:

> The digital divide involves ethical dilemmas [...] What is the social impact of AI? Are we able to cope and adapt to the new era, to distinguish disinformation, to find solutions for biases? [...] AI stands on top of two pillars: big data and machine learning. In big data, data that can be scrapped all over the Internet are [...] 85-90% data of men, [especially] white men. Therefore, machine learning will learn from that big data, and algorithms will replicate biases. [If] hiring software backed by AI, the big data, provides that 9 out of 10 CEOs [are men], the hiring software will replicate that. So, we need to [talk about how to] combat biases and how to set data that will improve algorithms. It is needed to have AI more inclusive, to have better programmes that improve processes, to have more women there, and more diversity. [T]he process of making software [...] needs to be aware of these biases existing, whenever it is used for data collection and analysis.[448]

CSOs observed generational challenges affiliated with the digital transformation and the need for CSO staff, particularly CSO leadership, to be willing

[445] Mila Josifovska Danilovska, CSO Metamorphisis, comments at "Effects of Digital Transition on Civil Society Organisations (CSOs)", Regional Event organised by EU Technical Assistance to Civil Society Organisations (TACSO), 3 August 2023.

[446] Ibid and KWN experience.

[447] Ibid.

[448] Teuta Sahatqija, Women in Tech Kosovo, comments at "Effects of Digital Transition on Civil Society Organisations (CSOs)" Regional Event organised by TACSO, 3 August 2023.

to learn, change modes of operation, and engage in the transformation. CSOs thus are reflecting on how the digital transformation holds benefits but also challenges for their work, including from a human rights-based approach with a gender perspective. Relatedly, CSOs have observed that persons who are illiterate or vulnerable will need continued support, including from civil society, as they may lack access to digital tools.

Digital Literacy and Awareness

Regarding digital literacy, 31% of women and men declared that they tend not to use online government services due to their lack of knowledge on how to use them.[449] When asked about their experiences using online government services, 7% of women said that information about services was unclear, compared to 6% of men.[450] KWN interviews with officials suggest that women and men also may be unaware of potential digital threats.[451] KWN's observations suggest that both women and men lack knowledge of statistics and how to read graphs, which could hamper access to understanding gender-disaggregated data or intersectional analysis.

When asked to rate their digital skills, 70% of women and 63% of men said they felt very competent at communicating online with others.[452] At similar rates, women and men felt literate in using social media. Women have less knowledge when it comes to using HTML and basic coding, with only 7% of women and nearly 12% of men stating that they possess this knowledge. The low level of internet use for improving personal and professional digital skills hinders diverse women and men's participation in digital transformation processes, as participation depends on their interest and level of digital knowledge. Meanwhile, 56% of women and 63% of men showed interest in embracing new technology solutions. This suggests opportunities for furthering digital literacy among both women and men.

Gender norms, potentially intersecting with insufficient financial resources, time, geographic location, disability, and ethnicity, can hinder women's **access** to **education, knowledge**, and thus **digital literacy skills**.[453] According to census data, 23% of women and 10% of men in Kosovo have not completed basic education, which was eight years of schooling under the prior educational system and nine years in the new system.[454] Differences exist by gender and ethnicity; approximately two-thirds of Roma, Ashkali, and Egyptian women had not completed basic education (Table 2).

[449] UNDP, Digital Household Survey, 2022.

[450] Ibid.

[451] KWN interviews, 2022.

[452] UNDP, Digital Household Survey, 2022.

[453] See the Education chapter.

[454] KAS, Educational Characteristics of Kosovo Population, 2013, pp. 16-21, accessed 5 December 2023. The last census was in 2011, so the data may be outdated.

Table 2. Percentage of Men and Women without a Secondary Education (9+years) by Ethnicity

Ethnicity	Albanian	Serbian	Turkish	Bosnian	Roma	Ashkali	Egyptian	Gorani
Women	22%	21%	15%	12%	67%	74%	62%	26%
Men	9%	11%	8%	12%	46%	46%	41%	10%

> "The decision to put pensions online is particularly concerning as older women will struggle to get access. The government needs more user-friendly applications that are adjusted to the capacities and knowledge of people in Kosovo, given existing educationlevels."
>
> — Edi Gusia, Chief Executive Officer, AGE

The illiteracy rate is higher among Roma, Ashkali, and Egyptian women (20%) than among women overall (2%).[455] Roma, Ashkali, and Egyptian men also have a higher illiteracy rate (13%) than men overall (1%). Data suggest that women may not have the same level of education and knowledge that could enable them to engage in digitalisation processes. Although women's educational achievement has increased in recent years, low levels of education among older generations of women may mean that they struggle to access digital services.

Rural women, minority women, and women with disabilities may lack access to education, knowledge in digital skills, and participation in decision-making related to digitalisation due to their poor access to transportation, a lack of learning opportunities in their areas, and/or insufficient information in their languages.[456] For example, AGE observed that women, particularly pensioners, may lack access to information about digitalised public services.[457] The Committee of Blind Women of Kosova noted that their blind women members have no knowledge on how to access digital public services or digital equipment generally, and that they always require help from their assistants to use such services. The Government has not undertaken adequate efforts to inform diverse women and men about security, protection, or digital wellbeing.

[455] KAS and United Nations International Children's Emergency Fund (UNICEF), 2019–2020 Kosovo Multiple Indicator Cluster Survey and 2019-2020 Roma, Ashkali and Egyptian Communities Multiple Indicator Cluster Survey, Survey Findings Report, 2020, pp. 70-74.

[456] KWN for FAO, *Kosovo Gender Profile. Agriculture and Rural Livelihoods*, forthcoming.

[457] KWN interview, 2023.

Digital Wellbeing and Protection

The main online threats that respondents identified were fraud or scam (55%) and bullying or harassment.

Regarding **security** when using the internet, 26% of UNDP's survey respondents (20% of women and 32% of men) felt very safe online; 58% felt somewhat safe (65%, 51%); 12% felt somewhat unsafe (13%, 11%); and 4% felt very unsafe (3%, 5%).[458] The main online threats that respondents identified were fraud or scam (55%) and bullying or harassment (49%). Rates were similar among women and men. Fear of unwanted sexual approaches online affected 35% of women and 34% of men. Women (37%) and men (35%) experienced disinformation, hacking (18%, 23%), bullying (17%, 18%), and unwanted sexual approaches online (15%, 16%).[459]

Related to **trust**, 8% of women said they did not use online government services because they were not reliable, compared to 6% of men. Gender-disaggregated data regarding diverse women and men's trust in operators was lacking.

According to AIP, each service provider, company, and internet provider must have at least one official assigned to personal data protection, but publicly available gender-disaggregated data is lacking on whether these positions exist and who holds them. Regarding **data protection**, citizens and businesses should have the right to verify their information and to decide whether this information may be used by third parties for other purposes.[460] AIS reported using data protection mechanisms and **ethical** standards for digital public services based on EU Data Protection Regulations.[461]

Insufficient research exists on gender-responsive ethical standards related to digitalisation, privacy, trust, and the ways that women and men may be impacted differently by providing their data online. Most data-protection legislation globally is not gender-responsive, overlooking gender-related harms and privacy violations. Women and gender-diverse people are particularly vulnerable to surveillance resulting from personal data breaches.[462] For example, "there have been cases of women being stalked after leaving personal details for contact tracing as part of Covid-19 measures."[463] In Kosovo, while survey data is lacking, KWN interviews suggested that citizens were unaware of their rights to data protection, AIS, the Commissioner, or

[458] UNDP, Digital Household Survey, 2022.

[459] The next chapter elaborates on these rule of law issues while the chapter on education discusses children's experiences with cyberbullying.

[460] Republic of Kosovo, Government, Ministry of Public Administration, Interoperability Framework of the Republic of Kosovo, n.d.

[461] See the Infrastructure section.

[462] Chenai Chair, Heinrich Boll Stiftung, Does data protection safeguard against gender-based risks in Southern Africa?, Washington D.C., 8 July 2021. For a feminist perspective on online data protection, see Association for Progressive Communications, "Feminist Principles of the Internet – Version 2.0", 2016, last updated September 2023.

[463] Ibid.

how to report rights violations.[464] AIS does not seem to have received any gender-related complaints linked to data protection or ethical standards. People's general lack of knowledge and understanding of data protection and ethical standards likely contributes to their inability to identify rights violations, let alone report them.

Privacy is another area of concern. The LPPD allows for video surveillance, but such files may not be shared.[465] Observation of buildings in Kosovo illustrates that privately owned cameras have grown in popularity, particularly for protecting private property. Given socialised gender roles, men likely use and maintain these devices and resulting footage more, including potentially for the wellbeing and security of their families.[466] Meanwhile, albeit illegal, cameras also may be used to violate individual privacy.[467] Private surveillance equipment can be misused for stalking, spying (including of a sexual nature), and control, such as in situations of gender-based domestic violence. Meanwhile, KWN found minimal research, including gender analysis, on private surveillance in Kosovo and its potential misuses, suggesting the need for further inquiry.

Also related to privacy, CSOs reported cases of people providing passwords and access to their online identities to family members or, particularly in rural areas, saving this information on computers at local internet cafes, rendering them susceptible to misuse.[468] Women may be particularly vulnerable to data misuse given existing social gender roles where men tend to take care of government-related functions and claiming financial benefits. Given social norms whereby women are likely to face control by male family members, women may have less privacy within their homes when using ICT.[469] Meanwhile digital tools can be used to violate privacy, such as through spying or stalking in cases of gender-based violence, as discussed in the next chapter. Further research could examine these issues in Kosovo.

Regarding **digital wellbeing**, 64% of women and 70% of men think the internet has a positive effect on them. Meanwhile, 4% of women and 5% of

[464] KWN interview with AIS, 2021.

[465] LPPD, Article 63, Monitoring of apartment buildings states.

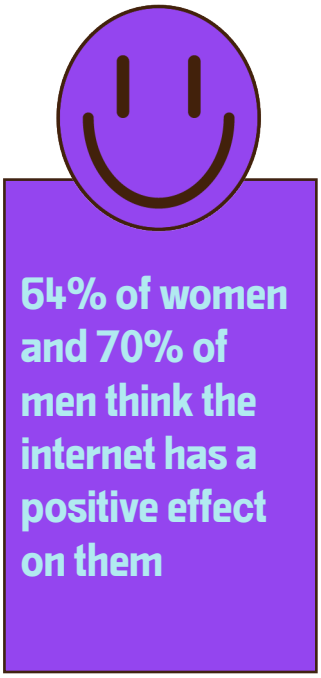
[466] Kaspersky, "Men and women differ over control and monitor of smart devices", 13 March 2023.

[467] See H. Douglas, B. A. Harris, M. Dragiewicz, "Technology-facilitated Domestic and Family Violence: Women's Experiences", *The British Journal of Criminology*, 59(3), 2019, pp. 551–570; Mélissa Godin, "How Domestic Abusers Have Exploited Technology During the Pandemic", *TIME Magazine*, 31 December 2020; M. Ghebreslassie, "Stalked within your own home": woman says abusive ex used smart home technology against her", CBC News, 1 November 2018.

[468] Comments at "Effects of Digital Transition on Civil Society Organisations (CSOs)" Regional Event organised by TACSO, 3 August 2023.

[469] More women (13%) than men (5%) said their movement was controlled by other family members (KWN, No More Excuses: An Analysis of Attitudes, Incidence, and Institutional Responses to Domestic Violence in Kosovo, 2015, p. 40). On male control of women's ICT usage in the context of Afghanistan, see F. Hussain & S. N. Amin, "'I don't care about their reactions': agency and ICTs in women's empowerment in Afghanistan", Gender & Development, 26(2), 2018, pp. 249-265.

men said it had a "negative impact".[470] Further gender analysis on positive and negative impacts of digitalisation is unavailable in Kosovo.[471] Despite significant research on the topic, the links between psychological wellbeing and internet technologies remain inconclusive. The results of a global study by the Oxford Internet Institute "do not provide evidence supporting the view that the Internet and technologies enabled by it, such as smartphones with Internet access, are actively promoting or harming either well-being or mental health globally".[472] The study found minimal gender-based differences regarding mental health and internet-technology adoption. Meanwhile, digital tools can have physical health implications, ranging from back, shoulder, and neck pain to respiratory effects.[473] Research suggests that women are more prone to musculoskeletal pain resulting from computer usage than men.[474]



Other research has shown that the internet and digital technologies have changed the way people, especially teenagers, spend their time; rather than engaging in other activities, they spend most of their time on smartphones.[475] This has contributed to major changes in teenagers' wellbeing, especially for girls, contributing to increased feelings of loneliness, sadness, sleeplessness, depression, and suicide.[476]

Research elsewhere also suggests gender differences in the use of online gaming, with boys and young men comprising most users.[477] This can mean that more boys have access to opportunities for developing their digital skills, facilitating access to employment. Online gaming may have detrimental effects as well, impacting negatively on young men's social skills as men "use virtual worlds" more than women do.[478] Researchers have observed differences in what girls/women and boys/men seek in videogames: "Females seek information; functional and experiential value" whereas "males emphasize

[470] UNDP, Digital Household Survey, 2022.

[471] Ibid.

[472] M. Vuorre and A. K. Przybylski, "Global Well-Being and Mental Health in the Internet Age", *Clinical Psychological Science*, 0(0), 2023, p. 14.

[473] S. I. Jung et al., "The effect of smartphone usage time on posture and respiratory function", *Journal of physical therapy science*, 28(1), 2016, pp. 186–189.

[474] L. Gosain et al., "Prevalence of musculoskeletal pain among computer users working from home during the COVID-19 pandemic: a cross-sectional survey", *Bulletin of Faculty of Physical Therapy*, 27(1) 2022, pp. 1-11.

[475] New York Times, "The Phone in the Room", 27 February 2023; J. M. Twenge, G. N. Martin, and W. K. Campbell, "Decreases in psychological well-being among American adolescents after 2012 and links to screen time during the rise of smartphone technology", *Emotion,* 18(6), 2018, pp. 765–780; E. Abi-Jaoude, K.T. Naylor, and A. Pignatiello "Smartphones, social media use and youth mental health", *Canadian Medical Association Journal*, 192(6), 2020, pp. 136-141.

[476] Ibid.

[477] E. P. Becerra and M. A. Stutts, "Ugly Duckling by Day, Super Model by Night: The Influence of Body Image on the Use of Virtual Worlds", *Journal of Virtual Worlds Research* (1:2), 2008, pp. 1941-8477.

[478] Ibid.

money-making [and] possibility to manipulate".[479] Video games have been shown to glorify violence towards and the objectification of women, perpetuating "a crass view of sexuality".[480] A content analysis of images of video game characters from top-selling American gaming magazines showed male characters (83%) are more likely than female characters (62%) to be portrayed as aggressive. Female characters are more likely than male characters to be portrayed as sexualised (60% versus 1%), scantily clad (39% versus 8%) and showing a mix of sex and aggression (39% versus 1%).[481] Studies have found that exposure to violence through online games correlates with aggressive behaviour and desensitisation to real-life violence.[482] Few efforts seem to exist to monitor online gaming in Kosovo, towards protecting youth, particularly boys.

Gender-based violence online can cause women especially to limit their participation in online platforms.[483] KWN's experience and research related to gender-based violence suggest that women in violent home situations may be concerned for their wellbeing when using digital tools, due to fear of violence from their husbands or other family members. Considering that 68% of Kosovar women stated that they had experienced domestic violence in their lifetimes, many women may live in isolation without access to digital tools, including for communication or seeking help.[484] Violent home situations may hinder girls and women's access to participation in the digital transition.

Conclusion

Kosovo has a legal framework regulating data standards and protection, as well as establishing grounds for ethical standards. However, Kosovo lacks sufficient **Regulation** related to ethical standards, privacy, cybersecurity, and cyberviolence, including non-consensual sharing or manipulation of intimate material, cyber-stalking, and cyber-harassment, particularly based on gender. Many key policies relating to digitalisation are being drafted or amended. Despite legal requirements for gender analysis to inform all laws and policies, few pertaining to digitalisation seem to have been informed by G(E)IAs. As a result, the legal framework pertaining to digitalisation is

[479] Veltri et al., "Gender Differences in Online Gaming: A Literature Review", Completed Research Paper, 2014.

[480] Karen Dill-Shackleford and Kathryn Thill, "Video Game Characters and the Socialization of Gender Roles: Young People's Perceptions Mirror Sexist Media Depictions", *Sex Roles,* 2007/12/03, 2007, p. 853.

[481] Ibid.

[482] C. A. Anderson et al., "Violent Video Game Effects on Aggression, Empathy, and Prosocial Behavior in Eastern and Western Countries", *Psychological Bulletin,* 136 (2), 2010, pp. 151-173; J. Hollingdale, T. Greitemeyer, "The effect of online violent video games on levels of aggression", *PLOS One*, 9(11), 2014.

[483] KWN's conversations with activists. See also the Rule of Law chapter.

[484] KWN, From Laws to Action: Monitoring the Institutional Response to Gender Based Violence in Kosovo, 2018.

primarily gender neutral, with a few exceptions. The legal framework could have gender-negative effects by reinforcing existing gender norms. Gender-responsive indicators have not been included in monitoring systems, which will make it difficult to evaluate gender impacts through ex-post gender analysis, contributing to poor future planning. Insufficient ex post gender impact analysis exists on how laws and policies have affected diverse women and men. Such Better analysis could inform laws and policies being drafted, towards more evidence-based, gender-responsive reforms.

Regarding **Governance**, generally women remain underrepresented in the Assembly, Government, and public administration, particularly in decision-making and IT positions. Officials seldom use affirmative measures foreseen by the Law on Gender Equality, as they tend to think that these undermine principles of meritocracy. Gender experts, AGE, GEOs, and diverse women and men rarely have been consulted in the digital transition. This may contribute to underrepresentation of a gender perspective in digitalisation processes. Bodies responsible for digitalisation lack clear responsibilities for furthering gender equality in their mandates. Officials tend to lack capacities in digitalisation, gender equality, and their interrelations. Overall, the Government and public administration's planning, coordination, implementation, monitoring, and evaluation lack adequate attention to gender equality. The limited digital services available, including online funding and e-procurement, lack a gender perspective. No gender analysis has examined how accessible digital services are for diverse women and men, if people are aware about them, and if people are adequately protected. Few awareness-raising initiatives have targeted diverse women and men, informing them about services available. Further, the Assembly, Government, and public administration maintain minimal gender-disaggregated data on services provided, use of digitalised public services, or gender-responsive budgeting. Without data and proper ex-ante and ex-post gender analysis, it is difficult to ensure that digital public services attend to diverse women and men's needs.

While internet availability is widespread, some institutions and people lack **Infrastructure** such as digital tools. Kosovo has a nascent innovation ecosystem, but the extent to which it is gender-responsive is unclear. Nor is it clear whether hardware and software infrastructure offer adequate protections tailored to the needs of diverse women and men.

Compared to men, women have less access to financial resources, time, and in some cases knowledge. Thus, they have less access to digital tools and literacy. Gender norms, particularly related to care work at home and gender stereotypes regarding women's capacities to engage in digitalisation, also undermine women's equal participation in decision-making, education, and employment related to digitalisation. Intersecting inequalities affiliated with age, ethnicity, language, disability, and rural location can further hinder access for women. While internet usage is high, people tend to use it for social networking rather than research, education, or work. Women and men's concerns with online security risks appear similar, though they seemingly lack awareness of digital threats and data protection rights. Minimal gender-disaggregated data exists related to protection, including

trust in operators, gender-responsive ethical standards, privacy, and digital wellbeing. Given the general dearth of gender analysis related to various aspects of protection and digitalisation, some digital applications, platforms, and public services may not adequately address diverse women and men's security, privacy, protection, and digital wellbeing.

02

Digitalising Rule of Law

Rule of law is enshrined in Article 2 of the Treaty on European Union as a common value of all EU Member States.[1] According to the principles of rule of law, "all public powers always act within the constraints set out by law, in accordance with the values of democracy and fundamental rights, and under the control of independent and impartial courts."[2] Along with having a functional democracy and demonstrating respect for human rights, rule of law is among the political criteria that countries like Kosovo must fulfil to join the EU.[3] For example, the NPISAA 2022-2026 requires that Kosovo establish functioning IT infrastructure in all courts to facilitate distance hearings and to ensure continued functioning of the justice system. It also calls for full use of the Case Management Information System (CMIS) and the National Central Criminal Record System through training of judges, prosecutors, and support staff. These measures can contribute to gender equality related to digitalisation. The EU monitors progress and recommends improved implementation of rule of law criteria through the EC Kosovo report, and other means.

This chapter examines the gender-responsiveness of efforts to digitalise the rule of law sector. First, it analyses the gender-responsiveness of laws and policies pertaining to digitalisation, which relates to the Regulation dimension of the Gender-responsive Inclusive Digital Transformation Model. Then, it examines the Model's other dimensions: Governance, Infrastructure, and People.

[1] EU, Official Journal of the European Union, Consolidated Version of the Treaty on European Union, 2012.

[2] EUR-Lex, "Access to European Union Law, Rule of Law", accessed 13 November 2023.

[3] Ibid.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Rule of Law

This section discusses the extent to which laws and policies relating to gender and digitalisation have been adopted officially and in practice. It focuses on laws and policies regulating digitalisation in the rule of law sector, particularly gender-based cybercrime. The Governance section further discusses institutions' legal responsibilities related to digitalisation. The implementation of any gender equality commitments was analysed when attention to gender equality existed in the original draft laws and policies.

Constitution of the Republic of Kosovo: The Istanbul Convention

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the "Istanbul Convention", is the first legally binding instrument in Europe; as a treaty, it created a comprehensive legal framework for addressing this human rights violation.[4] The Convention defines and requires States that are parties to criminalise or sanction various forms of violence against women, including domestic violence (physical, sexual, psychological, or economic), forced marriage, female genital mutilation, forced abortion, forced sterilisation, and sexual violence, including rape and sexual harassment. In September 2020, the Assembly of Kosovo adopted an amendment to the Constitution that renders the Istanbul Convention directly applicable.[5]

Kosovo's legal framework partially reflects the Istanbul Convention's requirements. For example, the new Criminal Code now defines various gender-based crimes like sexual harassment and female genital mutilation based on the Convention. It asks state parties to encourage the private sector, ICT sector, and media to participate in creating and implementing policies, as well as to set "self-regulatory standards to prevent violence against women and to enhance respect for their dignity".[6] The Convention asks parties to

[4] Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), 2011.

[5] Official Gazette of the Republic of Kosovo, Amendment of the Constitution of the Republic of Kosovo, Amendment no. 26, 2020.

[6] Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), 2011, Article 17(1).

cooperate with the private sector to develop and promote "skills among children, parents and educators on how to deal with the information and communications environment that provides access to degrading content of a sexual or violent nature which might be harmful".[7] It requires:

> Parties shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings, in particular by: enabling victims to testify, according to the rules provided by their internal law, in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available.[8]

Thus, the Convention encourages state parties to use technology in various aspects of rule of law, particularly important for protecting victims in gender-based violence cases. However, aside from these paragraphs, the Istanbul Convention does not explicitly address gender-based cyberviolence. Therefore, it does not provide a clear framework for addressing gender-based cybersecurity or cyberviolence in Kosovo law.

Women, Peace, and Security Agenda

United Nations Security Council Resolution (UNSCR) 1325 on women, peace, and security (WPS), adopted in 2000, marked the first resolution recognising women's different roles, needs, and challenges in conflict and post-conflict reconstruction.[9] UNSCR 1325 has four pillars: prevention, protection, participation, and relief and recovery. It has served as a foundation for ten subsequent resolutions on WPS, mainly focusing on women's participation in peacebuilding and the prevention of conflict-related sexual violence.[10]

Cybersecurity and its impact on women's security has not been treated by the UN. However, UN Women has recommended incorporating cybersecurity into the WPS Agenda, such as through women's meaningful participation in establishing cybersecurity legislation and in decision-making; considering the gendered impact of digital security in gender-responsive approaches; safeguarding the human rights of diverse women to be safe from digital harms; and utilising technology to expand recovery efforts.[11]

[7] Ibid., Article 17 (2).

[8] Ibid. Article 56(i).

[9] UN Security Council, Resolution 1325, 2000.

[10] UN, Political and Peacebuilding Affairs, "Women, Peace and Security", accessed 14 November 2023.

[11] UN Women Asia and the Pacific, Project Brief – Women, Peace and Cybersecurity: Promoting Women's Peace and Security in the Digital World (2021-2023) for the Asia-Pacific Region, 2023.

Cyberfeminism is a strand of feminist theory that "harnesses the power of online media platforms to discuss, uplift, and activate gender equality and social justice".

Globally, state legislation has largely overlooked cybersecurity. Of 104 national action plans on WPS, only five reference cybersecurity.[12] Kosovo's first and only action plan specifically on WPS, for 2013-2015, made no reference to digital or cybersecurity.[13] Kosovo does not currently have a WPS action plan, but related objectives have been integrated into the Kosovo Program for Gender Equality 2020-2024.[14] The Program does not refer to cybersecurity, digital security, or gender-based cyberviolence. It does mention "cyberfeminism" when discussing the opportunities and challenges presented by new media.[15] Cyberfeminism is a strand of feminist theory that "harnesses the power of online media platforms to discuss, uplift, and activate gender equality and social justice".[16] The Program considers social networks and blogs as platforms that offer opportunities for "empowering women and girls" as well as spaces for inciting "hatred, extremism and chauvinism".

EU General Data Protection Regulation

The EU GDPR governs how the personal data of individuals in the EU may be processed and transferred. This Regulation updated and modernised the 1995 data protection directive. It was adopted in 2016 and entered into application on 25 May 2018.[17] The GDPR defines individuals' fundamental rights in the digital age, the obligations of those processing data, methods for ensuring compliance, and sanctions for those in breach of rules. On "Processing of special categories of personal data", it notes that:

> Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited.[18]

[12] Ibid., p. 2.

[13] Republic of Kosovo, Government, OPM, AGE, Action Plan in Implementation of Resolution 1325, "Women, Peace and Security", Kosovo 2013-2015, 2014.

[14] Republic of Kosovo, Government, OPM, AGE, Kosovo Program for Gender Equality 2020-2024, 2020, p. 43.

[15] Ibid., p. 43.

[16] M. Tazi and K. Oumlil, "The Rise of Fourth-Wave Feminism in the Arab Region: Cyberfeminism and women's activism at the crossroads of the Arab Spring", *CyberOrient*, 14(1), 2020, p. 48.

[17] The European Council, Council of the European Union, The general data protection regulation.

[18] EU, Official Journal of the European Union, I (Legislative acts) Regulations, Regulation (EU) 2016/679 Of The European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), 2016, Article 9, "Processing of special categories of personal data".

It calls for securing personal data in such a way that considers:

> potential risks involved for the interests and rights of the data subject and that prevents, inter alia, discriminatory effects on natural persons on the basis of racial or ethnic origin, political opinion, religion or beliefs, trade union membership, genetic or health status or sexual orientation, or that result in measures having such an effect. Automated decision-making and profiling based on special categories of personal data should be allowed only under specific conditions.[19]

Although the GDPR recognises a person's sex life and sexual orientation in data processing,[20] it does not specify gender or sex as a sensitive category. Thus, it may not provide adequate protections, considering that women may suffer greater repercussions following invasion of their privacy.[21] Including gender and sex as sensitive categories in the GDPR could enable preventive measures in data protection and privacy, offering protections based on sex and gender, as well.

Although Kosovo is not a member of the EU and has not implemented the EU GDPR Regulation directly,[22] Kosovo needs to harmonise its legislation with the EU Acquis as a pre-condition for EU Accession. Kosovo passed the LPPD in 2019. The Law is largely in line with the GDPR and the Law Enforcement Directive establishing "data subject rights, such as the right of access, right to rectification, and right to deletion".[23] However, the NPISAA 2022-2026 notes that the AIP, to which the Law entrusted important oversight tasks, has not been operational due to a leadership vacuum that lasted several years.[24] A partial remedy within EU data protection law is the "right to be forgotten",[25] which allows EU citizens to demand search engines delete data about them. However, this remedy does not remove content from hosting sites, so material is still accessible. The EU data protection law does not protect Kosovars, as the European Court of Justice held that this right does not automatically extend

[19] Ibid., Preamble, para. 71.

[20] Ibid., Article 22.

[21] Chenai Chair, Heinrich Boll Stiftung, Does data protection safeguard against gender-based risks in Southern Africa?, Washington D.C., 8 July 2021.

[22] GDPR Advisor, "GDPR Countries 2023", 2023, accessed 14 November 2023.

[23] EC, Kosovo 2021 Report, 2021, p. 30; One Trust Data Guidance, *Regulatory Research Software*, "Kosovo", accessed 14 November 2023.

[24] Republic of Kosovo, Government, NPISAA 2022-2026, 2022, p. 185.

[25] Now called the "right to erasure" (GDPR Article 17).

outside the EU.[26] Thus, Kosovo citizens must rely on general policies for removal of material online, which appear very limited and at the discretion of the company to which the request is submitted.[27]

Draft EU Directive on Gender-based Violence

Towards addressing the currently inadequate attention to cyberviolence in the Istanbul Convention and existing legal frameworks, the EU has proposed a Directive to address gender-based violence. On 14 December 2021, the European Parliament adopted a legislative-initiative resolution recommending that the EC use the Parliament's forthcoming proposal for a directive on combating gender-based violence to criminalise gender-based cyberviolence.[28] In this resolution, the Parliament emphasised that:

> this gender-based cyber-violence, which tends to be more severe for women from ethnic minorities, women with disabilities and LGBTIQ+ people, has severe and life-long consequences for victims, significant costs for societies and a negative impact on democracy, since it is having a chilling effect on women's participation in public and political life.

The objective of the Resolution is to include "minimum rules, as a harmonised policy response, concerning the definition of the crime of gender-based cyberviolence and related sanctions, to establish measures to promote and support the action of Member States in the field of prevention of that crime and to establish measures to protect, support and ensure reparations for victims."[29] The EC responded to the Parliament's request through a proposal for a directive on preventing and combating violence against women and domestic violence, adopted on 8 March 2022.[30] The proposal includes prevention, protection, and effective prosecution, both online and offline.[31] The proposed directive will criminalise rape based on lack of consent, female genital mutilation, and cyberviolence, which includes: non-consensual sharing

[26] Case C-507/17 Google v CNIL.

[27] KWN, *From Laws to Action: Monitoring Institutional Response towards Gender-based Violence in Kosovo*, 2021.

[28] European Parliament, Ionel Zamfir, Members' Research Service, Legislative Train Schedule, Combating gender-based violence: cyber violence In "Women's Rights and Gender Equality - FEMM, 20 April 2023.

[29] European Parliament, Resolution of 14 December 2021 with recommendations to the Commission on combating gender-based violence: cyber violence (2020/2035(INL)).

[30] European Parliament, Ionel Zamfir, Members' Research Service, Legislative Train Schedule, Combating gender-based violence: cyber violence In "Women's Rights and Gender Equality - FEMM, 20 April 2023.

[31] European Parliament, "Gender-based cyber violence: Parliament calls for EU law to tackle the problem", 2021.

of intimate images, cyberstalking, cyber-harassment, and cyber-incitement of violence or hatred.[32]

Given Kosovo's intentions to join the EU, Kosovo would need to harmonise its legislation with the proposed directive. The process of finalising Standard Operating Procedures (SOPs) for treating gender-based violence and other primary and secondary legislation related to gender-based violence offers opportunities for further detailing the justice system's response to gender-based cyberviolence and harmonising Kosovo's legal framework with the EU acquis.

Criminal Code of the Republic of Kosovo

The Criminal Code outlines criminal offenses and sanctions for actions that violate the freedom, human rights, and other social values guaranteed and protected by the Constitution.[33] The new Criminal Code was adopted in 2019, when there was increased attention globally to cybercrime.[34] However, the Criminal Code does not regulate cybercrime or data protection explicitly, let alone from a gender perspective. Article 327 regulates "Intrusion into computer systems":

> Whoever, without authorization and with the intent to obtain an unlawful material benefit for himself, herself or another person or to cause damage to another person, alters, publishes, deletes, suppresses or destroys computer data or programs or in any other way intrudes into a computer system shall be punished by a fine and imprisonment of up to three (3) years.

Article 231 refers to online protection indirectly in "Offering pornographic material to persons under the age of sixteen years":

> Whoever sells, offers to sell, shows or in any other way provides a person under the age of sixteen years with photographs, audio-visual material or other objects with pornographic content or allows such person to attend a live performance with pornographic content or intentionally brings such person to such a performance shall be punished by a fine and imprisonment of three months to three years.[35]

Article 232 on "Abuse of children in pornography" states that: "Whoever produces child pornography or uses or involves a child in making or producing

[32] EC, Press release, International Women's Day 2022, "Commission proposes EU-wide rules to combat violence against women and domestic violence", 8 March 2022.

[33] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019.

[34] Maria Demertzis and Guntram Wolf, "Hybrid and cybersecurity threats and the European Union's financial system", Policy Contribution Issue n°10, 2019.

[35] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019, Article 231, Paragraph 1.

live performances shall be punished by imprisonment of 5 to 15 years".[36] Article 5 clarifies that "live performance" also involves live exhibition, including by means of ICT.

The Criminal Code does include articles on sexual harassment, stalking, bribery, and domestic violence. Article 186, Paragraph 1 describes harassment as engaging surveillance of another person or in "repeated and unwanted attention or communication with the intent to harass, intimidate, injure, damage property or kill another person or his or her children, family, relatives or pets", thus placing "that person in reasonable fear of death, grievous bodily injury, serious damage to property or substantial emotional distress". It states that harassment may include electronic means of communication, such as making repeated phone calls, sending or leaving messages, or sending text messages or e-mails.[37]

5-15 years

Whoever produces child pornography or uses or involves a child in making or producing live performances shall be punished by imprisonment of 5-15 years.

These definitions may be insufficient for countering digital violence as new practices and terminology enter society. For example, according to EIGE, "sexting" is "sending, receiving or forwarding sexually explicit messages, photographs, or videos, primarily between mobile phones", computers, or other digital devices.[38] EIGE defines "sextortion" as "non-consensual intimate image abuse" involving public distribution "of sexually explicit content of one or more people without their consent", particularly via social networks.[39] However, inconsistent understanding of the term exists; the International Association of Women Judges interprets sextortion as abuse of power for sexual favours.[40] "Revenge porn" is a form of sexual violence that refers to "the distribution of sexually explicit images or videos without the consent of the pictured person and for no legitimate purpose".[41] In some cases an ex-partner originally obtained the material consensually, but perpetrators are not always ex-partners, and the motive is not always revenge.[42] Activists and scholars have recommended replacing the term "revenge porn" with alternative terminology such as "image-based sexual abuse".[43] They claim that the term "revenge porn" does not adequately capture the abusive nature of the non-consensual distribution of private, sexual content and can contribute to victim-blaming. Referring to such content as "porn" is problematic as it "distracts governments, leading some

[36] Ibid., Article 232, Paragraph 1.

[37] Ibid., Article 186, Paragraph 4.

[38] EIGE, Combating Cyber Violence against Women and Girls, 2022, p. 24.

[39] Ibid., p. 15.

[40] International Association of Women Judges, Stopping the Abuse of Power through Sexual Exploitation: Naming, Shaming, and Ending Sextortion, 2012, p. 5.

[41] Ryan, David, "European remedial coherence in the regulation of non-consensual disclosures of sexual images", *Computer Law and Security Review*, 34, 2018, 1053-1076, 1066.

[42] EIGE, Combating Cyber Violence against Women and Girls, 2022, p. 55.

[43] McGlynn and Rackley, "Image-based sexual abuse: More than 'revenge porn'", 2016.

down the wrong path by thinking that images must be 'pornographic' or 'obscene' before being unlawful; or that the perpetrator must be motivated by sexual gratification".[44] The Criminal Code does not explicitly include sexting, sextortion, revenge porn, or image-based sexual abuse.

Several other forms of gender-based violence in the Criminal Code can be instigated or facilitated by ICT, such as stalking and sexual abuse. For example, the Code includes spying but does not refer to digital spying or potential gender implications related to this,[45] such as the use of surveillance equipment to spy on women for sexual purposes, though this is regulated somewhat through the LPPD.[46] The Criminal Code considers "blackmail" a criminal offense:

> Whoever, with the intent of obtaining an unlawful material benefit for himself, herself or another person, threatens another person to reveal something about him or her or about persons close to him or her which will damage their honour or reputation, and in this way compels such person to do or abstain from doing an act to the detriment of his or her property or another person's property shall be punished by a fine and imprisonment of six months to five years.[47]

However, this definition does not foresee using the internet for blackmail. The article does foresee that when blackmail "is committed by a perpetrator acting as a member of a group; is committed using a weapon or a dangerous instrument; or, if the offense results in an unlawful material gain exceeding ten thousand Euro, the perpetrator shall be punished by a fine and imprisonment of one to ten years".[48] Fines and/or years of imprisonment have not been foreseen for regulating blackmail committed by threatening the online release of materials or personal data (e.g., pictures, texts). Such acts, according to the Kosovo Police Cybercrime Investigation Unit, tend to affect women more often than men.[49]

Globally, debate surrounds the correct legal response to the digital transition. EC President Ursula von der Leyen has emphasised, "What is illegal offline, should be illegal online", and that it is important to ensure that the online environment be a safe space, safeguarding freedom of expression and

[44] Ibid.

[45] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019,, Article 124.

[46] LPPD, Article 63.

[47] Code No. 06/L-074 Criminal Code of the Republic of Kosovo, Article 329, "Blackmail".

[48] Ibid., Paragraph 2.

[49] KWN interview with KP, Cybercrime Investigation Unit, November 2021.

opportunities for digital businesses.[50] Yet, "it can be hard to rewrite laws over and over as technology changes."[51] Therefore, some authors favour "technologically neutral" language, which "can withstand changes in the digital world."[52] Alternatively, arguments exist for explicitly defining cybercrime to ensure clear definitions so that people can recognise crimes and report them, enabling justice providers to address them. For example, Miller emphasised that "any proposed provisions relating to explicitly gendered cybercrimes (e.g., provisions related to tools and software that, among other crimes, can be used for cyberstalking) would be drawn from multistakeholder consultation to ensure that a plurality of perspectives on gendered cybercrimes" be considered.[53] She adds that women, non-binary, and LGBTQI+ people also benefit from using the internet, have the right to privacy, may be criminal justice system actors, and may commit cybercrimes, just as men may be victims. Therefore, Miller suggests, with this multidimensional perspective in mind, specific provisions on gendered cybercrime should be "worded narrowly and precisely". In contrast, patchwork non-specific civil law or existing criminal law is often unable to capture the harms of the behaviour, partially due to the slow nature of the law to respond to new technologies.[54] Thus, several EU member states have adopted targeted criminal legislation to address cybercrime; however, drafting provisions that adequately capture the scope and nature of the behaviour has proven difficult.[55] Considering the limited remedies available, Kosovo should consider adopting targeted criminal provisions in the Criminal Code and/or measures within the Law on Prevention and Fight of the Cybercrime that specifically regulate gender-based cyberviolence.

> **"What is illegal offline, should be illegal online."**
>
> **— Ursula Von der Leyen, EC President**

In Kosovo, it is difficult to assess if current legislation is sufficient, given the minimal data on which cybercrimes have been reported and how justice

[50] EC, "Digital Services Act: Commission welcomes political agreement on rules ensuring a safe and accountable online environment", Press release, 23 April 2022.

[51] Marlisse Silver Sweeney, "What the Law Can (and Can't) Do About Online Harassment", *The Atlantic*, Technology, 12 November 2014, citing Citron.

[52] Ibid.

[53] Katharine M. Miller for the Royal Institute of International Affairs, Chatham House, "What Does it Mean to Gender Mainstream the Proposed Cybercrime Convention?", 30 May 2022.

[54] N. Henry and A. Powell, "Sexual Violence in the Digital Age: The Scope and Limits of Criminal Law", *Social and Legal Studies*, 25, 2016, 397, 398.

[55] Ryan, David, "European remedial coherence in the regulation of non-consensual disclosures of sexual images", *Computer Law and Security Review*, 34, 2018, 1053-1076, 1066.

providers are treating these cases.[56] The fact that such cases are seldom reported and treated, though KWN's experience suggests they exist, may be evidence of the need to include such definitions. Indeed, KWN's research found that clearer definitions regarding sexual harassment were needed for people and justice providers to consider it a crime and to treat it; otherwise, such acts tended not to be considered crimes.[57] Clearer definitions of various forms of gender-based cybercrimes may enable more people to identify and report such crimes, while improving justice providers' treatment of them.

Currently, related to cybercrime and cyberviolence, the Criminal Code is **gender neutral**. The Criminal Code pays no attention to how cyberviolence can impact women and men differently and does not foresee ways to protect them or prevent such crimes. There is no attention to sexual threats women face online, and the Criminal Code is not well aligned with the GDPR.

Criminal Procedure Code

The Istanbul Convention, Article 56c, requires that victims be informed of their rights and the services available to them. Authorities must communicate victims' complaints, the charges, progress in investigations or proceedings, victims' role in these processes, and the outcomes of cases. Provisions of the CPC partially transpose these requirements.[58] The 2022 CPC does not mention cyberviolence or cybercrime. Related to digitalisation, "Applicable sessions of pretrial testimony or special investigative opportunity session, or any other examination or interview as necessary, shall be video-recorded or audio-recorded".[59] The same article specifies that "Personal data about the defendant, injured party or witness which are recorded are confidential and may be used only in the course of criminal proceedings" and that "a violation of this paragraph shall be considered a breach of the ethical duties of the practitioner involved and may be sanctioned by the Court."[60] The main trial should be either audio- or video-recorded or recorded stenographically.[61] Most references to "electronic" means of communication refer to administrative aspects of court functions, testimony, electronic publication of court judgments and/or communications with parties. These do not attend to gender or ensure gender-responsive protection.

As per Article 56 of the Istanbul Convention, the CPC notes that "A victim of gender based violence shall be enabled to avoid direct contact with the defendant anytime when that is possible during the proceedings in the police, prosecution or the court".[62] Additionally, "The testimony may be taken

[56] See the People and Governance sections below.

[57] Ibid., p. 58.

[58] KWN, From Laws to Action, 2022. For example, articles 63.1.3.1, 63.1.9, 371.6.

[59] Republic of Kosovo, Assembly, Code No. 08/L-032 The Criminal Procedure Code of Kosovo, 2022, Article 205.

[60] Ibid., paragraph 8.

[61] Ibid., Article 311, paragraph 2.

[62] Ibid., Article 63, paragraph 1.21.

through video-conference technology if the witness is not within Kosovo and is not likely to return to Kosovo, or in accordance with a measure of witness protection."[63]

The CPC is **gender sensitive** towards digitalisation, as some provisions recognise issues pertaining to gender and sex mainly related to victims of gender-based violence. However, the CPC lacks clear protection specifically for gender-based cyberviolence. No evidence exists that an ex-ante or ex-post G(E)IA was conducted to inform CPC amendments, such as the ability and willingness of officials to notify victims of their rights, to offer "appropriate communication technologies" or recorded testimonies, or to ensure infrastructure that enables victims to avoid direct contact with perpetrators. Recording testimonies could reduce the potential for re-traumatisation resulting from multiple interviews by police, prosecutors, social services, and other actors, as well as from facing alleged perpetrators in court. Recorded testimonies can be particularly important for reducing trauma and enhancing protection in cases involving gender-based violence.

Law on Protection of Personal Data

The LPPD "determines the rights, principles, and punitive measures on personal data protection of individuals, as well as the responsibilities of the institution responsible for monitoring the legitimacy of data processing and access to public documents".[64] The Law is applicable to public and private bodies, but not "to the processing of personal data if it is done for purely personal purposes".[65] Amended and adopted in 2019, the LPPD transposed the EU's 2016 Regulation on the protection of natural persons regarding the processing of personal data and on the free movement of such data, known as the GDPR.[66] Article 8 recognises that:

> Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural **person's sex life or sexual orientation** [emphasis added] shall be prohibited.

[63] Ibid., Article 147, paragraph 6.

[64] Republic of Kosovo, Assembly, Law No. 06/l-082 on Protection of Personal Data, 2019, Article 1.

[65] Ibid., Article 2.

[66] Official Journal of the European Union, I (Legislative acts), Regulations, Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (see also: DLA PIPER, Data Protection Laws of the World, 2021).

The LPPD defines "Sensitive Personal Data" as "personal data revealing ethnic or racial origin, political or philosophical views, religious affiliation, union membership or any data related to health condition or sexual life, any involvement in or removal from criminal or offence records". It also considers biometric data to be sensitive personal data if it enables identification of "a data subject in relation with any of the abovementioned circumstances".[67] The LPPD does not explicitly define sex and gender related to data protection. Nor does it address sexual harassment online, whereas it could have addressed harassment in the form of sexual or sexually explicit texts; use of electronic means for sexual harassment (e.g., phones and social media applications); the distribution and use of photographs online without the consent of person(s) in the picture; and/or threats arising from data processing related to protection, safety, and wellbeing. For instance, KWN found instances of persons in the education system who have access to students' data using students' information like phone numbers and addresses to stalk or sexually harass students, particularly young women.[68] This suggests the need for improved, more specific regulation.

The GDPR defines "consent" as: "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her".[69] The LPPD transposed the same definition. However, the GDPR recognises other aspects of consent that are not specified in the LPPD. The GDPR sets "Conditions for consent". It notes that in assessing freely given consent, "utmost account shall be taken of whether, inter alia, the performance of a contract, including the provision of a service, is conditional on consent to the processing of personal data that is not necessary for the performance of that contract."[70] According to Recital 42, "Consent should not be regarded as freely given if the data subject has no genuine or free choice or is unable to refuse or withdraw consent without detriment."[71] Recital 42 further notes that "safeguards should ensure that the data subject is aware of the fact that and the extent to which consent is given". Recital 43 notes that consent should generally not provide a valid legal ground for the processing of personal data in cases where a clear power imbalance exists between the data subject and the controller, particularly where the controller is a public authority.[72] Lastly, consent must be unambiguous.

EU data protection law foresees the "right to be forgotten".[73] It requires controllers subject to the GDPR to delete data about data subjects in response

[67] Republic of Kosovo, Assembly, Law No. 06/l-082 on Protection of Personal Data, 2019, Article 3, paragraph 1.25.

[68] KWN, Sexual Harassment in Kosovo, 2016, p. 36.

[69] GDPR.EU, "What are the GDPR consent requirements?", 2023, accessed 15 November 2023.

[70] Ibid.

[71] Ibid., Recital 42.

[72] GDPR, preamble, recitals 40 and 43.

[73] Now, the "right to erasure" (GDPR, Article 17).

to a request in certain circumstances; for example, search engines may be required to delete data. In considering this right under the EU Data Protection Directive, the GDPR's predecessor, the Court of Justice of the European Union, held that this right must be consistent with the territorial scope of the Directive (not requiring de-referencing of material worldwide but within the EU).[74] The LPPD also foresees the right to "erasure" or to be forgotten.[75] However, KWN's conversations with institutions responsible for monitoring the LPPD suggest that people lack knowledge on removing material online and may only learn about policies in place at the discretion of the company to which the request is submitted.[76] Lack of knowledge thus may hinder implementation.

In the LPPD, data controllers can use personal data that they obtained from publicly accessible sources or within the framework of the lawful performance of activities for the purposes of offering goods, services, employment, or temporary performance of work through postal services, telephone calls, electronic mail, or other telecommunications.[77] According to the GDPR, controllers are obligated to provide information about their processing activities, to data subjects from whom they collect personal data directly or indirectly (such as a family member providing information). According to the LPPD, the data subject should have the right to obtain from the controller confirmation as to whether or not personal data may be processed, and, where that is the case, to obtain the following information: the purposes of processing data; the categories of personal data; to whom personal data has been or will be disclosed; the envisaged period for which the personal data will be stored or criteria used to determine that period; the right to request that the controller erase personal data, to restrict its processing, or to object to such processing; the right to submit a complaint with the Agency; if personal data are not collected by the data subject, any information as to their source; the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.[78] KWN struggled to identify complaints filed or enforcement actions taken in the EU or Kosovo for violations in the processing of personal data related to gender. The absence of case law or judicial proceedings related to gender makes it difficult to assess how data protection may affect diverse women, girls, men, and boys differently.

KWN found no reports monitoring the extent to which the LPPD has been implemented, including ex-post gender impact analysis, such as how women and men, as data subjects, may have used or been affected by this Law. The

[74] Case C-507/17 Google v CNIL, 2019.

[75] LPPD, Article 16, "Right to erasure" ("right to be forgotten").

[76] KWN interviews, 2021.

[77] LPPD, Article 59, Rights and Responsibilities of data controllers.

[78] GDPR, Chapter IV on Information and Access to Personal Data, Articles 12, 13, 14; LPPD, Article 14 "Right of access".

extent to which controllers inform data subjects on the reasons why their data is being processed is unclear. Considering people's minimal awareness of the concept of informed consent, how personal data may be misused, or which mechanisms offer protection,[79] women and men may be at risk of their data being misused. Given their potentially lower educational levels and lesser time to educate themselves about data protection online, women may be at greater risk than men, though no research seems to have examined this.

Moreover, given power imbalances, women and girls may rely more on public services and thus be more vulnerable to data misuse, such as by providing uninformed consent to access a service. As men tend to be the legally recognised heads of households and thus register for public services, they also may provide other family members' personal data without their family members' knowledge or consent.[80] Women reliant on male family members may be at greater risk of their personal data being provided online without their knowledge or informed consent. Women are also at a greater risk of gender-based violence and associated potential threats to personal data security, such as control and monitoring of women's mobile phones or personal computers.[81] These issues are not addressed in the LPPD.

Women reliant on male family members may be at greater risk of their personal data being provided online without their knowledge or informed consent.

The LPPD may not attend sufficiently to diverse women and men's different personal data protection needs. Nor does it seem to attend to the specific protection needs of victims of crimes, including gender-based violence, and the need for extra protections for such sensitive data. The LPPD could offer better protection by defining gender, sex, and consent more clearly, particularly in terms of "protection of sensitive data" (Article 3) and "protection of special categories" of personal data (Article 8). Special procedures could be established for collecting, maintaining, coordinating among institutions, and using data for reporting, monitoring, evaluating, and informing new policies, while ensuring the protection of victims. Which institutions have access to which data at which moment must be clarified. This could contribute to better implementation of related legislation, such as the Law on Prevention and Protection from Domestic Violence, Violence

[79] KWN interviews with AIS, Cyber Security Unit of the Kosovo Police, and AIP, 2021.

[80] Comments at "Effects of Digital Transition on Civil Society Organisations (CSOs)" Regional Event organised by TACSO, 3 August 2023.

[81] At least three cases of gender-based violence have been reported in Kosovo involving control and coercion using mobile phones, as reported by three different news channels: Nacionale, "Koci denoncon një rast të kontrollimit bizar që një burrë Kosovar i bën gruas së tij me telefon" [Koci denounces a bizarre case of a man that controls his wife's mobile phone], January 2023; Veriu Info, "Burri shkon në vendin e punës dhe ia kontrollon telefonin me dhunë një gruaje, arrestohet" [Man goes to her workplace and controls a woman's phone violently, gets arrested], 31 March 2023; Sinjali, "Ma mori telefonin dhe po më kontrollon.Gruaja nga Gjakova denoncon burrin për dhunë fizike dhe psikike" [He took my phone and is threatening me. Woman from Gjakova denounces her husband for physical and psychological violence], 11 July 2022.

against Women and Gender-Based Violence.[82] Thus, this Law is **gender neutral** and does not seem to have been informed by a G(E)IA. Although the GDPR also uses gender-neutral language, its specifications regulating consent offer better data protection for vulnerable categories. The LPPD could provide for improved protections as well.

Law on the Agency for Prevention of Corruption

Adopted in 2022, this Law establishes the responsibilities of the Anti-Corruption Agency (ACA).[83] It does not have responsibilities related to furthering gender equality. The Law states that "the names of male gender mean the female gender too, and vice versa".[84] Male pronouns are used throughout the Law. The use of these pronouns is neither grammatically correct nor in accordance with principles for furthering gender equality. Instead, these pronouns reinforce gender stereotypes according to which men occupy certain positions such as: "*Drejtori*" (director) and "*Kryetari*" (chairman). Thus, the Law is **gender negative**. Article 28 on data preservation states that officials and other persons employed by the Agency or who become aware of official secrets in cooperating with the Agency, must ensure that this information remains classified and confidential. No reference to confidentiality relates to electronic data, data management systems, or electronic reporting mechanisms.

Law on Protection of Whistleblowers

This 2018 Law sets out the "rules on whistleblowing, whistleblowing procedure, rights and protection of whistle blowers and the obligations of public institutions and private entities regarding whistleblowing".[85] The Law defines whistleblowing as the act of reporting or disclosing "information on threat or damage to the public interest in the context of own employment relationship in the public or private sector."[86] More specifically, "internal" whistleblowing involves reporting information to the employer; "external" whistleblowing means reporting information to a competent authority,[87] and "public" whistleblowing involves disclosing information to the media, NGOs, through the internet, at a public meeting, or by any other means that makes information public.[88] Article 22 lists some detrimental acts to which whistleblowers may be subjected. This list does not include gender-based intimidation, threat, and other repercussions to which women whistleblowers may be exposed.

[82] Republic of Kosovo, Assembly, Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence against Women and Gender-Based Violence, 2023.

[83] Republic of Kosovo, Assembly, Law No. 08/L-017 on the Agency for Prevention of Corruption, 2022. The Law refers to this body as the Agency for Prevention of Corruption. However, their annual reports and website use the acronym "ACA", and therefore it is used here.

[84] Ibid., Article 3, 2022.

[85] Republic of Kosovo, Assembly, Law No. 06/L-085 on Protection of Whistleblowers, 2018, Article 2.

[86] Ibid., Article 3, Paragraph 1.

[87] Ibid., Article 13, Paragraph 2, 3.

[88] Ibid., Article 13, Paragraph 5.

Globally, women tend to witness and perceive corruption more than men.[89] Given that women are less likely than men to hold positions of power, women may face different risks and consequences when reporting corruption.[90] Considering that women are more likely to be underrepresented and discriminated against in the labour force,[91] women whistleblowers may be more susceptible to the dangers of retaliation and job loss. Few mechanisms exist for women to report gender-based discrimination at work, including sexual harassment, offline or online.[92] The Law on Protection of Whistleblowers does not attend to such gender differences. The Law is **gender neutral** and does not seem to have been informed by a G(E)IA.

Globally, women tend to witness and perceive corruption more than men.

While the Kosovo Democratic Institute has researched implementation of the Law,[93] its analysis does not contain gender-disaggregated data. Kosovo also lacks gender-disaggregated data related to inspections and judicial practice, which makes assessing the implementation of the Law from a gender perspective difficult. The Law could better reflect the LPPD by protecting the personal data of women and men whistleblowers, as well as better defining gender-relevant repercussions for whistleblowers, and mechanisms for addressing these risks.

Law on Prevention and Fight of Cybercrime

Replaced by the Law on Cyber Security in 2023, this 2010 Law aimed to sanction violations, observe human rights, and safeguard personal information.[94] The Law defined cybercrime as: "a criminal activity carried out in a network that has as [an] objective or as a way of carrying out the crime, misuse of computer systems and computer data." This definition was vague. However, the EU does not have a clear legal definition of cybercrime yet either. Generally, the EC has referred to cybercrime as a borderless issue that may involve:

[89] Transparency International, Finding a Voice, Seeking Justice: The Barriers Women face to Reporting Corruption in the European Union, 2021.

[90] Ibid.

[91] KWN, Gender-based Discrimination and Labour in Kosovo, 2022.

[92] Ibid., p. 74.

[93] Kosovo Democratic Institute, Law on Protection of Whistleblowers, 2020. For further information, see the section on People.

[94] Republic for Kosovo, Assembly, Law No. 03/L-166 on Prevention and Fight of the Cyber Crime, 2010.

- **crimes specific to the internet**, such as attacks against information systems or phishing (e.g., fake bank websites to solicit passwords enabling access to victims' bank accounts)

- **online fraud and forgery**: large-scale fraud [which] can be committed online through instruments such as identity theft, phishing, spam, and malicious code

- **illegal online content**, including child sexual abuse material, incitement to racial hatred, incitement to terrorist acts, and glorification of violence, terrorism, racism and xenophobia[95]

Kosovo could broaden its definition of cybercrime in line with EU member states' best practices and towards a more inclusive definition.

The Budapest Convention on Cybercrime and its protocols guide the EU in coordinating member states' efforts to address cybercrime.[96] It encourages signatory states to adopt laws criminalizing cybercrimes including hacking, identity theft, and child pornography. The Convention regulates international cooperation in investigations and proceedings involving criminal offences related to computer systems and data.[97] Kosovo has not signed and ratified the Convention, though countries outside the EU can sign it.

Kosovo's Law recognised "Child pornography through computer systems", noting that the perpetrator of an attempt to commit this penal act shall be liable to imprisonment from six months to three years.[98] Meanwhile, the Criminal Code on "Abuse of children in pornography" provides additional definitions and foresees stronger sanctions.[99] Thus, the Law was not aligned with the Criminal Code, potentially contributing to legal confusion and poor implementation. The Criminal Code does not refer specifically to cybercrime or cyberviolence, though it was adopted in 2019, nine years after this Law.

The Law specified that the Government shall "establish a permanent contact point to provide specialized assistance and information" on cybercrime.[100] It stated that competent public authorities and institutions, in cooperation with

[95] EC, Migration and Home Affairs, "Cybercrime", accessed 17 August 2023.

[96] Council of Europe, Action against Cybercrime, Why and how is the Council of Europe working against cybercrime? , 2023, accessed 15 November 2023.

[97] Council of Europe, Convention on Cybercrime, Budapest, 2001, Article 23.

[98] Republic for Kosovo, Assembly, Law No. 03/L-166 on Prevention and Fight of the Cyber Crime, Article 16, Paragraph 2.

[99] Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019, Article 232.

[100] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019, Article 22.

service providers and civil society, should organise information campaigns on cybercrime and risks for users of computer systems.[101]

Unlike the LPPD, which specifies sexual orientation as a category endangered by personal data threats, this Law did not attend specifically to gender-based cybercrime or cyberviolence against women or LGBTIQ+ persons. Thus, the Law was **gender neutral**.

Law on Cyber Security

Adopted in 2023, this Law replaced the Law on Prevention and Fight of Cybercrime.[102] The Law defines "Cyber incident" as "any event that has a real adverse effect on the security of network and information systems" and "Cybersecurity" as "activities to protect network and information systems, users of such systems and other persons affected by a cyber incident".[103] The Law foresees "prevention and combating of cybercrime in the Republic of Kosovo against any threat or attack". However, it does not define cybercrime. The Law establishes institutions responsible for developing, implementing, cooperating, and promoting cybersecurity policy, including the Cyber Security Agency (CSA), to "monitor, inspect and coordinate the activities of the institutions responsible for cyber security" and to address failures.[104] CSA should administer the cyber incident register and the cyber threat register, as well as create an electronic platform for real-time information exchange where users will be operators of essential services and digital service providers.[105] The Law does not specify which types of data will be tracked on the platform. Nor does it require data disaggregated by gender, ethnicity, age, or any other category. Regarding internal organisation, personnel, and appointing the CSA's head, the Law on Public Officials is mentioned. The Law on Gender Equality is not, though the Law could have emphasised the need to apply affirmative measures in recruiting women and men in the CSA, given the low number of women typically involved in this field. As such, the new Law is **gender neutral**.

Law on the Electronic Supervision of Persons Whose Movement Is Limited by the Decision of the Court

Adopted in 2015, this Law aims to create a mechanism for executing court decisions.[106] The Law has contemporary protection measures in criminal justice, based on a recommendation on electronic monitoring by the Committee

[101] Ibid., Article 5.

[102] Republic of Kosovo, Assembly, Law No. 08/L-173 on Cyber Security, 2023, Article 1.

[103] Ibid., Article 3, paragraphs 1.3 and 1.5.

[104] Ibid., Article 15.

[105] Ibid., Article 15, paragraphs 5 and 7.

[106] Republic of Kosovo, Assembly, Law No. 05/L-003 on the Electronic Supervision of Persons Whose Movement Is Limited by the Decision of the Court, 2015, Article 1.

of Ministers, as the decision-making body of the Council of Europe.[107] The Law regulates the use of electronic surveillance, including electronic devices and tags.[108] Electronic surveillance may only occur with the consent of the person under surveillance.[109] Exceptionally, electronic surveillance may be decided without consent, if the court deems it "necessary to guarantee the constitutional rights of third parties and there is a reasonable suspicion that the person poses a risk of violation of these rights".[110] The person must obey conditions in the court decision; provide the court and authority exercising electronic surveillance with residence and work addresses; return to the permitted area of movement or leave the restricted area within "15 minutes from the moment he or she is contacted by the operating room"; not damage or remove the device; and notify the body performing surveillance about any accidental damage to the device or its non-functioning.[111] If the person under surveillance or a close contact cannot be reached, the operating room should immediately notify the police. The operating room, within 24 hours, should inform the court and prosecution about the violation.[112] KP is responsible for installing, removing, and operating electronic devices.[113]

The Law does not include a gender perspective and is **gender neutral**. Implementation of the Law could contribute to the safety of women who have suffered gender-based violence by facilitating police monitoring of perpetrators, which could make it gender responsive in its application.

Regarding adoption in practice, in March 2021, based on information gathered from KP, Basic Prosecution Offices, and Basic Courts, the Ombudsperson published a report stating that Kosovo has failed to implement this Law and thus has not fulfilled its obligation to protect victims of domestic violence.[114] The report adds that implementing this Law would support the state in providing effective protection to victims of domestic violence. These actions could contribute to enforcing restraining orders issued by courts against perpetrators of violence, prevent further violence, and reduce fatal outcomes in domestic violence cases. Challenges to the Law's implementation have

[107] Council of Europe, Committee of Ministers, Recommendation CM/Rec(2014)4 of the Committee of Ministers to member States on electronic monitoring,19 February 2014, 1192nd meeting of the Ministers' Deputies; see also Council of Europe, European Committee on Crime Problems, Council for Penological Cooperation, Draft Commentary to Recommendation on Electronic Monitoring, 2013.

[108] A tag is an electronic device placed on a person's body to enable police to determine his or her location.

[109] Republic of Kosovo, Assembly, Law No. 05/L-003 on the Electronic Supervision of Persons Whose Movement Is Limited by the Decision of the Court, 2015, Article 6.

[110] Ibid., Article 6.

[111] Ibid., Article 17.

[112] Ibid., Article 11.

[113] Ibid.

[114] Republic of Kosovo, Ombudsperson Institution, Report of the Ombudsperson of the Republic of Kosovo, Case Nr. 621/2018 Regarding Operational preventive measures for the protection of victims of domestic violence, according to the Law No. 037L-005 on electronic monitoring of persons subject to court-imposed movement restrictions [in Albanian], 2021.

included judges not including the provision of surveillance in protection orders, largely due to inadequate infrastructure.

Law on Prevention and Protection from Domestic Violence, Violence against Women, and Gender-Based Violence

In 2023, the Assembly adopted this new Law,[115] which replaced the prior Law.[116] Based on the Istanbul Convention, the new Law incorporates definitions of gender-based violence in addition to domestic violence, which was the only form of violence treated in the prior Law. The new Law mentions online sexual harassment among the definitions,[117] but it does not address it or give institutions responsibilities for such cases. Neither the old nor the new Law mentions or addresses cyberviolence, cybercrime, online stalking, image-based sexual abuse, or other digitally related forms of violence.

The Law enables courts to issue protection orders or emergency protection orders, "which aim to prevent violence, protect the victim and other persons exposed to violence, avoid the consequences" of violence, and avoid circumstances that could contribute to recidivist violence.[118] The new Law provides for protection orders for all persons suffering violence, including outside of domestic relations. Once granted, the order is immediately sent to the police and other relevant parties.[119] Violating a protection order constitutes a criminal offence, to be immediately prosecuted.[120] Nevertheless, perpetrators continue to violate protection orders,[121] which could be largely prevented through electronic surveillance.

The prior Law's only reference to digitalisation was: "The court may hold a hearing and issuance of the protection order in the absence of the perpetrator, where appropriate, by applying also other alternative measures including electronic ones."[122] However, this was removed from the new Law. The new Law does mention electronic surveillance, foreseeing court-appointed electronic monitoring implemented by KP.[123] The Law does not require coordination mechanisms for entering data in the shared case management system, though it could have.

[115] Republic of Kosovo, Assembly, Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence against Women and Gender-Based Violence, 2023.

[116] Republic of Kosovo, Assembly, Law on Prevention and Protection from Domestic Violence, Violence against Women and Gender-based Violence, 2023.

[117] Ibid., Article 3, Definitions, point 1.11.

[118] Ibid., Article 28.

[119] Courts must decide on issuing a protection order within 15 days of the petition and an emergency protection order within 24 hours (Ibid., articles 49 and 58).

[120] Ibid., Article 58.

[121] KWN, From Laws to Action, 2021, p. 83.

[122] Law on Protection from Domestic Violence, Article 16, paragraph 3.

[123] Ibid., Article 31.

This Law is **gender responsive** regarding women's needs for protection from violence, considering that women statistically are more likely to suffer violence than are men. However, the Law is only **gender sensitive** overall in that fails to attend to security risks faced by men and boys; it does not offer protections for boys who have suffered sexual violence, for example. The new Law could have defined explicitly and addressed other digital forms of violence, such as cyberviolence, cybercrime, cyberstalking, and image-based sexual abuse. It could have provided greater legal protection from perpetrators using digital means to harass or intimidate victims. The Law could have foreseen international cooperation on cases involving cyberviolence, recognising that digital abuse may transcend national borders. Institutions could have been required to collect, maintain, and process gender-disaggregated data related to violence and cases treated, using safe digital technologies.

National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026

This Strategy's objectives include: "Identifying and preventing violence, advancing and harmonizing public policies with international standards, institutional strengthening in prevention and addressing of domestic violence, and provision of general services and specialized support services to victims".[124] It foresees establishing a digital monitoring system for adequate implementation of protection orders in accordance with the Law on Electronic Supervision and monitoring of the effectiveness of this system.[125] The Government commits to allocating €15,000 in 2023 and €10,000 in 2024 with MIA and KP serving as leading and supporting institutions, respectively.[126] This objective foresees providing technology for interviewing victims and perpetrators. For this, the Government planned to distribute €25,000 in 2022-2023 and €15,000 in 2024 with KJC, Courts, KP, and the prosecution responsible.[127] This action foresees ensuring the right of victims to confidentiality and privacy in all stages of case management, including civil and criminal judicial proceedings.[128]

Further, the Strategy foresees "cooperation with media and information technology companies to avoid violence, sexual harassment or harassment of women and girls through social media and internet" as well as educating "children and parents on the safe use of the Internet, social media and electronic communications". The intended outcome is unclear so it will be difficult to measure the impact of the objective: "Girls and women are safer and protected from forms of violence they may endure while using the internet and social

[124] Republic of Kosovo, Government, Ministry of Justice, National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2022, p. 10.

[125] Ibid., p. 43.

[126] Ibid.

[127] Ibid., p. 75.

[128] Ibid.

media".[129] The Action Plan foresees an "increased number of women media professionals (journalists, executives, analysts, etc.) as well as training them to access, prepare and manage media information through technology."[130] This indicator does not have any targets. The Strategy also foresees training the KP Cybercrime Investigation Unit on "online violence against women".[131]

Overall, the Strategy and its Action Pan are **gender transformative**, seeking to address gender-based violence and gender norms and stereotypes. The Action Plan identifies the costs of activities, but it is unclear which institutions should allocate the planned expenditures in their annual budgets. KWN's prior monitoring of strategies related to domestic violence found that this can mean that no institution takes responsibility to allocate resources, and thus the activity may not be implemented.[132] The Action Plan foresees periodic monitoring of the implementation of the Strategy and its Action Plan, as well as publication of results on the Ministry of Justice's website.[133] The Ministry published the Strategy's first annual report in March 2023. The report evidenced that none of the foreseen activities related to digital violence, cyberviolence, or technology have been implemented.[134] The Action Plan states that some activities were planned to start in 2023 or postponed for 2024, such as establishing a digital monitoring system for protection orders. Other activities were not implemented like designing websites to inform children and parents on safe internet use and cooperating with media and IT companies to avoid violence and sexual harassment of women and girls via social media and the internet.

Rule of Law Strategy 2021-2025

Adopted in 2021, this Strategy has four pillars: judicial and prosecutorial system, criminal justice, access to justice and non-judicial services, and anti-corruption.[135] The Strategy requires equal participation of women and men in the rule of law sector at all levels towards gender equality, strengthening institutional mechanisms, and raising people's awareness about access to justice.[136] It emphasises that access to justice remains challenging for the most vulnerable groups in society, such as women, children, the elderly, persons with disabilities, LGBTI persons, and ethnic minorities.[137] Parties face difficulties obtaining information about their rights, which poses a

[129] Ibid., p. 65.

[130] Ibid., p. 64.

[131] Ibid., Action II.2.16, p. 83.

[132] KWN, From Laws to Action, 2021, p. 65.

[133] Republic of Kosovo, Government, Ministry of Justice, National Strategy on Protection Against Domestic Violence and Violence Against Women 2022-2026, 2022, p. 86, Action III.1.5.

[134] Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023.

[135] Republic of Kosovo, Government, Ministry of Justice, Strategy on Rule of Law 2021-2026, 2021, p. 9.

[136] Ibid., p. 8.

[137] Ibid., p. 22.

challenge to accessing justice. Another challenge mentioned is justice actors' unwillingness to use modern communication technologies.[138] Thus, the Strategy has a specific objective (4.1.2.) on "increasing the efficiency of the judicial and prosecutorial system", including furthering digitalisation and the use of modern technology in the sector. While the Strategy considers women a "vulnerable" category, it is unclear how this objective will help women better access justice. The Strategy mentions domestic and gender-based violence, but it does not address online gender-based violence or cyberviolence against women. It includes a specific measure on "Improving Access to Justice of Vulnerable Categories" with 12 objectives in its Action Plan, accompanied by budget estimates.[139] Under this measure, two objectives relate to digitalisation: "Consistent reporting and integration of data in the Integrated Database for Domestic Violence and Analysis of CMIS to see if necessary data is included to monitor crimes against the LGBTIQ+ community".[140] Objectives also foresee specialised training for institutions responsible for addressing gender-based violence. The Strategy could have included specific training for the Cybercrime Investigation Unit to address cyberviolence, but it did not. While all actions have budgets, no clear budget exists explicitly for gender-responsive digitalisation. Nor is gender-responsive budgeting used by indicating how funds will support women, men, and gender equality.

Opportunities existed for the Strategy to be more gender transformative, such as by specifying clearer objectives and targets towards transforming gender roles that could contribute to improving women's access to justice. The Strategy does not seek to transform power relations, gender roles, and stereotypes, such as related to the rehabilitation and resocialisation of perpetrators. Thus, the Strategy is **gender responsive** in that it recognises gender differences and seeks to address them through a few objectives focused on gender-based violence. Objectives related to digitalisation and access to justice could have been more gender responsive.

State Protocol for the Treatment of Sexual Violence Cases

Based on international standards, this Protocol establishes institutions' responsibilities "for identification, protection, treatment, documentation, referral, sustainable empowerment, and reintegration of victims/survivors of sexual assault and violence".[141] It does not address sexual violence online, such as image-based sexual harassment, as the Protocol is based on the existing legal framework on gender-based violence. Kosovo's legal framework would need to include regulation of gender-based cyberviolence, image-based sexual abuse, "sexting", and sexual harassment online for the Protocol to treat these. Meanwhile, the Protocol foresees provision of

[138] Ibid., p. 23.

[139] Ibid., Action Plan, provided to KWN by the Ministry of Justice, 2022, Measure: "Improving Access to Justice of Vulnerable Categories".

[140] Ibid.

[141] Republic of Kosovo, Government, State Protocol for Treatment of Sexual Violence Cases, Decision no. 11/109, 2022, p. 6.

services like counselling via telephone and online.[142] Generally, the Protocol is **gender responsive**, seeking to respond to victims/survivors' needs.

Standard Operating Procedures for Protection from Domestic Violence in Kosovo

The 2013 SOPs will require amending in line with the Istanbul Convention and new law on gender-based violence, among other legislation. SOPs do not address cyberviolence.[143] While they provide clear guidelines for responsible institutions in handling domestic violence cases, they do not address other forms of gender-based violence in line with the Istanbul Convention, including digital violence because they were drafted before the Istanbul Convention. Indirectly related to digitalisation, SOPs mention the free helpline under the Office for Protection and Assistance to Victims, which enables identification of victims and referrals to appropriate institutions. SOPs explain how victims can call police by phone. Generally, SOPs are **gender responsive**, attending to the needs of persons who have suffered violence. In amending SOPs, lawmakers could establish clear responsibilities for institutions to treat digital violence, including reporting, investigation, provision of protective measures, rehabilitation, and reintegration. SOPs also could establish digital tele-counselling and clear institutional responsibilities for secure electronic case and data management.

Kosovo Security Strategy 2022-2027

This Strategy notes that the Government "will invest in the field of cybersecurity, critical infrastructure, innovation and technology and capacity-building".[144] It mentions digital transformation as a key area of investment related to education, planning to review the vocational education and training (VET) available and to improve the quality of education on transferable, digital, entrepreneurial, and professional technical skills, according to labour market needs, digital trends, and the green transformation.[145] Efforts towards the digital transformation will focus on "promotion and investment in: people, infrastructure, innovation eco-system, public-private partnerships, digitalization of services, cyber security and membership in international organizations".[146] The Strategy plans to invest in human, financial, and infrastructure resources for early warning systems to prevent and manage crises in health, energy, and environment.

The Strategy does not refer to forms of cyberviolence or to gender. Its conceptualisation of national security does not attend to how diverse women

[142] Ibid., p. 106.

[143] Republic of Kosovo, Government, OPM, AGE, Standard Operation Procedures for Protection from Domestic Violence in Kosovo, 2013. SOPs also exist for addressing trafficking but KWN could not locate them online for analysis.

[144] Republic of Kosovo, Government, OPM, Kosovo Security Strategy 2022-2027, 2022, p. 12.

[145] Ibid., p. 15.

[146] Ibid., p. 18.

and men may perceive security differently and have different human security needs, including related to threats arising from the digital transformation.[147] While national security focuses on the security of the state and its borders, human security emphasises the security of the individual and non-military threats such as social, economic, and environmental security.[148] It is unclear whether the Strategy involved adequate public consultations, including with AGE, GEOs, and WCSOs. Nor does it seem that the Strategy underwent a G(E)IA. The Strategy is **gender neutral**.

The Strategy states that the Secretariat of the Kosovo Security Council has the responsibility to draft an annual report on the Strategy's implementation. The Secretariat should develop "a detailed matrix for monitoring the implementation of this strategy three months following its approval".[149] While the Strategy was adopted in October 2022, KWN could not find an Action Plan published yet. Therefore, the gender-responsiveness of outcomes, indicators, baselines, targets, and budget could not be assessed. The matrix, or any future Action Plan, could include an improved gender perspective in objectives, indicators, baselines, targets, measures, and budget, including in the chapter on digital transformation and cyberviolence.

Kosovo Cyber Security Strategy 2023-2027

This Strategy aims to improve the security and resilience of national infrastructure and services.[150] It emphasises a "clear cyber security skills gap reported in Kosovo's public administration in terms of the shortage of qualified human resources to work in this field, and the gender gap in this area is even more obvious".[151] An objective seeks to "Promote cyber-security awareness and a cyber-security culture in Kosovo" by establishing a Science, Technology, Engineering, and Mathematics (STEM) education programme in schools, including cybersecurity components that inspire more girls to choose cybersecurity as a career. The Strategy considers this "a high priority as it easily doubles the existing workforce".[152] However, this is not reflected in the Action Plan's objectives. For instance, "Recruitment of the Cyber Security

[147] KWN has found that diverse women define security in different ways, including wellbeing, street safety, and safety from gender-based violence (see KWN, A Seat at the Table, 2021).

[148] S. N. MacFarlane and Y. F. Khong, *Human security and the UN: a critical history*, Indiana University Press: 2006, p. xii.

[149] Republic of Kosovo, Government, OPM, Republic of Kosovo, Government, MIA, Kosovo Cyber Security Strategy 2023-2027, 2023..

[150] Republic of Kosovo, Government, MIA, Kosovo Cyber Security Strategy 2023-2027, 2023, p. 9.

[151] Ibid., Action Plan, p. 30.

[152] Ibid., p. 30.

Agency staff" could have foreseen use of affirmative measures in line with the Law on Gender Equality.

In its Action Plan, a specific objective seeks to strengthen the national Computer Emergency Response Team and cyber-incident response capacities. The Strategy plans to create a manual for managing cybersecurity incidents and a "common platform regarding cyber security threats, incidents and vulnerabilities".[153] It could have referred to a gender-responsive manual, including assisting cases of gender-based cyberviolence, which requires a victim-centred approach. Related to the planned platform, the Strategy does not define what is meant by "vulnerabilities".[154] The platform could collect gender-disaggregated data of persons using it, ensure confidentiality, safeguard ethical standards, protect data, and ensure a user-friendly approach, inclusive of referral mechanisms through which users can file cases.

Another strategic objective plans to further cybersecurity awareness including via "awareness-raising campaigns for various government departments, critical infrastructure, private sector and civil society". Campaigns seek to inform the public about "cyber and hybrid attacks (disinformation and psychological warfare)", advise parents on internet security, train teachers to protect children on the internet, educate students, and train police on cybersecurity. None of the objectives and indicators refers to gender. Awareness-raising could seek to transform gender norms through messaging and images, as well as include attention to gender-based cyberviolence. A clear budget does not exist for all awareness-raising objectives, which could hamper implementation. Exceptionally, activities under MESTI have planned budget allocations.

The only gender-mainstreamed objective is establishing a STEM programme in schools and education in cybersecurity "to introduce more girls into cyber security professions". Corresponding indicators include the number of girls attending STEM programmes and awarded scholarships in STEM programmes.[155] Objectives include "organizing activities that promote the engagement of girls in cybersecurity; organization of hacking courses for girls through schools; [and] supporting students with scholarships for STEM areas (€1,000 scholarship for one student)". The indicator on scholarships for all students is not gender disaggregated. Most of the Strategy does not specify a budget; where it is stated, the planned budget is often vague and apparently insufficient. For instance, for "student information

[153] Ibid., Action Plan, 1.4.5 and I.4.7, respectively.

[154] Ibid., Objective 1.4.7.

[155] Ibid., II.4.

and awareness-raising sessions", MESTI has planned €500 per year from 2023 to 2026. Given the complexity of cybersecurity and the size of Kosovo's student body, likely more resources and an institutionalised approach are required, such as including this in the permanent curricula. The Strategy is **gender responsive** in that one objective and its indicators refer to furthering gender equality. However, gender-based cyberviolence is not included explicitly in the Strategy, and gender-related perceptions on security issues are not addressed. The Strategy could be more gender responsive related to several objectives, indicators, baselines, targets, and its budget allocations, identifying responsible institutions.

Governance

This section examines the Governance dimension as it pertains to the rule of law sector. According to the EC, Kosovo remains at an "early stage in developing a well-functioning judicial system; while some progress was made, the overall administration of justice continues to be slow, inefficient and vulnerable to undue influence".[156] Kosovo faces several challenges to establishing the rule of law, which negatively affect people and their trust in institutions.[157] Access to justice is challenging, particularly for vulnerable groups like women, children, the elderly, persons with disabilities, LGBTQI+ persons, and ethnic minorities.[158] The EC has observed that Kosovo needs to do more to guarantee the rights of ethnic minorities and to ensure gender equality in practice.[159] Insufficient financing, information, infrastructure, and trust in the system contribute to these challenges.[160] Gender-based domestic violence remains widespread and justice unsatisfactory.[161] The EC has called for the Government to accelerate actions to "reduce the backlog of cases based on a revised plan supported by a digitalisation strategy", including ensuring that judges, prosecutors, and staff use CMIS systemically for automatic case assignment.[162] Thus, digitalisation has been foreseen as a catalyst for improving gender-responsive rule of law and access to justice.

The Government and independent institutions have responsibilities in the rule of law sector, including KP, the prosecution, the Forensic Medical Institute, and courts. This section discusses their respective legal responsibilities for gender-responsive digitalisation of the rule of law sector, where these exist. For each institution, the section examines diverse women and men's

[156] EC, Kosovo Report 2022, p. 6.

[157] Republic of Kosovo, Government, Ministry of Justice, Strategy on the Rule of Law 2021-2026, 2021, p. 6.

[158] Ibid., p. 22.

[159] EC, Kosovo Report 2022, p. 5.

[160] Republic of Kosovo, Government, Ministry of Justice, Strategy on the Rule of Law 2021-2026, 2021, p. 25.

[161] Ibid., p. 22.

[162] EC, Kosovo Report 2022, p. 18.

participation in leading, planning, implementing, coordinating, monitoring, and evaluating policies and programmes related to digitalising rule of law, as well as their capabilities in using gender-responsive digital solutions and addressing cybercrime. It discusses the gender responsiveness of available digital public services, funding, and procurement under each institution.

Government

Ministry of Justice

This Ministry is responsible for **leading, coordinating, monitoring, and evaluating** progress on establishing rule of law and access to justice.[163] Its mission is to ensure an efficient, independent, and impartial judicial and prosecutorial system, which is safe and equal for all citizens.[164] The Ministry commits to ensuring professional treatment of detainees, sentenced prisoners, victims of violence, victims of trafficking, and protected witnesses. It has responsibilities for improving the institutional response to gender-based violence and furthering gender equality, including by "enhancing access to justice for affected individuals and groups".[165]

Currently, 108 women (49%) and 113 men (51%) work in the Ministry, while 17 women (47%) and 19 men (53%) hold decision-making positions. Thus, the Ministry is rather gender balanced. In 2023, the Minister was a woman who prioritised efforts to address gender-based violence.[166] Several laws and policies drafted under this Government have sought to address gender-based violence, including shortcomings in the legal framework. Meanwhile, the GEO in the Ministry of Justice has tended to be excluded when officials design laws, policies, or strategies related to digitalisation.[167] This may have contributed to the prevalence of gender-neutral laws and policies. In terms of coordination and participation in policymaking, officials in the Ministry highlighted the need for GEOs to be members of working groups drafting new legislation.[168]

The Minister of Justice is responsible for **coordinating** efforts to address gender-based violence, which theoretically includes gender-based cyberviolence. The Inter-Ministerial Coordination Group against Domestic Violence,[169]

[163] Republic of Kosovo, Government, Ministry of Justice, Strategy on Rule of Law 2021-2026, p. 41.

[164] Republic of Kosovo, Government, Ministry of Justice, "Role and Mission", accessed 24 August 2023.

[165] Republic of Kosovo, Government, Ministry of Justice, Strategy on Rule of Law 2021-2026, Action Plan, Chapter III.

[166] As evidenced by several laws and policies adopted and being drafted, the reactivation of the Inter-ministerial Coordination Group against Domestic Violence, and several statements that she has made in media.

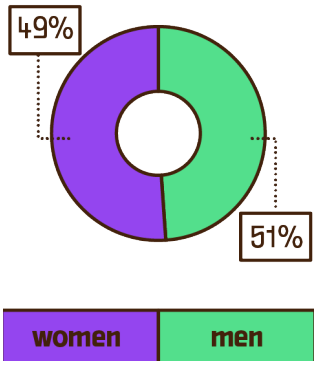
[167] KWN interview, 2021.

[168] KWN interviews, 2021.

[169] Republic of Kosovo, Government, Ministry of Justice, National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2022, p. 21.

led by the Minister of Justice,[170] could coordinate addressing gender-based cybercrimes. The functioning of this body has varied, dependent on the National Coordinator position being filled.[171] In times of political instability, the position has been left vacant and coordination has not been continuous. Nor has the body dealt with coordinating institutional efforts to address gender-based cyberviolence yet.[172] The legal framework has been vague regarding interinstitutional coordination, including related to gender-based cyberviolence and cybercrime. The 2023 Law on Prevention and Protection from Domestic Violence, Violence against Women, and Gender-based Violence has specified the responsibilities of the Inter-Ministerial Coordination Group against Domestic Violence, Violence against Women and Gender-based Violence, though gender-based cyberviolence and cybercrime are not explicitly mentioned among its responsibilities.[173]

Currently, 108 women and 113 men work in the Ministry of Justice.



The Rule of Law Strategy 2021-2025 does not include any action on cybersecurity, apart from foreseeing that the Academy of Justice comply with the needs of the justice system, including training.[174] Nor do the newly approved Kosovo Security Strategy 2022-2027 or Cyber Security Strategy include responsibilities for the Ministry of Justice related to gender-based cybersecurity. These strategies need to reference each other and articulate how they intersect to contribute to the rule of law, including related to digitalisation. All should have specified clearer institutional responsibilities for addressing gender-based cybercrime.

Towards furthering **capabilities**, the Ministry of Justice, among other institutions, should have created "special training programs" for personnel towards addressing cybercrime as it pertains to their competencies.[175] This was foreseen in the old law on the prevention and fight of cybercrime, though KWN could not find publicly available information as to whether it had been completed. The need for special training seems not to have been reiterated in the Law on Cyber Security.

Regarding **public services**, the Ministry of Justice has a functional, updated website in Albanian, English, and Serbian languages.[176] The language used is gender neutral. The images are gender responsive, generally illustrating

[170] Republic of Kosovo, Assembly, Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence against Women and Gender-Based Violence, 2023, Article 13.

[171] KWN, From Laws to Action, 2021, p. 68.

[172] KWN observations from attending meetings.

[173] Republic of Kosovo, Assembly, Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence against Women and Gender-Based Violence, 2023, Article 15.

[174] Republic of Kosovo, Government, Ministry of Justice, Strategy on Rule of Law 2021-2026, Action Plan, Chapter I, (I.3).

[175] Republic of Kosovo, Assembly, Law No. 03/L-166 on Prevention and Fight of the Cyber Crime, 2010, Article 7, "Special trainings and programs". Other responsible institutions include MIA, the Ministry of Transport and Communications, the Ministry of Public Services, and Kosovo Intelligence Services.

[176] Republic of Kosovo, Ministry of Justice, website, accessed 20 November 2023.

a gender balance of women and men in various meetings, facilitated by the fact that the Minister is a woman. Information on legislation, departments, and news is available. The Ministry does not offer any digital public services. No options exist for communicating with or providing input to the Ministry. Rather, the Ministry links users to the eKosova platform and the Public Consultation Platform, managed by the OPM's Office of Good Governance. The Ministry plans to launch digital public services, using the eKosova portal.[177] Digitalised services are planned for applying for the bar exam and to become a notary, private executor, mediator, and judicial expert.[178] Digitalisation of these services is part of Government efforts to reduce administrative burden.[179] According to the Ministry, they have conducted analyses to inform the digitising of processes towards addressing obstacles citizens have faced.[180] It is unclear from publicly available information whether these analyses included ex-ante gender impact analysis to ensure reforms address diverse women and men's needs.

According to the old Law on cybersecurity, the Ministry of Justice should have organised information campaigns about cybercrime.[181] "This is not within our domain," a Ministry of Justice official said, emphasising that this responsibility belongs to MIA and KP.[182] As officials seemed unaware of this responsibility, this action was not undertaken, let alone inclusive of gender-responsive communications. Under the new Law, this is no longer part of the Ministry's duties.

In terms of **funding and budget**, the Ministry of Justice does not have any information published on its website. The MTEF does not have any information related to gender-responsive budgeting for this Ministry.[183] The Ministry's website has a category for job vacancies. Of 27 job advertisements analysed by KWN in August 2023, only one (4%) was written in such a way that the language encouraged both men and women to apply.[184] However, 24 (89%) had a statement that encouraged either both genders or the underrepresented gender to apply. Tender dossiers on **e-procurement** did not contain any statement that encouraged businesses owned by underrepresented genders

[177] Republic of Kosovo, Ministry of Justice, News: "Së shpejti fillon digjitalizimi i shërbimeve që ofron Ministria e Drejtësisë" [Digitalisation of services offered by the Ministry of Justices will start soon] [in Albanian], 12 May 2023, accessed 2 December 2023.

[178] Ibid.

[179] Ibid. Approved by the Government, these efforts are supported by the EU and the Federal Ministry for Economic Cooperation and Development of Germany, implemented by GIZ, as part of the Project for European Reforms in Kosovo.

[180] Ibid.

[181] Republic of Kosovo, Assembly, Law No. 03/L-166 on Prevention and Fight of the Cyber Crime, 2010, Article 7, 2010.

[182] KWN interview, 2021.

[183] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[184] Republic of Kosovo, Ministry of Justice, "Contests", accessed 28 August 2023.

to apply. Nor did they include affirmative measures for companies working to further gender equality internally.

Legal Aid Offices

Legal Aid Offices function under the Ministry of Justice. They seek to provide access to justice for citizens with insufficient financial means.[185] The Office of the Executive Director in Prishtina/Priština serves as the secretariat for the Agency for Free Legal Aid. It is responsible for administering the legal aid system, supervising free legal aid regional offices, and supervising the performance of all staff employed in the legal aid system.[186] Citizens who fulfil the legal criteria have the right to free legal aid regardless of gender identity or sexual orientation.[187] The Law on Free Legal Aid specifies that the proposal, election procedures, and selection of Council members must ensure "gender and ethnic representation".[188] Digitalisation is not mentioned among offices' responsibilities, though digital solutions could facilitate case management. Regarding **participation**, 19 women (59%) and 13 men (41%) work in the Agency for Free Legal Aid. Both the Chief of Central Administration and the IT Officer in the central office are men.

The AI Now Institute has observed, "The people most at risk of harm from AI systems are often those least able to contest the outcomes".[189] They have called for increased support for legal aid, which can offer protection for those most at risk of losing access to social services due to AI. Legal aid officers would thus require **capabilities** for understanding AI, its risks for diverse women and men, and how to defend people in such cases. Officers also need knowledge for treating gender-based cybercrime and cyberviolence. Aside from training for administrative staff, no training has been provided for digitalisation, digital skills, or gender equality.[190] This could hinder officers' ability to provide support to cases of gender-based cybercrime. The Agency has treated very few cases of gender-based cyberviolence.

Regarding online **public services**, the Agency for Free Legal Aid provides information online about its services, including contact information for its regional offices. People can apply for free legal aid via the Agency's official email.[191]

[185] Republic of Kosovo, Assembly, Law No. 04/L-017 on Free Legal Aid, 2012, Article 1.

[186] Republic of Kosovo, Ministry of Justice, Free Legal Aid Agency, "Center Office", 2020, accessed 8 December 2023.

[187] Republic of Kosovo, Assembly, Law No. 04/L-017 on Free Legal Aid, articles 3, 4, and 25.

[188] Ibid., Article 12.

[189] AI Now Institute, "The AI Now Report", 2018, p. 6.

[190] KWN correspondence with the Free Legal Aid Agency, September 2023.

[191] Ibid.

Regarding **funding**, the Agency for Free Legal Aid does not have gender-disaggregated data in its MTEF.[192] Its website does not contain information regarding **procurement**. The Agency has an **e-procurement** account, but nothing was published there.[193]

Ministry of Internal Affairs

In addition to the responsibilities outlined in the prior chapter, MIA is responsible for ensuring the rule of law and public safety. This includes **leading**, **coordinating**, **monitoring**, and **evaluating** the drafting and implementation of policies on cybersecurity, weapons, migration, reintegration of repatriated persons, and the integration of foreigners. In 2023, MIA had a rather gender-balanced staff with 156 women (49%) and 164 men (51%), totalling 320 employees.[194] Meanwhile, inequality grew in decision-making positions in 2023, with 25 women (38%) and 41 men (62%) serving in these 66 positions, compared to 28 women (41%) and 41 men (59%) in 2022. The Ministry has 17 departments, including the Department for Cyber Security and Systems Administration. This Department is responsible for preparing and supervising the implementation of cybersecurity policies at the national level, as well as for coordinating cybersecurity, including activities needed in case of cyber incidents in public and private institutions.[195] This Department has four divisions for Cyber Security, Security and Systems Administration, Administration of Applications and Databases, and Users Support. Their responsibilities are not listed online. Meanwhile, none of the responsibilities enlisted under the Department includes anything related to gender equality. The head of this Department is a man, and all division heads are men.

The former National Strategy on Cybersecurity 2016-2019 foresaw creating a **National Cyber Security Council**, an independent advisory body, composed of high-level representatives from the Government, law institutions, public/private organisations, and the scientific community.[196] This Council includes representatives from MIA, KP, Kosovo Forensic Agency, Ministry of Security Forces, Kosovo Intelligence Agency, AIS, Kosovo Security Council, Ministry of Justice, Prosecutorial Council of Kosovo, Judicial Council of Kosovo, Ministry of Finance, Kosovo Customs, MEST, Ministry of Foreign Affairs, Regulatory Authority for Electronic and Postal Communications, and the Central Bank of Kosovo.[197] In special cases, it may include officials from ministries, agencies, and other institutions. No evidence exists that AGE was ever included in Council meetings. The last meeting seems to have taken place in 2021, and

[192] Republic of Kosovo, Agency for Free Legal Aid, Korniza Afatmesme E Shpenzimeve 2023-2025 [MTEF 2023-2025] [in Albanian], ND, accessed 11 December 2023.

[193] As of 1 December 2023.

[194] Correspondence with MIA, September 2023.

[195] Republic of Kosovo, MIA, "Department for Cyber Security and Systems Administration", accessed 20 November 2023.

[196] Republic of Kosovo, Government, MIA, National Strategy on Cyber Security and its Action Plan 2016-2019 [in Albanian], 2015.

[197] Ibid., p. 23.

the Council has not functioned since.[198] The 2016-2019 Strategy foresaw establishing a National Coordinator on Cybersecurity; the position apparently has remained vacant since 2021 when the last meeting seems to have been held.[199]

The new Law on Cyber Security foresees continuation of the National Cyber Security Council, stating that it is responsible for improving coordination among public institutions responsible for cybersecurity, and among public and private sectors; also it should facilitate decision-making by "analysing, studying and proposing initiatives at national and international level."[200] The new Law states that the head of the Council is the Minister of MIA "or his delegate who is ex officio the National Coordinator for Cyber Security".[201] The language used implies that the Minister will always be male. As the Council has not met since 2021 according to publicly available information,[202] it is unknown whether the Council still exists.

MIA also oversees the new CSA.[203] The Agency's Executive Director reports to the Minister of MIA and informs the General Secretary of MIA.[204] As these bodies are relatively new, minimal public information was available about them.[205]

Related to digitalisation, the Department of Public Safety is responsible for leading and coordinating policies on weapons, including reviewing gun ownership applications and managing databases on small arms and explosives (i.e., Small Arms Control [SACON] and Explosive Control [EXPLOCON] databases).[206] In addition to the Law on Weapons, amended in 2015,[207] MIA leads and coordinates implementation of the WB Roadmap to combat the illegal possession, misuse, and trafficking of small arms and light weapons. The Roadmap outlines goals to be achieved by 2024, including addressing

[198] Kosovar Institute for Policy Research and Development (KIPRED) and Geneva Center for Security Sector Governance, Qeverisja e Mirë në Sigurinë Kibernetike në Kosovë: Forcimi i themeleve dhe i institucioneve të reja [Good Governance in Cybersecurity in Kosovo: Strengthening the foundations and new institutions] [in Albanian], 2022, p. 6.

[199] Republic of Kosovo, MIA, "Mbahet takimi i Këshillit Shtetëror për Siguri Kibernetike" [The Meeting of the National Council on Cyber security is held] [in Albanian], 1 March 2021.

[200] Republic of Kosovo, Assembly, Law No. 08/L-173 on Cybersecurity, 2023, Article 20, Paragraph 4.

[201] Ibid., Paragraph 6.

[202] Republic of Kosovo, MIA, "Mbahet takimi i Këshillit Shtetëror për Siguri Kibernetike" [The Meeting of the National Council on Cyber Security is held] [in Albanian], 1 March 2021.

[203] Republic of Kosovo, Assembly, Law No. 08/L-173 on Cybersecurity, 2023, Article 12, "Establishment and Status of the Cyber Security Agency".

[204] Ibid., Article 14.

[205] KWN requested further information from MIA but did not receive a response.

[206] These databases are mentioned in the Republic of Kosovo, Government, MIA, Small Arms, Light Weapons and Explosive Control Strategy and Action Plan 2017-2021, 2016.

[207] Republic of Kosovo, Assembly, Law No. 05/L-022 on Weapons, 2015. This Law does not reference digitalisation.

the misuse of arms in violence against women and gender-based violence.[208] It calls for evidence-based policies to address emerging threats from technological advancement in small arms production and management. New technology can affect the marking, record-keeping, and tracing of small arms, hindering their traceability and consequently the accountability of perpetrators.[209] While no evidence exists of such technologies being used in Kosovo yet, MIA would be responsible for preventing misuse of technology related to arms. This could be important for preventing gender-based criminal acts involving arms.

Within MIA the Firearms Focal Point (FFP), regulated by EU and regional instruments, should enhance MIA's **capabilities** to identify and address arms-related gender-based violence. The FFP should provide "an integrated tactical and strategic intelligence service that informs and supports law enforcement agencies" to combat arms-related crimes more effectively.[210] Each arms-related incident or crime should be reported to the FFP, with data disaggregated by gender, age, and ethnicity of the individuals involved.[211] Additionally, KP should apply "Cyber Patrol" to detect and prevent online trading of prohibited weapons.[212]

KWN found no evidence that MIA had capabilities to include a gender perspective in digitalisation processes. Positions in the new Cyber Security Agency remain vacant, and National Cyber Security Council remains dysfunctional. There is no evidence that the Agency consulted gender equality mechanisms or that the National Cyber Security Council ever discussed gender aspects of cyberviolence in its meetings. Vacant positions contribute to weak capacities and delayed actions in addressing cybercrime in general, let alone from a gender perspective.

Related to **digital public services**, the MIA website offers the option of requesting access to official data unavailable online. Requests can be directed to the official responsible for access to public documents, after filling in the request form with personal data. Gender/sex is not required in this form, though it could be useful for tracking the number of women and men requesting access to data. MIA does not provide any other online services; it links users to the eKosova platform. The language on the website is gender negative, using masculine nouns, especially in job vacancies. For example, in the Albanian language, the "Services for foreigners" option for "*Regjistrimi i*

[208] South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), "Roadmap for a Sustainable Solution to the Illegal Possession, Misuse and Trafficking of Small Arms and Light Weapons (SALW) and Their Ammunition in the Western Balkans by 2024", 2019.

[209] United Nations Office for Disarmament Affairs (UNODA), "Small arms: New technologies", accessed 7 November 2023.

[210] SEESAC, "Guidelines on Establishing a Firearms Focal Point", 2016, p. 10.

[211] Ibid.

[212] Republic of Kosovo, Government, MIA, Small Arms, Light Weapons and Explosive Control Strategy and Action Plan 2017 – 2021, 2016.

aplikantit si anëtar i familjes" [Registration of applicant as a family member] suggests that the child is a boy (Figure 7).[213] Images also are rather gender negative.

MIA's online awareness campaigns have focused on reducing the misuse of arms at festive events. The campaign titled "*Festo me zemër, jo me armë!*" [Celebrate with your heart, not with your gun] recurs during summer and winter holidays through social media platforms like YouTube.[214] KWN found no evidence of MIA conducting any other digital awareness-raising campaigns on the misuse of arms, such as related to gender-based violence. MIA has not cooperated with KWN on awareness-raising initiatives, though it mentions KWN in the Strategy and Action Plan on Weapons 2017-2021.[215]

Figure 7. MIA Website Language Suggests Registration of Boys

The CSA has a budget line within MIA's budget.[216] In terms of **funding**, MIA does not have any information published on its website. The MTEF does not have any information related to gender-responsive budgeting for MIA.[217] The MIA website displays job vacancies. Of 12 job advertisements analysed by KWN in August 2023, none of the positions was described in such a way as to infer that both men and women can apply.[218] However, 11 (92%) had a statement that either encouraged both genders or the underrepresented gender to apply. Tender dossiers on **e-procurement** do not contain any statement encouraging businesses owned by underrepresented genders to apply. Nor do they provide for affirmative measures for companies working to further gender equality internally.

Ministry of Defense and Kosovo Security Force

The Ministry of Defense is responsible for **leading**, **coordinating**, and **monitoring** the development and **implementation** of state defence policies, in accordance with the Constitution and applicable legislation. It is also responsible for administering, monitoring, and developing policies and strategic plans related to the Kosovo Security Force (KSF).[219] The Ministry

[213] Republic of Kosovo, MIA, "Services for foreigners", website, accessed 1 December 2023.

[214] MIA, Festo Me Zemër, Jo Me Armë! [*Celebrate with your heart, not your gun*], 2023

[215] Republic of Kosovo, Government, MIA, Small Arms, Light Weapons and Explosive Control Strategy and Action Plan 2017-2021, 2016. It states: "cooperation with Kosovo Women's Network, because women are victims of weapons, whereas the data in public opinion surveys (2015) indicate that women 'support to hold a weapon at home'".

[216] Republic of Kosovo, Assembly, Law No. 08/L-173 on Cyber Security, 2023, Article 19.

[217] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, accessed 4 September 2023.

[218] Republic of Kosovo, MIA, "Vacancies", accessed 4 September 2023.

[219] Republic of Kosovo, Assembly, Law No. 06/L-122 on Ministry of Defense, 2019.

includes civil servants and KSF.[220] The Draft Kosovo Defence Strategy includes cyberattacks as a threat to Kosovo's security.[221]

Historically, the Ministry and KSF have been associated with men, and women have been underrepresented. In 2018, women accounted for only 6% of KSF staff.[222] As of June 2023, women in KSF had increased slightly to 9%; civil staff were 17% women and 83% men.[223] Women from non-majority ethnic groups are fewer in numbers than their male counterparts. Of 62 active Bosnian military staff, 10 were women (16%). Four of 24 Serbs were women (16%) in KSF, whereas of 53 Turks, eight were women (15%). Roma, Egyptian, Ashkali, and Gorani women are among the military staff.[224]

Military procedures for personnel include three levels of alarms, requiring them to report to their duty stations within three hours. These alarms range from routine to high-risk and are transmitted via SMS to the mobile phones of military members.[225] The cybersecurity sector has its own system to detect anything uncommon in the network.[226] Other digital services, particularly regarding early warning systems for potential violence, conflict, or other emergencies do not exist.[227] Future development of early warning systems could involve ex-ante gender analysis to identify gender-responsive measures needed as part of digital solutions to prevention of, protection from, and response to conflict.

Regarding **capacities**, the Draft Kosovo Defence Strategy has foreseen developing the State Cyber Security Training Centre, responsible for professional training in cybersecurity for all public institutions.[228] The Ministry of Defense should develop and manage education and training policies for civil servants and KSF. The 2020 administrative instruction on education and training provides an overview of training and education courses. According to this Instruction, General Compulsory Military Training is the only training that has integrated and deemed cyber defence a special field of interest. The military should have obligatory training on cybersecurity, provided annually.[229] Training on cybersecurity is organised quarterly for Ministry staff. The

[220] Ibid.

[221] Republic of Kosovo, Government, OPM, Strategjia e Mbrojtjes draft [Kosovo Defence Strategy], accessed 25 August 2023.

[222] Republic of Kosovo, Government, Ministry of Defense, Policy on Human Rights and Gender Parity in Ministry of Defense and Kosovo Security Force, 2019, p. 13.

[223] KWN correspondence with the Ministry of Defense, 2023.

[224] Ibid.

[225] KWN interview, 2023.

[226] KWN interview, 2023

[227] KWN interview, 2023.

[228] Republic of Kosovo, Government, OPM, Strategjia e Mbrojtjes draft [Kosovo Defence Strategy], accessed on 25 August 2023.

[229] Ibid., p. 14.

training content does not include a gender perspective as officials considered it irrelevant.[230]

Within the Ministry of Defense and KSF, the **State Cyber Security Training Centre** has been established, providing training for all institutions and the private sector related to cybersecurity. In cooperation with CSA, the Centre determines the format of specialised programmes for training and certification of personnel engaged in cybersecurity.[231] The current working group responsible for developing the curriculum is predominantly male, with only six or seven women among the 30 participants.[232] The curriculum is not expected to entail any gender perspective, such as attention to gender-based cyberviolence.[233] Generally, the Ministry prioritises cybersecurity within the framework of national security, rather than human security.

In 2021, the Ministry and KSF cooperated with the National Guard of Iowa to organise capacity-building on cybersecurity for KSF. The training focused on fighting cyber-attacks and compiling a workplan for future cooperation. KWN did not have access to the participant list or to information as to whether the training involved a gender-responsive approach to addressing cyber-attacks. A review of pictures shared by the Ministry suggests that the group was primarily male.[234] Considering that men are overrepresented within the Ministry and KSF, such an imbalance would not be surprising.

The Ministry has a functional, frequently updated website available in Albanian, English, and Serbian languages. It provides news and information about the Ministry and its departments, legislation, and announcements.[235] No **public services** are offered online, but the website has links to the public consultation platform and the Agency for Prevention of Corruption. The language on the website uses masculine nouns only and thus is gender negative. Most images display men, reinforcing gender stereotypes that security is a male field.

In terms of **funding**, the Ministry of Defense published no information on its website. The MTEF does not contain any information related to gender-responsive budgeting for the Ministry of Defense.[236] The website has a category for job vacancies.[237] Of 22 job advertisements analysed by KWN in August

[230] KWN interview, 2023.

[231] KWN interview, 2023; see also OPM, Strategjia e Mbrojtjes draft [Kosovo Defence Strategy].

[232] KWN interview, August 2023.

[233] Ibid.

[234] Ministria e Mbrojtjes e Republikës së Kosovës [Ministry of Defense of the Republic of Kosovo], Official Facebook page, 2021, accessed 25 August 2023.

[235] Republic of Kosovo, Ministry of Defense, website, 2023, accessed 26 November 2023.

[236] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, accessed 4 September 2023.

[237] Republic of Kosovo, Ministry of Defense, website, Announcement / Jobs / Competitions, accessed 29 November 2023.

2023, no position was written in a way that would infer that both men and women could apply. However, all job openings had a statement encouraging both genders or the underrepresented gender to apply. Tender dossiers for **e-procurement** on the Ministry's website did not contain any statement that encouraged businesses owned by underrepresented genders to apply.[238] Nor did it provide for affirmative measures for companies working to further gender equality internally.

Anti-Corruption Agency

ACA is an independent, specialised body responsible for implementing policies towards preventing corruption.[239] Its scope of work includes imposing measures and sanctions to prevent corruption, strengthening "institutional integrity and transparency", and monitoring implementation of the Strategy.[240] Its responsibilities include educating the public administration and citizens about the legal framework and current anti-corruption mechanisms, as well as developing staff's professional capacities.[241] None of ACA's responsibilities is gender-responsive.[242]

Regarding **capabilities**, amid COVID-19, most training in 2021 was delivered online. A training organised in December 2021 was on "Addressing Gender Discrimination in the Workplace – Implementing the policy against sexual harassment in public administration bodies by KIPA".[243] No information was available regarding any training provided related to digitalisation or gender-responsive digitalisation.[244]

After COVID-19, in 2022 ACA made digitalisation of services "a priority" to provide activities and services "without physical presence", thereby also reducing costs.[245] Now, as a **digital public service**, citizens have several ways to report suspected corruption: via the free hotline 0800 10 800, mail, and e-mail using an online form.[246] The digital form does not request the gender of the person reporting or accused, so such information cannot be tracked.

In 2022, ACA established an Electronic Platform for Data Management, which enables online submission of asset declarations, management of asset control cases, handling of investigations, and managing conflict-of-interest cases.[247] Some of the data received by ACA is sensitive. In terms of data **protection** and

[238] Republic of Kosovo, Ministry of Defense, "Tenders", accessed 4 September 2023.

[239] Republic of Kosovo, Assembly, Law No. 08/L-017 on the Agency for Prevention of Corruption, 2022, Article 4, "Status and organizational structure of the Agency".

[240] Ibid., Article 2.

[241] The Agency for Prevention of Corruption, "Agency Strategy", accessed 24 August 2023.

[242] See the prior section on Regulation.

[243] Republic of Kosovo, ACA, Annual Work Report 2021, 2022, p. 49.

[244] KWN requested this information but received no response.

[245] Republic of Kosovo, ACA, Annual Work Report 2021, 2022, p. 34.

[246] Ibid.

[247] Ibid, p. 28.

security involving data of "fundamental importance" such as the Agency's Electronic Platform for Data Management, ACA uses the "existing protection mechanisms of AIS", storing data in the National IT Center.[248] For non-sensitive data, ACA makes backups, but these are stored in the same location, which could pose a risk to data security.[249] ACA has not had any issues with data loss, but officials noted that "if such a thing were to happen, we have the capacity to recover lost data from previous backups."[250]

In March 2021, ACA introduced the Online Declaration Platform in its initial prototype for testing.[251] According to ACA, prior to this launch, AIS cybersecurity experts rigorously assessed its security measures. Approximately 20 officials from diverse institutions participated in online declarations during the testing.[252] The gender of officials was not published. Nor is it clear if the gender of the person reporting is tracked through this system. Such data would shed light on differences in reporting and thus transparency among women and men officials. Through the Online Declaration Platform and Registration System, electronic data storage has been established, as well as generation of wealth declaration records for all officials who have submitted their declarations during the reporting year.[253] These records are published on the Agency's website. They can be found by the name of the official working in public institutions (i.e., Government, Assembly, municipalities, public enterprises, independent institutions, and the Presidency) and by year. The ACA website provides statistics on the number of high-ranking officials obliged to declare their wealth (4,748); the number of officials who have declared their wealth as of 31 March 2022 (4,684); and the percentage of officials who have declared their wealth (98.7%). None of these statistics are gender disaggregated.

Towards preventing conflict of interest, in 2022 the Agency provided 63 responses (advice, recommendations, and clarifications) via email to institutions and public officials.[254] No publicly available gender-disaggregated summary data on officials who sought advice from ACA could be found. Generally, ACA does not provide gender-disaggregated data in its reports, such as on the number of cases treated concerning the right to access public documents, the number of whistleblowing cases, officials who have or have not declared their wealth, or corruption cases related to public procurement. Such data could facilitate gender analysis and understanding on the extent to which diverse women and men officials tended to be transparent or possibly engaged in corruption.

[248] KWN correspondence with ACA, October 2023.

[249] Ibid.

[250] Ibid.

[251] Republic of Kosovo, ACA, Annual Work Report 2021, 2022, p. 28. UNDP provided financial support.

[252] Ibid.

[253] Republic of Kosovo, ACA, Annual Work Report 2022, 2023, p. 12.

[254] Ibid., p. 32.

Since 2023, ACA has tracked the gender of individuals reporting corruption.[255] From January to September 2023, 18 women (24%) and 56 men (76%) reported corruption.[256] This suggests that men have used this digital public service more than women. While men may be in positions to witness corruption more because they tend to be overrepresented in decision-making processes, this also may suggest a need for further information-sharing directed at women, encouraging reporting. Given pre-existing power relations and gender norms, women may face more barriers than men in reporting corruption. On average, women's comparatively weaker socioeconomic position in terms of employment, property ownership, and risk of violence could affect women's decisions on whether to report corruption cases they witness.

ACA's awareness-raising activities have been conducted primarily on television.[257] With EU support, in 2022 ACA launched a public information campaign involving three televised spots, promoting the Agency's role in overseeing officials' wealth declarations, preventing conflict of interest, and investigating whistleblower reports.[258] KWN could not find these video spots online to analyse their content from a gender perspective.

In February 2022, the Agency launched a communication platform via Facebook.[259] ACA has videos available on its website, though no new ads have been posted since 2016. Its YouTube channel has not been updated since then either.[260] ACA has a tutorial on its website explaining the process for reporting corruption.[261] The video includes women and men. Regarding languages used, in 2022 ACA received recognition from the Office of the Commissioner for Languages for "Best Practices in Implementing the Law on Language Use". ACA was honoured for its outstanding performance in using the two official languages.[262]

Related to **funding**, ACA does not mention gender-responsive budgeting in its MTEF or annual budget documents.[263] The annex containing gender-responsive budgeting information, requested by MFLT in the budget circular, is not publicly accessible for review. Nor does ACA's Annual Work Report for 2022 mention gender-responsive budgeting.[264] ACA reported procuring several computers and Uninterruptible Power Supply (UPS) units in 2022.

[255] KWN correspondence with ACA, October 2023.

[256] Ibid.

[257] Republic of Kosovo, ACA, Annual Work Report 2022, 2023, p. 41.

[258] Ibid., p. 41.

[259] Ibid., p. 6.

[260] ACA, YouTube, "Agjencia Kundër Korrupsionit" [Agency against Corruption], accessed 21 November 2023.

[261] Republic of Kosovo, ACA, website, "Awareness of corruption: Video ads", accessed 21 September 2023.

[262] Republic of Kosovo, ACA, Annual Work Report 2022, 2023, p .6.

[263] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[264] Republic of Kosovo, ACA, Annual Work Report 2022, 2023, p. 51.

ACA's website features a subcategory dedicated to **procurement**, but it has not been updated since 2015.[265] Nor was any relevant information available on the Government's e-procurement portal that would enable gender analysis of procurement processes. The 2022 audit report of ACA did not mention gender-responsive budgeting or provide recommendations for its implementation.[266] This suggests that gender-responsive budgeting has not been implemented by ACA, including related to digitalisation.

Tax Administration of Kosovo

The Tax Administration of Kosovo (TAK) is an executive agency operating under the Ministry of Finance.[267] Digitalisation is a part of TAK's 2022-2026 Strategic Plan, which aims to "fully complete the development and progressive deployment of the new core tax administration information technology system", revise the system to address defects, maintain it, "support staff with the new technology and changed work processes", and "develop digital (online) services and interactions to make it easy for taxpayers to comply with their obligations".[268] Neither the TAK Strategic Plan nor its Work Plan for 2023 mentions gender-responsive digitalisation.[269]

The Main Application Maintenance and Support Division has worked on expanding and improving the Standard Integrated Government Tax Administration System (SIGTAS) application, "a comprehensive information system streamlining government tax and licensing administration through integrated modules",[270] as well as handling cases, preparing reports, and maintaining and improving SIGTAS modules. Systems administration activities have included infrastructure enhancement and support for ongoing projects, such as the Call Centre and the New IT System.[271] Currently, 262 women (33%) and 521 men (67%) comprise the TAK workforce.[272] No information exists regarding how many women and men work in decision-making positions.

In 2022 TAK held training for Tax Fraud in the Digital Environment,[273] but gender-disaggregated data on participants was not publicly available. Aside from the number of women and men employed, TAK does not provide any gender-disaggregated data in its work reports. While TAK generally collects gender-disaggregated data, research participants observed that the data is "all over the place", suggesting that it is gathered but not analysed in such a

[265] Republic of Kosovo, ACA, website, "Procurement Activities", accessed 9 October 2023.

[266] Republic of Kosovo, National Audit Office,[Audit report of the annual financial statements of the Anti-Corruption Agency for the year 2022] [in Albanian], 2023, accessed 9 October 2023.

[267] Republic of Kosovo, Assembly, Law No. 03/L-222 on Tax Administration and Procedures, 2010.

[268] Republic of Kosovo, TAK, Strategic Plan 2022-26, accessed 7 September 2023.

[269] Republic of Kosovo, TAK, Work Plan for 2023, 2022, accessed 7 September 2023.

[270] Sogema Technologies website, "About SIGTAS", accessed 9 October 2023.

[271] Republic of Kosovo, Government, MFLT, TAK, Work Report January – December 2022, 2023, pp. 79-80, accessed 8 September 2023.

[272] Ibid., p. 71.

[273] Ibid., p. 57.

way that it can inform policymaking and outreach. This suggests a need to streamline data management systems and to further capacities for utilising this data for gender analysis that can inform TAK's work. The fact that gender is not mentioned in TAK policies guiding digitalisation suggests that **capabilities** for considering gender may be limited.

Figure 8. Images on TAK Website for Digital Creativity Contest

Source: TAK website

The TAK website has **public e-services** including: eDi (electronic declaration), tax verification, salary calculator, report on purchases over €500, taxpayer search, purchase and sales book, verify employee registration, and tax forms (for download).[274] These forms do not contain fields for gender. TAK does not publish any information on the extent to which women and men use such services. In terms of outreach, in 2021 TAK organised a competition called "Digital Creativity Contest – How does tax fraud affect you, your school and your community?" for students enrolled in junior high schools.[275] Images portrayed a man alluding taxes and then paying taxes, whereas a woman performed secretarial duties related to taxes (Figure 8). While women may be more likely to perform such duties and men may be more likely to be in a position to evade taxes, such images could reinforce stereotypical gender roles.

Regarding **funding**, the MTEF does not explicitly discuss TAK, aside from growth in tax revenues collected.[276] Therefore, it does not include gender-responsive budgeting information for TAK. The audit report for TAK for 2022 does not mention gender-responsive budgeting.[277] The National Audit Office did not provide any recommendations to implement gender-responsive budgeting in TAK's financial practices. For **procurement**, TAK uses the Government's e-procurement system. Procurement notices do not contain statements or affirmative measures towards gender equality. These documents suggest that TAK has not implemented gender-responsive budgeting, including related to digitalisation.

Municipalities

Municipal **coordination** mechanisms have been established in 33 of 38 municipalities (87%) to coordinate the interinstitutional response to

[274] Republic of Kosovo, TAK, website, "Services - e-services", accessed 7 September 2023.

[275] Republic of Kosovo, TAK, website, "Garë kreativiteti digjital - Si ndikon mashtrimi me tatime te ju, në shkollën tuaj dhe komunitetin tuaj?" [Digital Creativity Contest - How does tax fraud affect you, your school and your community?] [in Albanian], accessed 8 September 2023.

[276] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[277] Republic of Kosovo, National Audit Office,[Audit report of the annual financial statements of the Tax Administration of Kosovo for the year 2022] [in Albanian], 2023, accessed 9 October 2023.

domestic violence cases.[278] Coordination mechanisms include representatives of the police, prosecution, courts, victim advocates, social workers, shelter representatives, healthcare providers, educators, employment offices, WCSOs, and, in some instances, municipal assembly members. Coordination mechanisms and justice institutions generally do not function in Kosovo's northern Serb-majority municipalities, where Serb and Roma women lack adequate access to justice.[279] Coordination mechanisms have used SOPs to guide their work.[280] Similar coordination bodies exist with SOPs for assisting persons who have suffered sex trafficking.[281] SOPs do not reflect current realities of gender-based cyberviolence,[282] and coordination mechanisms have lacked clear guidance on how to treat such cases. The new Law on gender-based violence has clarified their roles and responsibilities, but these do not address cyberviolence.[283] The Protocol for Treatment of Sexual Violence Cases guides coordination among local institutions in managing these cases.[284] However, coordination mechanisms still lack clear legal obligations for digital case management of all gender-based violence cases. They do not seem to have assisted any cases of gender-based cyberviolence yet, and they likely would require substantial **capacity-**building to identify and treat such cases.[285] AIS representatives have indicated that the technical savviness of local officials generally is low.[286] Coordination mechanisms thus may lack awareness related to gender-based cyberviolence and how to support victims. Insufficient legal clarity regarding roles and responsibilities has contributed to ad-hoc meetings and under**funding** for coordination mechanisms' work.[287]

Police

While police have multiple functions, this section focuses on crimes and enforcement related to digitalisation. The KP General Director establishes the internal organisational structure of KP, subject to approval by the Minister of Internal Affairs. With approval, the General Director may establish KP units to

[278] OSCE Mission in Kosovo, Guidelines for Effective Performance of Municipal Coordination Mechanisms Against Domestic Violence, 2023.

[279] KWN observations and discussions with WCSOs working in Mitrovica and northern Kosovo, 2021-2023.

[280] Republic of Kosovo, Government, OPM, AGE, Standard Operation Procedures for Protection from Domestic Violence in Kosovo, 2013.

[281] Likely for security reasons, these are not available online and thus could not be analysed related to digitalization and gender.

[282] See the Regulation section.

[283] Republic of Kosovo, Assembly, Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence against Women and Gender-Based Violence, 2023, Article 25.

[284] Republic of Kosovo, Government, State Protocol for Treatment of Sexual Violence Cases, Decision no. 11/109, 2022, II. Second section.

[285] KWN conversations with three shelters participating in eight coordination mechanisms, August 2023. They said that they had never discussed a case of digital gender-based violence in coordination mechanism meetings to date.

[286] KWN interview with AIS, 2021. Also, see Chapter 1.

[287] KWN discussions with coordination mechanisms and shelters, 2021-2023.

perform specific, temporary duties.[288] Within the Directorate for Investigation of Organised Crime is the Cybercrime Investigation Unit, which covers all of Kosovo.[289] The General Director should appoint a Data Protection Officer: a trusted KP Officer with specialised knowledge, tasked with supporting KP in ensuring that data protection rules are implemented.[290] KWN could not find any information about this position, its responsibilities, its work, or whether it had been established.

General confusion existed regarding the mandate and responsibilities of the Cybercrime Investigation Unit. KWN found no regulation or administrative instruction clearly stating the Unit's responsibilities.[291] When asked which legal framework was relevant to their competencies, Unit officers referred to the Criminal Code and CPC.[292] As noted, neither of these mentions cyber-violence or cybersecurity. More precisely, a Unit representative said they work on criminal cases "on intrusion into computer systems".[293] Online robberies, such as of data or finances, occur frequently, but they are not considered cybercrimes.[294] Officers stated that they do not deal with cases of cyberviolence affecting individual people, though they sometimes take child pornography cases.

Exchange of sexual content where children are involved is considered a criminal offence related to child pornography.[295] Actors noted that internet abuse affecting children is particularly concerning, especially pictures and videos exchanged online.[296] Often, such cases reportedly exceeded KP's jurisdiction, involving foreign users who abuse children's information online.[297] In such cases, KP has collaborated with international actors like the National Center for Missing and Exploited Children in the United States, which deals with disappearances and abuse of children,[298] including online images and

[288] Republic of Kosovo, Assembly, Law 04/L-076 on Police, 2012, Article 32, "Organization of the Police of Republic of Kosova", Paragraph 3.

[289] Republic of Kosovo, KP, website, "Departments" [in Albanian], accessed 22 November 2023.

[290] Government, MIA, KP, General Director of Kosovo Police, Administrative Instruction No. 04/2012 for Standards and Methods on Collection, Retention, Use and Removal of Personal Data for Police Purposes, 2021, Article 2.

[291] Republic of Kosovo, KP, website, "Internal Police Acts Regulations – Administrative Instructions", 2019.

[292] KWN interview with the Cybercrime Investigation Unit, KP, 2021.

[293] Ibid. This is in reference to Criminal Code, Article 327.

[294] KWN interview with the Cybercrime Investigation Unit, KP, 2021.

[295] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019, Article 232.

[296] AGE, KWN interview; and Krenare Sogojeva Dërmaku, Kosovo Commissioner for Information and Privacy, statement made during televised program "*Divers – 'Mbrojtja e të dhënave personale në internet'*" [Protection of personal data on the internet] [in Albanian], RTK, YouTube, 10 February 2023, accessed 22 November 2023.

[297] Ibid.

[298] National Center for Missing and Exploited Children, website, accessed 15 August 2023.

videos involving sexual abuse.[299] Nevertheless, the transnational nature of such crimes can make them difficult to prosecute.[300] Addressing online gender-based violence can be particularly challenging since cases typically involve multiple victims, perpetrators, and platforms across different jurisdictions.[301] The rapid advancement of technologies may contribute to more, unaddressed cyberviolence towards women and girls as legislation and responsible justice providers struggle to keep up with technological developments. This underlines the importance of obliging continuous education and capacity-building for justice institutions regarding various forms of gender-based cybercrimes.

KP is the first institution citizens consult when they encounter digital threats.[302] KP has not had many cybercrime cases reported, so it was difficult to assess its treatment of gender-based cybercrime cases. At present, such cases often are treated through the Criminal Code, mostly categorised under Article 202, "Unauthorized photographing and other recording", Article 230, "Degradation of sexual integrity", Article 329, "Blackmail", or Article 232, "Abuse of children in pornography".[303] According to police data, in 2022 there was only one registered case of sexual degradation, one of providing pornographic material to someone under age 16, 13 cases of abuse of children in pornography, and 115 cases of unspecified forms of blackmail.[304] Between January and February 2023, two cases of child pornography and 27 cases of blackmail were registered.[305] Despite requests, KWN did not receive more updated, gender-disaggregated data.

The Law on Cybercrime defines child pornography but does not regulate other forms of cyberviolence that may be gender-based like cyberthreats, cyber-harassment, or image-based sexual violence. Nor does the Criminal Code explicitly define and regulate such forms of gender-based cyberviolence. Without clear legal definitions and regulation, KP has tended not to consider threats, harassment, and blackmail committed over the internet as cybercrimes, but rather as crimes enabled by the internet.[306] Thus, these would not be logged as cybercrimes, contributing to the minimal number

[299] Fadil Abdyli, KP, statement, 2023.

[300] KWN experience assisting a case, 2023.

[301] UN, Sixty-seventh session of the Commission on the Status of Women (CSW 67), "Innovation and technological change, and education in the digital age for achieving gender equality and the empowerment of all women and girls", Report of the Expert Group Meeting Virtual Meeting, 10-13 October 2022.

[302] Fadil Abdyli, Chief of Cybercrime Investigation Unit, KP, statement made during televised program "*Divers – 'Mbrojtja e të dhënave personale në internet'*" [Protection of personal data on the internet] [in Albanian], RTK, YouTube, 10 February 2023, accessed 22 November 2023.

[303] Aulonë Kadriu and Dardan Hoti, Victims of image-based sexual abuse face their abusers alone, Kosovo 2.0, 28 August 2023.

[304] Ibid.

[305] Ibid.

[306] KWN interview with the Cybercrime Investigation Unit, KP, 2021; KP correspondence with KWN, November 2023.

of cybercrime cases recorded. The Cybercrime Investigation Unit often receives reports of sexual harassment online but has not considered these "cybercrime" and thus has referred such cases to other KP units.[307] Since the Criminal Code, CPC, and Law on Prevention and Fight of the Cyber Crime do not explicitly define all forms of cybercrime, some KP officers interpret the law narrowly in implementation. Thus, appropriate protections may not be provided to persons experiencing gender-based cybercrimes.

Sexual harassment, including online, is a violation of human rights. The Council of Europe considers harassment, privacy violations, sexual abuse, and sexual exploitation to be forms of cyberviolence.[308] It observes that cyber-violence may involve direct threats or physical violence as well. Kosovo's Constitution states that "secrecy of correspondence, telephony and other communication is an inviolable right" and specifies the right to Human Dignity, which can be threatened in cases of harassment.[309] This suggests that harassment occurring via computer systems should be treated as a form of cybercrime. The Criminal Code recognises "Sexual Harassment" as a criminal offence.[310] Thus, the Law does not limit cybercrime to organised crime only, but rather holistically requires preventing and addressing cybercrime to safeguard personal information and human rights.

KWN observed similar challenges when researching sexual harassment before the Criminal Code regulated it as a crime; police did not log or label cases until clear legal definitions existed, contributing to under-recording of such cases.[311] KWN experiences in monitoring and observing domestic violence and sexual harassment illustrate the importance of defining and regulating various forms of gender-based cyberviolence so that police can more effectively address and record such cases in digital data management systems. Introducing clearer, harmonised definitions related to all forms of gender-based cyberviolence and cybercrime in the Law on Prevention and Fight of the Cyber Crime, Criminal Code, and CPC could clarify KP officers' roles, enhancing responsibility and accountability. Findings evidence the importance of ensuring that diverse women and gender experts participate in drafting laws and policies so that explicit definitions of cybercrime are included in laws based on diverse women and men's lived experiences of such crimes. Findings also exposed the need to clearly define the responsibilities of KP units in treating gender-based cyberviolence, avoiding subjective interpretations of what constitutes cybercrime and confusion about responsibilities.

[307] Ibid.

[308] Council of Europe, "Types of Cyberviolence", website, 2023, accessed 11 December 2023.

[309] Republic of Kosovo, Constitution, 2008, Article 36, Right to Privacy, and Article 23, respectively.

[310] Republic of Kosovo, Assembly, Code No. 06/L-074 Criminal Code of the Republic of Kosovo, 2019, Article 183, Sexual Harassment.

[311] KWN, Sexual Harassment in Kosovo, 2016, pp. 10-13, 40.

Regarding women's participation in KP, only approximately 15% of police officers were women.[312] However, few women held high-level positions. No women worked in the KP Cybercrime Investigation Unit.[313] Special technical requirements are needed to work in the Unit, and women reportedly have not qualified.[314] As per the Law on Gender Equality, affirmative measures could have been applied in hiring to address women's underrepresentation in this Unit.[315] This could improve the quality of services provided.

> **"Calls are opened for everyone equally, but women don't apply, or if they do, there is a very low number of them applying, and they usually don't qualify."**
>
> **— Officer, KP Cybercrime Investigation Unit**

Based on best practices in addressing gender-based violence, persons who have suffered violence should be interviewed by police of the same gender, towards creating a safe space and reducing potential added trauma. Fear of men that results from trauma affiliated with gender-based violence, and/or concern that they will not be taken seriously by men may contribute to women not reporting gender-based-violence, including cyberviolence.[316] Indeed, KP cybersecurity officers noted that most of the reports they received involving cybercrimes were initiated by men.[317] This could be due in part to the aforementioned specific way the Unit has defined cybercrime.

Given women's underrepresentation in KP, when first responders arrive at crime scenes, the chances of a victim being able to speak with a woman officer have been minimal.[318] Given that no women work in the Cybercrime Investigation Unit, officers said they sometimes invite women from other units to conduct interviews. Persons who have experienced gender-based violence can request women police officers when providing statements[319] but may not always be aware of this right. The Istanbul Convention calls on parties to take necessary measures to

[312] Council of Europe, Assessment of the alignment of Kosovo*'s laws, policies and other measures with the standards of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), 2022, p. 70.

[313] KWN interview with the Cybercrime Investigation Unit, KP, November 2021.

[314] Ibid.

[315] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 6, Special Measures.

[316] Like other forms of gender-based violence, cyberviolence remains under reported and under prosecuted globally (S. Dunn, J. Lalonde, and J. Bailey, "Terms of Silence: Weaknesses in Corporate and Law Enforcement Responses to Cyberviolence against Girls", 2017). This is often due to victim-blaming. In Poland in cases of non-consensual pornography, women were blamed and their experiences rendered unimportant (N. Lomba et al., "Combating gender-based violence: Cyber violence", European added value assessment, European Parliament, 2021). Cases in Canada show a shift in police approach only after tragic outcomes, such as a cyberviolence victim committing suicide (Dunn et al., 2017).

[317] KWN interview with the Cybercrime Investigation Unit, KP, November 2021.

[318] Ibid.

[319] Republic of Kosovo, Assembly, Code No. 08/L-032 The Criminal Procedure Code of Kosovo, 2022, Article 127, "General Requirements of Pretrial Interviews, Pretrial Testimony or Special Investigative Opportunity".

implement "effective, comprehensive and coordinated policies encompassing all relevant measures to prevent and combat all forms of violence [and] offer a holistic response to violence against women". Taking affirmative measures to recruit women police officers to join the Cybercrime Investigation Unit would be line with a holistic response and the CPC. Evidence suggests this may facilitate an increase in women reporting cases of gender-based cyberviolence.[320]

Regarding **capabilities**, as the Cybercrime Investigation Unit is located at the central level, it may be difficult to address all cases at the local level. The Unit reportedly has too few investigators for covering all municipalities.[321] KP officers not in the Cybercrime Investigation Unit have historically lacked knowledge about online violence.[322] KWN found no evidence of any assessment of KP officers' training needs on gender-based cyberviolence or cybercrime. The Kosovo Academy for Public Safety organises continuous training for all police and new KP officers, according to its official training catalogue. KP has held a series of trainings for officers on how to handle cases of crimes enabled through the internet.[323] It has trained officers in regional directorates of police, and the Cybercrime Investigation Unit assists officers as needed.[324] Unit officers have trained other KP officers across Kosovo on cybersecurity, and all seven regional offices have an investigator who handles cybercrime cases.[325] KP provides basic training on human rights and domestic violence, which includes attention to gender equality.[326] KP seemingly has not provided training specifically on gender-based cybercrime. The Action Plan of the new Strategy on gender-based violence foresees training for the KP Cybercrime Investigation Unit on "online violence against women".[327] Such training has not occurred but is planned for 2024.[328]

[320] Caroline Newman, "Study: Hiring Female Police Officers Helps Women Report Violence", University of Virginia website UVA Today, 2018, accessed 22 November 2023; and Caroline Newman, Sexual Assault, 2018.

[321] KWN interview with the Cybercrime Investigation Unit, KP, 2021.

[322] Ibid.

[323] KP Cybercrime Investigation Unit comment during the peer review process, November 2023.

[324] Ibid.

[325] KWN interview with the Cybercrime Investigation Unit, KP, 2021.

[326] Republic of Kosovo, Government, MIA, Kosovo Academy for Public Safety, Katalogu [Catalogue] [in Albanian], 2019.

[327] Republic of Kosovo, Government, Ministry of Justice, National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2022, p. 83.

[328] Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023.

“Women are more curious. They open all sorts of things [links], send photos to everyone, including intimate photos, and then they act all surprised that their data was violated.”

— Officer, KP Cybercrime Investigation Unit

Despite training, comments made during interviews suggested insufficient knowledge pertaining to gender equality, gender-responsive policing, and gender-responsive protection related to cybercrime.[329] In gender-based violence cases, some officials historically have blamed the victim for violence perpetrated against her because of how she acted or what she wore.[330] Such victim-blaming can affect how women are treated by institutions designed to protect them. When asked what sorts of cases the KP Cybercrime Investigation Unit usually receives, representatives said:

Despite training, comments made during interviews suggested insufficient knowledge pertaining to gender equality, gender-responsive policing, and gender-responsive protection related to cybercrime.

> Social networks [...] are often sources of harassment and blackmail, with women being more affected. Reports of such cases are numerous [...]. This happens because of their level of awareness, curiosity, and the desire to explore everything, exposing oneself to certain circumstances without considering the responsibility. Perhaps we are overly exposed and do not understand the nature of this exposure [...] playing with fire.[331] The problem is that [women] share photos with strangers, exchange information with unknown individuals, including intimate photos, and then they complain about misuse.[332]

This statement illustrates victim-blaming; KP officers blamed women for sharing photos rather than the persons committing the crimes: those who misused the photos. KWN observed a similar tendency among officials related to gender-based cyberviolence; they seemed inclined to fault victims for exposing their data to strangers.[333] As a result, officers may not take such cases seriously when they are reported, and thus cases may not be registered or treated. This can contribute to a lack of judicial experience treating such cases, as well as victims' continued distrust of police, further hindering reporting of such crimes. LGBTIQ+ persons who experience cyberviolence

[329] This finding was based on interviews conducted by KWN in 2021 and a review of existing literature. The situation may have changed following training. The Cybercrime Investigation Unit did not agree with this finding in 2023 (comment on draft report, November 2023).

[330] KWN, From Words to Action, 2017; and KWN, From Laws to Action: Monitoring Institutional Response towards Gender-based Violence in Kosovo, 2021, p. 77.

[331] This saying in Albanian implies that one does not know the potential risks that may affect her or him.

[332] KWN interview with KP, 2021. During the peer review process in 2023, KP emphasised that these statements were not made by KP.

[333] KWN interview with KP, 2021.

also may hesitate to report cyberviolence because they fear that police may discriminate against them or may expose their sexuality publicly.[334]

In 2023, Kosovo 2.0 published research about 10 cases of "image based sexual violence" that they had monitored that year. Findings confirmed that victims do not trust KP when reporting gender-based cyberviolence and that even if they do report cases, it takes time for them to overcome their initial distrust of police.[335] "If he goes to jail, I know he will become crazier," a victim told Kosovo 2.0. "And then, what will happen when he's released? I don't know what the police can offer me. I know many cases that have been reported to the police and then [the perpetrators] went and killed women." In one of the cases Kosovo 2.0 followed, the victim hesitated to report the case to police for fear of being seen:

> I called them once and asked them how they could help me. They told me: "you need to come to the station, or we have to come to your home in order to report the case," but I didn't want to meet them at home, or at the police station. What if someone saw me at the police station? I just said that I could not.

Kosovo 2.0 concluded that police did not offer the woman any option for reporting the case, and she did not report it. Kosovo 2.0 emphasised that this police response left her feeling choiceless and reaffirmed her pre-existing lack of faith in police ability to help. As a victim told Kosovo 2.0, "In our country, even the police judge you. Even the police ask, 'what were you doing with him?'" Thus, fear of victim-blaming prevents women from reporting cases to police, concerned that police will disregard what happened to them. In a similar case followed by Kosovo 2.0, a 24-year-old woman's ex-boyfriend shared an intimate video of her. She said: "I was afraid to report it because I thought the police would spread the word, because they know my family. I was also ashamed that this happened to me, and I kept it a secret." Another 21-year-old woman victim said that after reporting cyberviolence to the police, "They made fun of it between the staff". She said that such treatment led her to abandon the case. Similarly, according to Kosovo 2.0 questionnaire responses, there have been cases in which reporting to the police only led victims to be further mocked or disregarded. This recurring theme suggests insufficient knowledge and capacities at KP for treating such cases.

They made fun of it between the staff.

[334] KWN observation while supporting LGBTIQ+ persons with legal counselling, 2022.

[335] Aulonë Kadriu and Dardan Hoti, Victims of image-based sexual abuse face their abusers alone, Kosovo 2.0, 28 August 2023.

KP can use **digital tools** to facilitate an improved and gender-responsive approach to cyberviolence and cybercrime. As noted, the CPC foresees that digital recording devices could be used during police interviews and in trials. However, the European Union Rule of Law Mission in Kosovo (EULEX) has observed that during interviews with victims of rape, police rarely digitally record or transcribe verbatim these discussions.[336] Instead, they tend to summarise. This practice introduces the risk of selective or potential (mis) interpretation of the victim's statement, which may lead to omissions and inaccuracies.[337]

As to digital services, the KP website does not have a clearly accessible link to the Cybercrime Investigation Unit, hindering public access to information. However, online complaints go directly to the Cybercrime Investigation Unit's address.[338] KWN did not find any publicly accessible information on any KP-organised awareness campaigns about cyberviolence. The Cybercrime Investigation Unit said they have done some public messaging "but with no concrete results, as raising awareness on consent and cybercrime is extremely difficult, because citizens don't understand". Citizens would require simplified explanations of what constitutes cybercrime to understand and report it. The Unit further noted a lack of research on the extent to which citizens, women and men, realise what digital wellbeing means and how it can be threatened. Gender analysis of people's knowledge and perceptions could inform improved awareness campaigns about cybercrime and how to report it.

Interested parties can request via email to join KP's mailing list to receive daily digital reports on cases treated by KP. The reports, sent via e-mail, contain gender-relevant information. However, KP does not provide any online, publicly accessible data of summary statistics regarding policing. Actors interested in police data must make official requests for information. KP can provide gender-disaggregated data upon request, but it is in Excel spreadsheet format and does not always contain the information needed for intersectional gender analysis. Considering how gender-based cyberviolence is currently handled and categorised, such as "Blackmail", KP can provide a generic list of all blackmail cases, but not categorised by gender-related forms of blackmail.

In June 2020, KP launched the "*Lajmëro Policinë*" [Alert the Police] application, currently only available on Android devices.[339] This electronic application enables citizens to report cases to KP. Reports remain confidential and can be anonymous if the person reporting wishes. This application is a fast way to report gender-based violence or cyberviolence to KP. No information was

[336] EULEX, Monitoring Report, Assessment of the Handling of Rape Cases by the Justice System in Kosovo, 2022, p. 15.

[337] Ibid.

[338] KWN interview with the Cybercrime Investigation Unit, KP, 2021.

[339] KP, "Lajmro Policine" [Alert police], accessed 14 August 2023.

available online or provided on the extent to which women and men have used this application to report cases to KP.

KP also has an online form where cybercrime can be reported.[340] It collects information including the name, email, and telephone number of the person filing the complaint, as well as information about the case (e.g., name of alleged perpetrator, address, phone, what reportedly occurred, date, and location). The form does not request the gender of the person reporting the incident or of the alleged perpetrator. The form is available only in the Albanian language, which may restrict access for Serbian and English speakers. The platform does not offer a consolidated interactive interface that presents gender-disaggregated information on cases reported and treated. It does not provide any information pertaining to the **protection** of claimants' rights, data security, confidentiality, or privacy, which could negatively affect trust in reporting. Nor does it provide an option to remain anonymous. KP observed that gender-disaggregated data can be extracted from the platform, based on KP's interpretation of the gender according to the person's name. However, they did not consider such information necessary. Gender analysis of reports could provide valuable information regarding who is using online reporting and identify any gender differences, which could support the design of outreach campaigns about this service.

Open Data Kosovo, Girls Coding Kosovo, and KWN collaborated in 2016 to create a mobile app called *Ec Shlirë* [Walk Freely] through which people can report sexual harassment.[341] It was created through a series of workshops with young women coders. The app is multilingual and free to download. The app has several features for reporting cases, map visualisation of where cases have been reported, chart visualisation to show trends, and options for anonymous reporting.[342] As of August 2023, 67% of victims reporting on the app were women.[343] KWN and KP discussed KP using information from reports for investigations with the consent of the person reporting. However, following staff turnover in KP, further steps were not taken. Activists have discussed collaborating with municipalities, particularly the Municipality of Prishtina/Priština, to use information collected from reports, such as location and time of day, to increase security precautions in areas receiving comparatively more reports. Such information could inform improved spatial planning (e.g., lighting), as well as help police improve preventative community policing at times and places where greater risks of sexual harassment exist. Since sexual harassment and assault historically have affected young women more than men, the gendered implications of such e-data-informed policymaking are clear in terms of preventing future gender-based violence.

[340] KP, "Raporto krimin kibernetik" [Report Cybercrime] [Albanian only], accessed 10 August 2023.

[341] KWN, "Me Ec Shlirë rrugët e Kosovës më të sigurta" [With Walk Freely Kosovo streets are safer], 26 February 2016.

[342] Walk Freely app, accessed 15 August 2023.

[343] Ibid.

Regarding transparency of **funding**, the only financial information found online was audit reports for 2006, 2007, and 2008.[344] In relation to KP, the MTEF does not mention gender or gender-responsive budgeting; there are no objectives, indicators, baselines, or targets related to gender equality.[345] KP does not have financial reports available online. Thus, KP does not seem to use gender-responsive budgeting. Yet, gender-responsive budgeting could be important related to gender-based violence cases; police officers have expressed concern that they often have to use their own money to provide women and children with food, clothes, and other emergency materials because the police administration has not budgeted for this.[346] While this has been identified as an issue for several years,[347] it has yet to be addressed. Gender-responsive budgeting using electronic systems to track cases assisted and affiliated financial needs for treating cases could be used to inform evidence-based budget requests.

The KP website has a section labelled "*Shpallje*" [Announcements], which includes a subsection titled "*Mundësi punësimi*" [Job openings]; notices related to written, physical, and psychological tests; and results of performance evaluations. Unclear categorisation of sections makes it challenging to locate specific information. In job openings for police officers,[348] KP usually uses plural nouns, and job-opening documents contain the statement that KP "offers equal employment opportunities for all citizens" and "welcomes applications from all persons of the male and female gender from all communities in Kosovo".[349] It includes an additional statement: "Non-majority ethnic communities and their members have the right to fair and proportional representation, as specified in the Law on Public Officials".[350] While encouraging "male" and "female" individuals to apply, KP has not used gender-sensitive language in job openings. Instead, it has used masculine pronouns, which may discourage women from applying.[351] For example, KP implied that a "driver" position was for a man;[352] it did not use suffixes like "-i" and "-e" in Albanian to encourage both women and men to apply. KP uses e-procurement. No statement indicates affirmative measures or preferable treatment of bids

[344] Republic of Kosovo, National Audit Office, Kosovo police audit reports, accessed 23 August 2023.

[345] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[346] KWN, From Laws to Action, 2021, p. 59.

[347] KWN, From Words to Action, Monitoring the Institutional Response to Gender-Based Violence in Kosovo, 2017, p. 11.

[348] Republic of Kosovo, Government, MIA, General Police Directorate, Department for Human Resources, Job opening for Police Officers [in Albanian], 18 April 2023, accessed 23 August 2023.

[349] Republic of Kosovo, Government, MIA, General Police Directorate, Department for Human Resources, Job opening for Police Officers [in Albanian], 2023, accessed 23 August 2023.

[350] Republic of Kosovo, Government, MIA, General Police Directorate, Job opening for Driver [in Albanian], 2022, accessed 23 August 2023.

[351] GAP Institute, Gender-based discrimination in job vacancies, 2023.

[352] Republic of Kosovo, Government, MIA, General Police Directorate, Job opening for Driver [in Albanian], 2022, accessed 23 August 2023.

by businesses owned by women or ethnic minorities. The only reference to gender found was in procuring uniforms for women and men.[353]

Kosovo Prosecutorial Council

The Kosovo Prosecutorial Council (KPC) is an independent institution seeking to provide a professional, impartial prosecutorial system.[354] Its aims include ensuring "internationally recognized principles of gender equality".[355] KPC is responsible for overseeing prosecution offices' handling of cases, including related to gender-based violence and digitalisation.[356] KPC has four committees and a secretariat. In 2016, KPC had three women (27%) and eight men (73%), while two positions remained vacant.[357] Thus, women are underrepresented in decision-making, including related to digitalisation efforts. KPC oversees "admission to the prosecution office, which should be made in accordance with the principles of merit, equal opportunities, gender equality, non-discrimination and equal representation, on the basis of public vacancy and after verifying candidates' capacity to act".[358] This is a positive example of how institutions can encourage merit-based hiring towards gender equality. The prosecution does not have any other obligations relevant to gender equality or digitalisation.

In 2016, KPC had three women (27%) and eight men (73%), while two positions remained vacant

KPC has a Department for Information Technology, which implements an electronic management system, digitises work processes, and ensures IT device management, HelpDesk services, security, and hardware throughout the prosecutorial system.[359] It implements CMIS, integrating it with court and police IT systems. A man leads this Department and the Division of Software Development, which falls under the jurisdiction of this Department.

While prosecution offices in the Prishtina/Priština, Ferizaj/Uroševac, Prizren, and Gjilan/Gnjilane regions appear to register domestic violence cases in the shared interinstitutional database, Mitrovicë/Kosovska Mitrovica and Gjakovë/Đakovica offices only registered one case and Peja/Peć did not

[353] E-prokurimi, Kosovo Police, Supply of Police Uniforms (2023/214-23-8647-1-1-1/B54-0030513), accessed 30 November 2023.

[354] Republic of Kosovo, Assembly, Law No. 06/L-056 on Kosovo Prosecutorial Council, 2019, Article 3.

[355] Ibid., paragraph 1.2.

[356] Republic of Kosovo, Prosecutorial System of the Republic of Kosovo, website, accessed 20 December 2023.

[357] Republic of Kosovo, Kosovo Prosecutorial Council website, 2023, accessed 21 September 2023.

[358] Republic of Kosovo, Assembly, Law No. 06/L-056 on Kosovo Prosecutorial Council, 2019, Article 7.

[359] Republic of Kosovo, Kosovo Prosecutorial Council, website, "Department for Informative Technology introduces CMIS" [in Albanian], 8 June 2018.

register any in 2022.[360] This suggests weak **capabilities** to comply with policy requirements for inter-institutional coordination in case management. In 2022, only one training was conducted with two (women) officers from the Basic Prosecution Office in Ferizaj/Uroševac; reportedly others already had been trained.[361] No evidence exists as to whether the KPC Department for Information Technology has offered training on CMIS for prosecutors since 2018,[362] or if KPC's Training and Statistical Office provided training, given its responsibilities to train the prosecution on databases.[363]

In terms of **digital public services**, KPC has a website with information pertaining to relevant legislation, decisions, strategic documents, work plans, and reports. However, it is not updated regularly and does not contain recent publications. The website is available in three languages: Albanian, Serbian, and English. It does not offer any options through which women and men can interact with KPC, such as to ask a question or send a complaint. None of the information contains a gender perspective, except the Strategic Plan of the Prosecutorial System discussed in the next section.

Regarding **funding**, neither the Annual Work Report nor the MTEF mentions gender or gender-responsive budgeting.[364] In the MTEF, no objectives, indicators, baselines, or targets relate to gender equality. Thus, KPC does not seem to be applying gender-responsive budgeting. Nor are **procurement** processes available electronically, enabling gender analysis.

The State Prosecutor

The State Prosecutor is an independent institution that seeks to "ensure equal, objective and unbiased treatment for all persons before the law, without any discrimination, by respecting the fundamental human rights and freedoms determined by the Constitution, legislation […] and international conventions".[365] The law foresees that the State Prosecutor shall reflect the multi-ethnic composition of Kosovo and respect gender-equality principles.[366] Otherwise, the Law makes scant reference to gender equality. In terms of

[360] Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023, p. 70.

[361] Ibid., p. 69.

[362] Republic of Kosovo, Kosovo Prosecutorial Council, website, "Department for Informative Technology introduces CMIS" [in Albanian], 8 June 2018. The head of the KPC Department for Information Technology is a man.

[363] Republic of Kosovo, Kosovo Prosecutorial Council, website, "Office for Statistics", 2023, accessed 20 December 2023.

[364] Republic of Kosovo, KPC, Work Report 2022, 2023, accessed 9 October 2023; Medium-Term Expenditure Framework 2024-2026, pp. 77-79.

[365] Republic of Kosovo, Assembly, Law No. 08/L-167 on State Prosecutor, 2023, Article 4, paragraphs 1 and 2.

[366] Ibid., Article 6.

digitalisation, the Law foresees that "case assignment for prosecutors is done electronically through the electronic system".[367]

The Office of the State Prosecutor reviews evidence and decides whether to proceed with prosecution, ensures correct collection of evidence, supervises KP Domestic Violence Investigation Units, and initiates certain criminal proceedings ex officio, including violations of protection orders.[368] The prosecutor must be briefed by KP. After an assessment, the prosecutor may pursue or decline a case. Based on the Criminal Code, the prosecutor selects the relevant offences with which to charge an alleged perpetrator. Prosecutors must attend training on domestic violence, and they must prioritise these cases.[369] SOPs and the National Strategy on Protection from Domestic Violence and Violence against Women do not foresee training for prosecutors on gender-based cybercrime or cyberviolence. KWN could not find any evidence of such training being provided online, which may suggest that prosecutors may lack knowledge and **capabilities** to treat such cases. KPC **monitors** the work of the prosecution.

Women have been underrepresented among prosecutors (31%), particularly in leadership positions.

Women have been underrepresented among prosecutors (31%), particularly in **leadership** positions.[370] This may mean that women's engagement in leading, coordinating, implementing monitoring, and evaluating digital reforms is limited.

The Strategic Plan of the Prosecutorial System 2022-2024 aims for "full digitalisation of work processes in the prosecutorial system, replacing manual work with electronic work that will affect the provision of quality, fast and accurate services, as well as the generating [of] real-time reports".[371] The strategy also prioritises promoting gender diversity in the prosecutorial system, particularly in management and administration.[372] The prosecution reportedly has begun digitalising its work. It has established an e-archive system for documents to enable disposal of hard copies and the generation of reports.[373] The present system does not seem to allow for searching case files based on gender or for other gender analysis. The Council has established a system for prosecutors' electronic filing of cases.[374] Prosecutors should include such data in CMIS as

[367] Ibid., Article 12.

[368] Republic of Kosovo, Government, OPM, AGE, Standard Operation Procedures for Protection from Domestic Violence in Kosovo, 2013.

[369] Ibid., and Republic of Kosovo, Government, Ministry of Justice, National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2022.

[370] KWN, *Kosovo Gender Analysis*, 2018, p. 18.

[371] Republic of Kosovo, KPC and State Prosecutor, Strategic Plan of the Prosecutorial System 2022-2024, p. 47.

[372] Ibid., p. 44.

[373] Ibid., p. 23.

[374] Ibid.

part of the interinstitutional interoperability framework.[375] Additionally, an electronic system through which new prosecutors can apply is being established.[376] This system should ensure that any algorithms used in recruiting new prosecutors do not inadvertently discriminate against women.

KWN could not analyse the **capabilities** of the prosecution or its response to gender-based cyberviolence or cybercrime because officials said that they did not deal with "digitalisation" and any inquiries should be directed to the KP Cybercrime Investigation Unit.[377] In 2021, some prosecutors lacked knowledge and professionalism in addressing gender-based violence, despite improvements.[378] Their experience treating sexual violence remained limited, largely due to minimal reporting of these crimes.[379] Considering that even fewer gender-based cybercrimes have been reported,[380] the prosecution likely has minimal experience treating such cases.[381] This and the statement that the prosecution does not deal with such cases suggest weak capabilities in treating such cases.

In 2020, an Institutional Gender and Social Inclusion Assessment of the prosecution was conducted.[382] It aimed to develop recommendations for improving gender mainstreaming and inclusion in the prosecution's administrative processes. However, the report did not assess prosecutors' capabilities to track, maintain, and use gender-disaggregated data. It only stated that "data disaggregated by gender is regularly collected, but it is not used for policymaking."[383]

Prosecutors must attend at least three trainings per calendar year, and in certain situations, at the request of KPC or the Chief State Prosecutor, training may be mandatory. Otherwise, prosecutors can select the training topics they prefer. In 2022, 150 state prosecutors participated in "legal education activities", and the Kosovo Academy of Justice provided training in 80 topics.[384] Topics included domestic violence, security measures, human trafficking, and cybercrime. It is unclear whether cybercrime training included any gender perspective. It is not specified if training on domestic violence included

[375] For further information, see the Infrastructure section.

[376] Republic of Kosovo, KPC and State Prosecutor, Strategic Plan of the Prosecutorial System 2022-2024.

[377] KWN correspondence via telephone, 2022.

[378] KWN, *From Laws to Action*, 2021.

[379] Ibid.

[380] Cybercrime Investigation Unit, KP, 2021. The exact numbers of cybercrimes reported by women and men are not tracked (KWN correspondences with KJC, 2023).

[381] The number of gender-based cybercrime cases treated by the prosecution is unknown as the prosecution did not respond to KWN's requests for this information.

[382] British Embassy Pristina, Axiom International, Strengthening the Justice System of Kosovo Institutional Gender and Social Inclusion Assessment of the Kosovo Prosecution Service, 2020.

[383] Ibid., p. 27.

[384] Ibid.

electronic data management and CMIS. No gender-disaggregated data was publicly available on attendees and trainers.[385]

The prosecution has few **digital services** available. While it would be helpful for summary information about cases treated to be published online, this has not been made publicly available. Nor can the public track the status of cases handled by the prosecution, let alone inclusive of gender-related information. Such publicly available information is important for independent monitoring, transparency, and accountability. The prosecution's website is available in three languages, though not all sections are translated.[386] The text is not always gender neutral as it sometimes uses masculine forms of titles and pronouns. No interactive options exist except the possibility to contact the prosecution.

Within the prosecution is the **Victim Protection and Assistance Office**, which provides access to justice for persons who have suffered crimes, including in cases of gender-based violence.[387] Victim Advocates (VAs) must immediately contact victims, inform them of their rights, and assist them in accessing legal support. VAs must advise victims how to initiate procedures for obtaining protection, such as protection orders. VAs should assist victims in filing requests for protection orders. Then, VAs must continue supporting victims during legal proceedings. VAs host a free helpline through which they provide tele-counselling to victims. In all regions, VAs seem to register domestic violence cases in the interinstitutional shared database.[388] The **capabilities** of VAs for treating gender-based cybercrime are unknown because they have not yet had any such cases.[389] VAs have attended training by the U.S. Embassy on how abusers can disclose victims' addresses and other personal information online. However, sessions have not focused on other forms of online violence or cybercrime.[390] VAs do not seem to have any digitalised **public services**. The Office has a webpage on the website of the prosecution, which is primarily available in Albanian.[391] Information regarding VAs' role

Information regarding VAs' role is very broad and not easily accessible for victims.

[385] Nor did the following monitoring report clarify any of this information: Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023, p. 69.

[386] Republic of Kosovo, "State Prosecutor", website, 2023, accessed 23 November 2023.

[387] Republic of Kosovo, Government, OPM, AGE, Standard Operation Procedures for Protection from Domestic Violence in Kosovo, 2013.

[388] Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023, p. 70.

[389] KWN correspondence with VA via telephone, 2023.

[390] Ibid.

[391] Republic of Kosovo, State Prosecutor, website, "Zyra për mbrojtje dhe ndihmë viktimave" [Victim Protection and Assistance Office] [primarily in Albanian], accessed 23 November 2023.

is very broad and not easily accessible for victims. The Assistance Helpline Operator Number is difficult to find because the link uses an acronym, VAAO [Victim Advocate and Assistance Office], which may not be known to victims. The webpage does not have any interactive features, such as to chat live with VAs. Links to its newsletters do not function. In 2020, amid COVID-19, it cooperated with AGE to circulate information on how to access assistance.[392] A gender-balanced YouTube video explains the Office's purpose and has contact information.[393]

Regarding **funding**, the state prosecutor's budget including for VAs is under the KPC, which does not seem to be applying gender-responsive budgeting. No audit reports specific to the state prosecution could be found dating later than 2014. VAs have stated that they have inadequate human resources for implementing their legal mandate to assist victims of gender-based violence.[394] This could hamper their ability to assist on gender-based cyber-crimes. No information could be found online regarding **procurement**.

Kosovo Judicial Council

KJC is responsible for "ensuring the independence and impartiality of the judicial system".[395] It recruits, appoints, reappoints, transfers, disciplines, **monitors**, **evaluates**, and promotes judges and those in training, court management, and court administrators. KJC **plans** and **monitors** the implementation of the judiciary's budget. It has permanent or interim committees; the Secretariat, established within KJC for providing administrative support to the Council and courts; and the Unit for Judicial Inspection and Court Administrators. The Law calls for KJC to ensure that courts respect non-discrimination, human rights, and gender equality.[396] KJC must ensure that recruitment criteria for the judiciary is "in accordance with the principles of merit, equal opportunities, gender equality, non-discrimination and equal representation".[397] Digitalisation is not mentioned in the KJC mandate. Within KJC, the Department of Information Technology is responsible for administering and maintaining IT and electronic communication infrastructure for KJC and courts.[398]

[392] Republic of Kosovo, Government, OPM, AGE, website, "New: Notice from the Victim Protection and Assistance Office / Office of the Chief State Prosecutor regarding the management of cases during the COVID -19 pandemic", 2020, accessed 23 November 2023.

[393] Republic of Kosovo, Sistemi Prokurorial i Kosovës, YouTube, "Zyra per Mbrojtje dhe Ndihma te Viktimave" [Victim Protection and Assistance Office] [in Albanian], 10 October 2023, accessed 23 November 2023.

[394] KWN conversations with VAs, 2021-2023.

[395] Republic of Kosovo, Assembly, Law No. 06/L-055 on Kosovo Judicial Council, 2018, Article 3.

[396] Ibid., Article 3.

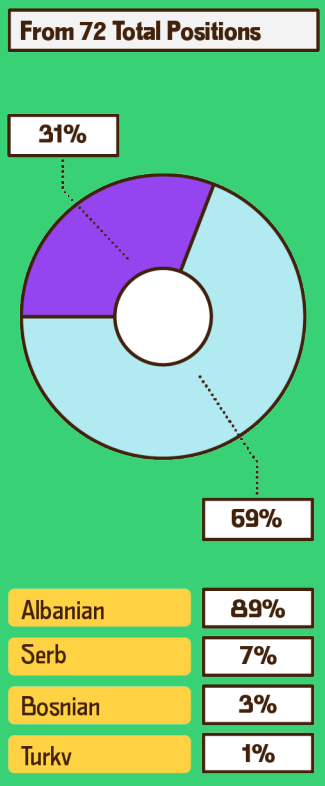
[397] Ibid., Article 7.

[398] Republic of Kosovo, KJC, Annual Work Report 2022, [in Albanian], 2023 p. 40.

Regarding **leadership**, KJC has 30 women (31%) and 67 men (69%) in managerial positions (see Table 3).[399] The absence of a gender balance undermines women's equal participation in decision-making, including related to any digitalisation efforts. Of the 2,144 people employed in the judicial system, 1,055 are women (49%), and 1,089 are men (51%). The Assembly of Court Presidents and Supervising Judges has two women (12%) and 15 men (88%).[400] The judiciary's composition should reflect principles of gender equality.[401] However, women are underrepresented among judges (27%) and in KJC leadership positions (31%).[402]

Table 3. KJC and Court Decision-making Positions by Gender and Ethnicity in 2023

Position	Total	Women	Men	Albanian	Serb	Bosnian	Turk
Head of KJC	1	0	1	1	0	0	0
Vice Head of KJC	1	0	1	1	0	0	0
Head of KJC Commission	3	2	1	2	0	1	0
KJC Member	6	2	4	4	1	0	1
Heads of Courts	10	3	7	9	1	0	0
Vice Heads of Courts	10	5	5	9	0	1	0
Unit Heads of Courts	21	6	15	18	3	0	0
Director of KJC Secretariat	1	0	1	1	0	0	0
Head of the Unit for Judicial Inspection	1	0	1	1	0	0	0
Director of Departments of KJC Secretariat	7	1	6	7	0	0	0
Court Administrator	11	3	8	11	0	0	0
Total	72	31%	69%	89%	7%	3%	1%



[399] KWN correspondence with KJC, September 2023.

[400] Republic of Kosovo, KJC, website, "The Assembly of Court Presidents and Supervising Judges", 2018, accessed 4 September 2023.

[401] Ibid., Article 5.

[402] KWN correspondence with KJC, October 2023.

Regarding **capabilities**, KJC has trained 325 judicial system employees to use CMIS. While the number of cybercrime cases treated was unavailable, KJC observed that cybercrime is not among the most frequently committed crimes.[403] They have had cases related to gender-based discrimination, gender-based violence, and crimes against LGBTQI+ persons. However, "these cases are difficult to identify," they said.[404] CMIS contains a field for entering the motive of the crime, but it is rarely filled out. This suggests shortcomings in staff capabilities in completing online forms. Such data could enable gender analysis.

KJC has several **digital public services**. The Open Data Platform provides public access to judicial statistics related to the work of courts and judges in Albanian, English, and Serbian languages.[405] The Platform enables users to analyse anonymised data from CMIS. Data can be filtered by gender, citizenship, ethnicity, and domestic violence or trafficking cases. The gender filter is only available under the "citizens" tab, which contains demographic statistics on cases and parties involved. Data pertaining to judges and specific cases do not have gender-related information available. CMIS offers statistical reports, such as the number of unresolved cases and time taken to treat cases.[406]

KJC hosts "Kosovo Judicial Council Decisions" through which one can search KJC decisions by title, key word, and date.[407] Key word searches like "gender", "women", or "female" in Albanian or English produce several results. Albanian, Serbian, and English language options exist, though few English language documents are available. The KJC website also has Disciplinary Decisions and Statistics in three languages, though English translations are limited.[408] Gender-disaggregated data does not seem to be available. People can access and download specific court judgments, found by choosing the relevant court, branch, type of judgment, judge, dates, case number, or key words, including the ability to search with terms like "gender".[409] Not all judgements are available in all three languages. Following user authentication through the eKosova Platform, the Case Tracking Mechanism "allows online access to individual judicial case information" for persons engaged in legal cases.[410] It is available in three languages.

[403] KWN correspondence with KJC, September 2023. For further information see the Infrastructure section.

[404] Ibid.

[405] Republic of Kosovo, KJC, "Open Data Platform", 2022, accessed 23 November 2023.

[406] Republic of Kosovo, KJC, Annual Work Report 2022, [in Albanian], 2023, p. 40.

[407] Republic of Kosovo, KJC, "Kosovo Judicial Council Decisions", 2018, accessed 23 November 2023.

[408] Republic of Kosovo, KJC, "Disciplinary Decisions and Statistics", 2018, accessed 23 November 2023.

[409] Republic of Kosovo, KJC, "Judgements", 2018, accessed 23 November 2023.

[410] Republic of Kosovo, KJC, "Case Tracking Mechanism", 2022, accessed 23 November 2023.

Regarding **funding**, KJC does not seem to be applying gender-responsive budgeting.[411] KJC uses e-**procurement**.[412]

Courts

Courts exercise judicial power, which "shall be unique, independent, fair, apolitical, impartial", and equally accessible.[413] Three types of courts exist: basic courts in seven regions of Kosovo, the Court of Appeals, and the Supreme Court.[414] Legally, courts must treat everyone equally, "without any discrimination based on race, color, gender, language, religion, political or other opinion, national or social origin, relation to any community, property, economic and social condition, sexual orientation, birth, disability or other personal status."[415]

24%

The Court of Appeals in Prishtina/Priština has 46 judges, including 11 women

Basic Courts, which are courts of first instance, exist in each region: Pristina/Priština, Mitrovicë/Kosovska Mitrovica, Pejë/Peć, Prizren, Ferizaj/Uroševac, Gjilan/Gnjilane, and Gjakova/Đakovica.[416] Of the seven, women lead only two (29%): in Prishtina/Priština and Prizren. A Serb woman led the Mitrovicë/Kosovska Mitrovica Basic Court, but KJC suspended her position in 2022.[417] Illustratively, the Basic Court in Peja/Peć has 15 women (38%) judges, including one Bosnian, and 24 men judges (62%).[418]

The Court of Appeals, a court of second instance, hears appeals of cases filed at the basic courts.[419] The Court of Appeals in Prishtina/Priština has 46 judges, including 11 women (24%). It has a Division in Mitrovicë/Kosovska Mitrovica, which has four women judges (100% of judges).[420] Women's underrepresentation in leadership positions and among judges may mean that women's needs and priorities may be insufficiently represented in decision-making, including related to digitalisation reforms in the judiciary.

[411] Republic of Kosovo, National Audit Office, Raporti i Auditimit për Pasqyrat Vjetore të Këshillit Gjyqësor të Kosovës për Vitin 2022 [Audit Report for the Annual Statements of the Kosovo Judicial Council for the Year 2022], accessed 30 November 2023.

[412] E-prokurimi, accessed 4 September 2023.

[413] Republic of Kosovo, Assembly, Law No. 06/L-054 on Courts, 2018, Article 3.

[414] Ibid. A separate law regulates the Constitutional Court.

[415] Ibid., Article 7.

[416] Republic of Kosovo, Court of Appeals, website, "Court of Appeals", accessed 23 November 2023.

[417] Telegrafi, "Took part in a meeting with Vučić, the head of the Basic Court in Mitrovica is suspended" [in Albanian], 2022.

[418] KWN correspondence with the Basic Court in Peja/Peć, October 2023. No other courts responded to KWN's request for information.

[419] Republic of Kosovo, Court of Appeals, website, "Court of Appeals", accessed 23 November 2023.

[420] Republic of Kosovo, Court of Appeals, "Judges" (including the Mitrovica division), accessed 11 December 2023.

Regarding **capabilities**, officials said that "90% of the staff have knowledge in using informative technologies and are obliged to use [CMIS] and other systems and apps".[421] While courts seem to use CMIS for case management and data storage, some report delays in filing cases "due to a heavy workload".[422] Since KJC could not provide summary data on gender-related cybercrimes, KWN asked courts about cases they had treated. Only two courts responded to KWN requests for information, so the capabilities of courts in handling cybercrime with a gender perspective could not be assessed.[423] Some court representatives said that they did not deal with "digitalisation" and inquiries should be directed to the KP Cybercrime Investigation Unit.[424] The two courts that responded, the Basic Court in Mitrovicë/Kosovska Mitrovica and the Basic Court in Peja/Peć, reported treating "very few cybercrime cases". Neither had gender-disaggregated data on cases. The Basic Court in Peja/Peć responded that they could not provide data on the gender of parties as no category exists for recording gender.[425] This suggests a disconnect between CMIS, which reportedly requires logging gender, and officials' actual data management practices. Without systems for ensuring collection and maintenance of gender-disaggregated data, it is impossible to analyse whether women and men are victims or authors of cybercrime.

No judges are specialised in treating cybercrime. KJC has provided training on CMIS to courts, and the Academy of Justice has trained judges on cybercrime. KJC annual reports do not mention training on treating cybercrime cases, but only on cybercrime risks for staff.[426] Meanwhile, the Ombudsperson found that no court decisions have restricted the movement of perpetrators, as per the Law on Electronic Supervision.[427] This may be due in part to the fact that judges have not been trained on electronic surveillance measures, such as for perpetrators of violence.[428] This implies potential limitations in judges' capabilities for treating gender-based cyberviolence.

[421] KWN correspondence with the Basic Court in Peja/Peć, October 2023.

[422] Ibid.

[423] KWN sent data requests twice to each court, but only two of the nine basic courts to which KWN sent requests (22%) responded: Peja/Peć and Mitrovicë/Kosovska Mitrovica. The Supreme Court referred KWN to KJC, noting that "The Supreme Court does not keep any such disaggregated data". KWN asked courts for the number of cases involving cybercrime that they treated, disaggregated by gender of plaintiffs and defendants.

[424] KWN correspondence via email, 2022.

[425] KWN correspondence with the Basic Court in Peja/Peć, October 2023.

[426] Republic of Kosovo, KJC, Annual Work Report 2022, [in Albanian], 2023, p. 40.

[427] Republic of Kosovo, Ombudsperson Institution, "Report of the Ombudsperson of the Republic of Kosovo, Case No. 621/2018 Regarding Operational preventive measures for the protection of victims of domestic violence, according to the Law No. 05/L-003 on electronic monitoring of persons subject to court-imposed movement restrictions" [Albanian only], 2021. It was compiled by monitoring police, prosecution, and courts.

[428] *Fol* (Speak Up Movement), Albana Hasani, "Electronic Tags: Focus on Prevention of Domestic Violence Cases", 2021.

Regarding **public services**, the digital filing of court cases has begun and KJC publishes some summary data. Limited publicly available data exists on cases courts have treated involving gender-based cybercrime. As gender-related crimes are not tracked in data management systems, it is difficult to monitor how courts have treated such cases.[429] This is compounded by the unclear legal framework, wherein narrow, inadequate definitions of cybercrime mean that other crimes involving cybercrime are not recorded digitally.

Regarding **funding**, all courts except the Constitutional Court receive funding through KJC, and courts do not seem to be applying gender-responsive budgeting. For the Constitutional Court, the MTEF does not include any references to gender equality or gender-responsive budgeting in its objectives, indicators, baselines, or targets.[430] The Constitutional Court uses e-**procurement**.[431] Tender dossiers on e-procurement did not provide any statement that encouraged businesses owned by underrepresented genders to apply. Nor did it provide for affirmative measures for companies working to further gender equality internally.

Academy of Justice

Formerly the Kosovo Judicial Institute, the Academy of Justice is an independent public institution that trains judges, prosecutors, and administrative staff, among others.[432] The Academy must maintain training and programme records, conduct research, and **cooperate** with other institutions. The highest body of the Academy is the Managing Board, followed by the Program Council, the Director, Program Department, and Administration and Financial Department.[433] The Managing Board has three women (37.5%) and five men (62.5%) members, including the Chair.[434] The Program Council consists of seven members, including six men (86%) and only one woman. The Director of the Academy is a man. The Program Department employees nine women (64%) and five men (36%), and the Administration and Finance Department has eight women (73%) and three men (27%).[435] This illustrates the broader pattern in Kosovo where women are underrepresented in decision-making positions and overrepresented in administrative positions, and vice versa for men.

Regarding **capabilities**, in 2023, the Academy organised training on accessing public documents and specialised training on cybercrime and crypto

[429] See the Infrastructure section.

[430] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, pp. 77-79.

[431] Republic of Kosovo, Public Procurement Regulatory Commission, "E-procurement", 2016, accessed 23 November 2023.

[432] Republic of Kosovo, Assembly, Law No. 05/L-095 on Academy of Justice, 2017.

[433] Ibid.

[434] Republic of Kosovo, Academy of Justice, website, "Managing Board Members", accessed 23 November 2023.

[435] KWN correspondence with the Academy of Justice, August 2023.

currencies.[436] Since 2022, the Academy reported providing 20 trainings for judges on cybercrime. The Academy also offers e-Learning, using audio and video recordings.[437] It has developed two modules that address gender: Women's Access to Justice and Violence Against Women.[438] The Academy offers training on IT, social communication skills, communication, cybercrime, and copyright.[439] No training has been provided for the judiciary regarding electronic surveillance, such as regarding perpetrators of violence.[440] The Academy maintains data on trainees, but the database only contains participants' names. The Academy has identified this as a shortcoming to be addressed when re-designing its database.[441] As an example, the Academy noted that a training on domestic violence involved 10 women and 10 men.[442]

Regarding **funding**, related to the Academy of Justice, the MTEF does not include any references to gender equality or gender-responsive budgeting in its objectives, indicators, baselines, or targets.[443] The audit report does not contain any references to gender.[444] Thus, the Academy of Justice does not seem to be applying gender-responsive budgeting. The Academy of Justice does not use e-**procurement**. Its website has a category for job vacancies. Of 21 vacancies analysed in December 2023, eight (38%) inferred that both men and women could apply; 16 (42%) had a statement encouraging both genders or the underrepresented gender to apply; and five (20%) did not indicate that both men and women can apply.[445] The opening for the Executive Director of the Academy [*Drejtor Ekzekutiv i Akademisë së Drejtësisë*] does not encourage women to apply, given that the nouns suggest the position is for a man.[446]

Information and Privacy Agency

As introduced in Chapter 1, AIP is an independent agency responsible for overseeing the implementation of the LPPD, safeguarding the fundamental rights and freedoms of individuals in the processing of personal data. Personal data protection mechanisms are a practical manifestation of rule of law principles; they establish clear rules, accountability mechanisms,

[436] Ibid.

[437] Republic of Kosovo, Academy of Justice, website, "e-Learning", accessed 23 November 2023.

[438] KWN correspondence with the Academy of Justice, August 2023.

[439] Ibid.

[440] *Fol* (Speak Up Movement), Albana Hasani, "Electronic Tags: Focus on Prevention of Domestic Violence Cases", 2021.

[441] KWN correspondence with the Academy of Justice, August 2023.

[442] Ibid.

[443] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, pp. 77-79.

[444] Republic of Kosovo, National Audit Office, Raporti i Auditimit per Pasqyrat Financiare Vjetore të Akademisë së Drejtësis për vitin 2022 [Audit Report for the Annual Financial Statements of the Academy of Justice for 2022], 2023, accessed 30 November 2023.

[445] Republic of Kosovo, Academy of Justice, "Konkurs" [Job Vacancy], accessed 3 December 2023.

[446] Republic of Kosovo, Academy of Justice, "Konkurs" [Job Vacancy], accessed 2 December 2023.

and safeguards to protect individuals' rights in an increasingly data-driven world, towards access to justice and rule of existing laws regarding such mechanisms.

Capabilities to ensure the rule of law may be limited, as AIP voiced concern that the Agency lacked sufficient staff for field inspections.[447] Interviews also suggested that staff lacked knowledge for adequately treating personal data protection cases from a gender perspective.[448] AIP has conducted a few workshops with public officials at the local level on "Balancing the Right to Information and Privacy".[449]

Figure 9. AIP Infographic on Personal Data

Source: AIP, 2023

Regarding **digital public services** related to rule of law, AIP offers the possibility to file complaints online.[450] The form does not request the gender or sex of users. A website section lists documents like advice on protection of personal data.[451] No documents target women specifically. AIP primarily uses social media for awareness-raising. Posts inform social media users about data protection violations as well as referral mechanisms, primarily in Albanian.[452] Posts are vague and do not contain guidelines as to which steps a person can follow if her or his data is threatened or stolen.[453] For example, one post states: "Do you wish to share your data?" (Figure 9). The description states: "the decision is yours." It does not inform people about the risks or consequences affiliated with choosing to share particular forms of personal data. Campaigns could increase awareness of the threats diverse women and men may face related to data protection. KWN found no evidence that these posts included a gender perspective. Nor was such content shared via television. AIP's YouTube channel only contains one video on "Protection of Personal Data".[454] AIP representatives also participate in media, discussing data protection mechanisms.[455] AIP organised conferences and meetings with operators, institutions, and contractors during Data Protection Week in January 2023. These events did not seem to include discussions on gender aspects of data protection threats.

The Commissioner for Privacy and Information in AIP has observed that the publication of pictures without the subject's consent is the most prevalent type of case reported.[456] However, AIP does not track gender-disaggregated

[447] KWN interview with AIP, 2021.

[448] Ibid.

[449] AIP, "Balancing the Right to Information and Privacy", 13 April 2023, accessed 15 August 2023.

[450] AIP, website, complaint form [in Albanian], accessed 20 December 2023.

[451] AIP, website, "Advice for Personal Data Protection", accessed 20 December 2023.

[452] AIP, Facebook, accessed 23 November 2023.

[453] AIP's website describes such steps, but they do not include any awareness-raising content.

[454] AIP, YouTube, "Personal Data Protection" [in Albanian], 2022.

[455] For example, see Jeta ne Kosovë [Life in Kosovo], "Rreziku nga kamerat e sigurisë", [Risk of security cameras] [in Albanian], live television emission, available on Facebook, 24 January 2023.

[456] KWN interview with the Commissioner for Privacy and Information, November 2021.

data. Therefore, it is not possible to assess the services provided to diverse women and men by this Agency.

Regarding **funding**, related to AIP, the MTEF does not include any references to gender equality or gender-responsive budgeting in its objectives, indicators, baselines, or targets.[457] Each month AIP posts expenditures on its website.[458] This does not include gender-responsive budgeting.

Ombudsperson Institution

The Ombudsperson is an "independent institution that is governed by the principles of impartiality, independence, pre-eminence of human rights, confidentiality and professionalism".[459] It is a "mechanism of equality for promoting, monitoring and supporting equal treatment without discrimination on grounds protected by the Law on Gender Equality and the Anti-Discrimination Law".[460] The Ombudsperson has the responsibility to "investigate alleged violations of human rights and acts of discrimination, and be committed to eliminate them".[461] The Institution has a gender balance of 38 women (54%) and 32 men (46%).[462] Its mandate does not specify any responsibilities related specifically to digitalisation, though it must maintain data on the cases that it assists.

The Ombudsperson Institution generally has **capabilities** for and specialises in treating cases of gender-based discrimination and violence.[463] However, staff have not attended training on digitalisation.[464]

Regarding **digital services**, the Ombudsperson Institution has a functional, frequently updated website, available in Albanian, Serbian, and English languages. It contains information on the Institution's work, news, legislation, reports, and publications. The language and visuals are gender sensitive. UNDP supported the Ombudsperson Institution to develop an electronic system, reportedly the first of its kind in the region, which brings together legislation and cases from the European Court of Human Rights and Kosovo legislation and adjudications, enabling connections to facilitate the analysis of human rights issues.[465] Through "Human Rights Guidelines" and "Guidelines

[457] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[458] AIP, website, Shpenzimet [Expenditures], accessed 4 December 2023.

[459] Republic of Kosovo, Assembly, Law No. 05/L-019 on Ombudsperson, 2015, Article 3.

[460] Ibid., Article 1.

[461] Ibid., Article 18.

[462] KWN correspondence with the Ombudsperson Institution, September 2023.

[463] KWN, From Laws to Action, 2021, p. 125. See also the Institution's reports on these themes.

[464] KWN correspondence with the Ombudsperson Institution, September 2023.

[465] KWN interview with UNDP, 2023.

on Sustainable Development Goals (SDGs) related to human rights", the platform allows users to filter international and local laws, instruments, and cases that mention or address various issues, including by gender.[466] The only interactive digital service is for reporting cases of rights violations. After completing a complaint form with personal information including gender, date of birth, and ethnicity, a person can report a case.[467] The form does not include a field for "other" under gender, which would be advisable given the Institution's mandate to protect the rights of differently identifying persons. The Institution manages data through an electronic system, web applications, and physical copies.[468] The Institution maintains gender-disaggregated data. No cybercrime cases have been reported to the Institution. In 2022, 16 cases involving gender-based violence were reported, and in 2023, three cases as of August.[469] The Institution has not received any cases related to LGBTQI+ individuals. However, it collaborates regularly with CSOs towards advancing the rights of LGBTQI+ persons.[470]

Regarding **funding**, the Ombudsperson Institution's MTEF does not include any references to gender equality or gender-responsive budgeting in its objectives, indicators, baselines, or targets.[471] Nor does its audit report reference gender.[472] Thus, the Ombudsperson Institution does not seem to be applying gender-responsive budgeting.

The Ombudsperson Institution uses e-**procurement**.[473] Tender dossiers did not contain any statement encouraging businesses owned by under-represented genders to apply. Nor did they state affirmative measures for companies working to further gender equality internally.

Assembly of Kosovo

The parliamentary Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly, and Oversight of the Anti-Corruption Agency has responsibilities for drafting legislation, allocating adequate budget, and monitoring Government performance related to the rule of law. This Committee has two women (20%) and eight men (80%). Underrepresentation in this Committee may hinder women's contributions to legislation on digitalisation,

[466] Republic of Kosovo, Ombudsperson Institution, The Platform for Human Rights, accessed 28 November 2023.

[467] The Republic of Kosovo, Ombudsperson Institution, website, "Report the case now!" 2023, accessed 24 November 2023.

[468] KWN correspondence with the Ombudsperson Institution, September 2023.

[469] Ibid.

[470] Ibid.

[471] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[472] Republic of Kosovo, National Audit Office, Raporti i Auditimit per Pasqyrat Financiare Vjetore të Institucionit të Avokatit të Popullit për vitin 2022 [Audit Report for the Annual Financial Statements of the Ombudsperson Institution for 2022], [in Albanian], accessed 6 December 2023.

[473] Republic of Kosovo, Public Procurement Regulatory Commission, "E-procurement", 2016, accessed 23 November 2023.

as well as **monitoring** its implementation. Based on minutes published on the Assembly's website, the Committee has yet to discuss a gender-inclusive approach to digitalisation related to rule of law or gender-responsive budgeting in this sector.[474]

Infrastructure

This section examines the extent to which gender-responsive Infrastructure is available in the rule of law sector. The Law on Gender Equality requires all institutions to maintain gender-disaggregated data. Digitalising the work of rule of law institutions has been an aim of judicial system reforms. The Rule of Law Strategy foresaw cross-sector digital unification to manage cases for the police, prosecution, and courts by maintaining and reporting data, including based on gender.[475] Where the prior section discussed institutions' digital public services, this section focuses on the extent to which each institution has sufficient software and hardware available.

The Rule of Law sector has several forms of digital infrastructure, most of which are being updated. The EC Kosovo 2022 Report noted that Kosovo has finished rolling out CMIS across all prosecution offices and courts, as well as "continued to strengthen the central criminal records system, although challenges remain".[476] The justice system adopted a manual on CMIS. The system has yet to include electronic details of all cases, documentation, and rulings processed by the justice system, including the police, prosecution, and courts. Although some court judgments are available online, finding relevant case law is extremely difficult as decisions are organised chronologically rather than thematically.[477] Thus, it is difficult to gain information on how courts are treating gender-based violence cases.[478] A slight improvement is the availability of information pertaining to some domestic violence cases. Real time data disaggregated by gender is still not easily accessible and useable online. This hampers gender analysis of how cases are progressing through the justice system, which undermines transparency and accountability. CMIS can enable processing of institutional data to produce statistics for public use and to inform policymaking, including based on gender analysis. The KJC website provides the number of: KJC decisions, disciplinary decisions and statistics, verdicts by courts and the mechanism for monitoring individual cases.[479] None of these links provides gender-disaggregated data, such as of disciplinary decisions regarding women and men judges or women and

[474] Republic of Kosovo, Assembly, Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and Oversight of the Anti-Corruption Agency, accessed 28 August 2023.

[475] Republic of Kosovo, Government, Ministry of Justice, Strategy on Rule of Law 2021-2026 , 2021.

[476] EC, Kosovo 2022 Report, p. 5.

[477] KWN, From Laws to Action, 2021, p. 61.

[478] Ibid.

[479] Republic of Kosovo, KJC, website, accessed 18 December 2023.

men's use of the monitoring individual cases option via eKosova or KJC's website. Publication of such data could facilitate transparency, independent monitoring, and the Government's communication with the EU regarding progress towards Chapter 23 of the Acquis on judiciary and fundamental rights.

Beyond tracking cases through the justice system using a gender-responsive approach, digital infrastructure specifically for case management of gender-based violence cases has been under development for several years. Kosovo established a database in December 2018, financed by UN Women and the EU.[480] The Deputy Minister of Justice, dually the National Coordinator for Protection from Domestic Violence, supervises the database. All responsible rule of law institutions have been trained in data entry, and training has been institutionalised in case of staff turnover. The database holds information from KP, the prosecutorial system, the Victim Protection and Assistance Office, shelters, and Centres for Social Work (CSWs). Data must be registered within a month of assisting the case and include name, surname, sex, age, gender, ethnicity, and action, referring to actions taken by relevant institutions. The database seeks to support case management with information about victims and alleged perpetrators, enabling the monitoring of cases as they are treated by different relevant institutions. The data collected can be analysed and made available in PDF, charts, or Excel spreadsheets. The Ministry of Justice has reported limited institutional capacities for data collection and real-time use of the database.[481] Summary institutional data is not available online or in a timely, consolidated, visually user-friendly, and publicly accessible way. This hinders gender analysis, monitoring, evaluation, and thus transparency and accountability regarding rule of law institutions' performance in treating gender-based violence cases. The database does not contain a specific category for cybercrimes or cyberviolence; therefore, no data are available on such cases or sentencing.[482] Meanwhile, concerns exist regarding shortcomings in interoperability between this database and CMIS, which can contribute to inefficient use of rule of law officials' time in entering data in both databases.[483] KWN's monitoring suggests that the police, prosecution, and courts each have continued to use their own respective data management systems related to the cases that they treat.

Despite commitments in the Rule of Law Strategy and recent developments, the different responsible rule of law institutions still do not have a fully functional, cross-sectoral, digital system enabling efficient interoperability

[480] EC, Kosovo 2019 Report, 2019, p. 28.

[481] Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023, p. 12.

[482] Nazlie Bala, Political Advisor to the Minister of Justice, statement at the Council of Europe Hybrid Roundtable, "The digital dimension of violence against women: recognising and combating the phenomenon", 11 May 2022.

[483] KWN, From Laws to Action, 2021, p. 61.

in managing cases. An interinstitutional data management system could enable better tracking of cases through the process and indicating how much time that responsible institutions take to handle each case. This could facilitate the handling of cases among institutions, particularly prioritisation of gender-based cases based on existing policies. Such a system would enable independent monitoring of how well institutions are performing their duties and identify bottlenecks in handling cases, including gender analysis to identify any trends in treating cases that involve women or men specifically, or types of gender-based crimes. Several donors have sought to establish such an interinstitutional case management system for years. A key challenge has been ensuring protection of sensitive data and the related hesitancy among institutions in having a shared system.[484] While digital solutions can exist for protecting personal data and cases still under investigation, such as password-protected access, limited awareness of such options among officials may have contributed to the slow uptake of digital transformation in case management.

Kosovo remains weak in maintaining social statistics overall, particularly gender-disaggregated data.[485] Despite ongoing reforms to data management systems, gender-disaggregated data is not available or easily accessible online. Given shortcomings in data management systems, Kosovo justice institutions do not keep gender-disaggregated data on women and men who report cybercrimes and cyberviolence. Institutions are not fulfilling their duty to submit such institutional data to KAS in accordance with the Law on Gender Equality.[486] The lack of available gender-disaggregated data limits the diverse purposes of its use, including for public institutions to draft evidence-based, gender-responsive public policies. Institutions lack data to inform interventions to address cybercrime with a gender-responsive or gender-transformative approach. Insufficient data hampers civil society's ability to access and use such data to analyse and monitor the ways diverse women and men approach and receive assistance from rule of law institutions. These challenges relate to insufficient infrastructure in terms of software that ensures gender-responsive data protection, confidentiality, and functionality using interinstitutional interoperability. Another key infrastructure challenge is the unavailability of computers. These challenges are elaborated on in the following subsections on specific institutions.

Police

In addition to the mentioned digital public services, KP has a shared software system to which all police stations are connected where they log information about cases, including each victim's name, gender, ethnicity, age, and alleged perpetrators.

[484] KWN conversations with institutions, 2019-2022.

[485] EC, Kosovo 2022 Report, 2022.

[486] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 5, Paragraph 1.8.

KP uses electronic video surveillance both through static cameras established in collaboration with municipalities and, more recently, mobile cameras used by some, albeit not all, officers during patrols. Kosovo remains limited in the camera infrastructure available. KP indicated and KWN has observed that they rarely use cameras or digital equipment for day-to-day operations. It is unclear if KP has a data controller with a filing system for recordings of video surveillance or safe storage for these, as per the law.[487]

Cameras, video recorders, and televisions can enable persons who have suffered violence, often women and children, to testify only once, avoiding re-victimisation and the psychological trauma of having to relay one's experience of violence multiple times to different institutions or again in the courtroom. Several international actors have supported improvements to state infrastructure to provide witness protection and potentially avoid re-traumatisation of victims. They have financed the installation of special interview rooms in police stations and CSWs, as well as body cameras for police.[488]

Electronic surveillance can include mechanisms such as tags that guarantee effective implementation of the court decision for a protection order by determining in real-time the location of a person.[489] A "tag" is an electronic device placed on a person's body (usually wrist or ankle), which enables police to determine his/her location in real-time. Human rights activists have called for using electronic tags to avoid recidivist violence and femicide amid constant violations of protection orders and weak mechanisms for monitoring these orders.[490] The law has provided for such measures since 2015.[491] However, Kosovo does not have the infrastructure available,[492] namely electronic tags, software, operating rooms for electronic surveillance,[493] and staff training.[494]

[487] LPPD, Article 14. KP did not provide information about this in response to KWN's request.

[488] EULEX, "Donation of IT equipment and office furniture to the Centre for Social Work in Mitrovica South", 2020.

[489] Council of Europe, Committee of Ministers, ,19 February 2014, 1192nd meeting of the Ministers' Deputies; see also Council of Europe, European Committee on Crime Problems, Council for Penological Cooperation, Draft Commentary to Recommendation on Electronic Monitoring, 2013.Recommendation CM/Rec(2014)4 of the Committee of Ministers to member States on electronic monitoring,19 February 2014, 1192nd meeting of the Ministers' Deputies; see also Council of Europe, European Committee on Crime Problems, Council for Penological Cooperation, Draft Commentary to Recommendation on Electronic Monitoring, 2013.

[490] EULEX, "EULEX supports the launch of FOL's report 'Electronic tags: focus on prevention of domestic violence cases'", 7 December 2021, accessed 20 December 2023.

[491] Republic of Kosovo, Assembly, Law No. 05/L-003 on the Electronic Supervision of Persons Whose Movement Is Limited by the Decision of the Court, 2015.

[492] KWN, *From Laws to Action*, 2021, p. 54.

[493] Republic of Kosovo, Ombudsperson Institution, "Report of the Ombudsperson of the Republic of Kosovo, Case No. 621/2018 Regarding Operational preventive measures for the protection of victims of domestic violence, according to the Law No. 05/L-003 on electronic monitoring of persons subject to court-imposed movement restrictions" [Albanian only], 2021.

[494] *Kosova Press*, "Electronic bracelets; the experts: 600,000 euros are not enough, enforcement of the law is necessary", 2023, accessed 20 December 2023.

The Ombudsperson has recommended that MIA and KP implement their legal duties to carry out electronic monitoring, as well as collect, process, and report data obtained from devices.[495] Electronic tags may be difficult to use in situations where perpetrators and victims live together, which generally has proven challenging for KP in ensuring that perpetrators do not violate protection orders, as perpetrators often reside with victims given women's lack of property ownership and economic independence.[496] Depending on the case, electronic tags may need to be combined with other protection order measures for appropriate implementation, such as requiring the perpetrator to find alternative housing or pay rent for the victim to live elsewhere.

In 2023, the Government allocated €600,000 for an "Electronic Monitoring System" to purchase electronic bracelets and initiate implementation of the Law.[497] The National Strategy on Protection against Domestic Violence and Violence against Women foresees "Implementation of the digital monitoring system for the proper enforcement of Protection Orders in accordance with the Law on Electronic Monitoring, and monitoring the effectiveness of this system", for which the Government has set aside €15,000 for 2023 and €10,000 for 2024 from the Kosovo Budget for MIA and police to establish this digital system and to properly monitor it.[498]

Practices from countries that implement electronic monitoring show that it has a significant effect on reducing cases of domestic violence; evidence demonstrates a greater compliance rate with court orders when offenders are electronically monitored.[499] There are many benefits to GPS monitoring: decreased re-victimisation, additional peace of mind for victims, and increased victim autonomy.[500] These need to be considered in expediting the functionalisation of electronic surveillance of perpetrators.

[495] That is in accordance with Republic of Kosovo, Assembly, Law No. 05/L-003 on the Electronic Supervision of Persons Whose Movement Is Limited by the Decision of the Court, 2015, Article 10 (Republic of Kosovo, Ombudsperson Institution, "Report of the Ombudsperson of the Republic of Kosovo, Case No. 621/2018 Regarding Operational preventive measures for the protection of victims of domestic violence, according to the Law No. 05/L-003 on electronic monitoring of persons subject to court-imposed movement restrictions" [Albanian only], 2021).

[496] KWN, From Laws to Action, 2021, p. 86.

[497] *Koha.Net*, "The project for the supervision of people whose freedom of movement is restricted by the court", 2023.

[498] Government, Ministry of Justice, National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2022, Action Plan, Action Measure II.1.1 2., Specific Measure 1.8, p. 80.

[499] Blair Gilbert, "Promising Practice: GPS Monitoring for Violators of Protection Orders", Battered Women's Justice Project, 2014.

[500] Ibid.

Medical Forensic Institute

This Institute is responsible for examining cases, including of gender-based sexual violence. It reports to the Ministry of Justice.[501] According to its records, this violence is usually perpetrated against women and girls, and in some instances boys, with 70% of cases involving minors.[502] However, the Institute does not maintain gender-disaggregated data and statistics.[503] Officials said that "for IT Forensic Experts, the data/identity of the persons is unimportant"; rather, they focus on "the order of the Prosecutor or the Court" regarding what they should examine. The Institute has medical records and evidence. A copy of reports is stored on local computers and archived. The only data they save is an electronic copy of the examination report. It is essential to protect this data.

Therefore, the recent fire at the Institute[504] was cause for concern, demonstrating the importance of ensuring secure storage of electronic data pertaining to cases. The Institute did not lose any evidence due to preventative measures taken.[505] At present, data is "stored only locally in digital forensics computers that are disconnected from the network, which increased the level of information security [...] because they are not subject to risks of internet attacks". Best practices in data security encourage that all data be stored and backed up in three different locations including in the cloud and hard copy to ensure adequate protection. Indeed, loss of data has been cited as a reason why the United Nations Mission in Kosovo (UNMIK), and later EULEX, could not bring justice for cases of gender-based violence perpetrated during the war.[506] This lesson learned is evidence of the importance of ensuring safe storage and backup of case files involving gender-based violence. In the future, the Institute hopes to secure financial support for advancing current technology, which would enable data storage in an additional secure location outside the facility.[507]

Prosecution and VAs

The prosecution has received IT equipment from donors.[508] It is in the "transitional phase" of using CMIS to manage data.[509] The KPC Department for Information Technology is responsible for ensuring CMIS implementation

[501] Republic of Kosovo, Ministry of Justice, Instituti për Mjekësi Ligjore [Forensic Department], [in Albanian] accessed 20 December 2023.

[502] EULEX, "Bringing perpetrators of sexual violence to justice: A discussion on the need for more effective inter-institutional cooperation", 6 December 2021.

503 KWN correspondence with the Medical Forensics Institute, August 2023.

[504] *Nacionale*, "Zjarri në Institutin e Mjekësisë Ligjore, policia: Rasti nën hetime" [Fire in the Medical Forensic Institute: The case is under investigation], April 2023.

[505] KWN correspondence with the Medical Forensics Institute, August 2023.

[506] KWN, 1325 Facts & Fables, Second Edition, 2022, p. 138.

[507] KWN correspondence with the Medical Forensics Institute, August 2023.

[508] Republic of Kosovo, KPC, Work Report 2022, 2023, p. 39.

[509] Ibid., p. 67. The Transitional Phase ICT/CMIS Project for 2022-2024 is financed by the Norwegian Embassy. The prosecution has €50,000 for finalising CMIS of which only 9% was reportedly spent.

throughout the prosecutorial system. It provides on-the-job training for prosecutors and administrative staff. Public information was unavailable as to whether training helps staff include or analyse gender-disaggregated data.

VAs have an internal database that includes who has communicated with each case, what has happened, and whether the case has a protection order. It has data disaggregated by gender, age, ethnicity, and municipality. A more comprehensive case management system does not exist. The prosecution has initiated an electronic case management system for the Office for Victim Protection and Assistance.[510] The Government has planned to strengthen this Office with "adequate human, financial and infrastructural capacities", including providing computers with advanced performance and access to the electronic case management system for all VAs.[511] The U.S. Embassy has supplied regional Office leaders with laptops, and KPC seeks to ensure that the staff have the infrastructure required for their work insofar as budget allows.[512]

Kosovo Judicial Council and Courts

Courts use CMIS for processing all cases, including criminal, civil, administrative, economic, and misdemeanour.[513] Data is saved in the Palace of Justice. While KJC reports sufficient capacities related to software and hardware, it still needs to institutionalise digital signature.[514] KJC could not provide gender-disaggregated data on cybercrime cases. According to KJC, "Statistical data based on gender requires a lot of work as it is not part of the standard reports." At first, KJC representatives said they could extract such data, if needed, given that the number of cybercrime cases is low. However, they later refused because it was too time consuming. Nor could KJC extract statistical data related to persons with disabilities, though courts had treated such cases.[515] This suggests inadequate systems for data collection and maintenance, despite requirements in the Law on Gender Equality and National Strategy on Protection against Domestic Violence and Violence Against Women 2022-2026.[516] The inability to provide gender-disaggregated data suggests that CMIS needs additional categories and/or staff need training to ensure appropriate data entry.

Basic courts are in the process of digitising files and archives. The KJC Department of Information Technology has integrated CMIS with the Central

[510] Ibid. Evidently it is part of the ICT/CMIS project.

[511] Republic of Kosovo, Government, Ministry of Justice, Annual Report on the Implementation of the National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2023, p. 87.

[512] Ibid.

[513] KWN correspondence with KJC, September 2023.

[514] Ibid.

[515] Ibid.

[516] Government, Ministry of Justice, National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026, 2022, p. 46.

National Criminal Records System and the audio and video recording project.[517] KJC has progressed in adopting criteria for the automatic random distribution of cases to basic court judges through CMIS.[518] Gender analysis did not inform the design of these systems. This could contribute to gender inequalities. For example, the random assignment of judges has led to instances of gender-based violence cases being assigned to judges who have not received specialised training in treating such cases.[519] This could mean that they lack adequate knowledge and skills for properly treating the cases. This risk could be averted by including additional criteria in the software program according to which certification in gender-based violence figures into the algorithm determining judge assignment.

> **"Statistical data based on gender requires a lot of work as it is not part of the standard reports. For your information, to extract the data based on gender, each subject must be analysed separately. So, NO! We can't extract such data!"**
>
> — KJC

The Istanbul Convention requires all parties to make infrastructure available, enabling victims to testify with appropriate communication technologies. The CPC also allows for testimony through video-conference technology towards witness protection.[520] EULEX has observed a failure to ensure audio-recording as per the CPC, attributing this primarily to a deficiency in technical resources.[521] According to KJC:

> Only a few courts are equipped with all relevant technological tools to protect witnesses in court procedures, enabling them to also give their testimony outside courts. These tools offer the possibility to remain anonymous by changing the voice and not showing the face. For now, these tools are available in the Basic Courts of Prishtina/Priština, Gjilan/Gnjilane, and Prizren. A U.S. Embassy project will enable equipping all other basic courts with such tools. The project aims to equip 27 courts with audio and video tools, recording devices, simultaneous translation, transcription tools, and training of IT and staff on the use of the tools.[522]

Infrastructure to protect women and men in court procedures seems limited to only three municipalities, though courts lacking these tools can hold hearings in courts with such tools.[523] According to EULEX, technical shortcomings contribute to the unnecessary extension of hearings due to the time-consuming

[517] Republic of Kosovo, KJC, Annual Work Report 2022, [in Albanian], p. 40.

[518] Digitising data, CMIS, and the notaries' platform have received support from UNDP (KWN interview with UNDP, 2023). KWN could not find information about the notaries' platform online.

[519] KWN, From Laws to Action, 2021, p. 92.

[520] Republic of Kosovo, Assembly, Code No. 08/L-032 The Criminal Procedure Code of Kosovo, 2022, Article 147.

[521] EULEX, Justice Monitoring Report, 2021.

[522] KWN correspondence with KJC, May 2023.

[523] Ibid.

process of producing written records, the diversion of attention from the pivotal elements of the hearings, and potential deterioration in the quality of testimonies.[524] Equipping courts with appropriate technology and granting them the ability to audio-record courtroom sessions would contribute to enhanced efficiency and quality of trial proceedings. This would prove especially beneficial when it comes to the interrogation of parties and witnesses. With support from EULEX, courts have begun installing televisions in courtrooms, which enable women, among others, to testify outside the courtroom and out of view of alleged perpetrators. However, use of such infrastructure remains low.

Free Legal Aid Offices

Representatives of the Free Legal Aid Agency stated that they have had a "very functional" database since 2013, which was redesigned in 2018; it includes all persons applying for free legal aid, their data, and information about services provided.[525] It can generate statistics regarding beneficiaries of free legal aid. In 2023, the Agency added categories for harassment and sexual harassment to the database. As of August 2023, one harassment and one sexual harassment case had been reported.[526] The Agency does not have data on cybercrimes. Nor does it maintain data on legal aid services provided to people with disabilities related to digital crimes. Similarly, they do not ask LGBTQI+ persons to share information about their gender identity or sexual orientation, so such information is not maintained. Meanwhile, the Agency provides legal aid to all people, regardless of their gender, ethnicity, or sexual orientation.[527] The Agency has additional internal data management systems.[528]

Ombudsperson Institution

This Institution has an electronic data management system for tracking cases. However, it does not have "an adequate data management system to track quantitatively the types of cases assisted and their outcomes but planned to develop such a database".[529] In its online electronic database to receive complaints, the Ombudsperson does not have a category for gender-based discrimination.[530]

[524] EULEX, Justice Monitoring Report, 2021.

[525] KWN correspondence with the Free Legal Aid Agency, September 2023.

[526] Ibid.

[527] Ibid.

[528] For example, these include the HRMIS and *Sistemi Informativ për Menaxhimin e Financave të Kosovës* [Information System for Financial Management of Kosovo].

[529] KWN, From Laws to Action, 2021, p. 125.

[530] KWN, Gender-based Discrimination and Labour in Kosovo, 2022, p. 76.

People

This section analyses digital literacy, including diverse women and men's awareness of digital services related to rule of law, data protection, and cyber-security; the extent to which they have access to and use digital tools related to cybercrime; and their use of justice services to address digital violence.

Digital Literacy, Awareness, and Protection

While KWN could not find any Kosovo-wide research, interviews suggested that people lack information regarding various forms of cybercrime and their rights to protection from it.[531] People do not understand the risks that the internet poses for children, and parents reportedly do not adequately protect their children from violence, particularly blackmail, which especially affects women and girls.[532] Children are **unaware** of the damage of sharing content online, such as pictures and videos, which makes them particularly susceptible to exploitation.[533] Despite AIP's efforts to increase awareness, the Commissioner for Data Protection in Kosovo noted that citizens generally do not know "how their data is being processed, why, or when".[534] The Commissioner told KWN: "Citizens of Kosovo tend to not read data protection standards of different contractors and operators. As such, even though we have noticed slight improvements, the level of awareness on data protection remains severely low."[535] Only a few initiatives in Kosovo have raised awareness about data protection.[536] Even fewer efforts have included a gender perspective, such as the ways diverse women, men, and other identifying persons may be at risk. Citizens' awareness related to online data processing and cybercrime is also low, which contributes to data protection rights violations.[537]

> **"Citizens tend to not read data protection standards [and] the level of awareness on data protection remains severely low".**
>
> — Commissioner for Data Protection of Kosovo

Regarding **awareness** related to whistleblowing, the Kosovo Democratic Institute conducted a study on the overall implementation, awareness, and application of the Law on Protection of Whistleblowers with Private Sector

[531] KWN interviews with AIP, the Commissioner for Information and Privacy, and KP, 2021.

[532] AGE, KWN interview, 2023.

[533] Fadil Abdyli, Chief of Cybercrime Investigation Unit, KP, and Krenare Sogojeva Drëmaku, Kosovo Commissioner for Information and Privacy, statement made during televised program "*Divers – 'Mbrojtja e të dhënave personale në internet'*" [Protection of personal data on the internet] [in Albanian], RTK, YouTube, 10 February 2023, accessed 22 November 2023.

[534] RTK, "Divers - Mbrojtja e të dhënave personale në internet" [Divers- Protection of personal data on the internet] [in Albanian], 10 February 2023.

[535] KWN interview with AIP, 2021.

[536] See the section on AIP in Chapter 1 and the Education chapter.

[537] Abdyli, Fadil, Chief of Cybercrime Investigation Unit, KP, statement made during televised program "*Divers – 'Mbrojtja e të dhënave personale në internet'*" [Protection of personal data on the internet] [in Albanian], RTK, YouTube, 10 February 2023, accessed 22 November 2023.

employees and civil servants. The study found that most respondents would not report a threat or damage to public interest.[538] Slightly more than half of the respondents (52%) believed that taking an action would not have any positive impact. Moreover, some believed that whistleblowing would impact their employment status (27%) or career degradation (29%).[539] Fewer respondents (21%) reported fear of retaliation as a reason for not reporting. Respondents who stated that they would not feel confident reporting threats or damages to public interest to persons responsible for whistleblowing were asked to elaborate why; 54% lacked confidence in the official responsible for handling whistleblowing reports. Respondents mentioned the whistleblowing official's lack of professional integrity (39%) and the person's relationship with suspected persons involved in the case (29%).[540] The study provides no gender-disaggregated data. Meanwhile, it suggests that neither women nor men seem likely to report cases.

Further study of diverse women and men's awareness related to whistleblowing, including gender-disaggregated data on prevalence, could reveal whether women may be less likely to report law violations digitally. Potential reasons for women not reporting could be that they are less employed in public and private sectors, fear losing their jobs, fear for their safety, and/or lack trust in judicial institutions. Anonymity offered via digital reporting solutions may facilitate reporting.

Use of Technology for Cybercrime

In 2022, KP had 131 cases reported of wrongful access to computer systems, 38 cases of identity theft, and two cases of violations of computer databases.[541] An increase in cyberattacks against media has affected their work.[542] Meanwhile, institutions also experienced several cyberattacks, leading to malfunctions of their websites and work systems.[543] Despite requests, KP did not provide gender-disaggregated data regarding perpetrators of cybercrimes. However, officers observed that most perpetrators have been men.[544]

Gender-based violence is violence perpetrated against a person because of her or his gender. Given social norms and power relations, women tend to experience gender-based violence more than men. Gender-based violence

[538] Kosovo Democratic Institute, The Law on Protection of Whistleblowers, 2020, p. 29.

[539] Ibid.

[540] Ibid.

[541] *Nacionale*, "Sulmet kibernetike rriten në Kosovë, cak kryesisht mediet - ekspertët alarmojnë për gjendjen" [Cyberattacks increase in Kosovo, mainly targeting the media - experts warn about the situation], 2022, accessed 15 August 2023.

[542] Ibid.

[543] Radio Free Europe, "Sulmet kibernetike, Kosovës i kanë ardhur nga Serbia deri te Rusia" [Cyberattacks in Kosovo came from Serbia and Russia],12 July 2019, accessed 15 August 2023.

[544] KWN interview with KP Cybercrime Investigation Unit, November 2021. Generally, men are far more likely than women to commit crime; in 2015, 95% of adults sentenced by basic courts were men and in 2016, 96% of juvenile offenders were boys (KWN, *Kosovo Gender Analysis*, 2018).

is a rights abuse. Most forms of gender-based violence constitute criminal offences requiring action by justice providers including police, prosecutors, and judges, towards ensuring the rule of law. Gender-based violence is widespread in Kosovo and globally. The OSCE's representative survey of 1,990 women ages 18-74 years found that 54% had experienced psychological, physical, or sexual violence at the hands of an intimate partner since age 15, and 29% had experienced sexual harassment.[545] Minimal differences existed in the prevalence of various forms of gender-based violence in urban and rural areas, but age was a key factor. Young women (ages 18-29) were more likely to state that they had experienced sexual harassment since age 15. Where 29% of all women reported such harassment, 42% of young women had experienced it. Moreover, 24% of young women had experienced sexual harassment in the last year. Meanwhile, women over age 60 were more likely to state that they had suffered physical and/or sexual violence during their lifetime. Serbian women were more likely than Albanian women to report having experienced physical or sexual violence. Findings suggested that cases go unreported, particularly in rural areas.

Research shows that gender-based violence offline reflects gender-based violence online. One report found that 45% of domestic violence victims had experienced some form of abuse online during their relationship and 48% reported experiencing harassment or abuse online from their ex-partner once they had left a relationship.[546] About 38% reported facing online stalking once they had left the relationship, and 75% reported that police did not know how to respond to online abuse and harassment. The report found that perpetrators' abuse is particularly devastating due to the "always on" nature of online life.[547] This can feel draining and inescapable for victims as it can be difficult to completely block the abuser from making contact. Nor is it easy for a young person who has suffered violence to "opt out" or switch off their social media, as it is deeply integrated into their social lives.[548]

Meanwhile, violence witnessed online may inspire gender-based violence offline. Several studies have shown a positive relationship between exposure to online porn and behaviour supporting violence against women.[549] Men who watch online porn are more likely to commit sexual assault and show less empathy towards victims of rape.[550]

[545] OSCE, Survey on well-being and safety of women, 2019.

[546] Women's Aid, Women's Aid research on intimate relationship abuse and young people (18 to 25 years old), 2020.

[547] Ibid., p. 3.

[548] Ibid., p. 3.

[549] G. M. Hald, N. M. Malamuth, C. Yuen, "Pornography and Attitudes Supporting Violence Against Women: Revisiting the Relationship in Nonexperimental Studies", *Aggressive Behavior*, vol. 36, no. 1 (2010): 14–20.

[550] Oddone-Paolucci, E., Genius, M., Violato, C., "A Meta-Analysis of the Published Research on the Effects of Pornography", in The Changing Family and Child Development, 2000, pp. 48–59. See also: J. L. Carr, K. M. VanDeusen, "Risk Factors for Male Sexual Aggression on College Campuses", *Journal of Family Violence*, vol. 19, no. 5, 2004, pp. 279–89.

While Kosovo lacks quantitative data regarding the prevalence of cybercrime and cyberviolence affecting diverse women and men, other evidence globally,[551] regionally,[552] and locally[553] suggests that cyberviolence seems to affect women and girls disproportionately.[554] The EU has estimated that one in ten women have experienced a form of cyber-harassment since age 15.[555] This highlights the need to develop specific measures to prevent online gender-based violence.[556]

Women and girls can be exposed to various forms of gender-based cyberviolence, which can include psychological violence, cyberstalking, online harassment, sexual exploitation, and recruitment for sex trafficking (under false pretences like jobs abroad), as well as gross breaches of privacy, such as doxing or "revenge pornography".[557] The term "doxing" is slang for posting online documents regarding another person without permission; it tends to be a malicious act that a hacker uses against people the hacker dislikes or disagrees with.[558] Specific groups of women are particularly at risk of cyberviolence, such as young women, ethnic minorities, lesbian, bisexual, queer and transgender women, and those with disabilities, as well as women human rights defenders, politicians, and journalists.[559] Middle-aged women using social media networks can be especially vulnerable to online violence, as some may be less informed about safe internet use.[560]

Image-based sexual abuse has been reported in Kosovo. One case reported to KWN involved a young woman who had shared photos of a sexual nature with her boyfriend; after they discontinued the relationship, he threatened to share the photos publicly via social media. The case involved bribery through which she provided financial payments so that he would not share the photos. While initially reluctant, she eventually reported the case to police with KWN's support. The lack of a clear legal definition made it difficult to treat; the case remained ongoing in 2023. In another case, after a woman

[551] Network Digixem360, "Why are women more victims of cybercrimes than men?", April 2022; and EIGE, "Cyber violence is a growing threat, especially for women and girls", 19 June 2017.

[552] Geneva Centre for Security Sector Governance, Eugenia Dorokhova, hvale vale, Vasilika Laçí, Aida Mahmutovic, Cyber Violence against Women and Girls in the Western Balkans: Selected Case Studies and a Cybersecurity Governance Approach, 2021. They suggested that "the number of cases of cyber VAWG and technology facilitated abuse in the Western Balkan region are as high as in other European countries."

[553] Democracy for Development, Leonida Molliqaj, "Interneti duhet të jetë një vend i sigurt për grate" [The internet should be a safe place for women], 16 March 2023.

[554] See, for example, Drouin, Ross, and Tobin, "Sexting: a new, digital vehicle for intimate partner aggression?", *Computers in Human Behaviour*, 50, 2015, p. 197, and M.A. Franks and D. Citron, "Criminalizing Revenge Porn", *Wake Forest Law Review*, 49, 2014, p. 345.

[555] EC, "What is gender-based violence?", accessed 15 August 2023.

[556] UN Women, Gender Analysis in Technical Areas: Digital Inclusion, 2019.

[557] UN, Human Rights Report 2017, 2018.

[558] Kaspersky, "What is Doxing - definition and explanation", accessed 15 August 2023.

[559] UN, Human Rights Report 2017, 2018.

[560] KWN interview, 2022.

ended her relationship with a man, he threatened to share her photos; KWN assisted, and the perpetrator was convicted of blackmail under the Criminal Code. Media have reported similar cases of ex-boyfriends sharing intimate photos and videos, which KP also treated as blackmail cases.[561]

The United Nations Office on Drugs and Crime (UNODC) has observed that the internet is being used by human traffickers as "digital hunting fields".[562] Both KP and AIP noted that internet abuse among children is concerning, especially pictures and videos exchanged online.[563] According to the KP Cybercrime Investigation Unit, Instagram, Facebook, and Snapchat platforms are where most content involving sexual abuse is shared. "In the devastating majority of cases that we receive, it is children who are exchanging, using, or being the subject of online sexual materials. This is worrying, because in the future, they, themselves can become sexual abusers," said Fadil Abdyli, KP Chief of the Cybercrime Investigation Unit.[564] It is unclear whether boys or girls, as internet users, tend to be more involved in such criminal offences. However, considering that gender-based violence tends to affect women and girls in Kosovo more than men and boys, it can be inferred that girls may be more susceptible to such crimes.

Power relations contribute to how gender-based violence is manifested, condemned socially, and treated by institutions. Gender-based violence, including online harassment, stalking, bullying, violations of personal privacy, and sexual abuse, occurs due to socialised power structures. The fact that socially men tend to be in positions of power more than women, puts them in a position to use their political, economic, physical, and psychological power over women. This power is exercised through digital technologies, as well.

Power relations within the family can contribute to husbands, fathers, brothers, or other men, and sometimes women family members like mothers-in-law, controlling victims, such as preventing them from using digital tools, leaving the house, or reporting violence. This can include physical control as well as psychological and economic control. Digital technology can be used to control victims by monitoring their movements as has been reported in Kosovo. For example, victims of gender-based violence have been monitored by their ex-husbands or perpetrators who install various software on their phones or place GPS trackers on their cars without their knowledge.[565]

[561] Ilirjana Hoti, "The suspect, who threatened a woman by blackmailing her with the release of intimate videos and photos, has been arrested" [in Albanian], *Koha.net*, 6 September 2023, accessed 20 December 2023; *Sinjali*, "A boyfriend demands 70 thousand euros from a girl in Lipjan, threatening to share intimate photos with her family", [in Albanian], 4 July 2021.

[562] UNODC, "*Traffickers' Use of the Internet*" Ch. 5 in *Global Report on Trafficking in Persons 2020*, 2020.

[563] Abdyli, Fadil, Chief of Cybercrime Investigation Unit, KP, statement made during televised program "*Divers – 'Mbrojtja e të dhënave personale në internet'*" [Protection of personal data on the internet] [in Albanian], RTK, YouTube, 10 February 2023, accessed 22 November 2023.

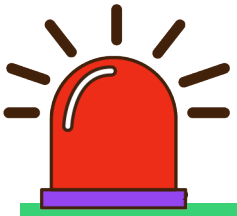
[564] Ibid.

[565] KWN monitoring of cases.

While anyone can be affected by financial cybercrime, men may be more prone to being victims of online financial scams, investment fraud, and identity theft, given that they possess more capital and property than women.[566] Therefore, they have more financial resources that may be at stake. Older people also are reportedly at greater risk.[567]

Use of Justice Services to Address Digital Violence

If they felt threatened online, 57% of women and 66% of men said that KP would be the first authority they would contact for help.[568] However, 15% of women and men said that they would not seek help from anyone. If people do not request help, it is difficult for institutions to protect them. When asked which services institutions should offer online, 19% of women and 13% of men said a domestic violence helpline should be provided.[569] Meanwhile, KWN asked KP for gender-disaggregated data on persons who had suffered cybercrime and cyberviolence but received no response.



If they felt threatened online, 57% of women and 66% of men said that KP would be the first authority they would contact for help.

Power relations can make it difficult for women, girls, and boys to approach institutions. Social norms and pressure, including online smear campaigns targeting women who have suffered violence, can prevent other women from reporting cases because they do not want to be the target of further victimisation. For example, in one case of gender-based violence, media reported that a woman's husband had beaten her because she did not cook for him. Comments made on media platforms justified the violence.[570] If women experiencing violence see such comments, they may hesitate to report violence for fear of similar online smear campaigns. Victim-blaming may make victims hesitant to report cybercrime.

The absence of a fully functioning interinstitutional database with case information available online in real time makes it difficult to monitor whether diverse women and men are using online public services to access justice, including related to gender-based violence and cybercrimes. KWN requested information from institutions but did not receive responses.

Technology such as tele-counselling or online reporting can offer opportunities for reporting violence if adequate precautions are taken. During the COVID-19 pandemic KWN cooperated with the Autonomous Women's Centre in Belgrade to develop a Protocol for Online Counselling for Women

[566] KWN, *Kosovo Gender Analysis*, 2018, p. 41.

[567] Polly Jean Harrison, "Women Are Less Likely to Have Experienced a Financial Scam Than Men", The Fintech Times, 18 January 2021.

[568] UNDP, Digital Household Survey, 2022.

[569] Ibid.

[570] Telegraf, "Profesori universitar nga Lipjani rrahu gruan pasi nuk i gatoi pite me spinaq" [The university professor from Lipjan/Lipljan beat his wife after she did not cook spinach pie for him] [in Albanian], 14 August 2023, accessed 26 November 2023.

Experiencing Violence, based on international best practices. While not an institutionalised service, the Protocol establishes procedures for ensuring the protection of women who have suffered gender-based violence while providing counselling services through telephone or smart phone applications. Piloted by shelters in Kosovo, this experience could inform establishing a similar Protocol for relevant institutions to treat cases in the future. Shelters continue to use the Protocol, emphasising that it has been essential for shelter staff to assist women and girls who cannot leave home to report violence. During 2021 and 2022, shelters advised about 2,000 women victims of violence using this Protocol.[571] Thus, aside from its relevance amid crises, tele-counselling can be useful for women living in isolation who cannot leave their homes to seek support, for women with disabilities, and for women in rural areas, who for geographic and financial reasons may lack access to public transport and services.

Given the general dearth of data among institutions, further monitoring is needed to understand the extent to which diverse women and men have access to justice for gender-based cybercrime and cyberviolence.

Conclusion

Regarding **Regulation**, the legal framework pertaining to digitalisation and rule of law is primarily gender neutral and lacks attention to several forms of cyberviolence and digital threats that can affect women and men differently. As the Istanbul Convention does not refer to different forms of cyberviolence against women, Kosovo can revise its currently inadequate legal framework to address cyberviolence and digital threats in line with the EU's proposed Directive on combating violence against women and domestic violence. Improving the legal framework can contribute to improving the rule of law and access to justice. The Criminal Code should address cybersecurity and personal data protection explicitly, including definitions and regulation of gender-based cyberviolence in its various forms like image-based sexual abuse, online sexual harassment, and sexting. The new Law on Protection from Domestic Violence and Violence against Women does not ensure a holistic approach to treating all gender-based violence cases, including on cyberviolence. It does not have any articles regulating such offences but only a definition of "porn revenge". The LPPD and the Law on Prevention and Fight against Cyber-violence should establish better protections for women, LGBTIQ+ persons and vulnerable groups. Secondary legislation such as the forthcoming SOPs on gender-based violence should specify means for protecting victims with a gender-responsive approach using secure, interinstitutional digital case management. All strategies and action plans need more gender-responsive objectives, indicators, baselines, targets, and

[571] KWN correspondence with shelters.

budgets. To inform all new and revised legislation, G(E)IAs must be conducted along with Data Protection Impact Assessments, as foreseen by the LPPD.

Regarding **Governance**, women's underrepresentation in leadership, coordination, implementation, monitoring, and evaluation in the Government and justice system may mean that the needs and challenges that women face are unaddressed in policymaking and programming, including related to digitalisation. Minimal information exists on capabilities for gender-responsive digitalisation, though comments during interviews suggest a need for furthering capacities for a gender-responsive approach. Changes to the legal framework related to cyberviolence and data protection must be accompanied by institutionalised training. Few people in the rule of law sector have knowledge about gender-responsive digitalisation processes. Rather, officials tended to consider gender irrelevant to digitalisation, stating that actions towards digitalisation are the same for everyone; therefore, they did not include gender considerations in digitalisation processes. This gender-neutral approach to digitalisation could contribute to gender-negative effects by reinforcing the status quo and established gender norms and relations. Few digital public services are available, hampering gender analysis of the processing of cybercrime and cyber-related civil cases. Inadequate capacities and use of CMIS and the Ministry of Justice case management system for gender-based violence cases undermines effective treatment of cases as well as data maintenance to inform gender analysis. Nor can funding and procurement be monitored from a gender perspective due to the lack of publicly available information.

Substantial investments in digital equipment and software are required to enhance the sector's **Infrastructure** for responding to cybercrime and cyberviolence. Infrastructure can be used to increase access to justice for isolated persons; reduce traumatisation through recorded and televised testimony in courtrooms; randomly assign appropriately certified judges; and apply e-surveillance of perpetrators' movements towards preventing recidivism. Improved software can transparently enable public access to tracking cases through the justice system and monitoring the performance of responsible actors.

People seemingly lack knowledge as to what constitutes cybercrime, data protection, and how to ensure protection, including for children, though data is lacking. Men are more likely to perpetrate cybercrimes, including gender-based violence, while women, children, and LGBTIQ+ persons seem more prone to suffering these crimes due to gender-based power relations and norms. Seldom is cybercrime reported and thus monitoring access to justice has been difficult. Women in particular hesitate to report cybercrimes given distrust of institutions and their fear that their report will become public, endangering their safety as well as family and social relationships. Tele-counselling may facilitate access to services. Rule of law and accompanying services for people can be enhanced by advancing gender-responsive digitalisation.

03

Digitalising Social Services

Digitalisation offers immense potential for improving social services for women and men, simultaneously posing the risk of perpetuating existing gender inequalities.[1] This chapter examines Kosovo's efforts to digitalise public social services, examining each of the Gender-responsive Inclusive Digital Transformation Model's dimensions: Regulation, Governance, Infrastructure, and People.

[1] UN Women, Judy Wajcman, Erin Young, and Anna Fitz Maurice, "The digital revolution: Implications for gender equality and women's rights 25 years after Beijing", 2020.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Social Services

This section analyses the gender-responsiveness of laws, policies, and strategies relevant to digitalising social services.

Law on Social and Family Services

Adopted 2007 and amended in 2012, this Law regulates the provision of social and family services for persons and families in need.[2] MLSW had responsibility for organising and providing Social and Family Services. However, MLSW ceased to exist in 2020, and MFLT assumed its duties, some of which were transferred to the Ministry of Justice in 2023.[3] The Law defines "families in need" as those in which:

> one or both parents or guardian need assistance in caring for the child because of their status or [the] condition of the child, in circumstances where a child is suffering serious harm due to neglect, abuse by a parent or parents, because of the inability of the parent or parents or guardian to care for adequately, or is exposed to the possibility [...].[4]

The responsible Ministry also provides care for the elderly, persons with mental disabilities, and those with delayed mental development who have no other persons to care for them.[5] "Direct social care" involves assisting persons in need with housework, personal care, mobility, communication, and supervision.[6] People in Kosovo have "fair and equal access to Social and Family Services without distinction of any kind, such as race, ethnicity, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."[7] It does not mention gender, gender identity,

[2] Republic of Kosovo, Assembly, Law No. 04/L-081 on Amending and Supplementing the Law No. 02/L-17 on Social and Family Services, 2012.

[3] For further information, see the Government section.

[4] Republic of Kosovo, Assembly, Law No. 04/L-081 on Amending and Supplementing the Law No. 02/L-17 on Social and Family Services, 2012. Article 1, Paragraph 4.

[5] Ibid., Article 12, Paragraph 12.3a.

[6] Ibid., Article 1, Paragraph 1.3.

[7] Ibid., Article 2.

or sexual orientation. Generally, the Law does not attend to gender equality. It offers no definition of gender or sex, though vulnerable women and men may face gender-related challenges in accessing service and may need gender-responsive services.

Regarding adoption, the Law states that married couples will receive preferential treatment when adopting children.[8] Considering that the Kosovo Law on Family still defines marriage as a union between two persons of different sexes,[9] this Law discriminates against LGBTIQ+ persons. In the list of reasons why persons may need social services, the Law does not include services for persons who have suffered any form of gender-based violence, as per the requirements of the Istanbul Convention. It only refers to domestic violence. Thus, for example, women who have suffered rape would not qualify for social services.

The Law mentions neither the digitalisation of social and family services generally nor the provision of social services to persons who have experienced cyberviolence or cybercrime. The only reference to digitalisation appears in Article 15, where the Law notes that "verbal, written and electronic communications concerning the provision of Social and Family Services between an individual or a family receiving such services and a Social and Family Services professional will be treated as being in confidence." If a Social and Family Services professional shares information concerning a case with unauthorised third parties, this constitutes "gross professional misconduct", and they may be liable to prosecution under the Criminal Code. Gender is not referred to in reference to digitalisation.

The Law defines "Persons in Need" as any person requiring social services, including:

> children without parental care; children with antisocial behavior; juvenile delinquency; disordered family relationships; advanced age; physical illness or disability; mental disability; mental illness; vulnerability to exploitation or abuse; domestic violence; human trafficking; addiction to alcohol or drugs; natural or contrived disaster or emergency; or other cause that renders them in need.[10]

[8] Ibid., Article 11, Paragraph 11.21.c. "the advantage of adopting children has a married couple".

[9] Republic of Kosovo, Assembly, Law Nr. 2004/32 Family Law of Kosovo, 2006, Article 14. "Marriage is a legally registered community of two persons of different sexes, through which they freely decide to live together with the goal of creating a family".

[10] Republic of Kosovo, Assembly, Law Nr. 02/L-17 on Social and Family Services, 2007, Article 1.

The definition could be updated to include all forms of gender-based violence, as per the Istanbul Convention,[11] including gender-based cyberviolence, for which victims may need social services to recover, such as tailored psychotherapy. The definition currently only includes victims of domestic violence, which may hamper access to social services for women, men, girls, and boys who have experienced gender-based cyberviolence.

The role of personal assistants is not defined explicitly in Kosovo's legal framework.[12] The Law on Social and Family Services defines "Direct Social Care" as "the provision of help with domestic duties, personal care, mobility, communication or supervision which can be provided in a person's own home, in a specialist day centre or in a residential home".[13] Persons in need include persons with physical illness or disability.[14] The process of applying for direct social care is not detailed in the Law, but Centres for Social Work (CSW) in each municipality seem responsible for identifying persons who are eligible for receiving social care and for coordinating social care. No efforts to digitalise these services are foreseen, though this could be integrated in the eKosova platform. CSWs maintain lists of persons in need of social services and should regularly visit them "to monitor their safety and well-being".[15]

Generally, the Law does not attend to gender equality. It offers no definition of gender or sex, though vulnerable women and men may face gender-related challenges in accessing service and may need gender-responsive services.

Overall, this Law is **gender neutral** related to electronic communications and digitalisation. The Law's definition of the family is **gender negative**, as it reinforces existing gender roles and stereotypes while discriminating against persons engaging in same-sex marriages and who want to adopt children.

A new draft Law on Family and Social Services was presented for public consultation in 2021. According to the draft, children who experience internet addiction will receive protection through this Law.[16] It does not define what "internet addiction" entails or provide any protections for children who have suffered cyberviolence or cybercrime, such as cyber-pornography. Nor does it explain how social workers will provide this protection. In its many

[11] Council of Europe, Istanbul Convention, Article 3, "Definitions".

[12] KWN, Policy Brief, "Gender-responsive Financing of Personal Assistants for Persons with Disabilities in Kosovo", 2022.

[13] Republic of Kosovo, Assembly, Law Nr. 02/L-17 on Social and Family Services, 2007, Article 1.

[14] Ibid, Article 1.3, e.6.

[15] Ibid, Article 7, "Role of the Centre for Social Work".

[16] Republic of Kosovo, Assembly, Draft Law on Family and Social Services, Article 34, "Children as Beneficiaries of Social Services", as of 2021.

references to domestic violence, the draft Law does not include persons who have suffered cyberviolence, including based on gender, sex, gender identity, and/or sexual orientation. KWN has commented on the draft Law, noting the need for it to provide better social services and financing particularly for gender-based violence cases. KWN recommended that the forthcoming Law use an integrated social services approach with a holistic approach to social services, including gender responsiveness.

The draft Law contains little reference to the digitalisation of social services. Article 13 obliges institutions providing social and family services to preserve beneficiaries' documentation in hard copy and in electronic format, if possible. This documentation, electronic or not, should be protected from unauthorised access, duplication, and misuse. The relevant department of the responsible Ministry should maintain, store, use, safeguard, and supervise the database and general information system pertaining to social and family services.[17] Certified social service providers are responsible for planning of social services. The Law does not yet specify any role for AI in conducting needs assessments, though this is now being used in some countries.[18]

Law on Social Assistance Scheme Kosovo

Amended in 2012, this Law regulates Kosovo's Social Assistance Scheme (SAS) with the "aim of supporting and providing temporary financial assistance for families in poverty".[19] It specifies which persons and families are eligible to receive social assistance and the criteria they must fulfil. To benefit from SAS, households should be in one of two categories: 1) a family where all members are dependent and none is employed; or 2) a family with one member fit to work with at least one child under age five, or an orphaned child under age 15 in permanent care.[20] The Law specifies as dependent: adults ages 18 years and older with "permanent and severe disabilities" so they cannot work; persons ages 65 or older; persons providing full-time care for person(s) with permanent disabilities; person(s) ages 65 and older who need full-time care, or child(ren) under age five; persons under age 14; persons ages 15 to 18 attending secondary education full-time; and single parents who have at least one child under age 15.[21] The Law does not include victims of gender-based violence among "dependent" persons, though doing so could provide for state support for victims until they are secure and able to work.

[17] Ibid. Article 123, "Data Collections". In the draft Law, this is the responsibility of MLSW, but the responsibilities of ministries have changed and this seemingly would be transferred to the new responsible Ministry, which seems to be the Ministry of Justice in 2023.

[18] International Social Security Association, "Artificial Intelligence in Social Security: Background and Experiences", 2020. For example, countries like Canada, Belgium, Brazil, and Estonia use AI. For further discussion, see the section on Infrastructure.

[19] Republic of Kosovo, Assembly, Law No. 04/L-096 on Amending and Supplementing the Law No. 2003/15 on Social Assistance Scheme in Kosovo, 2012, Article 1.

[20] Ibid., Article 4.

[21] Assembly of Kosovo, Law No. 2003/15 on Social Assistance Scheme, 2003, Section 2. Paragraph 2.7

The Law renders MLSW responsible for managing SAS, while municipalities administer it via CSWs as part of decentralised social services.[22] Following Government changes in 2021, MLSW ceased to exist and MFLT assumed responsibility for SAS.[23] Neither digitalisation nor data management is mentioned in this Law. Nor does it refer to gender or sex, such as of SAS applicants or recipients. As such, this Law is **gender neutral**.

In 2019, MLSW prepared a new Concept Note on the Law on Social Assistance Scheme, which included an objective towards improving social welfare by:

The Law does not include victims of gender-based violence among "dependent" persons, though doing so could provide for state support for victims until they are secure and able to work.

expanding and increasing the quality of protection and social and family services, with a special focus on vulnerable groups and gender equality, and reduction of poverty and social exclusion by providing integrated services and benefits for women and men in social need and other vulnerable groups.[24]

The Concept document did not mention digitalisation specifically. However, it did note that CSWs had many concerns regarding system implementation and that although the SAS database is electronic, it does not significantly reduce administrative burden. The Concept observed that some CSWs still verify manually some Proxy Means Tests (PMTs) and issues remain in enhancing PMTs' objectivity. Further, the Concept notes that CSW staff lack knowledge and capacities for using the IT system for SAS.[25] In a PMT information on household or individual characteristics is correlated with welfare levels in an algorithm to determine a proxy for household income, welfare, or need.[26]

The Concept states that the Law will not have a gender impact. In a footnote, it adds that the gender impact will be assessed through gender-impact assessments. Regarding whether this Law will directly or indirectly discriminate against gender, ethnicity, sexual orientation, or other categories, it states "No",

[22] Ibid., Article 2, paragraph 2.13.

[23] No official decision regarding this change is publicly available. For further information, see the Government section.

[24] Government, MLSW, Department for Social Policy and Family, Concept Document on Social Assistance Scheme, 2019, Strategic Objective 3.

[25] Government, MLSW, Department for Social Policy and Family, Concept Document on Social Assistance Scheme, 2019, p. 19.

[26] World Bank Group, Proxy means tests for targeting social programs: Simulations and speculation, Authors/Editors: Margaret E. Grosh and Judy L. Baker, 2012.

though a gender-impact assessment has not been conducted yet.[27] Although many barriers are identified in relation to current social and family services, the aspect of heads of households (men) collecting SAS is not included in the list of barriers to be targeted. Consultations with WCSOs on the matter are not mentioned, though the Concept notes that consultations with CSOs took place. The organisations mentioned as consulted mostly focus on protecting children's rights.[28]

The Concept has a specific objective on gender equality and a few related indicators. As such, it can be considered **gender responsive**. The document is **gender neutral** regarding digitalisation. It does not foresee ways to protect women and men from potential gender bias in SAS algorithms and AI methodologies which may be used in PMTs. Nor does it clearly require gender-disaggregated data collection, analysis, and publicly transparent reporting using digital means.

In 2019, the (former) Government of Kosovo approved the Concept document for social and family services. The third option proposed by the Working Group was evaluated as appropriate, recommending the drafting of a new bill with which Law No. 02/L-17 on Social and Family Services is to be repealed, supplemented, and amended.[29] With the new Kurti-led Government as of 2021, this draft law was released for public consultations and approved in September 2023.[30] As of October 2023, the draft law was being assessed by the Parliamentarian Committee on Health, Labour and Social Welfare.

Regarding implementation, a World Bank assessment on SAS concluded that "coverage of the poor with SAS is low, only about one third of the bottom quintile receives SAS benefits".[31] Additionally, SAS's role in reducing poverty has been modest.[32] The report did not include any gender analysis to assess how SAS is reaching diverse women and men within households. However, the World Bank conducted a rapid gender analysis to inform the design of the Kosovo Social Assistance System Reform Project.[33] No governmental ex-post gender impact assessment of diverse women and men's access to SAS resources within families seems to exist.

Law on Housing Financing Specific Programs

This 2010 Law aims to offer housing possibilities for individuals and families who are economically unable to pay for housing at free-market prices; it

[27] Ibid., p. 80.

[28] Ibid., p. 54. For example, this includes Terre des Hommes, UNICEF, and SOS villages.

[29] Child Hub, "*Koncept Dokumenti për Shërbimet Sociale dhe Familjare Kosovë*" [Concept Document on Family and Social Services.] [in Albanian], 2019, accessed 30 November 2023.

[30] Republic of Kosovo, Assembly, Draft Law No. 08/L-255 on Social and Family Services, 2023.

[31] World Bank Group, Kosovo Social Assistance Scheme Study: Assessment and Reform Options, 2019, p. 26.

[32] Ibid., p. 32

[33] See the Funding and Procurement section for further information.

provides for ways to finance housing programs.[34] It states that municipalities are responsible for creating and administering a database of beneficiary families, as well as for identifying the housing needs of the population.[35] The Law does not foresee the digitalisation of social housing services, maintenance and transparent public reporting of consolidated electronic data on beneficiaries, digital communication with existing or potential beneficiaries, privacy standards, or data protection.

Among those eligible to receive social housing, the Law prioritises women-headed households.[36] This is the only reference to gender in the Law. Thus, the Law is **gender responsive**, though it could do more. For example, the Law could have prioritised the right of survivors of gender-based violence and their dependents as well as homeless LGBTIQ+ persons to receive housing. It also could have required gender analysis in the process of identifying housing needs and prioritising recipients. The Law could have been more gender-responsive concerning protecting personal data and ensuring gender-responsive physical security precautions in buildings, considering the accentuated possibility for single women to experience threats. An assessment of the Law conducted by the Council of Europe found that "few women victims of domestic violence were granted social housing."[37] In some instances, women met the qualifications for assistance but did not receive it because they were not prioritised under the Law. This, along with low access to property, has perpetuated housing exclusion for women and children who have experienced domestic violence.

Law on Pensions

This 2014 Law regulates pensions financed by the state, based on disability, age, or status as retired persons who have contributed to pensions.[38] Age-related contribution-payer pensions are calculated based on funds paid into the pension system (typically by men, considering their higher employment rate), whereas regular age-based pensions are for persons ages 65 and over.[39] The Law regulates additional monthly pensions: permanent disability pension for citizens who meet qualifying criteria; early pension for miners; work disability pension for persons who suffered injuries, invalidity, or acquired occupational illnesses while at work; and family pension for family members affected by the death of an employee. The Law does not refer explicitly to digitalisation or electronic application procedures. Applicants must apply for pensions in the Ministry, which implies that applications must be

[34] Republic of Kosovo, Assembly, Law No. 03/L-164 on Housing Financing Specific Programs, 2010, Article 1.

[35] Ibid., Article 25.

[36] Ibid., Article 11, paragraph 1.3.

[37] Council of Europe, Assessment of the alignment of Kosovo*'s laws, policies and other measures with the standards of the Istanbul Convention, 2022, p. 45.

[38] Republic of Kosovo, Assembly, Law No. 04/L-131 on Pension Schemes Financed by the State, 2014, Article 1.

[39] Ibid., articles 7 and 8.

submitted in person.[40] This could affect diverse women and men differently. For example, women usually rely on their male relatives for transport or may lack time to physically access the Ministry, especially women with disabilities.[41] The Law is **gender neutral**. No publicly available assessment of the implementation of the Law containing gender impact analysis could be found.

Law on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and Their Families

This Law provides for state financial benefits for persons affected by the war, including martyrs, invalids, Kosovo Liberation Army veterans, their families, and persons who suffered sexual violence during the war.[42] Gender is mentioned in reference to husband/wife and mother/father as beneficiaries. In addition to financial monthly benefits, the Law provides for discounts or free transportation; specific pharmaceuticals; primary, secondary, and tertiary health services; priority in employment in public and private sectors; release from taxes and customs fees for special vehicles for personal use; free tariffs and reduced consumption rates for electricity for personal use; release from property tax; residential care; priority in admission to public educational institutions; release from administrative payment expenses in public university education; and funeral expenses.[43] To receive these benefits, the applicant needs to submit a request to the Regional Office of the Ministry's Department for Families of Martyrs, War Invalids, and Civilian Victims of the War.[44] In 2014, this Law was amended to include victims of sexual violence perpetrated during the war, inclusive of women and men.[45] The Law was amended to include an article requiring relevant authorities to protect the data of persons who have survived sexual violence.[46] It states that "Registration, maintenance, and use of personal data of these persons shall be done in accordance with the requirements defined by the LPPD and the Criminal Code."[47] Otherwise, the Law does not mention digitalisation, and people must apply in person to receive benefits. Overall, the Law is **gender responsive**, given its amendments. No publicly available assessment of the implementation of the Law containing gender impact analysis could be found.

[40] Ibid., Article 19.

[41] KWN, *Kosovo Gender Analysis*, 2018.

[42] Republic of Kosovo, Assembly, Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and Their Families, 2011.

[43] Ibid., Article 6.

[44] Ibid., Article 16, paragraph 2.

[45] Republic of Kosovo, Assembly, Law No. 04/L-172 on Amending and Supplementing Law No.04/L054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and their Families, 2014.

[46] Ibid., Article 19.

[47] Ibid.

Economic Reform Programme

Related to social services, the ERP for 2022-2024 mentions challenges amid citizens' increased need for social protection and services, particularly following job and income losses due to the COVID-19 pandemic.[48] Therefore, ERP Reform Measure #20 plans to improve social services and to empower excluded groups. Activity 2 foresees developing the SAS Information System and creating an Integrated Information System for Social Welfare, as well as data digitalisation for pension schemes.[49] One result indicator under Reform Measure #19 towards "Improving social services and empowering excluded groups" is "Increasing the coverage rate of families living in poverty from social assistance schemes". This Measure does not call for gender-disaggregated data as per the requirements of the Law on Gender Equality, which means that the Integrated Information System may not monitor and thus enable reporting on how diverse women and men benefit from SAS schemes. Meanwhile, the goal of Reform Measure #19 is stated to be in line with SDG Objective 1, "End poverty in all its forms everywhere",[50] and Objective 5, "Achieve gender equality and empower all women and girls", towards the EU's objective for 2030: "Modernised public services responding to society's needs" through the digitalisation of services, with EU IPA assistance. The Government has not established gender-responsive indicators to measure this or gender-disaggregated baselines or targets. Nor is the allocated budget inclusive of gender-responsive budgeting. Therefore, the ERP is **gender neutral** related to digitalising social services.

NPISAA 2022-2026

The NPISAA 2022-2026 reiterates the 2019 EC Report's concerns on the provision of social services,[51] stating that "the provision of social services to vulnerable groups is further hampered by [the] lack of data collection on [the] population disaggregated by gender, age group, ethnic affiliation, abilities and vulnerability".[52] A mid-term objective of the NPISAA 2022-2026 is to develop a social protection system that supports employment and increases the inclusion of target groups; this includes developing policies and programmes towards ensuring and enhancing the quality of social protection schemes, social services, and coverage for social categories and other excluded groups.[53] In the social policy chapter, the NPISAA 2022-2026 plans to approve two laws: The new Law on Social and Family Services, which will "enable the advancement of social services, strengthen the Centres for Social Work at the local level, define the licensing procedures and the operating framework of social

[48] Republic of Kosovo, Government, ERP 2022-2024, p. 118.

[49] Ibid., p. 119.

[50] Ibid., p. 184. Target 1.4 is "By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance".

[51] EC, Kosovo 2019 Report, 2019.

[52] Republic of Kosovo, Government, NPISAA 2022-2026, 2022.

[53] Ibid., p. 168.

service providers from the non-governmental and private sector". The new Law on the Social Assistance Scheme, which "will eliminate discriminatory criteria for receiving social assistance, creates opportunities for activation in active labour market measures for the beneficiaries of the social assistance scheme and the inclusion of families in need." None of these measures refers specifically to how SAS reforms may impact diverse women and men. Nor does it specify how the digitalisation of social services will be informed by gender analysis. The indicators, baselines, targets, and budget relevant to these reforms are not gender responsive or gender disaggregated. Thus, although the NPISAA 2022-2026 is among the most gender mainstreamed NPISAAs to date, in relation to social services, it is **gender neutral**.

Governance

This section examines Governance and the extent to which diverse women and men have engaged in gender-responsive leadership, planning, implementation, coordination, monitoring, and evaluation of policies and programmes towards digitalising social services, their capabilities, and the gender-responsiveness of digital public social services, funding, and procurement.

The legal framework made MLSW responsible for administering social services and assistance. Historically, MLSW had the responsibility of **planning**, **coordinating**, **implementing**, and **monitoring** social policies and services. In 2020, the Government decided to close this Ministry, and its competences were transferred to MFLT and the PMO. MFLT has the responsibility to develop work and social welfare policies, as well as to draft and implement legislation.[54] Divisions previously within MLSW have been moved to MFLT. At the end of 2022, the Government decided to move the Social and Family Policies Department to the Ministry of Justice. The government reshuffling related to social services and assistance has not been transparently explained to the public or based on clear policy changes, which has contributed to confusion regarding which government body is responsible for which service.[55] Overall, this has involved poor leadership on behalf of the Government of Kosovo in terms of consulting on these decisions with experts and civil society, as well as in communicating them to the public, digitally and otherwise. In 2022/2023, MFLT employed 225 women (53%) and 197 men (47%).[56] In decision-making positions, 21 are women (34%) and 41 are men (66%).

[54] That is drawing from MLSW's pre-existing responsibilities: Republic of Kosovo, OPM, Regulation No. 02/2011 for the fields of administrative responsibilities of the Prime Minister Office and ministries; and the Government of Kosovo, MLSW, 22 March 2011, accessed 31 May 2023.

[55] KWN, "KWN Concerned About Changes in Governmental Responsibilities in the Provision of Social Services", 3 April 2023.

[56] KWN correspondence with MFLT, 21 July 2023.

The Social and Family Policies Division is responsible for designing and implementing policies, as well as monitoring the implementation of social and family policy standards.[57] The Division has 48 staff, but gender-disaggregated data for divisions is unavailable online.[58] In December 2022, the Government announced that the Ministry of Justice would assume responsibility for social and family policies, and the Social and Family Policies Department would function under the Ministry of Justice. The Government has not published any decision related to this transfer of competencies. Nor did the Ministry of Justice's website contain information about the Department of Social and Family Policies as of December 2023. Only the Budget of Kosovo for 2023 reflects the Department under the Ministry of Justice rather than MFLT,[59] where it was previously. Under the Ministry of Justice, the Social Services and Child Protection Department has a commission for licensing NGOs, private entities, and individuals providing professional social services.[60] These entities can apply electronically for licensing, and the Ministry of Justice keeps gender-disaggregated data on applicants.[61] However, such data is not published.

2022/2023,

MFLT employed 225 women and 197 men.

In decision-making positions, 21 are women and 41 are men.

Under MFLT, the Social Services Division proposes, develops, and monitors the implementation of social services legislation, standards, and procedures. It should coordinate activities with other relevant institutions and monitor the work of CSWs in municipalities.[62] It has 10 staff, but gender-disaggregated data is not online.[63] Reportedly no gender impact assessments have been undertaken to inform the evaluation of social assistance or social services.[64] No services are offered online.

The Social Schemes Department (SSD) has remained under MFLT with divisions for Social Schemes Policy, Social Assistance, and Social Benefits.[65] SSD representatives stated that they continue coordination with the Social and Family Policies Department in the Ministry of Justice.[66] In planning, SSD reported consulting AGE while drafting policies like the Law on Social and Family Services,[67] though no G(E)IA was conducted. SSD is responsible for managing and maintaining data on SAS applicants and beneficiaries, as well as

[57] Republic of Kosovo, Government, MLSW, accessed 31 May 2023.

[58] Ibid.

[59] Republic of Kosovo, Assembly, Law No. 08/L-193 on Budget Appropriations for the Budget of the Republic of Kosovo for Year 2023, 2022, Department of Social Services, p. 42.

[60] KWN correspondence with Ministry of Justice, November 2023.

[61] Ibid.

[62] Ibid.

[63] Ibid.

[64] KWN interview with SSD representatives, 2023.

[65] Republic of Kosovo, Government, MFLT, Regulation No. 02/2023 on Internal Organization and Systematization of Jobs in the Ministry of Finance, Labour and Transfers, 31 March 2023, accessed 14 August 2023, Article 7, Departments and Divisions of the Ministry.

[66] KWN interview with SSD representatives, 2023.

[67] Ibid.

managing the social assistance database and social register for implementing the poverty test (PMT).[68] Women are overrepresented among employees within this Department's divisions (Table 4).

Table 4. Number of Workers by Division and Gender

Division	# of Employees Based on the Regulation	Actual Workers			
		Men		Women	
		#	%	#	%
Social Schemes Policy Division	5	1	20%	4	80%
Social Assistance Division	8	3	75%	1	25%
Social Benefits Division	6	1	25%	3	75%
Total	20	5	38%	8	62%

Under SSD, the Social Assistance Division should collect, analyse, report, and cooperate with KAS to publish data on poverty.[69] KAS publishes monthly, quarterly, and yearly social welfare statistics. Monthly social welfare statistics were updated as of July 2023, but quarterly statistics have not been updated since April 2021, and yearly statistics are only available through 2018.[70] Of 36 categories on which social welfare data is reported quarterly, only 16 provide gender-disaggregated data.[71] Wherever gender is used as an indicator, so are nationality (i.e., ethnicity), and municipality (location). SSD has expressed concern regarding the lack of coordination on data between KAS, MFLT, SSD, and CSWs; coordinated data collection and publishing could better inform the design of public policies for social services.[72] The lack of accurate digital data hinders SSD's ability to carry out its responsibilities to produce research that would facilitate more gender-responsive monitoring, evaluation, and design of social assistance services. Notably, SSD has not carried out monitoring or evaluation inclusive of gender analysis to date, including when it functioned under MLSW.[73]

[68] MFLT, Regulation No. 02/2023 on Internal Organization and Systematization of Jobs in the Ministry of Finance, Labour and Transfers, Article 50, Social Assistance Division.

[69] Ibid, Article 5.

[70] KAS, "ASKdata", accessed 14 August 2023.

[71] KAS, Social Welfare Statistics, Quarterly Social Welfare, 2023.

[72] KWN interview with SSD representatives, 2023.

[73] Ibid.

The former Division for Planning and Social Inclusion published in 2021 a statistical report on the number of SAS beneficiaries by municipality, age, gender, and nationality (i.e., ethnicity).[74] The Division stated that the main reason for drafting the report was to implement an obligation to the EU as part of receiving IPA 2019 financing, to report on indicator seven: "Transparent and gender-disaggregated statistical data for distribution of social assistance."[75] Rather than performing this task simply to report to the EU, the Division could have made this a standardised, institutionalised practice in line with the Law on Gender Equality, providing regular gender-disaggregated data to KAS on beneficiaries. However, no further reports were produced.

The Pension Department has remained under MFLT, consisting of divisions for Pension and Disability Policy, External Pensions, Pension Scheme Administration, and Administration of Pension Schemes for War Categories.[76] The Pension Department is responsible for managing and maintaining records and statistics on pension payments. No online services are available. The Pension Department consists of 55 employees, but gender-disaggregated data was unavailable.

Each **municipality** has a directorate responsible for health and social welfare. Directorates should ensure that CSWs in their area are resourced to meet the standards specified by the Ministry. This includes the categories and number of professional staff employed. They can provide or facilitate, through the CSW or NGOs, the provision of additional services.[77] The Government must ensure that social services are available to all residents "without any difference, such as race, ethnicity, gender, language, religion, political opinion, national or social origin, wealth, birth or something else".[78] Through municipal Departments of Social Welfare, the Government should monitor the work of service providers, particularly those engaged in rehabilitation and reintegration services.[79] Thus, social services are decentralised. Municipalities are responsible for providing social services,[80] as per the Law on Local Self Government and the Law on Social and Family Services.[81]

Operating under OPM, **KAS** is responsible for collecting, distributing, and coordinating official social statistics. KAS's use of gender, ethnicity, age, and

[74] MLSW, Department of Social and Family Policies, Statistical Report: Number of beneficiaries of the Social Assistance Scheme by municipalities, age, gender and nationality, January 2021.

[75] Ibid.

[76] MFLT, Regulation No. 02/2023 on Internal Organization and Systematization of Jobs in the Ministry of Finance, Labour and Transfers, Article 7, Departments and Divisions of the Ministry.

[77] Law on Family and Social Services, Role of the Municipality, Article 6, Paragraph 6.7.

[78] Republic of Kosovo, Assembly, Law No. 02/L-17 on Family and Social Services, 2005, Article 2.1.

[79] Ibid., Articles 2 and 3.

[80] European Centre for Social Welfare Policy and Research, "Monitoring and evaluation of social services in Kosovo – policy challenges and recommendations", Policy Brief, 2019/14.

[81] Republic of Kosovo, Assembly, Law No. 03/L-040 on Local Self Government, 2008 and Law No. 02/L-17 on Family and Social Services, 2005.

ability indicators in social statistics has increased but can improve. The EC Kosovo 2020 Report noted that more coordination and stronger government leadership are needed to implement the Law on Gender Equality and that institutions need to improve their collection, maintenance, and transparent reporting of gender-disaggregated data.[82] Insufficient government tracking of beneficiaries by gender over time makes it difficult to monitor social change or to undertake ex-post gender impact assessments. Such data could enable gender analysis that better informs planning and budgeting.

The **Assembly** is responsible for drafting laws, approving budgets, and monitoring the Government's implementation of policies and programmes, particularly the parliamentary Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and Oversight of the Anti-Corruption Agency. It has two women (20%) and eight men (80%). Women's underrepresentation in this Committee may hinder their contribution to legislation on digitalisation, as well as gender-responsive monitoring of its implementation. According to minutes on the Assembly's website, the Committee has never had any discussion on gender-responsive budgeting or an inclusive approach to digitalisation related to this sector.[83]

Capabilities

Social workers require knowledge on the impact that digital technologies can have on children.[84] To protect children, they need to know how children use online communications and social networking, as well as about current online threats and risks. They require understanding of technology's impact on children and youth, as well as how parents and carers' use of technology affects children and families. Family assessments can contain questions towards understanding technology use and effects on the family and its individual members. Based on such assessments, interventions can be designed to "support appropriate use of technology within families". In Kosovo, no known assessment has examined the capacities of social workers for protecting children from potential online abuse.

No known analysis, including gender analysis, has been undertaken to understand the needs of government employees, public administration staff, or social workers related to the digital transformation of social services. Officials observed that this has not been considered necessary.[85] An SSD official commented:

[82] EC, Kosovo 2020 Report, 2020, p. 34.

[83] Republic of Kosovo, Assembly, Committee on Legislation, Mandates, Immunities, Rules of procedure of the Assembly and Oversight of the Anti-Corruption Agency, accessed 28 August 2023.

[84] Sarah Pink, "Digital social work: Conceptualising a hybrid anticipatory practice", *Qualitative Social Work*, 2022, Vol. 21(2) 413–430, SAGE.

[85] KWN interview with representatives of SSD, MFLT, 2023.

To conduct a needs analysis of social workers related to the digitalisation of social services, for example if they know how to use a computer, tablet, or other item, they first would need to have a computer or a tablet. Until recently, they did not. From now on, we think it would be a good idea to start assessing their needs.[86]

Officials' observations suggest that social workers in CSWs often lack professional digital skills for data entry regarding SAS beneficiaries.[87] This contributes to slow integration of consistent, timely data in SAS. CSW staff also lack knowledge and capacities for using the SAS IT system.[88] In 2019, the World Bank concluded that the lack of knowledge and capacity among CSW staff in using the IT system was a significant challenge.[89] Officials observed that infrastructure improvements will require a needs assessment of social workers' digital skills,[90] and this could involve gender analysis.

"To conduct a needs analysis of social workers related to the digitalisation of social services, [...] they first would need to have a computer or a tablet. Until recently, they did not."

— Official, SSD

Social workers must ensure confidentiality.[91] The Law on Social and Family Services considers the sharing of information, electronic or other, with unauthorised third parties a serious form of "gross professional misconduct", potentially liable for prosecution under the Criminal Code.[92] No evidence exists of social workers receiving internal disciplinary measures, having their licenses revoked, or facing court sentences due to breaches of confidentiality.[93] However, KWN's observations of CSWs' work suggests that breaches of confidentiality have occurred but perhaps have not been reported or addressed. For example, some social workers mediate encounters between victims and perpetrators or share victims' locations with perpetrators, believing that victims should try to reconcile with perpetrators to stay together.[94]

[86] Ibid.

[87] Ibid.

[88] MLSW, Department for Social Policy and Family, Concept Document on Social Assistance Scheme, 2019, p. 19.

[89] World Bank Group, Kosovo Social Assistance Scheme Study Assessment and Reform Options, 2019, p. 37.

[90] KWN interview with representatives of SSD, MFLT, 2023.

[91] Pursuant to Law No. 03/L-040 on Local Self Government, 2008, articles 12.2 and 17; Republic of Kosovo, Assembly, Law No. 02/L-17 on Family and Social Services, 2005, articles 6 and 7; and the Statute of the Municipality (each municipality drafts statutes for CSWs, which includes confidentiality).

[92] Article 15.

[93] KWN correspondence with the Ministry of Justice, November 2023.

[94] KWN, *From Laws to Action*, 2021, p. 108.

A social worker told KWN, "Sometimes even police break confidentiality, and information spreads quickly, especially if the victim's spouse has power or is known within institutions."[95] Ensuring confidentiality also seemed to be a challenge for other actors assisting domestic violence cases. A social worker stated, "Maybe when the data system improves, then we can protect the identity of the cases. And we [institutions] all will have easier access, without risking the identity of the person."[96] To date, no assessment seems to have examined confidentiality related to CMIS or whether electronic data management has affected the victims' trust of social workers. Nor does it seem that the capabilities of social service professionals in ensuring data protection have been assessed.

Digital Public Services

Information about the changes in competencies from MLSW to MFLT to the Ministry of Justice is not publicly available on these Ministries' websites, contributing to confusion as to which Ministry is responsible for what. Information on government websites pertaining to social services was confusing in 2023. The old website of the Ministry of Finance remained active with no recent updates in services or responsibilities. Although MLSW no longer existed, its website continued to display incorrect, outdated information about departments and divisions.[97] In fall 2023, MFLT still had not reflected the changes in responsibilities on its website, though updates existed in December.[98] Delays in providing timely information on services can contribute to confusion among citizens looking online for information about social services and assistance. The absence of timely digital information makes consistent monitoring of news, progress on policy-drafting, and other announcements related to social and family policy difficult to follow, hindering public participation in these processes, access to services, and civil society monitoring of progress, including gender analysis.

The MLSW website does not have any online services for citizens. Some information is available in Albanian, English, and Serbian, but only the Albanian version is updated; most documents, decisions, and data are unavailable in English or Serbian.[99] The terminology used does not refer specifically to women or men, but nouns reflect male bias. Visuals on the website consist primarily of men. Thus, the language and visuals are gender negative. The new SSD section of the MFLT website has three languages. However, information is primarily available in Albanian, and content did not exist for some services.[100] The website's "How Do I" section explains how to apply for maternity supplements, child supplements, pensions, and social schemes.

[95] KWN correspondence with a social worker, August 2023.

[96] Ibid.

[97] Republic of Kosovo, MLSW, website, "Departments", accessed 2 December 2023.

[98] Republic of Kosovo, MFLT, website, accessed 4 October 2023 and 2 December 2023.

[99] Republic of Kosovo, MLSW website, accessed 2 December 2023.

[100] Republic of Kosovo, MFLT, website, "Social Policies" accessed 2 December 2023.

For pension applications, the website directs users to the MFLT pension section. For supplements, it redirects users to the eKosova platform to apply. The eKosova platform could be improved to include digital applications for pensions and social schemes. No other online public services seem to exist on the MFLT website.

To qualify for SAS or social services, the assessment process still requires applicants to be physically present.[101] Individuals must submit hard copy applications with documents illustrating that they fulfil the criteria for social assistance, in person at the nearest municipal CSW. No fee is required. CSWs provide basic information for completing the application for SAS, which involves a form obtained at the CSW, birth certificates for all family members, a copy of the applicant's ID card, certificates stating if the family's children are attending school, a certification from the Employment Office stating employment status, and an electricity bill. For claiming unemployment benefits, medical evidence or reports must be presented. AIS officials stated that they are trying to integrate this and similar user data into the eKosova platform, so that eKosova users already will have a profile with these documents; then they would not need to provide the same documents for each service.[102] However, this has not happened yet. Making such digital services available, including interoperability and data sharing across institutions, could facilitate the process of applying for social assistance, as citizens would not have to undergo multiple procedures to obtain documents for the application.

> **"If there would be an opportunityfor me to track my application for social housing online, that would be a huge help. I am too afraid to leave the house and visit the Centre for Social Work to ask. I am afraid to leave my children alone in the house too, as I am afraid my husband will find them."**
>
> — Woman suffering gender-based violence

Digitalising these services could benefit women and men who struggle to access public services physically. For instance, women and men with disabilities, living in rural geographic areas, or lacking time or finances to travel would not have to physically visit CSWs or central level institutions to initiate or track applications. Tracking social assistance, benefits, and pension applications online could support women and men who have experienced or are suffering gender-based violence, particularly if they are at risk of further violence, cannot leave their home, or are afraid to leave. A woman suffering gender-based violence told KWN, "If there would be an opportunity for me to track my application for social housing online, that would be a huge help. I am too afraid to leave the house and visit the Centre for Social Work to ask. I am afraid to leave my children alone in the house too, as I am afraid my husband will find them."[103] While this case refers to social housing, similar issues exist with other applications requiring physical presence.

[101] KWN interview with SSD representatives, 2023.

[102] KWN interview with AIS, 2021.

[103] KWN conversation with woman suffering violence, 2022.

Results as to whether an SAS application was accepted or not should be sent electronically to the applicant within 45 days.[104] The long waiting period has been identified as a reason as to why some people may not engage in short-term employment or seasonal work, as the time needed to requalify for social assistance could jeopardise their livelihoods for a month and a half while awaiting a response.[105] This could result in informal work as employees may face administrative burden and financial consequences for reporting short-term work. This in turn could contribute to workers' rights violations for employees working without contracts as well as lost tax income for the state. Digitalising these services could help expedite the review process, creating an enabling environment for more people currently on social assistance to enter the formal economy, particularly for seasonal and short time work, thereby also addressing informality. This could have positive repercussions for women, men, and the society.

Unemployed women after childbirth in the last 12 months could receive financial support of €170 for six months

Employed women could receive financial support of €170 for three months in addition to their regular maternity leave compensation.

Two social services are offered through the eKosova platform: online applications for "maternity supplements" and for "child supplements".[106] The Government took these measures as part of the COVID-19 economic recovery package in 2021.[107] According to measure 3.5, "unemployed women after childbirth in the last 12 months could receive financial support of €170 for six months; meanwhile, employed women could receive financial support of €170 for three months in addition to their regular maternity leave compensation".[108] Supplements for children were transferred to mothers' bank accounts.[109] Only mothers could apply for child supplements, unless the mother was absent, in which case the father could apply.[110] Initially, the Government decision only foresaw child supplements for children born in 2020 and 2021.[111] However, since January 2023, people can apply for child supplements for children born since 2012.[112] Supplements for children ages 2 to 16 are €10 per month, and €20 per month for children ages 0-24 months.[113]

[104] Republic of Kosovo, Assembly, Law No. 2003/15 on the Social Assistance Scheme in Kosovo, Article 8.

[105] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[106] MIA, AIS, eKosova Platform.

[107] MFLT, Economic Recovery Package, 2021, accessed 15 August 2023.

[108] MFLT, News, "Support for women after childbirth and child allowance schemes begins", 2021, accessed 9 December 2023.

[109] Koha.net, "Shtesat për fëmijë, Murati: Mbi 89 mijë gra hapën llogari bankare për herë të parë" [Allowances for children, Murati: Over 89 thousand women opened bank accounts for the first time] [in Albanian], 8 March 2023, accessed 15 August 2023.

[110] MFLT, Vendimi mbi caktimin e kushteve dhe kritereve për zbatimin e pjesshëm të masës 3.5 - Pagesat për lehonat dhe shtesat për fëmijë të Pakos së Ringjalljes Ekonomike [The decision on the specification of conditions and criteria for the implementation of Part 3.5 - Payments for Maternity and Child Supplements of the Economic Recovery Package] [in Albanian], accessed 15 August 2023.

[111] Ibid., A) Form of Subvention, Paragraph 2.1

[112] Ibid., Paragraph 2.4

[113] Ibid. and SSD comment on draft report, November 2023.

Both maternity and child supplements apparently remained in place in 2023, though KWN found no official decision extending measures. EKosova offers services in Albanian, English, and Serbian, but not all persons with disabilities have access to online forms.

Information online was vague regarding women's eligibility for maternity supplements. An informational campaign was published in Albanian in 2021.[114] It did not list eligibility criteria. It briefly explained the technicalities of registering, logging onto the eKosova platform, and applying. Without sufficient information, an official said that "Women don't often know if they can apply for maternity supplements. For example, if they are employed, they often don't consider themselves eligible, and they don't apply."[115] No user-friendly data is available on MFLT's website for people to see or analyse the amount of funds distributed, such as an interactive visualisation of beneficiaries by age, municipality, ethnicity, and other demographic information. Nevertheless, officials observed that digitalising these two services has had positive effects; 89,241 women opened bank accounts for the first time to receive child supplements.[116] Women had to open an eKosova profile, which officials observed as a positive measure towards more women having access to public services. This can facilitate more women benefiting from eKosova services in the future, as more public services are digitalised. For example, more women could potentially claim social assistance benefits directly.

Since January 2023, people can apply for child supplements for children born since 2012.

Regarding pensions, people cannot apply for or discontinue pensions online. They can only access their account statements for pension savings via the eKosova platform. No other social services are digitalised yet.[117] The Government has not digitised applications or updates on application processes for social housing, social assistance, benefits for war categories including persons who suffered sexual violence during the war, pensions, maternity leave benefits, child custody, adoption, or social services, including for children in state custody, persons with disabilities, their personal

[114] *Ministria e Financave / Republika e Kosovës* [Ministry of Finance / Republic of Kosovo], Facebook [in Albanian], accessed 2 December 2023.

[115] KWN interview with SSD representatives, 2023.

[116] Koha.net, "Shtesat për fëmijë, Murati: Mbi 89 mijë gra hapën llogari bankare për herë të parë" [Allowances for children, Murati: Over 89 thousand women opened bank accounts for the first time] [in Albanian], 8 March 2023, accessed 15 August 2023.

[117] KWN interview with SSD representatives, 2023.

assistants, or elderly persons' homes. Nor has the process of licensing professional service providers been digitised, such as for assisting persons who have suffered gender-based violence, children, or personal assistants for persons with disabilities. The Ministry of Justice announced in May 2023 that social services would be digitalised "soon".[118]

Institutions responsible for child protection, including social services, should provide information and raise awareness of potential risks associated with online activities.[119] However, KWN could not find evidence of any such online public campaigns by the Ministry of Justice, MFLT, or municipalities. As few public services are available online, their gender responsiveness could not be assessed.

Funding and Procurement

The Government must allocate funds annually for municipalities and organisations providing social and family services on behalf of the state, distributed via public procurement of these services.[120] Municipalities manage health, education, training, employment, and social services. CSWs in each municipality implement social assistance and services. To provide these services, municipalities depend on the General Grant transferred annually from the Kosovo budget, which comprises more than 80% of nearly all municipalities' budgets except in Prishtina/Priština.[121] Municipalities can generate revenues, allocating these to address issues such as gender-based violence, but few do so.[122] As central government budget transfers are calculated based on a legally specified formula, municipalities face limitations in the amount of funding they can request from the central level budget. Nor do they have adequate systems for tracking beneficiaries of services, which could inform budget requests, using gender-responsive budgeting. Neither the MTEF nor the Kosovo Budget contains information pertaining to gender-responsive budgeting for social assistance or services.[123]

[118] Republic of Kosovo, Ministry of Justice, News: "Së shpejti fillon digjitalizimi i shërbimeve që ofron Ministria e Drejtësisë" [Digitalisation of services offered by the Ministry of Justices will start soon] [in Albanian only], 12 May 2023, accessed 2 December 2023.

[119] Republic of Kosovo, Assembly, Law No. 06/L-084 on Child Protection, 2019.

[120] Republic of Kosovo, Assembly, Law Nr. 02/L-17 on Family and Social Services , 2007, Article 2.10.

[121] Republic of Kosovo, National Audit Office, Tregues të Performancës për Nivelin Lokal Qeverisës për vitin 2018 [Performance Indicators for the Local Government Level for the year 2018] [in Albanian], 2019, accessed 11 December 2023.

[122] KWN, From Laws to Action, 2021, p. 63.

[123] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023; Republic of Kosovo, Assembly, Law No. 08/L-193 on Budget Appropriations for the Budget of the Republic of Kosovo for Year 2023, 2022.

Despite decentralisation, funding and infrastructure are insufficient.[124] Service providers including CSWs and shelters have lacked sufficient budget allocations for performing their legal responsibilities, particularly for human resources, vehicles, and adequate space.[125] An MLSW representative observed insufficient funding for implementing SOPs on domestic violence because social workers lacked vehicles for visiting victims.[126] Thus, as discussed in the Infrastructure section, insufficient infrastructure hampers ability to deliver social services.

Generally, MLSW previously, MFLT, and the Ministry of Justice have not provided publicly accessible, user-friendly, and timely information pertaining to planned and spent public financing for public social services and assistance on their websites. Nor is gender-responsive budgeting used to illustrate visually how expenditures have benefitted diverse women and men assisted. MLSW and KWN cooperated to establish processes for gender-responsive budgeting related to social services and assistance in 2014 and 2015, publishing intersectional, gender-disaggregated data. However, neither MLSW nor the ministries later assuming its responsibilities seem to have continued using digital solutions for informing gender-responsive budgeting. This is a lost opportunity as evidence on prior expenditures could support budget requests for future years.

ERP 2023-2025 lists the Kosovo Social Assistance System Reform Project as key.[127] It aims to strengthen social protection delivery systems and improve the performance of SAS, including adjusting eligibility criteria.[128] The rapid assessment of SAS conducted to inform the intervention's design included gender analysis. It revealed several shortcomings in promoting gender equity, including disincentives and administrative barriers undermining women's labour market participation.[129] Given that SAS legislation was adopted in the early 2000s and amended in 2012, the two narrowly defined categories to qualify for SAS are outdated. As a result, according to the World Bank, the second adult in the family, usually a woman, must seek the status of a "dependent", which is legally possible if she is caring for at least one child under age five (or an orphan under 15), is disabled, or has caregiving obligations for a disabled family member. "The result is that many women in SAS households are excluded from the labour market".[130] According to the Employment Agency of the Republic of Kosovo (EARK), among the 10,389 SAS beneficiaries registered in 2017, only 519 were women (5%).[131] The

[124] European Centre for Social Welfare Policy and Research, "Decentralization of Social Services in Kosovo – Policy Challenges and Recommendations", Policy Brief, 2018/5.

[125] KWN, From Laws to Action, 2021, p. 106.

[126] Ibid., p. 107.

[127] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023.

[128] Ibid.

[129] KWN correspondence with the World Bank Kosovo, September 2023.

[130] Ibid.

[131] Ibid.

Project plans to remove constraints to labour market participation for women in SAS recipient households; develop a profiling tool for case workers to identify barriers to labour market participation; and develop mechanisms for referring work-able beneficiaries to employment services, prioritising women for active labour market programmes (ALMPs).[132] The Project aims for women to comprise at least 30% of beneficiaries and to double the share of women SAS beneficiaries registered as unemployed with EARK from five percent to ten percent. The planned Project would be funded by an International Development Association - World Bank €47 million loan and implemented over five years.[133] The agreement was signed between the Government and the World Bank in October 2021. Reportedly, it was ratified by the Assembly in April 2023 and implementation began in May 2023.[134]

Of 27 job vacancies reviewed only one used suffixes "i" and "e" in the title, encouraging both genders to apply.

The Ministry of Justice, MLSW, and MFTL posted calls and tender dossiers related to e-procurement on their websites. Regarding the Ministry of Justice, of 27 job vacancies reviewed, only one (3%) used suffixes "i" and "e" in the title, encouraging both genders to apply.[135] Meanwhile, 24 (89%) had a statement that encouraged both genders or the underrepresented gender to apply.[136] Among the 55 job vacancies advertised on the MFLT website, none were written to target both men and women given the gender bias in the language used; 42 (76%) had a statement encouraging both genders or the underrepresented gender to apply.[137] Some MFLT documents were scanned as graphics, not text, which made it difficult to search keywords like "gender" and to conduct gender analysis. Processes for CSOs and other services providers, including shelters, to apply for Government funds have not been digitalised, though this could facilitate processes and reduce administrative burden for shelters and the Government, particularly if such applications could be easily renewed on an annual basis. For all three ministries, tender dossiers on e-procurement did not contain any statement encouraging businesses owned by women to apply. The responsible Assembly committees have not discussed gender-responsive budgeting related to social services and assistance.

[132] Ibid.

[133] The World Bank, Press Release, "Kosovo to Improve its Social Assistance System, with World Bank Support", 29 September 2021, accessed 10 December 2023.

[134] MFLT official, comment on draft report, November 2023. However, this agreement had not been added to the Assembly list of international agreements (Republic of Kosovo, Assembly of Kosovo, Official Gazette of the Republic of Kosovo, "International Agreements 2023", accessed 21 December 2023).

[135] Republic of Kosovo, Ministry of Justice, Vacancies, accessed 15 September 2023. It stated: "*Nëpunës/e Administrativ/e në Drejtorinë Qendrore te Shërbimit Sprovues te Kosovës*".

[136] Republic of Kosovo, Ministry of Justice, Contests, accessed 28 August 2023.

[137] Republic of Kosovo, MFLT, Vacancies, accessed 28 August 2023.

Infrastructure

This section examines the availability of gender-responsive infrastructure for digitalising social services. All institutions lack central data management software and adequate hardware.[138] Generally, there are internal databases for social schemes, but no administrative instruction or specific protocol details work processes from data collection to reporting.[139] Data is protected in accordance with the LPPD and saved in cooperation with AIS. If relevant institutions or donors require data, MFLT signs agreements regulating their use of data, confidentiality, and protection of personal data.[140]

For social assistance, the SAS database has existed since 2005. MFLT manages it at the central level, and CSWs in municipalities update it with data on beneficiaries.[141] The database contains variables for gender, age, nationality (i.e., ethnicity), and municipality.[142] However, social workers have not always updated the database regularly, and some CSWs lacked proper infrastructure, such as tablets or computers for data entry. Several donors have contributed to improving CSWs' infrastructure by donating equipment like tablets and computers, but infrastructure remains insufficient for supporting digital reforms.[143] Poor data entry leads to inaccurate data, hindering the appropriate use of data to inform gender-responsive policymaking and SAS targeting.[144] Regarding interoperability, the Government has connected SAS with the Employment Information Management System (EIMS) towards supporting active labour inclusion policy. However, MLSW has observed that:

> although the SAS IT system is integrated with most MLSW social transfer schemes and the Tax Administration of Kosovo (TAK), data exchange with other programs is limited due to either the absence of IT systems in some institutions or the lack of formal agreements for data exchange in cases where such systems exist. Some essential programs for SAS implementation, such as the civil register, vehicle register, pupil and student register [...] do not have data exchange with the SAS system.[145]

[138] UNDP, Mapping Data Collection for Development. Enhanced Institutional Capacities for Data Use in Kosovo, 2023, p. 27.

[139] SSD correspondence with KWN, November 2023.

[140] Ibid.

[141] KWN interview with SSD representatives, 2023.

[142] Ibid.

[143] Ibid.

[144] Ibid.

[145] Ibid., and MLSW, Department for Social Policy and Family, Concept Document on Social Assistance Scheme, 2019.

Thus, issues exist with interinstitutional interoperability, affecting Government efforts to decrease administrative burden. Establishing updated software and signing agreements that support interoperability among institutions could contribute to improving public services. Meanwhile, new software will need to ensure adequate protections of users' data, including clear explanations regarding data-sharing among institutions and what this entails, so users can provide informed consent for sharing their personal information among institutions.

The SAS Information System does not collect and process data in such a way as to assess the actual needs of diverse women and men. Current poverty test criteria do not ensure that social assistance targets the poorest households. PMT does not examine whether households have enough income to meet basic needs based on any established, minimum threshold; instead, it "ambiguously assigns scores for each source of income regardless of household composition."[146] Two PMT indicators can contribute to exclusion: vehicle ownership[147] and land ownership or rental of more than 0.5 hectares of land; possessing these assets does not mean that a household is not poor. Although CSWs use a standardised questionnaire to assess household characteristics as part of PMT, factors may affect objectivity.[148] These and other concerns were raised by SAS Unit Heads and CSW staff.[149]

PMT does not include gender-related indicators to consider need. No gender analysis has examined how PMT criteria may impact the eligibility of single mothers or women heads of households. For example, women heads of households may own property but be unable to use it to generate income, while selling this land for income could leave them homeless and impoverished. The lack of gender-responsive PMT indicators contributes to insufficient data in the SAS Information System that could inform more gender-responsive decision-making. Improved digital systems could help track data to inform policy decisions and better reach beneficiaries, providing more-targeted services to meet the needs of diverse women and men. For example, gender impact analysis may show that when women receive social assistance payments, funds are more likely to support food and basic needs, given their caretaking roles and responsibilities within the home.[150] If women are not direct recipients, they may not have access to SAS funds within the household. Considering that women are primary caretakers of children and the elderly, SAS may be used more efficiently within the household if women are direct recipients. However, further research is needed on how social assistance is used in Kosovo households.

[146] Ibid.

[147] Ibid. It excludes vehicles that are intended and used for the transportation of household members with permanent disabilities.

[148] Ibid.

[149] World Bank Group, Kosovo Social Assistance Scheme Study: Assessment and Reform Options, 2019.

[150] KWN, Budgeting for Social Welfare: *A Gender+ Analysis to Inform Gender Responsive Budgeting in the Ministry of Labour and Social Welfare in Kosovo for 2016-2018*, 2015, p. 32.

Officials are aware of the PMT's shortcomings and plan to resolve these issues by modifying SAS criteria during forthcoming reforms.[151] SSD is working closely with several donors (e.g., GIZ, World Bank) to create proper infrastructure for tracking, maintaining, and integrating data in the SAS Central Information Database. This would require that proxy indicators and algorithms include gender-responsive indicators towards enabling gender analysis of needs, informing the assistance available, and better reaching those in need.

Regarding social services, with support from UNDP, MFLT established manuals specifying how cases should be processed by social workers, including digitalised forms and templates.[152] Digitalised case management has been established related to administrative instructions on the placement of children and adults under guardianship; the placement and residential sheltering of children without parental care in a community home; family housing; and regulation of adoption procedures for children without parental care. Social workers are required to use digital case management for these cases. UNDP supported drafting administrative instructions regulating residential housing for adults with disabilities and mental health; residential housing for adults and the elderly; and Government contracting of social and family services. However, it was unclear whether these instructions had been approved, and digital interfaces thus have not been developed. Internal data management systems do not yet seem available for other social services.

Digitalisation could facilitate reaching more, diverse women and men and increase the efficiency of social services.

Largely due to unavailable infrastructure, the Government has not started using AI to process applications for SAS, social services, social housing, or pensions.[153] Some countries have started using AI to assess needs for social assistance and services.[154] Some are using data-driven, automated systems to make decisions on social services and state welfare benefits based on predictive models.[155] Digitalisation could facilitate reaching more, diverse women and men and increase the efficiency of social services. However, using AI to assess need and organise services does not come without risks.[156] AI algorithms learn from historical data, which can include biases from human decisions and

[151] KWN interview with representatives of SSD, MFLT, 2023.

[152] UNDP correspondence with KWN, August 2023.

[153] KWN interviews, 2023. Funded by the EU and the Government, in 2017 NGO Developing Together created software that all municipalities can access and register potential and current beneficiaries of social housing. However, reportedly few use it, due primarily to insufficient staff (EC, European Social Policy Network, National strategies to fight homelessness and housing exclusion, 2019).

[154] International Social Security Association, "Artificial Intelligence in Social Security: Background and Experiences", 2020. For example, it is being used in countries like Canada, Belgium, Brazil, and Estonia.

[155] UN Women, Judy Wajcman, Erin Young, and Anna FitzMaurice, "The digital revolution: Implications for gender equality and women's rights 25 years after Beijing", 2020.

[156] Ibid and International Social Security Association, "Artificial Intelligence in Social Security: Background and Experiences", 2020.

social prejudices. As a result, algorithms could inadvertently perpetuate gender and other biases, leading to unfair or discriminatory outcomes. The criteria, indicators, and algorithms used in any future AI for social services must be based on ex ante gender impact analysis to ensure that they adequately consider the needs of diverse women and men.

Officials observed that engaging social services officers would be essential amid any future use of AI towards avoiding potential gender bias that algorithms could introduce. An SSD official commented:

> Digitalisation should contribute to reducing the administrative burden for citizens. It needs to offer them the opportunity to track their applications for social services online. However, digitalisation also needs to consider a holistic approach towards citizens [...] Human touch and perspective is essential to a just process.[157]

A balance must be forged between automating processes and maintaining human interaction. Some PMT criteria will continue to require manual verification by social services officers. Meanwhile, opportunities exist to link physical verifications to digital systems, such as by using smart phones or tablets to input data immediately during case management visits.

The database for gender-based violence cases managed by the Ministry of Justice is relevant for social services.[158] CSWs participate in municipal coordination mechanisms, which could benefit from having interoperable digital software through which they could coordinate case management across institutions, municipalities, and recidivist cases filed at different locations. Further improvements to the system to facilitate case management in line with the legal framework are required. As discussed in the prior chapter, digital tele-counselling services also could support the work of social workers in reaching vulnerable and isolated groups to provide more regular, cost-efficient support, if established with appropriate protections.[159]

Within the Ministry of Justice, the General Council for Social and Family Services, as an independent body, has two commissions for licensing professionals at basic, junior, and senior levels.[160] Two registers exist documenting licenses approved for individual professionals, NGOs, and private entities. Reportedly applications can be submitted online or physically, but KWN could not find any such applications online. According to the Ministry, differences

[157] KWN interview with SSD representatives, 2023.

[158] For further information about this database, see Chapter 2.

[159] For example, see the KWN tele-counselling protocol, developed based on best international practices.

[160] KWN correspondence with Ministry of Justice, November 2023.

exist in the number of applications submitted and licenses provided to women and men.[161]

People

This section examines the extent to which digital social services are accessible to diverse women and men. It analyses whether they have sufficient awareness and digital literacy skills to use digital social services, whether these services adequately protect them and their digital wellbeing, and how socialised gender roles, norms, and power relations may be barriers to access and use of digitalised social services.

Access

Globally, various governmental and non-governmental organisations offer support services to victims of online abuse.[162] The only two social services on eKosova are in different languages but inaccessible to persons with certain disabilities. Very few digital services are available in Kosovo. Therefore, it is difficult to assess diverse women and men's access. Nor is it possible to assess how women and men speaking different languages and having various educational levels, economic backgrounds, and abilities can access online services. Given gender norms and power relations, women's access to digital public services may be hindered.[163]

Participation, Ownership, and Use

According to KAS, in July 2023, 20,937 families with 82,621 members received SAS, representing a 16.5% decrease in the number of families benefiting compared to the same period the previous year.[164] Reports do not provide gender-disaggregated data on family members, and several reports are not published. Persons in these reports are the would-be users of potential future digitalised SAS services. In Kosovo men tend to "represent" the family in filing claims for social assistance as heads of households.[165] Illustrative of a long-term trend,[166] in January 2021, of 25,678 families receiving social assistance, 16,947 (66%) were registered under men's names while 8,821 (34%) were filed under women's names.[167] If SAS applications become digitalised but criteria remain the same, data suggest that more men than women will use digital profiles to apply for assistance. Although men tend to collect social assistance on behalf of their families, slightly more women depend on this

[161] Ibid.

[162] For instance, see the Centre of Expertise on Child Sexual Abuse, "Managing risk and trauma after online sexual offending", 2023. This guide is meant to help professionals support families.

[163] See Chapter 1.

[164] KAS, Social Welfare Statistics, July 2023.

[165] KWN, "The Pandemic Knows No Gender?, 2020, p. 49.

[166] KWN, Budgeting for Social Welfare: A Rapid Analysis to Inform Gender Responsive Budgeting in the Ministry of Labour and Social Welfare in Kosovo, 2014.

[167] MLSW, Department of Social and Family Policies, Statistical Report: Number of beneficiaries of the Social Assistance Scheme by municipalities, age, gender and nationality, January 2021.

funding. Of 103,303 family members benefitting, 49% were male while 51% were female.[168] Insufficient information exists on how social assistance is distributed in practice within households and whether it benefits all family members equally. No Government study has assessed this.[169] Given existing gender roles and power relations within Kosovo families, including tendencies for men to make decisions regarding family resources, it cannot be assumed that women and men benefit equally from state social assistance.[170] A gender analysis of how families use SAS and how diverse women and men benefit from it could inform the redesign of the PMT, its indicators, software, and AI-informed decision-making on beneficiaries.

A concern in introducing digital SAS public services is whether impoverished persons own or have access to devices they can use for services. The fact that most people in Kosovo have personal smartphones (98% of women and men) suggests rather broad access.[171] However, vulnerable groups are likely overrepresented among those who lack ownership and access, particularly women, who tend to have fewer financial resources than men. Without devices, they may not be able to access future e-services.

2021

Of 25,678 families receiving social assistance, 66% were registered under men's names while 34% under women's names.

In 2022 few people used the internet for accessing public services. KAS found that of those who used the internet in the last 12 months, 72% did not use it for public services, and only 11% used it to access information about public services like pensions.[172] While gender-disaggregated data was unavailable, this suggests that few women or men use the internet for public social services.

Only 7% of women and men respondents to the UNDP survey had used eKosova to apply for a child supplement under the Government's COVID-19 recovery measures.[173] Meanwhile, 3% of women respondents had applied for maternity supplements through eKosova.[174] Findings did not control for whether respondents were parents or would qualify for this benefit. When asked which services they would like eKosova to provide, 17% of respondents (15% of women, and 19% of men) said they would like improved services for social issues.[175] Further, 12% of both women and men said that services for social issues were the most useful and should

[168] Ibid.

[169] KWN interview with SSD representatives, 2023.

[170] KWN, "The Pandemic Knows no Gender?", 2020, p. 49.

[171] UNDP, Digital Household Survey, 2022.

[172] KAS, Results of the Survey on the Usage of Information and Communication Technology in 2022, 2022, p. 14.

[173] UNDP, Digital Household Survey, 2022.

[174] Ibid.

[175] UNDP, Digital Household Survey, 2022.

be offered online. This suggests generally low use or inclination to use digital public services among both women and men.

Digital Literacy Skills and Awareness

The Government can use digital means to inform people about social services. Likely due to the lack of such services, KWN found minimal evidence of awareness campaigns targeting diverse women and men. MFLT published two videos on the two services it offered via the eKosova platform: maternity and child supplements. The videos only explain the technicalities of applying for supplements. EKosova has similar videos with technical guidance for all services. That people lacked knowledge about these COVID-19 measures suggests the importance of targeted outreach to raise awareness about future services. Given that diverse women and men may use different communication means, outreach would need to respond to their information needs and platforms used, including reaching persons with disabilities and those who speak different languages. Information campaigns could address issues of privacy and informed consent in sharing data across institutions. Persons using social assistance and social services may require additional support in using digital services when they become available. KWN could not find any research on digital literacy among vulnerable groups needing social assistance and services, though data on digital literacy among the general population suggests that poor digital literacy could hinder their access to digitalised services.

Digital Wellbeing and Protection

Given the lack of digital social services, this research could not assess users' trust in these platforms, ethics of online services, privacy, or data protection, though these will deserve consideration in designing new software. As the AI Now Institute notes, "The people most at risk of harm from AI systems are often those least able to contest the outcomes".[176] Social assistance beneficiaries, social service recipients, pensioners, persons with disabilities, and persons who have suffered gender-based violence arguably are among the most vulnerable categories, which is why they rely on this assistance. Thus, added support is needed to ensure they are informed of their rights and to defend potential violations of their rights. AI Now Institute calls for supporting legal aid through public advocates who can represent those cut off from social services due to algorithmic decision-making.

Conclusion

Regarding **Regulation**, laws and policies related to digitalising social services and assistance are somewhat gender responsive but could be improved, particularly amid several ongoing processes to amend relevant laws and policies. Legal and policy-drafting processes provide an opportunity to clarify government commitments to gender-responsive digital systems for social

[176] AI Now Institute, "The AI Now Report", 2018, p. 6.

services and assistance, including their implementation, interinstitutional interoperability (e.g., between municipalities, ministries, and KAS), monitoring, and evaluation.

The **Government** has undergone several changes that have affected responsibilities for social services. These changes have slowed digital reforms that could provide more quality, timely, and gender-responsive social services. The Government's weak data management systems stifle timely provision of services, gender-disaggregated social statistics, and gender-responsive planning and budgeting. Officials' capabilities for using gender-responsive digital solutions for service provision seem weak as they lack digital systems and tools. Very few public services are digitalised. Gender-responsive budgeting and e-procurement have not been institutionalised. Poor data management hampers gender-responsive budgeting that could inform more accurate annual budget requests.

Kosovo lacks hardware and software **infrastructure** for supporting social assistance and social service provision. The lack of gender-responsive PMT indicators and social services variables contributes to insufficient data for informing more gender-responsive decision-making. While infrastructure developments are planned, few have begun. These will need to consider diverse women and men's needs, based on gender analysis.

As few social services are digitally available, **people** have minimal access to them, so diverse women and men's use of digital services cannot be assessed. Outreach tailored to women and men would need to ensure adequate knowledge of available services, their data protection rights, and their digital skills for applying for social services.

04

Digitalising Education

As students have become more tech-savvy, demands to update teaching methodologies and learning processes to retain students' attention have grown.[1] Technology can facilitate access to registration, course materials, and grading systems, among other aspects of education. Meanwhile, the COVID-19 pandemic illustrated that equal internet accessibility and digital literacy are crucial for diverse boys and girls to continue their education.[2] The OECD has expressed concerns regarding the absence of "universal access to infrastructure (hardware and software) and lack of adequate preparation among teachers and students for the unique demands that online teaching and learning pose".[3]

This chapter examines the gender-responsiveness of Kosovo's efforts to digitalise education. Sections examine Regulation, Governance, Infrastructure, and People. It discusses VET provided by MESTI, whereas vocational training towards employment, provided primarily by MFLT and the Ministry of Economy, is discussed in the next chapter.

[1] OECD, Innovating Education and Educating for Innovation: The Power of Digital Technologies and Skills, 2016.

[2] OECD, Strengthening online learning when schools are closed: The role of families and teachers in supporting students during the COVID-19 crisis, 2020.

[3] Ibid., p. 3.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Education

This section examines the gender-responsiveness of laws and policies pertaining to digitalisation in the education sector.

Law on Child Protection

This 2019 Law renders schools responsible for child protection, including ensuring "safe internet in public spaces".[4] It does not respond explicitly to the diverse ways girls and boys may be at risk, which would enable educational institutions such as MESTI, Municipality Educational Directorates (MEDs), teachers, and parents to address cases. Institutions must implement educational programmes towards protecting and caring for children, including revising textbooks and other materials with a child protection perspective; eliminating gender stereotypes, prejudices, and other practices; and developing guidelines for protecting children from harmful information.[5] The Law is **gender responsive** related to education because it seeks to address gender stereotypes and has the potential to be gender-transformative depending on how it is implemented.

No secondary legislation for implementing this Law in educational institutions seems to exist. Legislation establishing educational institutions' obligations to address cyberviolence, online harassment, the processing of personal data, and the digital wellbeing of girls and boys could consider gender differences. It could address power relations and social conditions that enable male violence,[6] supporting students to challenge gender roles and stereotypes towards a safer online environment for girls and boys.

Law on Protection of Personal Data

LPPD governs the protection of children's online privacy, establishing fundamental principles and rules for processing and protecting personal data, including data related to children.[7] The Law grants children the right to privacy, including online. It requires that any processing of children's personal data must protect their privacy and ensure that their personal data not be used in a way that could harm them.[8] If the child is under age 16, the child's parent or legal guardian must provide consent before the child's personal data can be processed related to information society services.[9] The Law emphasises that the data controller shall seek to verify that the parent or guardian has consented. The Law does not foresee how girls and boys may be impacted differently by data threats. It is **gender neutral**.

[4] Republic of Kosovo, Assembly, Law No. 06/L-084 on Child Protection, 2019. For further information about the Law, see Chapter 1.

[5] Ibid., Article 63, paragraph 2.

[6] KWN, Kosovo Gender Analysis, 2018, p. 1.

[7] For further information about this Law, see Chapter 1.

[8] Republic of Kosovo, Assembly, Law No. 06/L-082 on Protection of Personal Data, 2019, Article 41.

[9] Ibid., Article 7, paragraph 1.

Law on Pre-University Education

This 2011 Law governs children's rights to education.[10] It establishes fundamental principles, rules for organisation, management, and financing of pre-university education, including the rights and obligations of students, parents, and education institutions. It safeguards the right of every child to free, compulsory primary education lasting nine years and guarantees access to secondary education for all children who complete primary education. The Law protects children's rights to non-discrimination, a safe and healthy learning environment, participation in decision-making related to their education, and access to support services like special education and counselling. The Law states that the Ministry, municipalities, and educational institutions must follow internationally accepted educational norms, including for children's rights, protecting vulnerable groups, and promoting gender equality.[11] This Law is **gender sensitive**. However, it does not attend to digitalisation.

Law on Scientific Research Activities

This 2013 Law regulates transfer of knowledge and technology as well as the construction and maintenance of scientific research infrastructure that supports economic, technological, cultural, and social progress, including innovation.[12] It requires adequate means for realising these aims.[13] "Equal treatment of males and females" is among its principles.[14] While the Law is generally **gender sensitive** given this mention of equal treatment, it is **gender neutral** regarding digitalisation specifically.

Law for Vocational Education and Training

This 2013 Law regulates the national VET system in accordance with social development needs, including economic and technological changes, labour market demands, and individuals' needs.[15] The ministry responsible for labour should analyse labour market needs and support MEST in designing VET to meet needs.[16] The Law does not explicitly require gender analysis or tailoring VET programmes to diverse women's and men's needs. Article 13 regulates the establishment and functioning of the Agency for Vocational Education and Training and Adult Education (AVETAE). The Law has not been updated to correspond with provisions in the Law on Gender Equality, requiring a gender balance in this Agency. This Law is **gender neutral**.

[10] Republic of Kosovo, Assembly, Law No. 04/L-032 on Pre-University Education in the Republic of Kosovo, 2011.

[11] Ibid., Article 3.

[12] Republic of Kosovo, Assembly, Law No. 04/L-135 on Scientific Research Activities, 2013, Article 2.

[13] Ibid., Article 5.

[14] Ibid., Article 4.

[15] Republic of Kosovo, Assembly, Law No. 04/L-138 for Vocational Education and Training, 2013, Article 1.

[16] Ibid., Article 11.

Law on Adult Education and Training in the Republic of Kosovo

This 2013 Law established the responsibilities of MEST, ministries, municipalities, institutions, and other interested parties in planning adult education and training.[17] The adult education system includes formal and informal education and training.[18] Interested candidates must register for adult education and training programmes via public competition based on specified criteria.[19] Candidates must fulfil criteria to enrol. Affirmative measures are not foreseen though allowed by the Law on Gender Equality. The Law does not consider gender or digitalisation and is **gender neutral**.

Law on Accreditation Agency

This 2023 Law establishes the responsibilities of the Kosovo Accreditation Agency (KAA) as a regulatory agency overseeing accreditation, re-accreditation, validation, and monitoring towards quality higher education.[20] It notes that "KAA can administer aspects of the accreditation process even in electronic form (online)."[21] KAA consists of the State Council of Quality, General Director and Administration, and Appeals Commission. The Law is **gender responsive**, noting that the Council "composition ensures gender representation"[22] and that the Commission's short list of candidates should respect "gender composition".[23] In practice, the Council President is a woman, but only one of five Council members is a woman.

Regulation for Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education

The 2013 Regulation defines most forms of violence, including sexual violence, sexual abuse, physical/emotional violence, digital violence, and commercial-purposes sexual abuse.[24] It foresees establishing a confidential register for recording cases of violence in pre-university educational institutions.[25] The Law makes the Director of Pre-University Educational Institutions responsible for obtaining, archiving, and analysing this data. No gender-related distinctions are made in preventing or referring cases of school violence, such as different girls' and boys' potentially different vulnerabilities to violence or foreseeing alternative reporting mechanisms in case girls do not feel safe reporting violence to school directors who tend to be

[17] Republic of Kosovo, Assembly, Law No. 04/L-143 on Adults Education and Training in the Republic of Kosovo, 2013.

[18] Ibid., Article 6.

[19] Ibid., Article 12.

[20] Republic of Kosovo, Assembly, Law No. 08/L-110 on Kosovo Accreditation Agency, 2023, articles 1 and 6.

[21] Ibid., Article 30.

[22] Ibid., Article 9.

[23] Ibid., Article 15.

[24] Republic of Kosovo, OPM, Office of Good Governance, Regulation GRK – No. 21/2013 for Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education, 2013.

[25] Ibid., Article 25.

men. Thus, this Protocol is **gender neutral**. KWN could not find any reports on the extent to which schools have followed this Protocol, any data on cases reported, or whether directors maintained gender-disaggregated data.

Regulation for Internal Organization and Systematization of Working Places at the Ministry of Education, Science and Technology

This 2013 Regulation established the responsibilities of the Department of Science and Technology in the Ministry, regulating the work of the Division of Technology and the Division for Innovation and Technology transfer.[26] It does not refer to gender or affirmative measures in the Ministry's internal organisation or to a gender balance among employees at all levels. Nor does it encourage incorporating gender equality principles in its work towards addressing the needs of diverse girls and boys related to innovation and technology. Therefore, the Regulation is **gender neutral**.

Administrative Instruction for Creation of an Incentive Structure to Support Students' Education in Deficient Directions and for Women in Technical Directions in Vocational Education and Training Institutions

This 2020 Administrative Instruction aims to encourage students to enrol in Vocational Education and Training Institutions (IVET) in areas where few students have enrolled, particularly encouraging women to enter technological fields.[27] All young women who complete lower secondary education, meet the criteria in the Instruction, and earn the maximum evaluation by the commission selecting scholarship recipients will receive a three-year scholarship in a tech field.[28] For the school year 2021-2022, MESTI offered 20 scholarships worth €500 per year for girls attending vocational school in food technology and agribusiness and 40 scholarships for girls enrolling in technical fields in vocational schools (e.g., heat, air conditioning, and water supply installation; electric installation; mechatronics;[29] or auto mechanics).[30] For the 2023-2024 school year, MESTI distributed 70 scholarships for girls related to this Instruction, including 40 on deficient directions and 30 in technical

[26] Republic of Kosovo, Government, Regulation (GRK) No. 39/2013 Internal Organization and Systematization of Working Places at the Ministry of Education, Science and Technology, 2013.

[27] MESTI, Administrative Instruction No. 136/20 for Creation of an Incentive Structure to Support Students' Education in Deficient Directions and for Women in Technical Directions in Vocational Education and Training Institutions (IVET) [Albanian only], 2020.

[28] Ibid., Article 2.

[29] Mechatronics is a multidisciplinary field that involves the intersection of mechanics, electronics, and computing (Michigan Technological University, "What is Mechatronics?", 2024, accessed 8 January 2024).

[30] MESTI, Decision on Distribution of Scholarships in Deficient Directions and for Women in Technical Directions in Vocational Education and Training Institutions [Albanian only], 2 June 2021.

directions.[31] This Administrative Instruction and accompanying government decisions are **gender transformative**; they support young women in accessing education that can enable them to enter occupations where women historically have been underrepresented. Similar gender-transformative affirmative measures could have supported boys in becoming pre-school and primary education teachers, including child protection related to digitalisation.

Administrative Instruction on Children/Student Online Protection at the Pre-University Education Institutions

2023-2024

MESTI distributed 70 scholarships for girls related to this Instruction, including 40 on deficient directions and 30 in technical directions.

This 2019 Administrative Instruction aims to protect children and students from online threats in pre-university education institutions by providing guidelines on "how to establish policies and procedures for online safety and promoting safe and responsible online behaviour"; defining roles and responsibilities of MESTI, MEDs, teachers, parents, and students; specifying prohibited online activities like "cyberbullying, harassment, and accessing inappropriate content"; establishing consequences for violations like disciplinary actions and legal sanctions; and encouraging awareness-raising about risks of internet and social media use and how to mitigate them.[32] This Instruction does not include any gender perspective, though it could have defined how abuse may affect girl and boy students differently related to online sexual violence.[33] Nor does the Instruction state clearly which sanctions exist, including for teachers, MEDs, and other staff in educational institutions if they do not report online sexual violence to responsible institutions or if they perform such acts. Thus, this Instruction is **gender neutral.**

Administrative Instruction on Prohibition of Mobile Phones in the Pre-University Education Institutions

A 2018 Administrative Instruction prohibits mobile phones in school environments for teachers and students.[34] The school directorate can sequester mobile phones used by students, inform parents, or involve police if the action is repeated.[35] MEST, MEDs, and school directorates are responsible for reviewing schools' internal regulations and establishing measures prohibiting mobile phones.[36] No information exists regarding implementation.

[31] MESTI, Decision on Distribution of Scholarships in Deficient Directions and for Women in Technical Directions in Vocational Education and Training Institutions, [Albanian only], 26 May 2023.

[32] Republic of Kosovo, Government, Administrative Instruction No. 01/2019 on Children/Student Online Protection at the Pre-University Education Institutions, 2019.

[33] See Chapter 2.

[34] Republic of Kosovo, Government, MEST, Administrative Instruction No. 20/2018 on Prohibition of Mobile Phones in the Pre-University Education Institutions, 2018.

[35] Ibid., Article 3.

[36] Ibid., Article 4.

MESTI does not collect information from MEDs regarding the confiscation of mobile phones,[37] so gender-disaggregated summary statistics are unavailable. The Instruction does not establish procedures for reporting mobile phone misuse, for tracking gender-disaggregated data on reported misuse, or for using such reports to inform further interventions. It is **gender neutral.**

Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education

This 2013 Protocol requires directors of pre-university education institutions to register reported cases of school violence and forward them to the MED.[38] The MED should then submit a summary report to MEST, responsible for analysing and publishing data. The Protocol defines digital violence as "any form of sending messages through the internet or mobile phone network, which aims injury, harassment or any other type of damage to the child who cannot defend himself/herself from such an action", including video or text messages, photos, or calls.[39] Directors of pre-university education institutions must report statistical data on cases of violence electronically if they have internet access or, if not, in hard copy.[40] The Protocol does not refer to bullying. No gender-related distinctions are made in preventing or referring cases of school violence, such as different vulnerabilities to violence that girls and boys may have or the extent to which girls and boys may feel safe reporting violence to school directors who tend to be men. Thus, this Protocol is **gender neutral**. It could draw from the new State Protocol for Treatment of Sexual Violence Cases, elaborating institutional responsibilities and ensuring a gender responsive approach, including to digital violence cases. KWN could not find any reports on the extent to which schools have followed this Protocol or any data on cases reported.

Kosovo Education Strategic Plan 2017-2021

This Plan called for equipping schools with ICT equipment, new curricula, textbooks, and teaching aids.[41] It states that participation and inclusive education should contribute to preventing poverty, protecting human rights, empowering women, and integrating all people in society.[42] On promoting inclusion and the use of personal ICT equipment, it plans subsidies for purchasing low-cost tablets for students from economically disadvantaged families.[43] It adds that gender differences should be considered in municipal regulations supporting enrolment and attendance of boys and girls in

[37] Correspondence with KWN, October 2023.

[38] Republic of Kosovo, Government, Regulation GRK - No. 21/2013 for Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education, 2013.

[39] Ibid., Article 2.

[40] Ibid., Article 25.

[41] Republic of Kosovo, Government, MEST, Kosovo Education Strategic Plan 2017-2021, 2016, Strategic Objective 5.

[42] Ibid., Strategic objective 1.

[43] Ibid., p. 77.

pre-school and secondary education.[44] It aims to increase female students' enrolment in technical profiles by 20% through incentives, using a pooled fund established by the Government and businesses.[45] Generally, the document mentions girls and women in a few specific results, objectives, and activities, addressing gender roles and stereotypes. Thus, this strategy is **gender transformative**.

KWN found no evidence of a government report monitoring the implementation of this Strategy, though this could have informed the new Strategy. However, the Kosovo Education Centre (KEC), a CSO, conducted an evaluation, noting insufficient implementation.[46] KEC found that boys are more likely to enrol in vocational schools than girls. In the 2019/2020 academic year, 23,868 boys (58%) were enrolled in VET schools compared to 16,949 (42%) girls.[47] Of the students enrolled in ICT VET programmes, 73% were boys and 27% girls.

Education Strategy 2022-2026

In 2022, the Government adopted this Strategy, aiming to promote quality education for all.[48] It has five priority areas: 1) Early childhood education; 2) Pre-university education; 3) VET and Adult Education; 4) Higher Education; and 5) Digitalisation of Education.[49] All could have integrated attention to gender but did not. While not referring to gender explicitly, the Strategy recognises the importance of promoting gender equality and digital literacy in education. It aims to develop digital skills among students and teachers and to address gender disparities in accessing digital resources and technology. The Strategy aims to promote the inclusion of "gender-sensitive" teaching and learning environments that address gender stereotypes, promote positive attitudes towards gender equality, and support girls' and boys' participation in education. Notably, these are gender responsive or even gender transformative rather than gender sensitive, as they seek to address inequalities and potentially transform gender norms and relations. The Strategy includes using digital technology to "improve services and quality in education" by:

1. Creating and functionalizing an inclusive and centralized digital platform
2. Preparing and producing multi-dimensional and qualitative digital teaching materials for different levels, grades, and subjects
3. Supplying [Educational and Training Institutions] ETIs and [Higher Education Institutions] HEIs with quality internet networks and necessary technological equipment

[44] Ibid., p. 44.

[45] Ibid., Result 6.2, p. 84.

[46] KEC, Evaluation of the Implementation of the Kosovo Education Strategic Plan 2017-2021 Insufficient achievement, 2021.

[47] Ibid.

[48] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022.

[49] Ibid., p. 8.

4. Cultivating digital competence in all parties in education and all educational institutions
5. Establishing institutional mechanisms that enable the implementation of digitalization and the use of technology in education[50]

Only one impact indicator attends to gender: the "Percentage of teachers, management and administrative staff of educational institutions and pupils, divided by gender, who demonstrate basic digital competence in relevant fields related to their role". Of 20 outcome indicators, none is gender mainstreamed. Neither are any indicators, baselines, or targets.

Towards offering opportunities for using ICT in ETIs and HEIs, the Strategy plans to establish student volunteer clubs for basic maintenance of ICT equipment in schools where pupils interested in ICT will be trained and gain experience, led by ICT teachers; this measure aims for equal gender participation.[51] MESTI also plans to develop a guide for preparing and delivering training in digital competencies for educational organisations and their staff, including digital guidelines, leadership, gender mainstreaming, and involving parents in digital education.[52] In line with EU definitions, beyond IT, digital competence involves a comprehensive institutional transition including management, administration, teaching, and learning.

The Strategy's Action Plan has specific objectives, targets, and indicators that are gender mainstreamed and aim to transform gender norms and stereotypes, including textbooks. The Plan includes affirmative measures for girls in IT.[53] An objective aims to implement research by the Institution of Applied Learning to match programmes with job market needs, including "based on the needs of girls and women in the labour market".[54] This Strategy and Action Plan attends to gender-related differences, norms, and stereotypes and tries to reduce them, including related to digitalisation. Thus, it is **gender transformative**.

Kosovo Strategy for Youth 2019-2023

This Strategy mentions IT.[55] It calls for training on prevention and protection from violence, various threats from the internet, terrorism, and other threats that undermine a safe environment for Kosovar youth. It does not distinguish between young women and men, girls, and boys. It does not reference the prevalence of gender-based violence affecting women and girls, including via IT, as a potential security threat. The Strategy notes that youth play an important role in peace-making but fails to discuss this from a gender perspective,

[50] Ibid., Strategic Objective 5, p. 9.

[51] Ibid., Strategic Objective 5.3, p. 79.

[52] Ibid., p. 82.

[53] Ibid., Action Plan, [Albanian only], p. 53.

[54] Ibid., p. 54.

[55] Republic of Kosovo, Government, Ministry of Culture, Youth and Sport, Strategy for Youth 2019-2023, 2019.

despite growing international attention to the interlinkages between the agendas of Women, Peace, and Security and of Youth, Peace, and Security.[56]

The action plan lacks gender-disaggregated indicators, baselines, targets, and budget. Objectives and activities do not seek to transform gender norms, address gender-based cyberviolence, or enhance youth knowledge related to their digital wellbeing from a gender perspective. Nor do these refer to young women and men's use of internet platforms, digital skills, or creating innovation ecosystems that deconstruct gender roles and stereotypes.

Plans exist to support women and youth in rural areas via 20 projects annually and five advocacy events.[57] Towards developing non-formal education, the plan states [*emphasis added*]:

> Although it does not end with some kind of degree or diploma, non-formal education enriches and builds the skills and capabilities of a *young man*. Informal education [gives] a *young man* life skills and experiences where things are taught openly. Through informal education *a young man* does not learn things in any classroom or in any systematic way.[58]

This language reinforces gender stereotypes. Although the Strategy seeks to support the development of "Youth", which includes young women and young men, the Strategy uses the term "man" as a gender-neutral term. This contributes to reinforcing gender stereotypes that "man is the default human".[59] As Criado Perez has written, "When you say man you don't 'include women too', even if everyone does technically 'know that'. Numerous studies in a variety of languages over the past forty years have consistently found that what is called the 'generic masculine' (using words like 'he' in a gender-neutral way) is not in fact read generically. It is read overwhelmingly as male."[60]

Thus, despite one affirmative measure for girls in IT, this Strategy is **gender negative** because it reinforces gender norms implying that men are more suited for these forms of education. Although adopted in 2019, it does not seem to have undergone a G(E)IA to inform its design and does not address the needs of diverse young women and men. Nor does it foresee any specific measures to include more women and girls in the ICT sector.

[56] KWN, A Seat at the Table, 2021.

[57] Republic of Kosovo, Government, Ministry of Culture, Youth and Sport, Strategy for Youth 2019-2023, 2019, Action 3.3.5.

[58] Ibid., p. 10.

[59] Caroline Criado Perez, *Invisible Women*, 2019, p. 15.

[60] Ibid., p. 15.

“When you say man you don’t ‘include women too’, even if everyone does technically ‘know that’. Numerous studies in a variety of languages over the past forty years have consistently found that what is called the ‘generic masculine’ (using words like ‘he’ in a gender neutral way) is not in fact read generically. It is read overwhelmingly as male.”

— Caroline Criado Perez

To date, no official report monitoring the Strategy's implementation seems to have been published on the Ministry of Culture, Youth and Sports' website. Ex-post gender analysis could be incorporated in the evaluation of the Strategy.

National Development Strategy 2016-2021

This NDS considered education a top governmental priority with development of human capital as one of five strategic objectives.[61] Rural schools and libraries lack access to IT infrastructure or do not adopt appropriate tools, it stated. Therefore, the NDS planned to coordinate stakeholders in the ICT sector, ensuring broad distribution and use of IT in education.[62] It had measures towards "building a more employable labour force", which relates to education.[63] There is no explicit reference to gender, diverse women, men, girls, or boys related to the planned NDS actions on education, which include: increasing children's inclusion in pre-school institutions; improving the quality of teaching; improving the correlation between skills acquired in education and labour market needs; strengthening accountability mechanisms and certification; and improving expenditure planning.[64]

These interventions may impact women, men, girls, and boys differently, but their diverse needs were not considered. The NDS could have mentioned girls' specific educational needs related to ICT, towards gender-responsive expenditure planning. Improved quality of teaching could refer to transforming gender norms through teacher training and pedagogy. Improving expenditures could include gender-responsive budgeting as per the Law on Gender Equality. The NDS does not use gender-responsive budgeting to specify planned expenditures for diverse women and men. Although the NDS mentions women and includes activities targeting women, actions related to digitalising education are **gender neutral**. Ex-post gender impact analysis of the NDS related to digitalising education could inform the ex-ante G(E)IA for the new NDS.

Economic Reform Programme

ERPs enlist reforms planned to boost competitiveness, improve conditions for inclusive growth, and create jobs; this includes improving education and skills based on labour market needs.[65] Kosovo's first ERP in 2016 stated that human resources, especially students educated in local universities, needed additional training for sectors dealing with ICT.[66] It observed the need to increase talent and create digital jobs, focusing on youth, women,

[61] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021, 2016.

[62] Ibid, p. 46.

[63] Ibid., Measure 3: Better linkage between education and labour market, Development Impact, p. 13.

[64] Ibid., NDS Interventions, p. 10.

[65] Republic of Kosovo, Government, Economic Reform Programme 2019-2021, 2019. Note that hyperlinks in this section may no longer be functional due to changes on the Government's website.

[66] Republic of Kosovo, Government, Economic Reform Programme, 2016.

and people with disabilities.[67] In expanding ICT infrastructure networks and services towards socioeconomic development, the ERP foresaw that a pilot project entitled Women in Online Work (WOW) would target 100 women in two municipalities, train 90 youth on ICT, and provide internships at STIKK member companies where youth could practice and showcase their skills to potential employers.[68]

56% of the targeted 100 women who participated signed at least one contract for online work.

ERP 2017 stated that the capacity-building phase of WOW included training in technical and soft skills required for employment in international online platforms.[69] WOW reportedly had positive results: 56% of the targeted 100 women who participated signed at least one contract for online work.[70] However, this measure was not continued in ERP 2017-2019 or ERP 2018-2020; the latter only noted that USAID and Helvetas continued supporting WOW in four municipalities in 2017 where 260 women learned skills for international online platform jobs, technical skills like coding, and soft skills.[71] Instead of continuing WOW, ERP 2019-2021 foresaw training at least 400 youth towards developing human resources for the digital economy and supporting digital businesses.[72] The activity did not include gender-disaggregated data or targets. ERP 2020 reported that this activity was in its "initial stages"; it did not contain gender-disaggregated data on young women and men reached.[73] The measure was re-formulated in ERP 2020-2022, which foresaw training youth, linking them with online job opportunities through the Youth Online and Upward Program (YOU) implemented by the Ministry of Economic Development, and establishing a Digital Excellence Centre that would supply equipment.[74] In reporting on ERP 2021-2023 progress, the ERP 2022-2024 stated that the pandemic contributed to a delay in holding these trainings online.[75] However, it stated that procurement for delivering six modules was underway, including planned training of approximately 500 youth with 300 teaching hours for each module.[76] ERP 2022-2024 planned for training to commence in January 2022, aiming to reach at least 2,000 trainees and to enhance their job search capacities in the local ICT market. This ERP does not provide gender-disaggregated data on targeted beneficiaries or mention affirmative measures

[67] Ibid., p. 76.

[68] Ibid., Reform Measure 8, p. 77.

[69] Republic of Kosovo, Government, Economic Reform Programme, 2017.

[70] Ibid., p. 130.

[71] Republic of Kosovo, Government, Economic Reform Programme 2018-2020, 2018.

[72] Republic of Kosovo, Government, Economic Reform Programme 2019-2021, 2019.

[73] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020.

[74] Ibid., Reform Measure 13.

[75] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022.

[76] Modules included: "Python, Advanced 154 Network Administrator, Mobile Development, Digital Marketing, Full Stack developer, 3D printing technology, or IT Essentials".

towards ensuring women's participation.[77] ERP 2023-2025 reported that the first cohorts finished training in 2022, and approximately 400 trainees were certified.[78] It foresaw training 810 youth in 10 modules. Again, no gender-disaggregated was provided, despite KWN's recommendations for the ERP to have gender-disaggregated indicators, baselines, targets, and reporting on beneficiaries.[79]

ERP 2020-2022 planned piloting an ICT digital platform in 2021 and implementing new VET curricula.[80] ERP 2022-2024 reported that the ICT digital platform was completed in cooperation with the Chamber of Commerce.[81] The ERP does not mention whether gender analysis informed its design or if gender-disaggregated data will be tracked.

Overall, each year ERPs have demonstrated an improved gender perspective. Generally, they are **gender responsive**. However, specifically related to digitalisation and education, ERPs have not attended to gender-related differences consistently. Annual measures could have further specified and addressed challenges women face in accessing digital education equally, given gender norms and stereotypes hindering their participation.[82] The ERP process enables annual monitoring of progress. However, ERPs have not consistently had gender-disaggregated indicators, baselines, or targets to facilitate monitoring whether both young women and men have benefitted. Gender analysis and consultations with WCSOs could inform upcoming ERPs, ensuring that the needs of diverse women, men, girls, and boys are considered in designing programmes, platforms, and training opportunities for the ICT sector. Reporting tables on ERPs' implementation could have provided gender-disaggregated data on beneficiaries as per the Law on Gender Equality. The Government also could draft annual or mid-term reports on ERP implementing, similar to reports on ERA implementation.

European Reform Agenda

ERA aims to increase access to education for children, including those with special needs, from ethnic minority communities, and women.[83] It is designed to augment capacities at all levels of pre-university education and to facilitate access to education for children with disabilities. However, related to ICT and education, ERA 2021-2023 does not include any measures or indicators related to gender equality in education and digitalisation. Teacher training

[77] See Chapter 1.

[78] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023.

[79] KWN recommendations made during consultations on ERP 2021-2023, ERP 2023-2025, and ERP assessment reports.

[80] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020, Measure 16.

[81] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022, p. 157.

[82] See Chapter 1.

[83] Republic of Kosovo, Government, Second Phase of EU – Kosovo Political Priorities: European Reform Agenda (ERA) II, 2021.

and increasing the quality of education are mentioned.[84] However, these objectives do not specify the need to use more gender-transformative teaching methods when imparting digital skills. Objectives do not have indicators, baselines, targets, or budget to measure changes related to furthering gender equality. Generally, ERA is **gender responsive**, as it seeks to address some inequalities. However, related to digitalising education, ERA II does not contain any gender perspective and is **gender neutral**. The Government published the last ERA II report in 2022; it does not discuss developments related to education and digitalisation.

Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021

This 2017 Strategy considered gender equality a cross-cutting issue and included a few measures related to education.[85] It discusses how Roma and Ashkali women face double discrimination based on their gender and ethnicity. It mentions that the low level of education among Roma and Ashkali contributes to unemployment and poor health. It estimates that while 87% of Roma and Ashkali men ages 15-24 are literate, 73% of same-aged women are. Towards increased inclusion, the Strategy planned a few measures targeting Roma and Ashkali women and girls, such as affirmative measures and preparatory educational programmes to support their enrolment and retention in HEI; establishing gender sensitive indicators in the Education Management Information System (EMIS) for Roma and Ashkali; and raising girls' awareness of the importance of enrolling in school on time and attending.[86] The Strategy refers to gender in a few objectives and activities that aim to target women and girls. Therefore, overall, the Strategy is **gender responsive**. However, in relation to digitalisation, the Strategy is **gender neutral**. The Action Plan does not contain any gender-disaggregated indicators, baselines, or targets, or indicators to measure how the Strategy furthered gender equality. Nor is a clear budget allocated using best principles of gender-responsive budgeting.

There is no gender-disaggregated data on beneficiaries or any indication that Roma, Ashkali, and Egyptian girls and young women were prioritised. Nor do scholarships tend to be granted in ICT-related fields.

The OPM's Office of Good Governance was responsible for monitoring the Strategy's implementation. In 2020, the Office published a Midterm Evaluation Report

[84] Ibid, Objective 3.4.a and 3.4.b.

[85] Republic of Kosovo, Government, OPM, Office of Good Governance, Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021, 2017. Egyptian political representatives requested not to be included in the Strategy.

[86] Ibid., activities 1.1.5, 1.2.1, and 1.3.2, pp. 40-43.

2017-2019.[87] It does not contain detailed information on the implementation of activities in the Strategy, particularly concerning Roma and Ashkali girls. It only provides information on awareness-raising activities on timely education enrolment and attendance, primarily organised by CSOs. The Report mentions a 2017 discussion on this theme in cooperation with MEST, the Roma Education Fund, and the Voice of Roma, Ashkali, and Egyptians in Kosovo. As per the Report, no other action was undertaken in three years.

The Strategy does not attend to the need to ensure that Roma and Ashkali girls and boys have access to digital devices and opportunities for furthering their digital skills. The COVID-19 pandemic brought to the fore their lack of access to such digital equipment, which hindered their educational participation.[88] Although the Strategy's evaluation was published in September 2020, six months into the pandemic, it is strangely silent on educational needs and barriers that Roma and Ashkali girls and boys faced during this period.

Through this Strategy, MEST launched a few scholarship programmes targeting Roma, Ashkali, and Egyptian students. The evaluation shows that 500 scholarships were granted in 2017, 507 in 2018, and 593 in 2019.[89] There is no gender-disaggregated data on beneficiaries or any indication that Roma, Ashkali, and Egyptian girls and young women were prioritised. Nor do scholarships tend to be granted in ICT-related fields. The mid-term evaluation merely notes that MEST announces the call for scholarships annually and the selection process is merit-based, as per the Administrative Instruction for Scholarship Allocation. This Instruction does not include any affirmative measures for girls, though it could do so in the list prioritising particular categories for students to receive scholarships.[90] Although the Strategy expired in 2021, a final evaluation containing gender impact analysis is not yet available.

Governance

This section examines Governance related to digitalising the education sector and the extent to which diverse women and men have participated in leading, coordinating, planning, implementing, monitoring, and evaluating policies related to digitalisation and education. It also discusses capabilities for gender-responsive digital reforms and the gender-responsiveness of

[87] Republic of Kosovo, Government, OPM, Office of Good Governance, Midterm Evaluation Report 2017-2019 on the implementation Strategy and Action Plan for the Inclusion of Roma and Ashkali Communities into the Kosovar Society 2017-2021, 2020.

[88] KEC, The Impact of the COVID-19 Pandemic on Pre-University Education in Kosovo, 2021, p. 72.

[89] Republic of Kosovo, Government, OPM, Office of Good Governance, Midterm Evaluation Report 2017-2019 on the implementation Strategy and Action Plan for the Inclusion of Roma and Ashkali Communities into the Kosovar Society 2017-2021, 2020, p. 33.

[90] Ibid., p. 26. That is, based on criteria in Administrative Instruction No. 12/2015 for Scholarship Allocation, Article 4.

digital services available. Finally, it analyses the gender-responsiveness of government funding and procurement in the education sector.

MESTI, previously MEST, is responsible for the education sector.[91] Overall, MESTI has 148 employees in the central administration, including 73 women (49%) and 75 men (51%).[92] Twenty women (54%) and 17 men (46%) hold **leadership** positions. A working group for digitalisation and education **planned** and drafted the Education Strategy 2022-2026. It consisted of a rather gender-balanced 15 men (56%), including the chairperson, and 12 women (44%). As the legal framework illustrates, there have been some improvements in gender-responsive planning in this Ministry. A research participant reflected, "The government has the signal, and they are placing more influence on gender issues. But I don't know how deeply they go into it. There is a better understanding that they need to."[93] Another observed, "What is lacking at the Ministry is a strong voice of a specific person or officer to remind [people] all the time… You need to be like a mosquito, buzzing, buzzing, and all the time mentioning [gender]", referring to the need to constantly bring attention to gender analysis and gender implications in decision-making.[94] Meanwhile, the MED workplans that KWN reviewed did not contain any specific measures on cyberbullying, sexual harassment, or sexual violence.[95]

> "You need to be like a mosquito, buzzing, buzzing, and all the time mentioning [gender]."
>
> — Research Participant

MESTI is primarily responsible for **coordinating** reforms related to digitalisation in the education sector.[96] Pre-university education management is shared between the central level (MESTI), municipal level (MEDs), and ETIs. Coordination among these is low due to weak human capacities and frequent changes in staff, often due to political influence.[97] The Education Strategy 2022-2026 should be implemented, monitored, reported on, and "interconnected and coordinated" with NDS 2030.[98] NDS has not been published, making this difficult. MESTI plans to establish an Education Strategy Implementation Group led by the Minister or Deputy Minister, coordinated by the General Secretary, and composed of officials from MESTI organisational units responsible for implementing the

[91] MEST became MESTI, adding innovation to its name and responsibilities, in 2020, according to online reports and news; KWN could not find an official source regarding when the name was changed precisely.

[92] KWN correspondence with MESTI, 2023.

[93] KWN interview with a representative of an international organisation, 2021.

[94] KWN interview with a representative of an international organisation, August 2023.

[95] KWN reviewed a sample of workplans, primarily selected as the main regions in Kosovo and affecting the most students: Peja/Peć, Gjakova/Đakovica, Prishtina/Priština, and Podujeva/Podujevo.

[96] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, Action Plan, 2022, p. 61.

[97] Ibid., p. 37.

[98] Ibid., p. 88.

Strategy, the OPM's Office for Strategic Planning, and MFLT.[99] The Strategy does not explicitly require a gender balance in this mechanism or the MESTI GEO's participation, though this could help ensure gender-responsive coordination, implementation, monitoring, and evaluation related to digital reforms. MESTI has yet to develop adequate coordination mechanisms that facilitate information flow and regular communication between MFLT and MESTI, and among MESTI and MEDs on financing issues.[100] MESTI does not have a division for technology, which may pose challenges to digitalisation.

Historically, MLSW planned employment and vocational policies, though these competencies have been transferred to MFLT. EARK coordinates policies through regional centres, aiding adult jobseekers with training. MESTI is responsible for policy development and drafting education legislation, including VET. MESTI collaborates with AVETAE, MEDs,[101] and other bodies to provide VET to youth, aiming to equip students with competencies and skills for the labour force. The 2006 VET law institutionalised cooperation between education authorities and social partners.[102] The Council for VET and Adults (CVETA) advises the government in VET and adult education and approves occupational standards. CVETA works under MESTI and has 15 members including representatives of MESTI, (previously) MLSW, MTI, the Ministry of Health, Kosovo Chamber of Commerce, unions, businesses, and NGOs.[103] The number of women and men on the Council is unknown. Although the Council was established in 2014, it has struggled to become fully operational, partially because members were not compensated for their service.[104] AVETAE manages donor-funded VET competence centres and adult VET institutions. Its tasks include developing standards, curricula, materials, and teacher training. It handles finances, human resources, and infrastructure for public VET institutions. AVETAE oversees six centres, whereas others function under the municipal education system. MEDs run public educational institutions, handling facilities, enrolment, staff, and training. Directors are chosen by mayors. As many stakeholders are involved in providing expertise for VET programmes, coordination, including on digital reforms, requires clear planning and division of responsibilities at central and local levels.

The Government has started **implementing** several digitalisation-related reforms. MESTI together with international donors established the Kosovo Practice Enterprise Center to deliver Digital Skills and Competence (DSC) for

[99] Ibid.

[100] European Training Foundation (ETF), "Kosovo Rapid Education Diagnosis (RED): Addressing the weak links", 2023, p. 10.

[101] ETF, Quality Assurance in Vocational Education and Training in Kosovo, ETF Forum Member Institution: National Qualifications Authority, 2020, p. 5.

[102] Republic of Kosovo, Assembly, Law No. 04/L-183 on the Vocational Education and Training, 2006.

[103] Jetë Aliu, Ema Rraci, and Kushtrim Bajrami, Vocational Education and Training in Kosovo: Challenges and Opportunities, Kosovo Education and Employment Network (KEEN): 2019, p. 17.

[104] Ibid, p. 19.

VET schools and students including virtual business simulation.[105] MESTI is in the process of establishing an ICT Centre of Competence focused on six ICT qualifications considered priorities for the ICT sector: application developer-coding, business informatics technician, systems technician, graphic design technician, interactive media design technician, and electronic technician.[106] Supported by LuxDev, the ICT Centre of Competence will support MESTI in developing qualifications for these profiles, including occupational standards, curricula, teaching, and learning materials, as well as developing the capacities of managers and teachers.[107] All qualifications are being developed to reflect labour market needs, towards facilitating students' transition into the labour market immediately after graduation.[108] As MESTI does not yet have ownership of this Centre, they could not provide information about its stage of development.[109] MESTI has initiated reforms in VET towards preparing the future workforce with skills needed in the labour market, but concerns remain that VET schools specialise in profiles that do not match labour market needs due to insufficient analysis and research, and this affects students' employability.[110]

Gender-disaggregated data on beneficiaries of MESTI's ICT-related measures like training, and scholarships was unavailable. MESTI has implemented some affirmative measures towards gender transformative education and digitalisation, such as scholarships for girls attending vocational school in technical fields where they have been underrepresented. No evidence exists of similar gender-transformative measures being used to encourage boys to enter fields where they are underrepresented, such as primary school teaching.

The Government began reforms towards improving **protection** in the educational system following the adoption of the Law on Child Protection and related administrative instructions for protecting children and students from online threats. MESTI has a Manual on Preventing Negative Phenomena in Higher Secondary Schools and the Internet Child Protection Guidelines Package.[111] Thematic modules on child protection include: 1. Prevention and Referral of Violence in Schools; 2. School Dropout Prevention and Response; 3. Protecting Children on the Internet; 4. Prevention of Discrimination in Schools; 5. Promotion of Gender Equality; 6. Prevention of Hate Speech; 7. Prevention of Domestic Violence; 8. Prevention of Child Trafficking; 9. Prevention of Sexual Harassment; 10. Youth Initiative Program - Y Youth; 11. Prevention of Early Marriages; and 12. Prevention of Child Labour. The

[105] ETF, "Digital skills and online learning in Kosovo", 2020, p. 1.

[106] Ibid., p. 2 and KWN correspondences with MESTI, 2023.

[107] Ibid.

[108] Ibid.

[109] Ibid.

[110] Jetë Aliu, Ema Rraci, and Kushtrim Bajrami, Vocational Education and Training in Kosovo: Challenges and Opportunities, KEEN: 2019, p. 8.

[111] MESTI, Thematic Modules on Child Protection, 2023, accessed 11 December 2023.

modules address cyberbullying but not from a gender perspective. None of these laws or regulations contains any reference to bullying or cyberbullying, let alone a gender perspective.

The educational system has 1,022 men (64%) and 570 women (36%) data controllers.[112] During the COVID-19 pandemic, in using Zoom, Google Meet, Viber, and WhatsApp platforms, the Government, teachers, and parents may not have taken adequate steps to protect children's digital wellbeing and personal data. No evidence exists that a MESTI Data Controller conducted a Data Protection Impact Assessment inclusive of any gender-impact assessment, though legally recommended when "using new technologies" and when data processing may contribute to "a high risk" to people's rights and freedoms.[113] Considering that these were new technologies with sudden, widespread use, the Data Controller should have examined potential impact, including on diverse girls and boys.

Municipalities are responsible for budgeting for and equipping schools with adequate infrastructure. MEDs should coordinate with MESTI in reporting on implementation of legal and policy commitments, including related to digitalisation. KWN analysed the websites of seven municipalities to assess their implementation of these responsibilities.[114] Only half of the municipalities assessed periodically have published action plans online since 2021. These were planned to expand digital infrastructure at schools (i.e., equipment and internet) but did not mention child protection or digital wellbeing. Only three municipalities published annual reports, and none had information about digitalisation or child protection efforts. None of these action plans or reports contained any gender analysis or gender-disaggregated information. The lack of transparently published materials online makes it difficult to monitor government efforts to fulfil responsibilities, including to conduct gender impact analyses.

64% of data controllers in the educational system are men.

MESTI **monitoring** and **evaluation** of progress on digital commitments, inclusive of *ex-post* gender impact analysis, is scarce. This makes it difficult to assess progress on these programmes based on publicly available information. ETF has observed that inter-institutional coordination, monitoring,

[112] MESTI correspondence with KWN, October 2023.

[113] Republic of Kosovo, Assembly, Law No. 06/L-082 on Protection of Personal Data, 2019, Article 35, Data protection impact assessment.

[114] Given time restraints, KWN selected municipalities that have the largest populations and thus would affect the most students. KWN hypothesised that if larger municipalities lacked these, then smaller municipalities with fewer resources probably would not have them either. Future research could examine this.

accountability, weak institutional capacity related to financing, and inadequate reporting frameworks all remain issues.[115]

The Assembly Committee on Education, Science, Technology, Innovation, Culture and Sports monitors the Government's implementation of education-related responsibilities and programmes. This Committee has six women (60%) and four men (40%). Men's underrepresentation in this Committee may hinder their contributions to legislation towards a more inclusive, gender-responsive approach to digitalisation, as well as in monitoring its implementation. From April 2021 to July 2023, the Committee held 60 meetings. Digitalisation in education was mentioned related to books,[116] school inventory and creating a culture of using digitalisation in classrooms,[117] digitalisation of school infrastructure,[118] and the KAA feasibility study for digitalisation.[119] In a Committee meeting, the Minister of MESTI said that the law allows for texts in digital form, and they have allocated €6.5 million for this purpose.[120] The Committee has yet to discuss gender equality or gender-responsive budgeting related to digitalisation.

Regarding **public participation**, insufficient information existed on whether public discussions were held to inform recent draft laws in the education sector. Some laws reportedly were "rushed" through, with minimal time for public consultation.[121] At the municipal level, the legal framework foresees opportunities for parents and students to engage in governance and decision-making related to education, but little official information was publicly available regarding the extent to which this has been realised or how many diverse women, men, girls, and boys have participated in decision-making. Digital solutions for such engagement do not seem to exist.

In its Young Voices survey, Save the Children found that 84% of Kosovar children think it is important for politicians and decision-makers to hear what children think.[122] Moreover, children would like to express their opinions (43%) related to education and their school; they feel competent to provide input and contribute to decision-making. Further, 23% of children would like to express their opinions regarding equal rights for boys and girls. The survey found that girls and boys feel they have similar opportunities to influence their school.

[115] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 6.

[116] Republic of Kosovo, Assembly, Committee on Education, Science, Technology, Innovation, Culture and Sports, Meeting Minutes (6 July 2021) [in Albanian], accessed 28 August 2023.

[117] Ibid., Meeting Minutes (15 February 2022) [in Albanian], accessed 28 August 2023.

[118] Ibid., Meeting Minutes (24 May 2022) [in Albanian], accessed 28 August 2023.

[119] Ibid., Meeting Minutes (7 June 2022) [in Albanian], accessed 28 August 2023.

[120] Ibid., Meeting Minutes (27 April 2023) [in Albanian], accessed 28 August 2023.

[121] KWN interview with official engaged in processes, 2021.

[122] Save the Children, Young Voices, 2022. The survey was conducted in September and October 2021 with a sample size of 1,300.

Little information exists regarding the extent to which parents participate in decision-making related to schools or MED priorities, including digital reforms. Reportedly, many schools do not have emails for all parents, which hampers communication and parents' engagement.[123] According to the Education Strategy 2022-2026, management needs to be supported by strengthening the role of the School Governing Board and the Parents' Council in improving schools because sharing experiences could increase school performance.[124] MESTI also plans to draft and publish guidelines for parental involvement and support in digital education in 2024.[125] Then, MESTI and MED will publish reports evaluating the functioning of school governing boards and parent councils.[126] Implementation of this Education Strategy began in 2023, so reports are not yet available.

23% of children would like to express their opinions regarding equal rights for boys and girls.

Capabilities

Regarding the **availability** of gender expertise to support reforms, interviews generally suggested that ICT professionals tended to be unaware of barriers that women and girls face in participating in the digital transformation. They may not have considered such barriers when designing digital solutions in the education sector, either. As a result, digital tools, software, and programmes may not adequately address the needs of diverse women, men, girls, and boys. In 2021, a research participant observed, "All of the gender experts, which are really pushed for [by international actors], come through you [KWN, and] are transmitted to experts, and they push for the gender-related expertise to be properly integrated in the laws."[127] The research participant suggested that KWN's expertise has been among the only gender expertise used by MESTI in planning laws, policies, and programmes. In 2023, MESTI reported that the GEO is engaged in processes.[128]

Insufficient understanding of gender considerations may undermine efforts to integrate attention to gender into digital reforms and teaching materials. One public official stated that "traditionally, the ICT field was considered a field only for boys and men; due to socialised gender norms, girls and women could not be considered professionals in the field".[129] A recurring theme among interviewed officials was that "these gender norms have now ceased to exist."[130] However, evidence in the People section below suggests

[123] Correspondence with KWN, October 2023.

[124] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 57.

[125] Ibid., Action 5.4.30.

[126] Ibid., Action Plan, 2022, Action 2.1.6.

[127] KWN interview with international organisation representative, 2021.

[128] KWN meeting with MESTI, 2023.

[129] KWN interview with public official, 2021.

[130] KWN interviews with public official, 2021.

otherwise. Such false assumptions held by officials may affect their decision on whether to use affirmative measures to support young women to pursue further education in ICT, as illustrated by the removal of affirmative measures like scholarships targeting girls. Gender stereotypes upheld by teachers also may dissuade young women from pursuing careers in ICT. This suggests a need for further training in gender roles, norms, and relations for officials, teachers, and school administrators.

In the Education Strategy 2022-2026, MESTI plans to develop a guide for preparing and delivering training programmes in digital competencies for educational organisations (including their staff), which will contain guidelines for the digital plan of the educational institution, digital leadership, evaluation of the institution, quality assurance in this field, gender mainstreaming, and engaging parents in digital education.[131] A planned indicator is the "percentage of teachers, management and administrative staff of educational institutions and students who demonstrate basic digital competence in relevant fields related to their role, broken down by gender".[132] There is no baseline, which suggests that there has not been any assessment of teachers', management's, or administrative staff's digital skills. Another indicator is the "number of employees at different levels and types of institutions that enable the realization of digitalization and use of technology in the education sector, in accordance with the Law on Gender Equality, broken down by gender".[133] The baseline is "0", which suggests that no employees had enabled digitalisation and technology use in the education sector as of 2022. No governmental analysis seems to have assessed school administrators' and teachers' capacities for digitalisation or gender-responsive digitalisation.[134] No database or monitoring system tracks teachers' digital skills, formal training provided, or professional development needs related to gender-responsive digitalisation.

MESTI reported that 18,000 teachers have been trained in the International Computer Driving License.[135] MESTI also cooperated with GIZ to provide training to all teachers in VET schools; 40 ICT teachers were trained on the Moodle platform.[136] Various donors reportedly have provided digitalisation training, but this has not been systematic or institutionalised.[137] Gender-disaggregated data on training participants was unavailable. Examining the gender balance among teachers that have attended training in digitalisation, gender, or both was not possible given the lack of a consolidated database of

[131] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 85.

[132] Ibid., Indicator 4.

[133] Ibid., Indicator 5.

[134] This was stated by MESTI during an SAA Sub-committee meeting on Social Policy and Education, 2022; MESTI confirmed that they do not have information as to whether any such assessment has been conducted (correspondence, October 2023).

[135] Correspondence, October 2023.

[136] Ibid.

[137] Comment on draft report, November 2023.

training attended, on what, and by whom, containing gender-disaggregated data. Meanwhile, a research participant observed, "The gender divide starts earlier. Pre-university and early education are female, and higher levels are a male kingdom."[138] That is, teacher attendance of training is pre-determined by the level of education they teach. Since women generally teach lower grades and men teach higher grades, they would not be equally represented among teachers receiving training on (gender-responsive) digitalisation for their student age groups. Improving the gender balance among teachers in any training provided would require first using affirmative measures to hire more men in early education and more women in higher levels of education.

The Education Strategy 2022-2026 states that teacher performance assessment (TPAs), as a component of teacher licensing, has "failed to be implemented" as intended; only 755 teachers had been assessed as of March 2020.[139] No gender-disaggregated data on teachers assessed was publicly available. The Strategy plans to establish an improved system for teacher licensing, performance assessment, and career advancement.[140] MESTI plans to analyse the possibilities of implementing TPAs and to functionalise software for the licensing system.[141] The Action Plan includes an indicator to develop basic criteria and guidelines for TPAs, including basic qualification requirements for TPA appraisers.[142] The extent to which attention to teacher capacities for digitalisation or transforming gender norms would be included in appraisals was unclear. This guide was to be published in 2022 on MESTI's website. No online database for local and central level institutions to integrate data on TPAs seemed to exist in 2023.

For most indicators involving data management, the Education Strategy's Action Plan mentions "referenced documents" for monitoring results on a "relevant database". The Action Plan does not state clearly which databases will be used and which institutions shall be responsible; it is unclear whether this will involve a coordinated database. For example, for the indicator "Capacity building of MEDs to fulfil their supervisory role", the reference is: "The list of trained MED officials obtained from the relevant database".[143] It is unclear whether these databases will include gender-related indicators, towards tracking the women and men assessed, trained, and qualified, including related to qualifications for gender-responsive digitalisation. The Strategy and Action Plan do not mention consultations with gender experts or WCSOs to integrate a gender-responsive approach in the TPA criteria and guidelines.

[138] KWN interview with international organisation representative, 2021.

[139] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 39.

[140] Ibid., Specific Objective 2.8.

[141] Ibid., p. 68.

[142] Ibid., Action Plan, Indicator 2.8.1.2.

[143] Ibid., Indicator 2.1.1.

MESTI created a general guide for organising teaching in the school year 2020/2021, during the pandemic, which addressed the need for training teachers, school management, support staff, and other actors. According to the guide, the most urgent actions for obligatory training for online learning were MEDs' coordination on requirements and training needs for teachers; training teachers to use the learning platform, online teaching methods, and ICT tools; and advising MEDs, teachers, and parents to use ICT tools.[144] However, no detailed plan existed for teacher training in the 2020/2021 school year.[145] Nor does any publicly available assessment monitor the implementation of the guide, including gender impact analysis.

According to a research participant, "The problem is that the curricula are not implemented. This has to do with teacher training… on how to teach curricula on digital skills.... The problem is that MESTI doesn't have a strategy for continuous teacher training."[146] Another participant said:

> We think that legislation is there, but the approach is old fashioned and needs to be reenergised with ideas and people. [T]he nature of the work and thinking… everything is changing. […] Digitalisation has an old-fashioned understanding… "We will teach you how to use Excel." We need to teach them smartboards, not just smart TV, but different ways of thinking, algorithms thinking.[147]

Interviews suggested that teachers may lack capacities for teaching related to digitalisation, let alone incorporating a gender perspective.

Related to reporting online harassment or cyberbullying in education, responsibilities are not clearly defined. Instances reported by girls seem to remain at the school, which tries to resolve such issues internally. A high school girl told KWN:

[144] KEC, The Impact of the COVID-19 Pandemic on Pre-University Education in Kosovo, 2021.

[145] Ibid.

[146] KWN interview with international organisation representative, 2021.

[147] KWN interview, August 2023.

> Two classmates published pictures of mine online and made fun of me, and I reported the case to police. Initially, the school director tried to keep the case within my class and recommended that the "news not spread". Luckily, I had supportive parents who encouraged me to file the case. [...] My classmates were suspended for three weeks but that means nothing to them. In fact, they were happy to have some days off of school. [...] I went and talked to our school psychologist, thinking I could trust her as she was a woman, and she ended up blaming me about what happened.[148]

Every school should have a psychologist and a pedagogue.[149] The school psychologist should contribute to learning and promote cognitive, emotional, social, and personal development. They also should assist with "overcoming difficulties of a psychological nature with all school stakeholders."[150] Schools do not have enough psychologists, and this girl's experience, among others shared with KWN, suggests that the psychologists employed may lack professional capacities for assisting girls encountering cyberbullying.[151]

Directors of pre-university education institutions must register reported cases of school violence and forward them to MED.[152] MEDs must submit summary reports to MESTI, as the institution responsible for analysing and publishing data. MEDs also are obliged to:

> Evaluate and combat violence in pre-university institutions effectively; collaborate with relevant ministries to create strategies for the rehabilitation and social integration of juvenile offenders; work with Kosovo's Parents' and Students' Councils to advocate for children's rights in education; [and] assist pre-university institutions in assessing their security situation.[153]

Research suggests that these responsibilities are not implemented, that school directors are reluctant to report cases of bullying, and that only serious

[148] Information shared with KWN informally, 2023.

[149] Republic of Kosovo, Administrative Instruction MEST No. 34/2014 the Functioning of Pedagogical - Psychological Service in Schools, 2014.

[150] Ibid., Article 16.

[151] Meritë Krasniqi, "Ignored and Unreported, Bullying Troubles Kosovo Students", *Kosovo 2.0,* 10 December 2019.

[152] Republic of Kosovo, Government, Regulation GRK - No. 21/2013 for Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education, 2013.

[153] Ibid.

cases are reported to MEDs.[154] During roundtables, "MED representatives [claimed that] cases of bullying are often kept secret because, if reported, they would reflect negatively on overall school performance," Arber Maliqi from the Peer Educators Network told media Kosovo 2.0.[155] He said that such cases are only categorised as serious when they involve physical violence, but verbal harassment goes unreported. This suggests that schools and MEDs may lack capacities to treat cases of online harassment, bullying, and violence affecting children at school. It is unclear whether professionals responsible for treating such cases possess sufficient gender sensitivity and professionalism.

Digital Public Services

MESTI has a functional, frequently updated website available in Albanian, English, and Serbian.[156] However, not all strategies, decisions, and documents are available in three languages. For example, the Education Strategy 2022-2026 Action Plan is available in Albanian only. Gender-disaggregated data can be found on the number of scholarships awarded for universities, as well as for people with disabilities and ethnic minorities, by name and last name of beneficiaries.[157] Specific gender-disaggregated information on ICT-related scholarships is unavailable. Images on the website show women, men, girls, and boys. The language and images used are **gender sensitive**.

The COVID-19 pandemic contributed to major disruptions in education and catapulted forward the process of digitalising the education system. Schools closed on 13 March 2020 when the first local COVID-19 case was recorded[158] and re-opened on 14 September 2020 under strict distancing and masks measures.[159] The urgent need arose to shift all physical teaching to virtual teaching through online platforms. This challenged the traditional way of teaching and learning, placing teachers and students in difficult situations.[160] During the lockdown phase, some learning materials were shared via online platforms and some lectures in basic subjects were televised. MESTI worked with firms to provide students with computers and free internet access.[161] Distance learning was practiced via online platforms after the Government approved the Master Plan for school year 2020-2021.[162] The Plan had three scenarios for online learning: teaching in schools, combined learning via

[154] Meritë Krasniqi, "Ignored and Unreported, Bullying Troubles Kosovo Students", *Kosovo 2.0,* 10 December 2019.

[155] Ibid.

[156] MESTI, website, accessed 29 August 2023.

[157] Ibid.

[158] KWN, "The Pandemic Knows no Gender"?, 2020.

[159] KTV, "Rritet shqetësimi për mbyllje të shkollave pas rezultimit me COVID-19 të mësuesve në Prishtinë" [Concerns arise for closing schools after teachers have COVID-19 in Pristina], 28 September 2020, accessed 8 October 2023.

[160] ETF, Education, Training and Employment Developments, 2020.

[161] Ibid., p. 7.

[162] Republic of Kosovo, Government, Economic Reform Programme 2021-2023, 2021, p. 95.

online platforms and schools, and online and distance learning. Measures were taken based on the dangers posed by the pandemic in each location.[163]

Since 2009, MESTI has had an e-Education Platform, which provides resources for teachers to learn innovative teaching methods for IVET schools, provides easier access for teachers and students across pre-university formal education, and seeks to "modernise Kosovo's education system".[164] Students and parents also could use the Platform, and it had approximately 100,000 users by 2019.[165] The e-Education Platform does not appear to be active now. Created before the pandemic, the Platform did not fulfil all online learning needs, as the Government mobilised to create a different platform for online schooling, known as "e-Learning" (*e-Mësimi* in Albanian).[166] As of December 2021, Kosovo lacked a consolidated national approach for e-learning. "There are too many different platforms, and they are not combined, so it's a mess," an official told KWN. "MESTI needs to own the initiatives and prioritise which model will be the national model."[167] KWN struggled to secure information on further progress made.

A MESTI official stated that they planned the COVID-19 response "to meet the needs of people in general".[168] They did not consider the potentially differing needs of girls, boys, women, and men. Officials assumed that educational measures were **gender neutral**, stating that they were "fair", treating everyone the same.[169] However, diverse girls and boys may not have had equal access to schooling given the limited number of televisions, tablets, and digital tools in their households.[170] Before teachers initiated televised or online education, MESTI had not analysed families' household conditions to ensure that technology would be available. Nor did the new online programming consider how its content could be used to transform gender inequalities. Protection measures were insufficient as well.

In 2023, MESTI reported offering distance learning adapted to the needs of children with disabilities via electronic platforms like Zoom, Google Meet, Google Classroom, Facebook, and Viber.[171] The Division for Inclusive Education coordinated distance learning for students with special needs. Resource Centres have advised parents, teachers, and assistants on working with children with special needs, including with online pedagogical materials and videos. Supported by UNICEF and the Kosovo Disability Forum, MESTI

[163] Ibid., p. 96.

[164] ETF, "Digital skills and online learning in Kosovo", 2020 p. 4.

[165] Ibid.

[166] KWN could not find a decision on the exact date when it became functional, but publications and posts became part of the platform in 2021.

[167] KWN interview, December 2021.

[168] KWN, "The Pandemic Knows no Gender"?, 2020.

[169] Ibid.

[170] See the People section of this chapter.

[171] Correspondence with KWN, October 2023.

has provided online psychosocial and educational services, engaging 43 therapists with different profiles. An "inclusive education" platform was created to "provide opportunities for socio-emotional and cognitive development of children with special needs".[172] The platform provides educational activities for children and materials for parents/legal guardians, teachers, and assistants of children with special needs.[173]

MESTI reportedly has signed more than 50 agreements with vocational schools to collaborate via a digital platform called "The Future Workplace", focused on ICT.[174] The platform aims to facilitate understanding of the ICT market by tracking supply and demand data, providing insight on how the education system should be modified to match market demands, and offering a pathway for exploring ICT human capacities in Kosovo.[175] The Future Workplace is a data-driven digital tool built by the Millennium Foundation Kosovo (MFK) / MCC and implemented by Open Data Kosovo (ODK) and the Kosovo Chamber of Commerce. Platform data include what ICT students are learning in high school and university, the number of ICT graduates, which activities ICT businesses engage in, how much ICT businesses earn, and which ICT skills are in demand. MESTI, TAK, ODK, the Kosovo Chamber of Commerce, and local ICT businesses provide data to populate the platform. Data can only be traced back to 2015. The platform offers some gender-disaggregated data, such as the number of ICT high school and university graduates. However, gender-disaggregated data could have been introduced into the Statistics, Company Data, and Graduates Data sections. This could provide insight to women and men involved in or entering the ICT market. Information on average wages for women and men also could be useful motivating factors, while showcasing best performers in supporting gender equality in ICT.

MESTI reportedly has signed more than 50 agreements with vocational schools to collaborate via a digital platform called "The Future Workplace", focused on ICT.

MESTI created another platform called Busulla.com, which was meant to deliver professional guidance, educational resources, and career counselling.[176] However, this platform periodically experienced technical difficulties.[177] In 2020, Busulla published a book called "Career counseling and guidance through Busulla.com".[178] Gender is not considered explicitly in any of its four

[172] Ibid.

[173] KWN could not find the platform online, but it may be for internal use only.

[174] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020, p. 94.

[175] Ibid., and The Future Workplace, "About the future workplace", accessed 17 August 2023.

[176] Busulla, "Counseling and career guidance through Busulla.com" Book, accessed 31 August 2023.

[177] In August 2023, the website stated, "The didactic platform for career education, Busulla.com, is currently unavailable due to temporary service interruption resulting from outstanding maintenance dues and accumulated debt" (Busulla.com, accessed 31 August 2023).

[178] Ibid.

modules.[179] Given gender roles and stereotypes, gender can affect career opportunities, such as women entering ICT or men seeking qualifications to work in the education sector. Therefore, online career counselling could seek to dispel gender stereotypes when advising students, girls and boys, on potential occupations, particularly related to professions that currently are rather gender segregated. The book lists numerous values that should be considered when selecting a work environment. None mentions gender equality. While gender equality is not necessarily an added value of a worker, religion is listed, which could contribute to exclusion for women, men, girls, and boys belonging to a specific religion or who are not religious. This may reinforce convictions that workplaces value religious individuals and prioritise their employment. Further, as this book was created by Busulla.com, managed by MESTI, the book should have reflected secularism, as defined by the Kosovo Constitution.[180]

Managed by MESTI since April 2023, the Kosovo Research Information System (KRIS) serves as a repository for information on research, including modules on research institutions, researchers, publications, projects, and journals.[181] It aims to "serve as a source of evidence" for policymakers in the Government and HEIs on key research indicators. It will provide data on patents, research projects, and publications to inform policymaking, as well as monitoring and evaluation of research activities. KRIS requires researchers in Kosovo to register and upload their research and scientific publications. Information regarding the gender of registered researchers is not publicly available. A search for the term "gender" results in academic publications.

Aside from coordinating e-learning processes and platforms, **MEDs** do not seem to offer digital public services at the municipal level.

In relation to **VET**, KWN found no digital public services offered to students. Despite donors' significant investments, vocational schools have lacked adequate teaching and learning materials, which has adversely affected the quality of VET.[182] This also impacts progress in offering public services online. The VET system does not offer counselling services and career guidance in educational institutions and public employment services.[183] This suggests that online counselling services are unavailable as well.

[179] Ibid. The modules include Module 1: Busulla.com - The 5 Steps of Career Orientation, Module 2: Assessing Potential and Interpreting Self-Assessment Test Results, Module 3: The Role of Busulla.com in Achieving Career Orientation Objectives Outlined in the Curricular Framework and Basic Curriculum, and Module 4: Preplanned School Activities for Achieving Interconnected Career Orientation Objectives.

[180] Republic of Kosovo, Constitution of the Republic of Kosovo, Article 8, "Secular state".

[181] Republic of Kosovo, KRIS, 2022-2023, accessed 7 December 2023. Information in this paragraph received via correspondence with supporters of KRIS, October 2023.

[182] Aliu, Jetë, Ema Rraci, and Kushtrim Bajrami, Vocational Education and Training in Kosovo: Challenges and Opportunities, KEEN: 2019.

[183] Ibid.

The **University of Prishtina** uses the Electronic System for Student Management (SEMS).[184] It is only available in Albanian. Bachelor, Master, and PhD students can use SEMS to view the schedule of lectures, exams, and exam results, as well as to accept or refuse grades. SEMS is used to apply for exams, IDs, and jobs as academic staff, as well as for diplomas or verification of documents. University payments also can be processed.[185] It does not seem to allow for registration in classes. According to SEMS data, the total number of students registered in the 2023/2024 academic year was 4,270, including 2,913 women (68%) and 1,357 men (32%).[186] Data show that 151 students are women (3.5%) and 204 are men (4.8%) in the Faculty of Electrical and Computer Engineering; slightly more men (57%) than women (43%) are enrolled in this Faculty.

Data show that 151 students are women and 204 are men in the Faculty of Electrical and Computer Engineering

The University of Prishtina has an Official for Prevention and Protection against Sexual Harassment and Assaults responsible for treating cases of sexual harassment, including "harassing phone calls, including text messages received via phone, messages received electronically, social media, or other applications and means of communication".[187] The Official was appointed in 2022.[188] The database for registering reports with data based on gender, age, ethnicity, and disability is being developed and expected to be completed soon, in collaboration with the IT Office at the University of Prishtina.[189] Between the Official's appointment and September 2023, she had received five cases of sexual harassment against women, treated using the relevant Regulation.[190] Only one case had elements of cyberbullying. The Official has shared the Regulation with students, administrators, lecturers, and academic staff via email. Deans have provided hyperlinked access to the Regulation on the University's website, and each academic unit's website has included the Regulation enabling access to information.[191] An official email exists on the University's website for reporting cases, which was shared to students and staff via email.[192]

[184] University of Prishtina, SEMS, accessed 9 October 2023.

[185] Ibid.

[186] SEMS data, accessed 9 October 2023.

[187] University of Prishtina, Regulation on the Prevention and Protection from Sexual Harassment in the University of Prishtina [in Albanian], 2021, accessed 5 December 2023.

[188] Gentiana Ahmeti, "UP appoints an official for protection against sexual harassment" [in Albanian], Kallxo.com, 10 February 2022.

[189] KWN correspondence with the Official for the Prevention and Protection against Sexual harassment and Assaults, September 2023.

[190] Ibid. University of Prishtina, Regulation on the Prevention and Protection from Sexual Harassment in the University of Prishtina [in Albanian], 2021, Article 7, accessed 5 December 2023.

[191] Ibid.

[192] Ibid. The email is: report.case@uni-pr.edu.

KAA digitalised the accreditation process in 2021, establishing a tool called *e-Akreditimi* (e-Accreditation).[193] Digitalisation has increased the transparency of accreditation results and enabled a faster accreditation process.[194]

Funding and Procurement

Overall, education accounts for 4% of gross domestic product (GDP) and 13% of total government spending.[195] The Government considers digital education a priority in the MTEF for 2023-2025.[196] Its priorities include harmonising VET with IT and labour market developments, utilising digital solutions for lifelong learning, and using digital technology to improve education quality and services. Budget plans foresee investments to support digitalisation, in cooperation with other actors (AIS). The total estimated cost of implementing the Education Strategy is €322,847,140, of which €51,664,751 (16%) is planned for digitalisation of Education.[197] The planned expenditures in the MTEF are insufficient for meeting the ambitions stated in the Education Strategy 2022-2026; half of the costs of digitalisation are not covered, jeopardising implementation.[198] While the Strategy's Action Plan has some indicators that refer to gender, one cannot measure the amount budgeted for diverse women and men using gender-responsive budgeting.

16% of the Education Strategy is planned for digitalisation of Education.

The NDS 2016-2021 stated that generally Government funding for the educational system has been "non-systematic" rather than based on "any demographic trends or needs assessment for developing teaching capacities [...] making it difficult to forecast trends and needs in a timely manner."[199] ETF has emphasised the need to decentralise financial management via MEDs.[200] Currently, the central level budget remains the main supporter of the sector, despite the decentralised model: it provides nearly 93% of the sector's budget, while municipalities contribute only 5% from their own resources. On average, this represents just one-sixth of their own resources, with significant disparities among municipalities. The Government's current financing formula does not consider accurate data, the occupancy rate of schools, and differences

[193] Republic of Kosovo, MESTI, KAA, "Accredited Study Programmes", accessed 6 November 2023. Also, correspondence with ALLED representatives, October 2023. ALLED supported its development at the request of KAA.

[194] Ibid.

[195] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023.

[196] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2023-2025, 2022.

[197] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, Strategic Objective 5, Table 3.

[198] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 35.

[199] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021 (NDS), 2016, p. 15.

[200] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 6.

in VET schools' needs; in particular, Serb-majority municipalities' data are several years old.[201]

MESTI is said to be one of the Kosovo institutions benefitting the most from donor funding. However, there is no clear and regularly updated record of all donor contributions.[202] This hinders the consolidation of resources for the education sector and limits the ability of MESTI to make evidence-based decisions. Meanwhile, it evidences inadequate leadership. ETF concluded that the lack of easily available financial data and inter-institutional coordination are key problems, impacting the macro-level (MESTI), meso-level (MEDs), and micro-level (schools), including procurement and auditing competencies.[203]

MESTI manages financing for VET, including public-private partnerships. MFLT also plays a key role in financial resourcing.[204] The Kosovo VET Barometer survey found that one of the main challenges VET schools face is insufficient budget.[205] Therefore, efforts have been made to support improved formulas for budgeting for VET schools. The online formulas for financial planning for VET do not currently include gender-responsive budgeting.[206]

As a result of the Kosovo Education Strategic Plan 2017-2021, the Government established a fund to support girls and women's schooling in technical fields where they have been underrepresented historically, through which MESTI, universities, and vocational schools provided 190 scholarships for women and girls between 2017 and 2022.[207] The amount spent was unavailable. Then, MESTI reported providing 40 scholarships for girls in ICT for the 2020/2021 academic year.[208] The same year, in cooperation with the Government of Hungary, MESTI awarded 50 full-ride scholarships for study at Hungarian universities, including 25 bachelor's scholarships for 14 young women and 11 young men with seven scholarships for women in computer science; 20 master's scholarships for a gender-balance of men and women; and five PhD scholarships for two women and three men. In 2021, MESTI provided €1 million for STEM scholarships that benefitted 812 young women who registered for their first year of studies; 14 students (13 women and one man) with special needs received scholarships for STEM amounting to €700 each, totalling €9,800 for bachelor's (13) and master's studies (one).

[201] Ibid.

[202] Ibid.

[203] Ibid.

[204] European Union Support to Vocational Education and Training Professional Requalification and Occupation (ESVETPRO), "About VET", accessed 28 August 2023.

[205] Aligning Education for Employment (ALLED^2), Kosovo VET Barometer Report 2021-2022, 2022, accessed 28 August 2023. For further information see Chapter 5.

[206] ALLED^2, Financial Planning for VET System in Kosovo: Proposal for Improvement, 2020, accessed 28 August 2023. For further information, see the next section on Infrastructure.

[207] Republic of Kosovo, Government, OPM, AGE, Kosovo Program for Gender Equality 2020-2024, 2020. This related to Activity 1.14.

[208] All information in this paragraph is from correspondence with MESTI, October 2023.

Meanwhile, 1,799 scholarships were allocated for "elite" students in public HEIs in the amount of €700 each, totalling €1,259,300 (66% for women, 34% for men); it was unclear whether these related to ICT. In 2022, 106 scholarships sought to encourage girls to follow technical profiles and boys to gain skills needed by the labour market, amounting to €500 per year; and approximately 3,365 STEM scholarships were provided amounting to €1,000 each. MESTI also has supported STIKK in promoting girls' education in ICT via training and mentorship, as well as scholarships for girls.

Information on how recipients were selected was not publicly available, so it is unclear whether affirmative measures existed for Roma, Ashkali, Egyptian, disabled, or rural girls. Meanwhile, 750 Roma, Ashkali, and Egyptian secondary school students received scholarships in the 2018/2019 school year, amounting to 48% more than in 2017/2018.[209] Again, gender-disaggregated data on beneficiaries was unavailable as was information about fields of study or criteria for the selection of winners. The fact that Kosovo does not use programmatic budgeting makes it difficult to arrive at an accurate estimate of the total funds spent on scholarships, let alone for girls and boys. Only piecemeal information on beneficiaries is available in various reports without precise gender-disaggregated budget information.

None of MESTI's budget or expenditure information involves gender-responsive budgeting. MTEF 2024-2026 mentions gender budgeting as a component aimed at promoting fiscal discipline in central and local institutions.[210] However, MESTI has not implemented gender-responsive budgeting in the MTEF or its budget. Therefore, despite Government commitments to gender-responsive budgeting, none of the information on planned expenditures is gender-disaggregated. In the audit report of MESTI's annual financial statements for 2022, gender-responsive budgeting is not included.[211] Nor have the oversight committees, namely the Committee on Budget, Labour, and Transfer and the Committee on Education, Science, Technology, Innovation, Culture, and Sports, ever mentioned gender-responsive budgeting in their meetings.[212]

Tender dossiers on **e-procurement** do not contain any statement encouraging businesses owned by underrepresented genders to apply. Nor do they provide for affirmative measures for companies working to further gender equality internally.

[209] Regional Cooperation Council, Midterm Evaluation of the Strategy for Inclusion of Roma and Ashkali Community into the Kosovar Society 2017-2021, p. 24, accessed 13 December 2023.

[210] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, p. 19, accessed 18 September 2023.

[211] Republic of Kosovo, National Audit Office, Raporti i auditimit për pasqyrat financiare vjetore të Ministrisë së Arsimit, Shkencës, Teknologjisë dhe Inovacionit për vitin 2022 [Audit report for the annual financial statements of MESTI for the year 2022] [Albanian only], accessed 18 September 2023.

[212] KWN review of Committee meeting transcripts, conducted in August 2023.

Infrastructure

This section examines the status of connectivity, hardware, and software supportive of digitalising education from a gender-responsiveness perspective. It briefly addresses the innovation ecosystem.

Connectivity

High speed internet is a necessary precondition for competitive digital learning opportunities, including Classroom 3.0 technology. Despite widespread internet availability in Kosovo, the use of technology in classrooms has been limited by the lack of **internet connectivity infrastructure**, **digital tools** (e.g., laptops, tablets, smart phones), and guidelines on Digital Online Learning.[213] Slow expansion of broadband internet infrastructure, especially its unbalanced distribution between urban and rural areas, has affected productivity and opportunities for teachers' remote work and digital learning.[214] In 2022, only an estimated 38% of schools were equipped with computers connected to the internet, including 31% of schools in rural areas and 48% of urban schools.[215] The COVID-19 pandemic revealed the insufficient infrastructure and catalysed improvements to the digital infrastructure available in schools. Supported by the World Bank-financed KODE Project, implemented by the Ministry of Economy, 107 schools were connected to high-speed internet in 2023.[216] Despite progress, according to ETF, the "issue of infrastructure and digital capacity of schools is the first striking impediment to education digitalisation".[217] Notably, the Education Strategy 2022-2026 has recognised this issue and in 2023 MESTI planned to allocate €6.3 million for equipping schools with ICT equipment.[218]

In 2022 only 38% of schools were equipped with computers connected to the internet.

Digital Tools and Software

Reportedly, no systematic assessment of hardware and IT needs has been conducted, let alone inclusive of gender analysis.[219] Aside from equipping schools with computers, a research participant observed that most youth have smart phones; instead of maintaining the current universal ban on smart phones in classrooms, educational institutions could consider how the supervised and moderated use of smart phones could facilitate learning, working with digital tools that youth have and use already.[220]

[213] ETF, "Digital skills and online learning in Kosovo", 2020, p. 5; and Kosovo Pedagogical Institute, Distance Learning, E-learning at Pre-university Institutions of Kosovo during the COVID-19 circumstances [in Albanian], 2020.

[214] Ibid.

[215] UNDP, Digital Household Survey, 2022.

[216] The World Bank, Press Release, "Every Village in Kosovo Now Connected to High-Speed Broadband Internet, With World Bank Support", 2023, accessed 5 December 2023.

[217] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 4.

[218] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023, p. 123.

[219] Correspondence with KWN, October 2023.

[220] KWN interview, August 2023.

The Education Strategy 2022-2026 acknowledges that despite improvements, much work remains to digitalise the education sector, including investment in infrastructure and digitalising data.[221] It states that the digitalisation of data "has mainly been reduced to the electronic collection and processing of data for educational institutions, including data on attendees, staff and, to some extent, the infrastructure of institutions".[222] Data is managed by two systems within MESTI: the Education Management Information System (EMIS) and the Higher Education Management Information System (HEMIS). EMIS is a key system for coordination as it systematically organises basic information related to education, enabling the sector's management and development. It serves as an information centre for MESTI and municipalities, facilitating monitoring that can inform the development of education policies.[223] Municipal officials with registered user access to this system can access information to all schools in their territory, including data by location, level of education, number of students, and number of teachers, among other information. It enables tracking of girls' and boys' enrolment, completion, and discontinuation of education. However, it does not contain gender-disaggregated data on pupils with disabilities or of different ethnicities.[224] EMIS has some data regarding teachers, but it cannot gender-disaggregate data related to teacher qualifications and trainings attended, though this would enable smart, evidence-based policymaking and development interventions.[225]

MESTI uses an Early Warning System to identify children at risk of discontinuing their education, developed in collaboration with UNICEF.[226] None of the indicators and risk factors relate explicitly to gender, sexuality, or gender identity, though these may contribute to risk, such as early marriage which tends to affect girls more than boys. The Early Warning System tracks attendance, including the name of the child and the child's age, but not the child's gender. Therefore, no gender-disaggregated data is available. Such data could help identify gender-related trends among children at risk. Meanwhile, UN Women reportedly has supported a digital mapping platform to identify

[221] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 45.

[222] Ibid.

[223] KEEN and EU in Kosovo, "Udhëzues për përdorimin e sistemit të menaxhimit të informatave në arsim (SMIA) në nivelin komunal" ["Guide to use of the System Management of Information in Education (EMIS) for the Municipal level] [Albanian only], ND, p. 5.

[224] MESTI confirmed that gender-disaggregated data by ethnicity was unavailable (correspondence, October 2023).

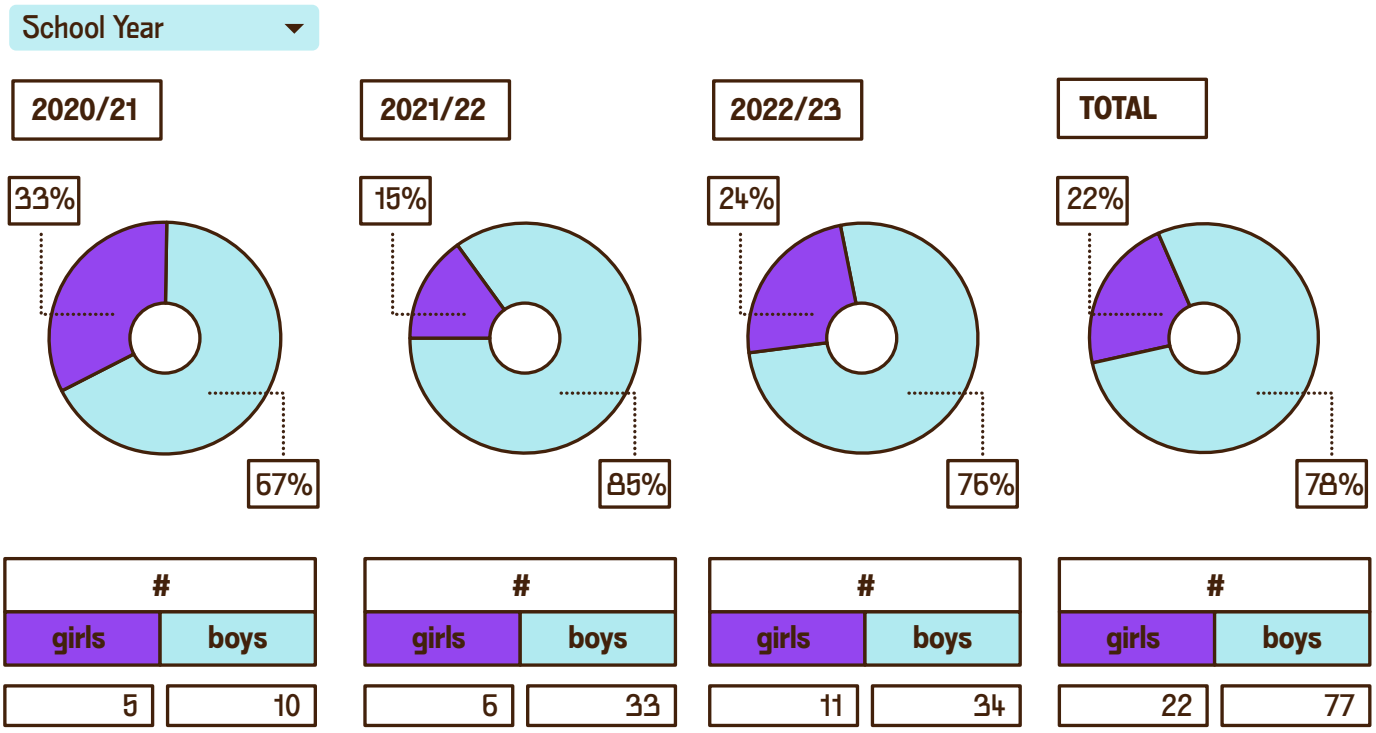
[225] KWN interview, August 2023.

[226] Indicators include: (a) Attendance: Student has missed more than 18 classes in the month for no valid reason; (b) Academic performance: Student cannot read, write or count appropriately for his/her age or Student has very low grades in core subjects; (c) Behaviour: Student repeatedly misbehaves or is repeatedly very aggressive at school; (d) Age: Student is older than his/her classmates by two years or more; (e) Health: Student has a disability or special educational needs or a chronic disease or other serious physical/ psychological health issues (including past trauma); (f) Family circumstance: Student is facing complex family circumstances; and (i) Safety: Student is victim or at risk of: (i) Domestic violence, (ii) Other forms of abuse or neglect or exploitation. Initially used by UNICEF, the full list is here: UNICEF, Early Warning Systems for Students at Risk of Dropping Out, 2018.

municipalities where young women and girls from ethnic minority groups are at higher risk of discontinuing their education.[227]

MEDs must compile reports on cases of violence in educational institutions within the municipality and submit them periodically to the MESTI Unit responsible for EMIS.[228] In the last three academic years, MESTI received reports of 99 cases of violence, affecting 22 girls (22%) and 77 boys (78%) (Table 5). However, KWN interviews suggest that not all cases are reported; cases involving cyberbullying, sexual harassment, or cyberviolence may not be considered serious enough to report and therefore may not be registered. Given gender relations, such cases may affect girls more than boys, though further data is needed to reach accurate conclusions and to better plan prevention measures.

Table 5. Reported Cases of Violence in Schools by Gender of Child Involved



[227] Republic of Kosovo, Government, OPM, AGE, Monitoring and evaluation report on the achievement of the objectives for the indicators and the implementation of the activities of KPGE Action Plan 2020-2022, Reporting period: 2020 and 2021, 2023, p. 127.

[228] Republic of Kosovo, Government, Regulation GRK - No. 21/2013 for Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education, 2013.

Kosovo does not have sufficient infrastructure for students to specialise in ICT. Kosovo has 70 IVET schools where DSC is provided as a subject but rarely as a qualification.[229] No specific ICT-qualified vocational schools existed at the end of 2019.[230] UNDP concluded in 2021 that "investment on digital literacy skills is lacking; many of the attempts to integrate ICT into pre-University education have been unsuccessful while Universities are severely under-funded and require substantial investments in infrastructure and staffing".[231] Generally, educational institutions lack adequate infrastructure to make e-VET learning broadly available. To address this, financed by the EU and Austrian Development Cooperation (ADC), the Austrian Development Agency (ADA) is implementing the Aligning Education with Labour Market Needs (ALLED) project. It has supported 28 educational providers, including 24 VET schools and four faculties with IT SMART equipment (e.g., computers and smartboards), wiring, and high-speed internet as preconditions for providing new Classroom 3.0 technology for augmented and virtual reality (AVR).[232] AVR technology creates a computer-simulated environment with which users feel as if they are in the real environment, providing new approaches to teaching in schools that may be unavailable otherwise for various infrastructural reasons.[233] ALLED supported six IVET schools to improve the quality of programmes based on labour market needs; it provided equipment and trained teachers in DSC, including video pedagogy and the use of simulation software, which did not exist in Kosovo previously.[234] The intention is for these schools to be "Kosovo AVR Digital Nests for VET", which can serve as training centres, passing these skills on to other schools. AVR technology could make VET more appealing for young women.[235] ALLED has used gender-transformative visuals in explaining AVR, visually encouraging women to enter science and technology fields, where they have been underrepresented historically (see Figure 10).

[229] ETF, "Digital skills and online learning in Kosovo", 2020, p. 2.

[230] Ibid.

[231] UNDP, Digital Readiness Assessment, 2021.

[232] This included EON Reality, a technology that provides learning solutions using augmented and virtual reality. For further information, see EON Reality, "Effortless self-service AR & VR: Bringing immersive technology to the masses", 2023, accessed 6 November 2023.

[233] ALLED², "The future is here!", YouTube, 2023, accessed 6 November 2023.

[234] It refers to the EU frameworks for entrepreneurship (EntreComp) and digital competence (DigComp).

[235] KWN interview, 2023. For further information, see the People section.

Figure 10. ALLED² Kosovo encourages girls to enter science through videos about AVR

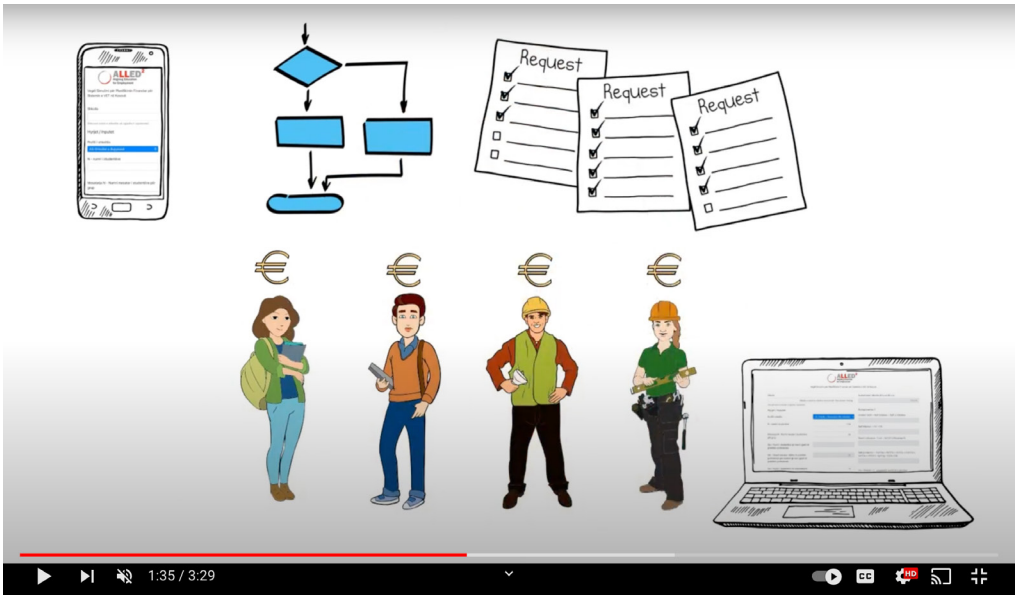
Source: ALLED² Kosovo, "The Future is here!", YouTube video, 2023

Historically, VETs have had inadequate software for organising data on schools and beneficiaries. ALLED developed the VET Barometer for MESTI to maintain data on VETs with approximately 200 questions relating to directors, students, and challenges faced. The software has mainstreamed attention to gender, and data can be disaggregated by gender. The data can support decision-making by MESTI and VETs by identifying gender inequalities and then affirmative measures to address them. EduNET provides information about the 20 participating VET schools and their programmes, including a digital Community of Practice. ALLED supported PlanifikoVET, an interactive platform that established a financing formula to facilitate more efficient and effective financial planning for state-funded VET schools; it has been opened more than 15,000 times.[236] Promotional videos about it include gender-responsive discussions of financing related to hiring a gender balance of employees, maternity leave, and engaging a gender balance of women and men, including persons with disabilities, in visuals. The messages and visuals can contribute to transforming gender norms regarding the roles women and men can play in various vocations (see Figure 11).[237]

[236] ALLED² Kosovo, "PlanVET", YouTube, 2022, accessed 6 November 2023; and correspondence with ALLED², October 2023.

[237] Ibid.

Figure 11. ALLED² YouTube video about PlanVET includes gender-transformative images of women and men in vocational education and training



Source: ALLED² Kosovo, "PlanVET", YouTube

Innovation Ecosystem

In 2022, following an agreement signed by the MESTI Minister and the EU Commissioner for Innovation, Research, Culture, Education, and Youth in 2021, Kosovo joined Horizon Europe, the EU's main programme financing research and innovation with a total budget of €95.5 billion.[238] Kosovo gained associated status, becoming part of the European Research Area, which enables legal entities and individuals from Kosovo to participate in the pan-European research and innovation ecosystem.[239] It enables international collaboration research and innovation, supporting implementation of EU policies and addressing global challenges through research and innovation. MESTI has published little information on the implementation of this agreement and the extent to which women and men researchers have benefited from it.

Horizon Europe requires establishing a National Contact Point to distribute information to institutions and individuals regarding programmes, calls, and the application process.[240] MESTI's website contains no hyperlinks to contact information for the person responsible. No information exists on the extent to which this person has informed or assisted diverse women and men with Horizon 2020 calls. The Education Strategy 2022-2026 noted that Kosovo has few projects supported by the EU's research and innovation funding via

[238] MESTI, "Kosovo acquires associated status in the 'Horizon Europe' program with full rights", 7 December 2021; MESTI, "The assembly ratified the agreement for the 'Horizon Europe' program and the one for the academic exchange 'Fulbright'", 21 January 2022).

[239] Ibid.

[240] MESTI, "The first meeting for the 'Horizon Europe' program was held with the new members of the National Contact Point", 9 July 2021.

Horizon 2020 and that as of 2022 only the University of Prishtina and the University of Prizren had received grants from this programme.[241] Reasons included inadequate infrastructure for research, as HEIs lack comprehensive strategies for scientific research, and they have limited funds and capacities to engage in international cooperation projects.[242]

Generally, inadequate infrastructure has existed for creating an innovation ecosystem in Kosovo, considering that one in six public schools did not have internet access, two-thirds lacked an IT laboratory, and, on average, schools had only one computer for 35 learners.[243] A research participant reflected:

> This is not a male/female divide. It's the absence of a proper framework that will be accessible to all researchers. We lack basic research infrastructure and data on how many researchers we have. [...] There [are] not really any opportunities for children to access innovation ecosystems. It is embryonic, to say the least, in Kosovo.[244]

Without basic infrastructure, it is difficult to foster innovation, let alone to include diverse girls and boys in opportunities for innovation.

People

This section examines the extent to which digital education is accessible to diverse girls, boys, women, and men; their ownership and use of digital tools for education; how they have participated in educational programmes; if they have digital skills for learning; and the extent to which adequate protections exist for digital education, safeguarding their digital wellbeing.

Access, Ownership, and Use of Digital Tools for Education

In 2021, of the 95% of people ages 16-74 who used the internet, only 19% said they used it for learning activities such as electronic books, audio-visual materials, and software learning.[245] The 2021 *Young Voices* survey found that 70% of children said they had access to a computer (69% of boys and

[241] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 51.

[242] Ibid., p. 52.

[243] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 37.

[244] KWN interview with international organisation representative, 2021.

[245] Republic of Kosovo, Government, OPM, KAS, *Rezultatet e Anketës së Përdorimit të Teknologjisë Informative dhe Komunikimit 2021* [Survey Results on the Usage of Informative and Communication Technology 2021] [in Albanian only], p. 11.

71% of girls); 92% of boys and 89% of girls had internet access at home.[246] Meanwhile, 85% of girls and boys had a personal phone. According to a 2022 survey, 31% of children had a computer for school (29% of girls and 34% of boys), and 18% more had computers but did not use them for learning (18% of girls and 17% of boys).[247] Meanwhile, children had access to a computer (70%), internet (92%), and a personal phone (85%). Only 31% of respondents said they used the internet for education (30% of women and 32% of men). Gender-disaggregated data on how girls and boys used the internet differently for education was unavailable.

92% of boys and 89% of girls had internet access at home.

Amid the COVID-19 pandemic, "Distance Education – Care, Development and Early Childhood Education for 0–6-year-olds" was the first platform organised for Early Childhood Education. More than 1,600 educators were trained to use the platform.[248] With the help of parents and educators, children ages 0-5 years can access these early education services. The platform has received more than 2.5 million clicks or visitors and has more than 223,000 users. It offers more than 1,000 activities each day, divided by age groups (0-2, 3-5) in Albanian, Serbian, Turkish, and Roma languages.[249] No gender-disaggregated data exists on the percentage of girls and boys who have used it or whether women or men are more involved in supporting their children's early education.

When asked if they had equipment for their children to follow distance learning amid the pandemic, 99% of parents said they had a TV and 92% had a computer, laptop, or tablet with an internet connection.[250] However, in some families, multiple children had Zoom classes at the same time, but the family only had one smart phone or device available.[251] Households with children of different ages with a single device could only allow one child to attend schooling. Thus, lack of access to devices may have hindered children's attendance of education. In prior decades in Kosovo, if families had to choose which child attended education due to limited financial resources, they tended to send boys to school given that they would have better chances of securing employment later in life due to established gender roles and relations.[252] Given gender norms, boys may have received preferential treatment if only one device was available. Barriers in accessing equipment thus may have

[246] Save the Children, Young Voices, 2022, p. 16. Of the 1,242 children ages 12-16 surveyed using random sampling, 55% were boys, 43% were girls, 0.2% identified as non-binary, 0.3% responded that they did not know, and 1.2% preferred not to answer (p. 2).

[247] UNDP, Digital Household Survey, 2022.

[248] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 33.

[249] Ibid.

[250] UN Kosovo Team, Report, Rapid Socio-Economic Impact Assessment of COVID-19 in Kosovo, Wave 2, 2021. This report had no data on difficulties faced by Roma, Ashkali, or Egyptian students.

[251] KWN, "The Pandemic Knows No Gender?", 2020.

[252] KWN conversations with women's rights activists.

impacted children differently, depending on their gender, socio-economic circumstances, geographic location, and ethnicity.[253]

During the COVID-19 pandemic, MESTI did not consider the needs of Roma, Ashkali, and Egyptian students in accessing digital tools and internet when organising distance learning.[254] KEC equipped 30 Roma families in the Municipality of Graçanicë/Gračanica with tablets in 2021, enabling access to technology, learning, and relationships with their peers.[255] However, the level of need was greater. According to Roma Versitas Kosovo, scarce digital instruments hindered Roma, Ashkali, and Egyptian students' attendance.[256] Gender-disaggregated information was not provided.

Given that gender-based violence remains widespread in Kosovo and reportedly increased during the COVID-19 lockdown,[257] shelters were over-crowded with violence survivors seeking refuge, often together with their children. Shelter representatives reported that a major challenge was organising distance learning for children.[258] Donors contributed televisions, computers, and printers to shelters, providing access to televised and online schooling.[259] Nevertheless, learning opportunities for children in these environments was limited; shelters lacked proper infrastructure to meet the needs of diverse children. Children also required additional assistance for using technology to access online learning, and children in shelters did not always have sufficient attention and guidance.[260]

Participation and Digital Literacy

Amid the COVID-19 lockdown and school closures, a 2020 survey found that 96% of children attended distance learning, while 4% of children (5% of girls and 3% of boys) were unable to attend.[261] The pandemic further widened pre-existing inequalities in educational participation, attainment, and knowledge between more advantaged children and those from vulnerable groups, including children with low socio-economic status, special educational needs, and Roma, Ashkali, and Egyptian children.[262] While other ethnic groups had an absence rate of 3% from online classes, Roma, Ashkali, and Egyptian students

[253] KWN interviews, 2021.

[254] KWN, "The Pandemic Knows No Gender?", 2020.

[255] Romani Early Years Network, "Reducing Digital Gaps for Children of Marginalized Groups in Kosovo", News, 21 September 2021, accessed 7 December 2023.

[256] Roma Veritas Kosovo, COVID-19 Pandemic, Roma, Askhalia and Egyptian Situation Report for Kosovo, 2020.

[257] See Chapter 2.

[258] UN Peacekeeping, "Children in Kosovo shelters helped to continue online learning as domestic violence rates spike", 28 May 2020, accessed 7 December 2023.

[259] Ibid.

[260] KWN correspondence with shelters.

[261] UN Kosovo Team, UN Women, UNFPA, UNDP, COVID-19 Kosovo Rapid Household Socio-Economic Impact Assessment: Household Survey, Microsoft BI, 2021, accessed 7 December 2023.

[262] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 30.

had an absence rate of 10%.[263] According to official data, in the 2020-2021 school year, 109 students discontinued their education, including 63 boys (58%) and 46 girls (42%).[264] Gender differences in each ethnic group were unavailable.

Meanwhile, MESTI emphasised that "data on school dropout remain quite incomplete, as reports of school dropouts remain incomplete". MESTI may not have accurate data on whether the COVID-19 pandemic contributed an increase in school dropouts. A research participant observed:

> The reports produced by MESTI in the reporting system did not show any variation in the school dropout rate. However, the data from municipalities, which came from different sources, had discrepancies and inconsistencies in how they were collected and reported across different municipalities. Thus, we cannot exclude the possibility that dropouts were underreported or not properly recorded.[265]

EMIS ostensibly enables systematic monitoring of such trends. Yet not all municipalities provided quality data, particularly during the COVID-19 pandemic, and differences existed in data compared to trends in prior years.[266] This may suggest underreporting of dropouts. Precise figures on how many children lacked access to online education by gender, location, age, ethnicity, and ability are unavailable. Therefore, it is difficult to undertake accurate gender-impact analysis, assessing whether the pandemic affected school attendance and completion rates. Nor do schools always report cases to the Early Warning System though such information could help predict risk of children missing or discontinuing school; the System lacks gender-disaggregated data.[267]

The COVID-19 pandemic revealed that some students lacked skills and awareness in how to use online platforms, though gender-disaggregated data seems unavailable.[268] In some instances, students reportedly were more open to online learning and research than their teachers.[269] Youths' familiarity

[263] Romani Early Years Network, "Reducing Digital Gaps for Children of Marginalized Groups in Kosovo", News, 21 September 2021, accessed 7 December 2023.

[264] KWN correspondence with MESTI, September 2023.

[265] Ibid.

[266] KWN interviews, 2022.

[267] See the Infrastructure section.

[268] KWN interviews, 2021.

[269] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 5.

with technology, albeit for entertainment and communication purposes, reportedly contributed to their digital literacy.[270]

To support students' online learning, teachers needed knowledge and practice using technology.[271] Yet the IT capacities of teachers remained low in Kosovo.[272] In a 2021 study, an estimated 66% of teachers had no experience using technology in their prior teaching methodologies; 31% had occasionally taken part in online learning; and fewer than 3% had continuous online learning experience.[273] No gender-disaggregated data was provided. Teachers who had online learning experience tended to be younger and had participated in international study programmes. Most teachers (58%) had never had any experience with online platforms (e.g., Google Classroom, Google Meet, Zoom), and 36% said their experiences with online platforms were rare. Only 6% knew these platforms well and had used them with their students. Fewer than 30% had the opportunity to attend training on using online platforms. For those who had attended, most training was provided by schools where they worked, primarily in Prishtina/Priština. Although gender-disaggregated data on teachers' digital literacy was unavailable, this study suggested that age and geographic location affected some teachers' abilities to develop their digital skills and thus to use digital tools in their teaching. This can affect learning as teachers may be unable to pass digital literacy on to their students.

> "Teachers dither with the digital reform. They are aware that their students know more than what they know on digitalisation."
>
> — Parent, cited by ETF

COVID-19 clearly induced more teachers to use technology in their classes. According to most school principals, before the pandemic few teachers used online learning platforms because they had not attended any capacity development programmes.[274] Only 55% of school principals reported having training on ICT and teaching as of 2020.[275] According to KEC, the need for teacher professional development in digital skills has been met by voluntary attendance at training by teachers themselves, while some schools and MEDs have waited with the expectation that MESTI or trainers would provide it.[276] In partnership with 20 vocational

[270] KWN correspondences with AIS, November 2021.

[271] T.J. Kopcha, "Teachers' perceptions of the barriers to technology integration and practices with technology under situated professional development" *Computers & Education*, 59(4), 2012.

[272] Zamira Hyseni Duraku, "Ndikimi i pandemisë COVID-19 në Arsim dhe Mirëqenie, Implikime Praktike dhe mësime për të ardhmen" [The impact of the COVID-19 pandemic in Education and Welfare, Practical Implications and future lessons] [Albanian only], 2021.

[273] Arlinda Beka, "Transformative school initiatives through the use of digital technologies in Kosovo during Covid-19", *Elementary Education Online*, 2021; 20 (1): pp. 851-860.

[274] Kosovo Pedagogical Institute, Distance Learning, E-learning at Pre-university Institutions of Kosovo during the COVID-19 circumstances [in Albanian], 2020.

[275] Ibid.

[276] Ibid., p. 55.

schools, the ALLED project sought to reach approximately 1,000 teachers and trainers. MESTI, GIZ, the British Council, the United Nations Population Fund (UNFPA), the Kosova Population Foundation, and UNICEF have all provided training on different learning platforms and distance learning.[277] Gender-disaggregated data on which teachers had access to such learning was unavailable.

The ability of teachers to use digital tools seems based on a combination of available resources, access to technology, access to learning opportunities, their individual capacities, and their motivation to learn and use digital tools. In 2023, ETF concluded that "the lack of digital competences of educators in designing and delivering lessons combining and mastering traditional and digital methods" remains an impediment to equitable digitalisation in the education sector.[278] No institutionalised training has existed for teachers on gender, digitalisation, or gender-responsive digitalisation. MESTI has planned training as well as recruiting ICT coordinators who will be expected to support educators and schools in identifying needs and solutions for digital education.[279] Insufficient information exists as to whether teachers have adequate capacities to develop gender-responsive learning content (pedagogy) in digital learning tools and can ensure that it reaches diverse students.

Parents' digital knowledge could help better prepare children for online learning. In some cases, parents had to bolster their own digital literacy so they could support their children with online learning during the pandemic. Given their socialised gender role as caregivers, women tend to spend more time caring for children, including teaching children to use technology so they could attend online schooling.[280] Insufficient prior education on how to use digital tools, coupled with teachers' insufficient capacities to provide added assistance to children struggling with online education, placed an extra burden on parents, particularly mothers. Some women reported having to leave employment to help teach their children given the lack of state resources and programmes during the pandemic. Meanwhile, care responsibilities likely limited women's time and ability to access digital learning opportunities.

Extensive evidence illustrates the need for improving digital literacy and ICT skills in Kosovo.[281] Generally, a mismatch exists between students being trained in specific ICT profiles and ICT companies' needs for new employees.[282] The skills development opportunities available are not aligned with market

[277] Ibid.

[278] ETF, Kosovo Rapid Education Diagnosis (RED): Addressing the weak links, 2023, p. 4.

[279] Ibid., p. 37.

[280] KWN, "The Pandemic Knows No Gender?", 2020.

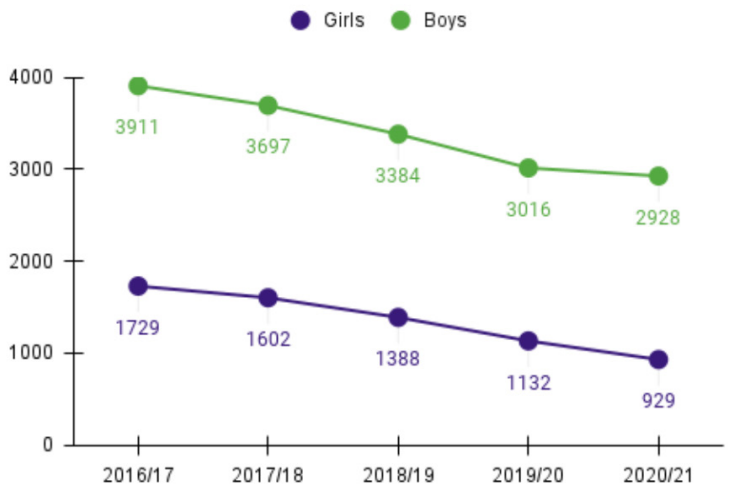
[281] See the Regulation and Governance sections of this chapter.

[282] ETF, Digital skills and online learning in Kosovo, 2020, p. 2. For further discussion, see Chapter 5.

needs.[283] The aforementioned issues of insufficient infrastructure combined with a lack of teachers qualified in supporting digital skills development contribute to insufficient digital literacy skills in Kosovo.

Generally, boys are more likely to enrol in VET schools than girls. Of all vocational school students in the 2021/2022 academic year, 42% were women/girls, and 58% were men/boys.[284] In the last five years, girls consistently have attended VET in ICT at significantly lower rates than boys (see Figure 12).[285]

Figure 12. Girls and Boys Enrolled in Secondary Vocational Education by Year



Source: Adapted from MESTI, Education Strategy 2022-2026

Gender-disaggregated data suggests that girls tend to study health and well-being, business, administration, and justice, and boys tend to study engineering, manufacturing, construction, and ICT (Figure 13).[286]

[283] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020, p. 91.

[284] Republic of Kosovo, Government, MESTI, KAS, Education Statistics in Kosovo 2021/2022, 2022, Graph 4, p. 27.

[285] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 41.

[286] Ibid. For further information about VET, see Chapter 5.

Figure 13. Enrolment in secondary vocational education by field and gender

ISCED-F fields	Total	Girls	Total	Girls	Total	Girls	Total	Girls	Total	Girls
Human sciences and arts	1,323	832	1,558	1,024	1,448	1,023	1,568	1,067	1,546	1,059
Business, administration & justice/law	13,550	6,346	13,817	6,609	12,381	5,762	10,920	5,023	10,005	4,616
ICT	5,460	1,729	5,299	1,602	4,772	1,388	4,148	1,132	3,857	929
Engineering, manufacturing & construction	15,342	3,595	15,288	3,578	14,534	3,391	13,179	2,960	12,389	2,638
Agriculture, forestry, fishery and veterinary	1,301	404	1,824	656	1,541	536	1,333	442	1,227	466
Health and Welfare	7,152	4,822	7,591	5,161	8,022	5,495	8,839	6,123	8,912	6,330
Services	1,258	363	1,306	338	1,087	319	830	212	842	256
Other	0	0	83	24	18	2	0	0	72	33
Total	**45,386**	**18,091**	**46,766**	**18,992**	**43,803**	**17,916**	**40,817**	**16,959**	**38,850**	**16,327**

Source: EMIS/MESTI

Source: MESTI, Education Strategy 2022-2026

Fewer women than men attend university education in ICT. In the 2021/2022 academic year, of 575 students in public and private universities, 205 women (36%) and 370 men (64%) graduated with bachelor's degrees in ICT.[287] Of 96 students, 40 women (42%) and 56 (58%) men graduated with master's degrees in ICT.[288] In the 2022/2023 academic year, of 2,701 students in public and private universities, 871 women (32%) and 1,830 men (68%) registered for bachelor's degrees in ICT for the first time.[289] In total, 7,243 students were studying ICT at the bachelor level, 32% women and 68% men.[290] Of 20 students registering for a master's degree in ICT for the first time, 45% were women and 55% were men.[291] In total 549 students were registered, 48% women and 52% men.[292] These data suggest that young women still may face more challenges accessing education and knowledge in ICT, as well as opportunities for developing digital literacy skills.

Several factors may contribute to this gender divide. First, generally, gender differences exist in **educational attainment** in Kosovo.[293] Low educational levels can hinder digital literacy, access to knowledge, and continuing education related to ICT and digitalisation. As women, on average, have lower

[287] Republic of Kosovo, Government, OPM, KAS, Statistikat e Arsimit të Lartë sipas Fushave të Studimit 2022/2023 [Higher Education Statistics by Fields of Study 2022/2023], [in Albanian], p. 6, accessed 12 December 2023.

[288] Ibid., p. 12, accessed 12 December 2023.

[289] Ibid., p. 2, accessed 12 December 2023.

[290] Ibid., p. 4, accessed 12 December 2023.

[291] Ibid., p. 8, accessed 12 December 2023.

[292] Ibid., p. 10, accessed 12 December 2023.

[293] See Chapter 1.

levels of education than men, women may be disadvantaged in continuing their education, including related to digitalisation.

Second, **gender norms, roles, and relations** may hinder girls and women's access to education in ICT fields. Girls do not have the same access opportunities as boys, and even when they do, girls are often monitored and restricted in their internet use to a much greater extent than are boys.[294] This can hinder their opportunities for learning digital skills. Gendered occupational stereotypes also may affect girls' access to education in ICT. A young woman engaged in IT recalled:

> My parents kept doubting my choice of pursuing a career in programming. They didn't think I would make it through and find a job, as Computer Engineering in the University of Prishtina had a history of having more men. So, I followed a career in computer engineering at the University of Business and Technology instead.[295]

> "Lack of confidence, awareness, gender stereotypes, and regions impact women to not feel comfortable studying ICT."
>
> — KWN research participant, 2021

KWN interviews suggest that teachers and parents may discourage young women from entering the ICT field because it has been perceived as a field for men. "One of the problems of VET is attractiveness and somehow the perception is that VET and all these occupations are for men", a research participant observed.[296] To address these challenges, ALLED has equipped VET schools with digital tools towards increasing VET attractiveness and towards enhancing self-confidence among girls and young women to apply.[297] For example, mechanical engineering traditionally has had more male students enrolled. ALLED has introduced new digital equipment in six schools related to energy, agriculture, food processing, and mechanical engineering that enable students to build three-dimensional cabinets using digital tools, rather than the physical act of cabinet making. Such sectors historically were considered "male", based on socialised gender roles and assumptions that woman could not perform physically demanding work like constructing furniture or operating motors. New technologies facilitate women's access to these fields. Now, more women teachers are joining AVR training.[298] AVR has

[294] UNICEF, Growing Up in a Connected World - Understanding Children's Risks and Opportunities in a Digital Age, 2019, p. 13.

[295] KWN interview with young woman computer engineer, 2023.

[296] KWN interview, December 2021.

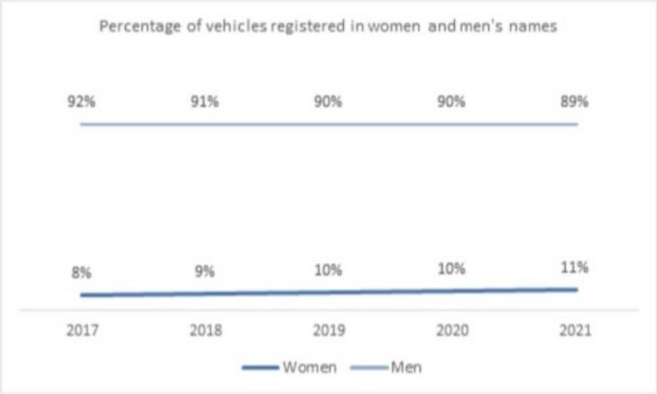
[297] Ibid.

[298] Correspondence with ALLED^2, October 2023.

improved the image of VET, so that young women and their parents consider VET occupations more suitable and attractive for women.[299] Correlations exist between making such technology attractive and girls' technical advancement.[300] Digitalisation and Industry 4.0 technology thus can contribute to changing gender stereotypes regarding professions suitable for women.[301]

A third factor potentially contributing to the digital learning divide may be **time** to attend education and develop digital literacy skills. Women and men spend their time differently. Given caregiving and household responsibilities, women may have less time than men to expand their digital skills, education, knowledge, and/or professional capacities related to digitalisation.[302]

Figure 14. Percentage of vehicles registered in women and men's names



Fourth and potentially interrelated, the **geographic location** of opportunities to learn and develop digital literacy skills may be difficult for women and girls to access. Most digital learning opportunities are available in urban areas, so persons living in rural areas may face added challenges accessing education. Men own more cars than do women, and women tend to rely more on public transportation than do men (Figure 14).[303] Geographic distance from digital learning opportunities coupled with inadequate public transport and less time can hinder women's access to digital education and skills.

Fifth and interrelated, the fact that women generally have fewer **financial resources** than men can hinder their access to digital tools for education and learning, to transportation for accessing education, and to paying tuition for higher education that would enhance their digital skills.

Sixth, some learning opportunities may be inaccessible for children and youth with **disabilities**. The pandemic period generally was associated with isolation at home, changes in daily routine, and lack of access to services, which negatively affected the emotional state of children with special education needs, contributing to stress for their parents and minimal inclusion in online learning.[304] While MESTI has developed the inclusive education platform and other services for children with special needs,[305] little independent analysis exists as to whether girls and boys with disabilities have had appropriate

[299] Ibid.

[300] Ibid.

[301] Correspondence, November 2023.

[302] See Chapter 1.

[303] This is based on KWN's discussions with women (see Chapter 1). Regarding vehicle ownership, KWN correspondence with MIA, 2022.

[304] KEC, The Impact of the COVID-19 Pandemic on Pre-University Education in Kosovo, 2021, p. 50.

[305] See the Governance section of this chapter.

support to access online learning and/or digital skills before, during, and after the pandemic. Women's rights activists working with people with disabilities have observed that furthering ICT skills can be an educational investment, enabling people with disabilities to socialise, work from home, generate their own income, and further their economic independence, particularly important for women with disabilities.[306]

Seventh, intersectional gender and social inequalities can hinder **ethnic minority** girls' and boys' access to digital skills. Given their generally higher dropout rates, lack of access to IT equipment,[307] and lost opportunities for digital education during the COVID-19 pandemic, Roma, Ashkali, and Egyptian girls and boys remain among the most marginalised when it comes to digital literacy. Due to their social status and living conditions, they may not own or have access to digital learning opportunities. Roma, Ashkali, and Egyptian girls and boys may not be able to attend education, including digital learning, due to social and gender roles (e.g., house chores, child labour, early marriages). Structural challenges, such as some parents' lack of interest in education, add to the barriers faced by Roma, Ashkali, and Egyptian children.[308] In a 2021 survey, 33% of Roma, Ashkali, and Egyptian women respondents reported not having any education.[309] Only 4% had completed university studies. Most women who did not finish primary school dropped out due to their economic situation (38%). Others mentioned family pressure (18%); dangerous times for education (17%) presumably during the 1990s; they did not want to continue their education (11%); they were married (10%); and family issues (4%). Gender, ethnicity, and socioeconomic status intersect to affect Roma, Ashkali, and Egyptian boys' and girls' access to education, including digital literacy skills.

33% of Roma, Ashkali, and Egyptian women respondents reported not having any education.

Given Roma, Ashkali, and Egyptian children's educational challenges, in 2018 the Government approved an Administrative Instruction on Establishment and Functioning of the Learning Centres, towards helping children increase learning performance and preventing dropouts.[310] Local and international NGOs established Learning Centres in various municipalities to include Roma, Ashkali, and Egyptian children in the education system, considering their low level of attendance and completion, unsatisfactory performance

[306] KWN focus group with women with disabilities, Prizren, 2022.

[307] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 37.

[308] Kosovo Foundation for Open Society, Kosovo Research and Analysis Fellowship, "Reforming or Re-conceptualising post-pandemic education in the Western Balkans?", An Analysis of Albania, Kosova, and Serbia, 2020.

[309] KGSC, Economic Situation of Roma, Ashkali and Egyptian Women, 2021.

[310] KWN could not locate Administrative Instruction 19/2018, but it was cited in the NPISAA 2021-2025.

in school, and poor social inclusion.[311] No gender-disaggregated data exists on girls' and boys' attendance at Learning Centres. Meanwhile, the Learning Centres do not teach digital skills, even though research suggests that digital literacy skills are among the factors motivating Roma, Ashkali, and Egyptian children to complete education.[312] Further, the Centres lack sustainable financing,[313] including for teaching anything other than very basic subjects. This seems a lost opportunity to build on Roma, Ashkali, and Egyptian youths' interest in ICT, towards supporting them to access IT jobs. Considering the challenges they face, the Education Strategy 2022-2026 has an indicator related to including Roma, Ashkali, and Egyptian students, particularly girls, in education.

Serb children also faced challenges accessing education during COVID-19. MESTI started providing online learning for children in grades 1-5 on 24 March 2020, for grades 6-9 and high school one week later, and for Turkish and Bosnian speakers on 30 March. However, online learning did not start for Serb students until 1 September because these municipalities wanted to use curricula from Serbia.[314] Due to this political issue, Serb children missed five months of education, which could have contributed to furthering their digital skills. Serb-majority municipalities do not regularly report data on Serb students' attendance,[315] so gender-disaggregated data on their attendance and dropout rates related to COVID-19 is unavailable.

Digital Wellbeing and Protection

Although children are not allowed to use mobile phones at school,[316] some children carry devices with them. No data exists on the number of cases in which MEDs sequestered phones. Outside school premises, socialisation occurs via social networks, often involving relationships with other children developed at school.[317] Many children have unsupervised internet access through computers or phones, and their online exposure makes them prone to digital threats.[318] Children have said they can express themselves freely online, but the high number of anonymous accounts and online bullying concern them.[319] Students said they faced cyberbullying on popular social media platforms like Instagram and Facebook, including insults, name-calling,

[311] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 35.

[312] Kushtrim Bajrami and Kujtim Koci, "Impact of Learning Centres on inclusion of Roma, Ashkali and Egyptian children in education", 2018.

[313] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 35.

[314] KWN, "The Pandemic Knows No Gender?", 2020, p. 63.

[315] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 35.

[316] Republic of Kosovo, Government, MEST, Administrative Instruction No. 20/2018 on Prohibition of Mobile Phones in the Pre-University Education Institutions, 2018.

[317] This is why KWN discusses children's digital wellbeing related to education, rather than in prior chapters.

[318] UNICEF, Growing Up in a Connected World - Understanding Children's Risks and Opportunities in a Digital Age, 2019.

[319] Save the Children, Young Voices, 2022, p. 6.

and unpleasant content, as well as the misuse of personal data and stealing of passwords.[320]

4% of boys and 9% of girls seldom or never felt secure on the internet.

In 2014, boys reported encountering higher rates of cyberbullying than girls did.[321] The 2016 report that followed found that cyberbullying among children rose from 53% in 2014 to 61% in 2016; approximately 57% of children reporting cyberbullying were boys.[322] Gender disparities emerged regarding pornographic content, with 45% of boys and 31% of girls reporting exposure.[323] In 2022, 14% of boys and 9% of girls seldom or never felt **secure** on the internet.[324] In contrast, 49% of boys and 67% of girls said they always felt safe online.[325] Still, 35% of children reported feeling bullied or harassed during the previous year, online or at school. They said that several types of online bullying occur, such as insults, name-calling, rumour-spreading, gossip, and sharing embarrassing photos or videos.

Due to patriarchal gender norms, girls may be vulnerable to online bullying,[326] though they may not report it. Sixty percent of girl students said they had experienced sexual harassment.[327] Girls are threatened and bullied online in cases related to school and university.[328] Media reports suggest boys have used phones in sexually harassing girls.[329] The increased use of online learning during COVID-19 may have contributed to higher rates of sexual harassment of girls, from both their classmates and teachers.[330] KWN has received reports of professors harassing young women students via Internet-based smart phone communications. Instances of educators allegedly sexually harassing students have been published in media, including stories about court cases initiated.[331] Due to unbalanced power relations, where male professors have control of young women's personal data, grades, academic records, and thus employment prospects, young women seldom report harassment for fear of repercussions.[332] Since few cases are reported, few disciplinary measures

[320] Krasniqi, Meritë, "Ignored and Unreported, Bullying Troubles Kosovo Students", *Kosovo 2.0,* 10 December 2019.

[321] B. Musmurati and T. Zymeri, "Children Internet Safety Report", Save the Children, 2014.

[322] T. Zymeri, A. Gashi, and L. Latifi, "Siguria e fëmijëve në internet" [Children Internet Safety], Save the Children, 2016.

[323] Ibid.

[324] Save the Children, Young Voices, 2022, p. 16.

[325] Ibid., p. 41.

[326] Inna Agadzhanova, "The Role of Gender in Cyberbullying Involvement", Kid Actions, 8 March 2022, accessed 7 December 2023.

[327] OSCE, Survey on Well-being and Safety of Women in Kosovo, 2019.

[328] Arbisa Shefkiu, "Sexual Harassment towards a girl student in Malisheva" [in Albanian], Kallxo.com, 27 October 2021, accessed 7 December 2023.

[329] Ibid.

[330] The Guardian, "'Distressing and confronting': online sexual harassment rises for Australian university students during Covid", March 2022, accessed 7 December 2023.

[331] KWN, Sexual Harassment in Kosovo, 2018.

[332] KWN conversations with multiple young women who experienced sexual harassment at the University of Prishtina.

seem to have been taken towards professors, teachers, or students engaged in cyberbullying or cyberviolence.[333]

Meanwhile, "Boys have pressure to be stronger even if they express their feelings", a 15-year-old girl observed.[334] Gender norms involve social pressure and expectations imposed on boys, according to which they need to be brave and not show any vulnerability.[335] Such socialised gender norms can contribute to boys hiding abuse, endangering their mental and physical health, as well as to reinforcing toxic masculinities whereby men must be strong and powerful, particularly in relation to women.[336] This can create an enabling environment for male violence against women, online and offline, resulting from social norms reinforced through education,[337] as well as negatively affecting psychological wellbeing.[338] Such norms can contribute to bullying and violence among boys too, as aggressivity and violence can be considered in patriarchal societies as "*rites de passage*" to manhood and masculinity.[339]

> **"Boys experienced more pressure during Covid-19 pandemic because a lot of parents have lost their jobs during this time and boys have felt the pressure to work and help their families. "**
>
> - 15-year-old girl, quoted by Save the Children

Online bullying and cyberviolence can affect children's **wellbeing**. "Because of online bullying, I do not have an account on social networks", a 14-year-old girl said. Thus, bullying could contribute to social isolation and even depression among youth, given the widespread use of social media to communicate and maintain social relationships.[340] Online bullying has impacted children's mental health: children who experienced online bullying were more likely to report feeling sad or depressed, have trouble sleeping, and feel isolated from their peers. When asked about cyberbullying, 85% of children said that more needs to be done to prevent it.[341]

Amid the substantial increase in children using online education during the COVID-19 pandemic, no campaign seems to have informed parents or

[333] *Epoka e re*, "Students threaten: Take action or we will publish the names of professors who engage in sexual harassment" [in Albanian], 15 February 2020.

[334] Save the Children, Young Voices, 2022, p. 16.

[335] Ibid., p. 16.

[336] Dennis E. Reidy, Danielle S. Berke, Brittany Gentile, and Amos Zeichnerb "Man enough? Masculine discrepancy stress and intimate partner violence", National Library of Medicine, PubMed Central, 2014.

[337] Ibid.

[338] Alfred, Hammer, and Good, "Male student veterans: Hardiness, psychological well-being, and masculine norms" *Psychology of Men & Masculinity*, 2013.

[339] David Plummer and Stephen Geofroy, "When bad is cool: Violence and crime as rites of passage to manhood", *Caribbean Review of Gender Studies*, 4, January 2010.

[340] For further information, see Chapter 1.

[341] Save the Children, Young Voices, 2022, p. 6.

children regarding **data protection**. Only 60% of boys and 62% of girls said they learned how to use the internet **safely** in school.[342] Children said they need to be informed about internet safety and how they can protect themselves on the internet. Due to their own insufficient digital literacy, parents may lack knowledge about the risks affiliated with cyberbullying, cyberviolence, and children's personal data protection. Thus, parents may not adequately protect their children.[343] In total, 87% of respondents to the UNDP survey said education on online safety should be part of formal school education; and only 3% disagreed.[344]

> "Because of online bullying, I do not have an account on social networks."
>
> — 14-year-old girl, quoted by Save the Children

The availability and adoption of Government protections has improved with the 2019 Law on Child Protection, as well as MESTI administrative instructions, guidelines, and regulations towards addressing school violence. However, a research participant commented that there is "very little evidence of any child protection protocols being observed in schools", including related to digitalisation.[345] MESTI and municipalities do not provide sufficient, gender-responsive guidance to schools on how to treat cyberbullying, hindering adoption in practice. They have not published any information on implementing the Administrative Instruction on Children/Student Online Protection at the Pre-University Education Institutions.[346] No publicly available information exists on curricula for teaching internet security, protection of personal data online, security from cyberviolence, or digital wellbeing. Nor could KWN find any education campaigns towards increasing children's and parents' awareness about cyber threats. No evidence was found of teacher-parent coordination to increase awareness, despite legal requirements.[347] Therefore, people may lack **awareness** on how to report gender-based cyberviolence related to education, contributing to underreporting.

Conclusion

Regarding **Regulation**, the gender-responsiveness of laws and policies related to digitalisation and education varies; newer laws and policies are more gender-responsive or even -transformative. Yet some relatively new, broader strategies that include reference to education and digitalisation like the Strategy for Youth 2019-2023, NDS 2016-2021, and ERA remain

[342] Ibid.

[343] As prior chapters illustrate, adults lack knowledge about data protection as well.

[344] UNDP, Digital Household Survey, 2022.

[345] Correspondence with KWN, October 2023.

[346] Republic of Kosovo, Government, Administrative Instruction No. 01/2019 on Children/Student Online Protection at the Pre-University Education Institutions, 2019. For further information, see the Regulation section of this chapter.

[347] Ibid.

gender-neutral related to digitalisation. Newer strategies also lack clear indicators, baselines, targets, and budgets containing gender-disaggregated data. This hampers monitoring and evaluating contributions to gender equality and can interfere with Government aims of evidence-based policymaking informed by gender impact analysis. The legal framework remains insufficient for protecting diverse girls and boys from gender-related risks like cyberviolence, cyberbullying from classmates, or online sexual harassment from peers or school personnel. It does not attend sufficiently to barriers encountered by diverse girls and boys in accessing quality education, digital tools, and digital skills, especially barriers faced by Roma, Ashkali, and Egyptian girls and boys.

Regarding **Governance**, a gender balance exists within MESTI, so women and men contribute to decision-making. Insufficient systems exist for tracking and thus knowing the capabilities of leadership, school administrators, and teachers to implement, monitor, and evaluate gender-responsive digital reforms. Digital public services developed for e-Learning seem not to have considered the needs of diverse girls and boys sufficiently. Monitoring systems and online reporting of cyberbullying, sexual harassment, or cyberviolence in educational institutions seem not to exist. Inadequate data collection in schools and insufficient data analysis may affect gender-responsive decision-making on school financing. Gender-responsive budgeting has not been applied.

COVID-19 exposed the lack of **infrastructure** for digitalisation of education in schools and homes, catapulting forward Government plans and international investments in infrastructure. Adequate infrastructure remains unavailable in terms of hardware, software, and innovation opportunities. Software does not always enable maintenance of gender-disaggregated data.

Access to education, knowledge, and digital literacy skills differs for diverse **people** depending on intersecting inequalities related to gender, economic circumstances, ethnicity, (dis)ability, geographic location, and time. During the pandemic, Serb, Roma, Ashkali, Egyptian, and disabled students, as well of those affected by gender-based violence, faced added challenges. Girls have attended ICT education at lower levels than boys, largely due to gendered occupational stereotypes that dissuaded girls from engaging in the sector. Due to gendered power dynamics, girls and young women may be at greater risk of sexual harassment and cyberbullying. These same power dynamics contribute to underreporting of cases as girls fear repercussions for their educational and employment opportunities. Teachers, parents, and students lack adequate education on students' online security, data protection, and digital wellbeing, including from a gender perspective. Teacher-parent engagement in students' digital wellbeing also seems low.

05

Digitalising Employment and Labour

Digitalisation has transformed the world of work and presents new labour opportunities for women and men globally. This chapter examines the gender-responsiveness of efforts to digitalise employment and labour programmes and processes, analysing Regulation, Government, Infrastructure, and People. This includes discussing the gender-responsiveness of VET not implemented by MESTI, which aims to develop skills that address labour market needs.[1]

[1] For information about VET provided by MESTI, see Chapter 4.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Employment

This section analyses the gender-responsiveness of laws and policies pertaining to digitalising employment and labour.

Law on Labour

This 2010 Law regulates "rights and obligations deriving from the employment relationship".[2] It requires equal remuneration for women and men, as well as equal rights in the labour market.[3] The outdated Law does not reference digital employment or digitalisation. Nor does it regulate self-employment, freelance labour, remote work, or other flexible working arrangements that relate to digitalisation. Kosovo still needs to transpose the EU Directive on equal treatment between self-employed men and women.[4]

The Labour Law defines discrimination related to sex and has an article on discrimination at work that mentions equal opportunities for "male and female applicants" in hiring.[5] Gender-based discrimination also is addressed in the Law on Gender Equality and the Law on the Protection from Discrimination.[6] KWN found that "the inharmonious legal framework, with overlapping and differing definitions and sanctions, may contribute to significant confusion and legal uncertainty in courts"; unclarity in procedures for filing claims; and continual violations of women's rights related to recruitment, promotion, maternity leave, and sexual harassment at work.[7] The Labour Law has contributed to gender-based discrimination in hiring due to the legal requirement that employers must pay for six months of maternity leave, a disincentive to employing women in their reproductive years.[8] This could affect the employment of women in ICT-related jobs as well. Should AI be introduced to support hiring processes, pre-existing gender-based discrimination in hiring may influence algorithms, contributing to continued discrimination.[9] Given these issues, particularly the Article on maternity leave, the Law is **gender negative**, contributing directly to gender-based discrimination against women in hiring,[10] affecting women in the ICT sector as well.

[2] Republic of Kosovo, Assembly, Law No. 03/L-212 on Labour, 2010, Article 1.

[3] Ibid., Article 55.

[4] EU, Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC, OJ L 180, 2010, p. 1.

[5] Articles 1.17 and 6, respectively.

[6] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, and Law No. 05/L-021 on the Protection from Discrimination, 2015.

[7] KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022, p. 35.

[8] Ibid. and KWN, Striking a Balance: Amending the Law on Labor, 2016, p. 1.

[9] Issue discussed at "Effects of Digital Transition on Civil Society Organisations (CSOs)" Regional Event organised by TACSO, 3 August 2023.

[10] KWN, Striking a Balance: Amending the Law on Labor, 2016, p. 1.

The Labour Law is not harmonised with the EU Work-Life Balance Directive, which aims to improve regulations related to flexible working arrangements, maternity leave, paternity leave, parental leave, and carers' leave.[11] The 2010 Law does not regulate these leaves. EU experience suggests that appropriate changes could facilitate women's entry into the labour force, including the ICT sector.[12] This would occur due to the specifics of careers in this sector, which allow for flexibility, through which the digital transformation may lead to more flexible working conditions in ways that benefit women.[13] The Directive does not refer explicitly to digitalisation, but it does provide for flexible working arrangements including remote work.[14] Some concern exists about how flexibility will be implemented in practice, such as the right to disconnect from work and risks that technology may widen rather than reduce inequalities.[15]

The EU is assessing a proposal for a directive to improve working conditions in platform work,[16] which is a "form of employment in which organisations or individuals use an online platform to access other organisations or individuals to solve specific problems or to provide specific services in exchange for payment".[17] The planned legislation comes as courts across the EU face a growing number of cases seeking to improve short-term contract workers' labour rights,[18] which often relate to online work. The explanatory note to the directive's draft text references protecting women in platform work. The European Parliament's Rapporteur from the Committee on Employment and Social Affairs has proposed including the following text in the Directive:

> In order to safeguard persons performing platform work from violence, including gender-based violence and harassment, Member States shall take the necessary measures to ensure that digital labour

[11] EU Directive 2019/1158 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, 2019.

[12] KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022.

[13] Anthony Larsson and Yamit Viitaoja, "Identifying the digital gender divide: How digitalization may affect the future working conditions for women", 2020.

[14] EU Directive 2019/1158 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, 2019, Article 3.1.f.

[15] For a full discussion, see David JJ Ryan for KWN and UNFPA, Expanding Choices through Family-Friendly Policies: Kosovo Analytical Report, 2021.pp. 17-19.

[16] Elisabetta Gualmini, European Parliament Rapporteur for the Committee on Employment and Social Affairs, Report on the proposal for a directive of the European Parliament and of the Council on improving working conditions in platform work, (COM(2021)0762 – C9-0454/2021 – 2021/0414(COD)), 2022.

[17] European Observatory of Working Life – EurWORK, "Platform Work", Definition. Previously, Eurofound used the term "crowd employment" to capture the click-work originally associated with the concept, but the phenomenon has changed and now encompasses many more types of tasks. Accordingly, Eurofound has adopted the term platform work since 2018.

[18] Joanna Gill for Thomson Reuters Foundation, "Can new EU rules make gig work fairer?", 3 February 2023.

platforms develop policies against violence and harassment and take preventative measures, in particular by creating, with the involvement of representatives of persons performing platform work, effective reporting channels through the digital labour platforms, digital infrastructure or similarly effective means.[19]

In February 2023, the Parliament voted to enter interinstitutional negotiations, adopting the Rapporteur's report, and the European Council agreed in June.[20] Negotiations commenced in July 2023.

Meanwhile, discussions on a draft Labour Law in Kosovo have been ongoing since 2018. WCSOs have submitted recommendations in line with the EU Work-Life Balance Directive. As of 2023, the Government had not provided a new draft for public consultation. Nor had it conducted an ex-post gender impact assessment of the current Law, which could inform the new draft law. As Kosovo continues finalising its Labour Law, opportunities exist to incorporate requirements from the EU Work-Life Balance Directive and the proposed directive on platform work.

Law on Labour Inspectorate

The Law on Labour Inspectorate, amended in 2002 and 2008, charges the Inspectorate with supervising implementation of the Labour Law. The prior MLSW established and oversaw the Labour Inspectorate.[21] The Inspectorate must address any employee's request concerning potential violations of labour rights. If a violation is verified, the Inspectorate must initiate administrative measures.[22] Complaints should remain confidential to protect employees.[23] However, the employer is provided with information to defend its appeal.[24] This contradiction in confidentiality could dissuade employees from reporting labour rights violations for fear of repercussions.[25]

The Law does not reference gender, such as investigating gender-based discrimination at work or in hiring. As such, this Law is **gender neutral**. Nor does it include any references to digitalisation, such as obligations for the Inspectorate to collect and safely maintain gender-disaggregated data on

[19] Elisabetta Gualmini, Rapporteur for the Committee on Employment and Social Affairs, Report on the proposal for a directive of the European Parliament and of the Council on improving working conditions in platform work, 2022, Article 15, Paragraph 1.

[20] European Council, Council of the European Union, Press Release, "Rights for platform workers: Council agrees its position" 12 June 2023, accessed 8 December 2023.

[21] Republic of Kosovo, Assembly, Law No. 03/L-017 on Amendment and Supplementation of the Law on Labour Inspectorate No. 2002/9, 2008, Article 3.

[22] Republic of Kosovo, Assembly, Law No. 2002/9 on Labour Inspectorate, 2002, Article 5.

[23] Republic of Kosovo, Assembly, Law No. 03/L-212 on Labour, 2010, Article 5.8.

[24] Ibid., Article 82.

[25] KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022, p. 54.

persons filing complaints or the gender-related nature of complaints. KWN found no ex-post analysis on the implementation of the Law inclusive of gender impact analysis. The Inspectorate does publish annual reports on its website.[26] However, they only provide gender-disaggregated data and refer to gender related to women and men working with or without contracts.

Law on Safety and Health at Work

This 2013 Law calls for preventing occupational hazards, eliminating factors contributing to accidents, providing information, organising consultations with employees, and balanced participation in improving health and safety at work.[27] Employers should continuously improve work conditions towards health and safety as technical and technological processes change.[28] Further, employers should compile comprehensive preventive policies regarding technology, organisation of work, working conditions, social relations, and factors in the work environment.[29] The Law does not specify the need to consult both women and men workers. The Law is **gender neutral**.

No analysis seems to have monitored implementation of this Law or collected data on the extent to which the digital transformation has benefited or harmed the health and safety of women and men workers. KWN's research has shown that few labour inspections have attended to the health and safety of women at work.[30]

Law on the Employment Agency of the Republic of Kosovo

This 2014 Law regulates the establishment, organisation, responsibilities, and funding of EARK as the public provider of labour market services, including employment and vocational training policies.[31] The responsibilities of employment offices include registration and record keeping of jobseekers; informing and counselling jobseekers; assessing needs to inform individual employment plans with career orientation, vocational training, employment mediation, and subsidies; implementing active labour market measures; and promoting self-employment, entrepreneurship, and vocational rehabilitation for vulnerable groups.[32] Active labour measures consist of "temporary support and interventions for individuals or groups" facing difficulties accessing employment.[33] The Law does not oblige EARK to conduct gender analysis, such as when preparing labour market

[26] Republic of Kosovo, *Inspektorati i Punës* [Labour Inspectorate], website, 2022, accessed 10 October 2023.

[27] Republic of Kosovo, Assembly, Law 04/L-161 on Safety and Health at Work, 2013, Article 1.

[28] Ibid., Article 6.

[29] Ibid., Article 7.

[30] KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022.

[31] Republic of Kosovo, Assembly, Law No. 04/L-205 on the Employment Agency of the Republic of Kosovo, 2014, Article 6.

[32] Ibid., Article 7.

[33] Ibid., Article 3.

analyses,[34] or to maintain digitalised gender-disaggregated data. Nor does it specify any gender-responsive digital services that EARK should provide online. Thus, the Law is **gender neutral**. EARK does not have annual reports on its website, which could assess the gender-responsiveness of its public services, including ex-post gender impact assessment.[35] Nor do Employment Offices or Vocational Training Centres (VTCs) have such reports.

Law on Vocational Ability, Rehabilitation, and Employment of People with Disabilities

This 2009 Law states that persons with disabilities have the right to rehabilitation and vocational training.[36] The Centre of Vocational Rehabilitation of Kosovo is responsible for enhancing vocational abilities based on labour market needs and developing technology for training and educating people with disabilities.[37] The Law obliges state bodies, employers, and NGOs to establish appropriate conditions and employ people with disabilities. Each employer must employ at least one person with a disability among every fifty employees.[38] The 2016 amended and supplemented Law defines vocational training as the "educational process for building skills, improving capacities to ensure and carry out qualitative work, to advance from one job position to another, including dealing with changes in technology" and labour market conditions.[39] Vocational training and rehabilitation of people with disabilities should include counselling on technological processes and applying technology.[40]

The Law does not mention women or men. However, it foresees support and vocational training based on "equal treatment including the gender possibilities".[41] Although this Law references protection from discrimination and is generally **gender sensitive**, it is **gender neutral** related to digitalisation.

KWN could not find any publicly available official analysis of the Law's implementation, which could have included ex-post gender impact analysis. No data exists on the number of persons with disabilities, women and men, employed in the private or public sectors, let alone in digital jobs or the ICT sector. CSOs supporting persons with disabilities have stated that the Law is far from implemented, particularly employers' responsibility to employ at

[34] Ibid., paragraph 1.3.

[35] EARK, "Documents", accessed 4 September 2023.

[36] Republic of Kosovo, Assembly, Law No. 03/L-019 on Vocational Ability, Rehabilitation, and Employment of People with Disabilities, 2009, Article 8.

[37] Ibid., Article 15.

[38] Ibid., Article 12, paragraphs 1 and 2.

[39] Ibid., amended and supplemented by Law No. 05/L-078 on Training, Professional Rehabilitation and Employment with Persons with Disabilities, 2016.

[40] Ibid., Article 8.

[41] Ibid., Article 2.

least one person with disabilities among every fifty employees; they observed Government inaction in enforcing this article.[42]

National Development Strategy 2016-2021

NDS 2016-2021 includes employment, specifically developing human resources. It aimed to address key obstacles to sustainable economic development.[43] NDS observed Kosovo's low ranking in the region in terms of skilled labour and sought to "shift policies towards making Kosovo's labour force an engine of development".[44] A planned intervention was to improve the correlation between skills acquired in education and labour market needs, making it easier for students to find work and for pupils to access vocational schools.[45] Activities planned under this intervention do not specify the need for developing digital skills and STEM. Nor did NDS prioritise digital skills in VET programmes, though it planned to provide VET in priority sectors.[46] One activity foresaw implementing KODE and an ICT scheme under the Employment and Development Fund, including developing human resources for a digital economy.[47] It did not refer to gender in developing these human resources, though KODE has activities targeting women in technology. NDS did not refer to gender or the underrepresentation of women in VET, ICT, or other digital-related jobs. It did not contain gender-responsive indicators, baselines, targets, or budgets that would enable measuring progress towards gender equality. It was **gender neutral**.

No publicly available official monitoring of the NDS 2016-2021 exists, which could have included ex-post gender impact analysis to inform the new NDS. The new NDS (2030) was opened for public consultation in 2022.[48] KWN commented on it through the public consultation platform, including its Action Plan and the need for better gender-disaggregated indicators. Opportunities exist for a more gender-inclusive NDS 2030, specifically with reference to digitalisation and labour.

Development Strategy of the Labour Inspectorate 2023-2027

This Strategy aims to improve the capacities and work of the Labour Inspectorate, particularly inspectors.[49] The Strategy and Action Plan draw from an analysis of the labour inspection system and a "consultative process" with the working group.[50] The working group members are not listed, so it is unclear whether WCSOs or AGE were consulted. Nor is it clear if the required ex-ante gender impact analysis was conducted to inform the Strategy,

[42] KWN discussions with CSOs, 2018-2023; and EC, Kosovo 2022 Report, 2022, p. 39.

[43] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021, 2016, p. 4.

[44] Ibid., p. 6.

[45] Ibid., p. 1.

[46] Ibid., p. 13, Measure 3, Activity 2.

[47] Ibid., p. 46, Measure 30, Activity 4.

[48] Republic of Kosovo, OPM, Strategic Planning Office, National Development Strategy 2030, 2022.

[49] Labour Inspectorate, Development Strategy of the Labour Inspectorate 2023-2027, [in Albanian], 2023, p. 4.

[50] Ibid.

considering the prevalence of gender-based discrimination in labour and the lack of inspections.[51] The Strategy does not mention gender differences in labour and work conditions.

The Strategy observes that no standardised system exists for collecting, analysing, and publishing labour inspection statistics, which leads to "inefficient planning of inspection visits" and insufficient use of data to inform strategic decision-making; it further notes "the absence of an electronic system for data storage and information exchange with other government institutions".[52] Therefore it plans to establish the Labor Inspectorate Information System (LIIS) to "facilitate the transition from paper-based inspections and work planning to electronic inspections and automatic data collection".[53] Currently, the Inspectorate conducts inspections using paper and enters limited data in Microsoft Excel. LIIS would enable more efficient use of limited resources, particularly inspectors' time.[54] The Strategy does not specify if gender or other indicators will be integrated in LIIS. Increasing the number of inspectors is planned, but it is not stated that this will be done using affirmative measures towards gender equality in accordance with the Law on Gender Equality. KWN has continually recommended that the Inspectorate engage more women inspectors to help address gender-based discrimination at work.[55] The Strategy is essentially **gender neutral**, including related to digitalising the Inspectorate's work.

The Strategy provided an overview of women's participation in the labour market and mentioned an ERA employment measure to increase women's participation.

Sectoral Strategy 2018-2022

This Strategy covered areas that were under MLSW's mandate.[56] It aimed to improve employment policies, services, and welfare towards inclusive development and EU Accession. It aimed to increase employment by addressing the discrepancy between skills and market demands; to reduce inactivity; to better administer the labour market; to improve working conditions; and to reduce informal employment.[57] The Strategy provided an overview of women's participation in the labour market and mentioned an ERA employment measure to increase women's participation.[58] The Strategy observed several commitments towards achieving this in other strategies. It foresaw improving women's employment through active labour market

[51] KWN, Gender-based Discrimination and Labour in Kosovo, 2022, p. 5.

[52] Labour Inspectorate, Development Strategy of the Labour Inspectorate 2023-2027, [in Albanian], 2023, p. 8.

[53] Ibid., Strategy's Objective 2.

[54] Ibid., p. 11.

[55] KWN, Gender-based Discrimination and Labour in Kosovo, 2022, p. 86.

[56] Republic of Kosovo, MLSW, Strategjia Sektoriale 2018-2022 [Sectoral Strategy 2018-2022], [in Albanian], 2017.

[57] Ibid., p. 38.

[58] Ibid., p. 12.

measures, planning an evaluation of these measures to better understand women's needs.[59] The anticipated result was to increase the number of women beneficiaries; however, no budget was mentioned.[60] For promoting VTCs and Employment Offices' work towards women's inclusion and addressing gender-based occupational segregation, the Strategy budgeted €58,000.[61] The Strategy mentioned briefly that institutions are lacking in digitalisation; only one measure addressed digitalisation, specifically related to the Contributory Pension Scheme.[62]

The Strategy was **gender responsive** as it considered gender inequalities and sought to reduce them. It was **gender neutral** related to digitalisation. No known ex-post evaluation has examined its implementation, inclusive of gender impact analysis.

Economic Reform Programmes

Towards increasing the employability of vulnerable groups, particularly long-term unemployed women and youth, ERP 2020-2022 included a review of the Action Plan for Increasing Youth Employment and addressing challenges to women's employment.[63] It foresaw training 1,000 people in digital economy skills in 2020 and 2021. An indicator was the percentage of individuals with digital skills; it was not gender disaggregated. The ERP estimated that the ICT sector employed approximately 2,000 employees, amounting to fewer than 1% of all employees, compared to nearly 4% of employees in the EU.[64] It did not state the percentage of women and men employed in this sector. It stated that Reform Measure 12, "Improving the Environment for Innovation and Entrepreneurship", has positively impacted women through grants and financial support for start-ups. Due to this support, about 80 new businesses with two to three employees each were started; 60% were women-led.[65] ERP 2020-2022 planned training and counselling to link youths to online job opportunities through the YOU Program.[66] It contained no gender-disaggregated indicators. Thus, with reference to employment and digitalisation, the ERP 2020-2022 was **gender neutral.**

ERP 2021-2023 planned to "improve the environment for research, innovation and entrepreneurship" by completing the legal framework, increasing funding for Research, Development and Innovation, and functionalising the National Science Council.[67] It also aimed to expand "ICT networks infrastruc-

[59] Ibid., p. 40.

[60] Ibid., p. 58, Activity 4.

[61] Ibid., p. 59, Activity 9.

[62] Ibid., p .77, Activity 4.

[63] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020, p. 101.

[64] Ibid., p. 82.

[65] Ibid., p. 84.

[66] Ibid., Measure 13.

[67] Republic of Kosovo, Government, Economic Reform Programme 2021-2023, 2021, Measure 11.

ture and services for socio-economic development" towards research and development in ICT and strengthening human capital.[68] This measure foresaw innovation voucher schemes, credit guarantee schemes, programmes to link businesses with academia, and training for youths and women entrepreneurs in ICT.[69] It stated the amount of funding distributed to support innovative start-up businesses but does not provide gender-disaggregated data.[70] The document observed how the lack of broadband internet infrastructure during the pandemic negatively affected productivity, companies' competitiveness, and opportunities for self-employment, distance learning, digital learning, and digital marketing. Gender differences were not discussed.

ERP also foresaw "Improving and expanding public employment services and increasing the employment of the long-term unemployed youth, women and other vulnerable groups".[71] A measure aimed to "increase employability and skills for the long-term unemployed, youth, women, and other vulnerable groups registered in employment offices and prepare them for the labour market". This was planned to involve "improving public employment services and vocational training", improving active labour market measures through policy reforms, subcontracting private providers for VET programmes, and "opening new profiles" based on labour market demands.

Related to digitalisation and developing ICT skills towards employment, none includes gender-disaggregated indicators for training participants.

ERP 2021-2023, ERP 2022-2024,[72] and ERP 2023-2025[73] mainstreamed gender better than prior ERPs. However, related to digitalisation and developing ICT skills towards employment, none includes gender-disaggregated indicators for training participants. Activities related to ICT do not contain sufficient gender-disaggregated data. Thus, pertaining to employment and digitalisation, ERPs are **gender responsive** in some sections but only **gender sensitive** in others. They could have contained more gender-responsive indicators, baselines, targets, and budget commitments, such as by targeting a precise number of women and men in the Youth Online and Upward (YOU) Programme. ERPs also could have had a more intersectional approach to digital-related employment measures and activities, considering the needs of diverse women and men of different ethnicities and abilities, such as by further developing electronic services in the eKosova Platform and applying the electronic payment module.

[68] Ibid., p. 57, Measure 12.

[69] Ibid., p. 84.

[70] Ibid., p. 84.

[71] Ibid., Measure 18.

[72] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022

[73] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023.

National Program for the Implementation of the Stabilisation and Association Agreement 2022-2026

NPISAA 2022-2026 includes plans to adopt and start implementing Kosovo's the new Digital Strategy (2021-2030).[74] None of the 15 medium-term priorities planned for 2021-2024 is gender disaggregated. Acquis Chapter 19 focuses on Social Policy and Employment, which includes minimum standards in labour law, equality, health and safety at work, and anti-discrimination.[75] SAA requirements include the need to create equal opportunities for women and men, persons with disabilities, minorities, and other vulnerable groups.[76] It mentions donor support for capacity-building for MLSW and EARK, as well as the Enhancing Youth Employment project. These aim towards: "An inclusive social and dynamic labour market that provides jobs", including youths' self-employment. A medium-term objective is supporting social enterprises with subsidies and grants for employing vulnerable groups.[77] None of the 11 measures under this Chapter is gender mainstreamed, though the Chapter mentions the Law on Gender Equality as relevant. Under Acquis Chapter 23 on Judiciary and Fundamental Rights, NPISAA includes a midterm objective towards the economic empowerment of women and girls related to eliminating gender-based violence.[78] NPISAA does not mention explicitly digital skills for employment or provide gender-responsive objectives, indicators, baselines, targets, or budget for these reforms. Therefore, the document is **gender responsive** overall but **gender sensitive** related to digitalisation and employment.

The OPM conducts quarterly and annual monitoring of the NPISAA.[79] According to the 2022 report, none of the measures related to employment and digitalisation is implemented. While the report mentions gender related to insufficient statistical data on informal work and the gender pay gap, it does not discuss digitalising employment from a gender perspective.[80]

European Reform Agenda

An ERA objective is to increase women's participation in the labour market.[81] It prioritises addressing undeclared work, "which affects women in a higher percentage", by "focusing on the formal employment, working conditions and preventive measures; as well as improve coordination between institutions

[74] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022, p. 124.

[75] Ibid., p. 164

[76] Ibid., p. 166.

[77] Ibid., p. 170.

[78] Ibid., p. 192.

[79] Republic of Kosovo, Government, OPM, Report on implementation of National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) during 2022, 2023.

[80] Ibid., pp. 41, 59-60.

[81] Republic of Kosovo, Government, Second Phase of EU-Kosovo Political Priorities: European Reform Agenda (ERA) II, 2021, p. 58.

responsible for prevention and suppression of undeclared work".[82] ERA priorities include improving employment, labour rights, and social welfare, as well as encouraging the inclusion of women, minorities, and people with disabilities.[83] ERA foresees increasing the employment rate of groups "less likely to be employed" by providing IT employment opportunities and training for women, youths, and designing new training profiles.[84] Related to increasing employment, it has four indicators: "Designing a scheme for reemployment of individuals who have lost their jobs during the pandemic; support for female employment; employment and training for IT; [and] support for the employment of persons with disabilities".[85] No objectives or indicators refer explicitly to gender, employment, *and* digitalisation. Generally, ERA II is **gender responsive** as it strives to address gender-based violence, as well as to empower women economically. Related to employment *and* digitalisation, ERA II is **gender neutral** as no indicators, baselines, targets, or budgets measure contributions to gender equality.

Governance

This section examines the extent to which diverse women and men have participated in leading, planning, implementing, coordinating, monitoring, and evaluating policies and programmes related to digitalising employment and labour. It discusses their capabilities, digital public services, and funding and procurement related to employment and labour from a gender perspective.

Historically, the now obsolete **MLSW** designed and **planned** labour and employment policies, including related to digitalisation. According to the old, albeit still available, MLSW website, the Department of Labour had three divisions: Employment Policy Division, Vocational Training Division, and Employment Offices Coordination and Monitoring Division.[86] Following the Government's reshuffling of ministries, **MFLT** assumed these responsibilities. It is the main government body responsible for **leading, planning, coordinating, monitoring,** and **evaluating** implementation of digitalisation efforts related to employment and labour. KWN could not find a publicly available government decision detailing its responsibilities or divisions. The MFLT website, updated in fall 2023, included the Department for Labour and Employment Policies with the Labor and Employment Department, Labor Relations and Social Dialogue Policies Division, and Occupational Safety and

[82] Ibid., p. 58.

[83] Ibid.

[84] Ibid., Pillar 3, indicators: 3.1.c.1.1., 3.1.c.1.4., and 3.2.b.2.1.

[85] Ibid., Objective 3.1.c.1.

[86] Republic of Kosovo, MLSW, Department of Labour and Employment, website, accessed 8 December 2023.

Health Policies Division.[87] No information was available regarding women and men's participation in decision-making.

Previously, public employment services were under MLSW.[88] Now, within MFLT, **EARK leads** most public employment services as an independent body. EARK is responsible for **implementing** employment and professional training through eight centres for professional training.[89] The central office in Prishtina/Priština **coordinates** activities with employment offices, VTCs, and other municipal institutions.[90] EARK has an Advisory Board with nine members, including representatives from MFLT, MIET, MESTI, the National Qualifications Authority, employers' organisations, employees' organisations, the Ministry of Culture, Youth and Sport, and the Association of Kosovo Municipalities.[91] The Education Strategy 2022-2026 emphasises the importance of MESTI and MFLT coordinating adult education, VET and Adult Education, AVETAE, VET institutions, Employment Offices, and VTCs.[92] EARK restructuring is underway and planned to be finalised in 2023.[93] The EC has observed the need to increase EARK's portfolio of services and active labour market measures, to cater to more jobseekers, and to vastly improve management, operational capacities, "employment counselling, prioritising women, youth and long-term unemployed", data management, monitoring, and evaluation.[94] Despite requests, data on women and men employees was not provided, so the extent to which diverse women and men are engaged in decision-making related to digitalising employment services or benefit from these services could not be assessed. Given its responsibilities for labour market analysis, surveys, and studies of labour market needs,[95] EARK ought to have conducted a gender analysis on how digitalising its services could help more women and vulnerable groups access the labour market, but no such analysis seems to exist.

EARK manages eight **VTCs** in seven regions: Prishtina/Priština, Prizren, Peja/Peć, Gjakova/Đakovica, Ferizaj/Uroševac, Gjilan/Gnjilane, Mitrovicë/Kosovska Mitrovica, and Doljane (North Mitrovica/Severna Kosovska Mitrovica). They offer 69 workshops and qualifications in 30 professions.[96]

[87] Republic of Kosovo, MFLT, Department for Labour and Employment Policies, website, accessed 8 December 2023.

[88] Republic of Kosovo, Government, MFLT, EARK, website, "About APRK [EARK]", 2023, accessed 8 December 2023.

[89] Ibid.

[90] Republic of Kosovo, Assembly, Law No. 04/L-205 on the Employment Agency of the Republic of Kosovo, 2014, Article 6, 1.12.

[91] Ibid., Article 13.

[92] Republic of Kosovo, Government, MESTI, Education Strategy 2022-2026, 2022, p. 73.

[93] EC, Kosovo 2022 Report, 2022.

[94] Ibid.

[95] Republic of Kosovo, Assembly, Law No. 04/L-205 on the Employment Agency of the Republic of Kosovo, 2014.

[96] Republic of Kosovo, Government, MFLT, EARK, website, 2023, accessed 30 August 2023.

Overall, 62 employees work in VTCs, including 22 women (35%) and 40 men (65%).[97] Women's underrepresentation among VTC employees could hamper the presentation of strong role models and support services targeting women. EARK and VTC counsellors and trainers provide career advice in supporting jobseekers.[98] VTCs offer free training and retraining of persons registered with municipal employment offices as jobseekers, unemployed, and receivers of career guidance services. Aiming specifically to increase employment prospects of beneficiaries, vocational training includes both training at VTCs and combined training at VTCs and participating companies.[99] Combined training enables candidates to apply theoretical training learned at VTCs during practical work at partner companies, supervised by professionals. Training lasts three to six months, and candidates undergo tests after each module as well as a final test, receiving a certificate upon successful completion. All coursework is in person, as EARK does not offer online courses.[100] Over a 12-month period in 2022, women accounted for 35% of persons referred for vocational training and men 65%.[101]

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Employment offices previously functioned under MLSW; now MFLT has assumed these duties. Kosovo has 34 employment offices. Four municipalities lack operational employment offices: Kllokot/Klokot, Ranillug/Ranilug, Partesh/Parteš, and Mamusha/Mamuša. They do exist and function in Kosovo's Serb-majority northern municipalities.[102] Despite requests, no data was provided regarding employment offices' leadership or beneficiaries, including disaggregated by gender. Each Employment Office has annual targets, reported to the Head Office. Their main responsibilities include record keeping, counselling jobseekers, and implementing active labour market measures.[103] Employment offices' digitalisation responsibilities are vague. No data was publicly available to measure the gender-responsiveness of employment offices' career counselling and job placement, including related to ICT.

The **Centre for Vocational Ability, Rehabilitation, and Employment** is responsible for coordination, management, and administration of vocational rehabilitation, retraining, and identifying employment for people with

[97] KWN correspondence with EARK, 19 May 2023.

[98] Republic of Kosovo, Government, MFLT, EARK, website, Jobseekers, Career counselling, accessed 30 August 2023.

[99] Ibid.

[100] KWN correspondence with EARK, 19 May 2023.

[101] EARK, Vocational Training and Employment, 2023, accessed 31 August 2023.

[102] Prishtina Institute for Political Studies, Employment Agency of the Republic of Kosovo: Monitoring Report, 2019, p. 9.

[103] For details, see the Regulation section: Law No. 04/L-205 on the Employment Agency of the Republic of Kosovo, 2014, Article 7.

disabilities.[104] Despite requests, KWN did not receive any response as to whether the Centre offers training on digital skills and ICT or if any needs assessment has been conducted to assess the digital literacy needs of diverse women and men with disabilities.

The **Labour Inspectorate** is an independent state body that operates within MFLT.[105] It monitors the implementation of legislation on labour relations and safety and health at work.[106] Generally, its work is not digitalised, so decision-making related to it could not be examined. The Labour Inspectorate plans to develop an information system that will generate data on age, gender, and other categories.[107]

MESTI should support education based on labour force needs, towards employment, including training and career advice.[108] For instance, MESTI has been made responsible for increasing the number of Career Counselling and Guidance Centres.[109] Public information on progress and the gender-responsiveness of these centres could not be ascertained.

The **Ministry of Economy** has led KODE, supported by an International Development Association credit of €20,700,000 from the World Bank for 2019 to 2023. KODE aims "to enhance access and use of ICT" by expanding broadband infrastructure to uncovered areas, improving human capital, supporting digital businesses, and digitalising businesses.[110] The objective is to "improve access to better quality and high-speed broadband services" and to online information sources, services, and labour markets.[111] The Digital Work and Empowerment component foresees activities that will "primarily cater to unemployed or underemployed young men and women with at least some knowledge of English and university education to increase their ability to compete in relevant segments of online work using computers and smartphones".[112] No ex-ante gender impact analysis was conducted to inform KODE,[113] but some gender analysis informed it.[114] The project

[104] Republic of Kosovo, Assembly, Law No. 03/L-019 on Vocational Ability, Rehabilitation, and Employment of People with Disabilities, 2009.

[105] Labour Inspectorate [in Albanian], website, accessed 30 August 2023.

[106] Republic of Kosovo, Assembly, Law No. 03/L-017 on Amendment and Supplementation of the Law on Labour Inspectorate No. 2002/9, 2008.

[107] Information shared during KWN meeting with the Labour Inspectorate, October 2023.

[108] For further information about women and men's engagement in MESTI and decision-making, see Chapter 4.

[109] Republic of Kosovo, Government, MLSW, Action Plan: Increasing Youth Employment 2018-2020, 2017, p. 24.

[110] Ministry of Economic Development, Environmental and Social Management Framework for Kosovo Digital Economy Project, 2019, p. 7.

[111] KODE, website, 2019, accessed 30 August 2023.

[112] KODE, Financing Agreement, 2018, p. 6.

[113] KWN correspondence with the World Bank, September 2023.

[114] KWN interview with the Ministry of Economy, 2021; World Bank, KODE Project Document Appraisal, 2018, provided to KWN by the Ministry of Economy, 2022.

report aggregates results by gender, but "there are no conclusions in terms of gender".[115] From 2019 to 2023, KODE had 798 beneficiaries, primarily Albanian, including 41% women and 59% men (Table 6).[116] KODE has trained 500 youths since the end of 2020 in Java Development, Cyber Security, or Web Development.[117] By the end of the project in 2023, 1,440 young people were expected to receive training.[118] The World Bank also is supporting youth-inclusive soft skills and digital literacy through social franchising and replication of innovative models.[119]

Table 6. KODE Training Beneficiaries, 2019-2023

	Women		Men		Total	
	#	%	#	%	#	%
Albanian	324	41%	461	59%	785	98%
Turkish	3	38%	5	62%	8	1%
Bosnian	3	75%	1	25%	4	1%
Roma	1	100%	0	0%	1	0%
Total	331	41%	467	59%	798	

The YOU Programme was specifically "designed to target the gender gap", according to the Ministry of Economy.[120] It sought to "actively promote women's involvement, ensuring that a gender-oriented approach is followed, and that the training holds a pre-determined share of spots (50%) for young women".[121] It noted that a "high rate of female participation in the program will be ensured through wide and inclusive outreach, through the selection procedure, and during program implementation." Further, "outreach will be organized through printed materials, locally held public consultations (with invitations extended to women NGOs and advocacy groups), local and social media." The action further planned "awareness activities for female only groups and at times convenient to females who have household/childcare

[115] KWN correspondence with the World Bank, September 2023.

[116] Ibid.

[117] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022.

[118] Ibid.

[119] KWN correspondence with the World Bank, September 2023. Other investments in digitalisation supported by the World Bank are described in chapters 1, 3, and 6.

[120] KWN interview with the Ministry of Economy, 2021.

[121] World Bank, KODE Project Document Appraisal, 2018, subcomponent 2.1., p. 15.

duties, to ensure that a diverse array of females benefit from the outreach." No information was publicly available regarding results.[122]

KODE sought to build on lessons learned from WOW,[123] which evidenced that unemployed or underemployed young women could earn income through online freelancing following modest investments in training and coaching. WOW demonstrated that online work was a viable option for young women to build skills and find employment; 78 programme graduates collectively earned close to $25,000 from online jobs, and some started their own ventures or found jobs in the local IT market.[124] WOW's experience suggested that "female beneficiaries perceived greater confidence and ability to bid for jobs when technical ICT training was coupled with soft skills training (e.g., business communication techniques)." YOU therefore included similar soft-skills activities.

On digital work and empowerment, KODE plans to finance activities "to train and link local un/under-employed youth and in particular women to digital work," and to "raise awareness of households and public institutions" about digitally enabled work.[125] It plans to finance training and connect young people to online IT freelancing opportunities while proactively ensuring enrolment of women. This activity seeks to tackle an employment gap in the ICT sector in digital occupations.[126] KODE aims to "reach more women, which will result in more female beneficiaries, thus contributing to addressing the existing gender gap in labor market participation and, consequently, the gender gap in employment".[127] It is expected to create 400 new jobs in IT software businesses, following ICT training for 2,000 people.[128]

These activities illustrate that KODE generally is **gender responsive**. However, a gender impact assessment did not inform all project components, and it will be difficult to measure its impact without clarifying gender-disaggregated indicators, baselines, targets, and a gender-responsive budget. As the project is still underway, no evaluation has assessed its gender equality related impacts. No clear strategy for coordinating the Ministry of Economy's efforts with those of other ministries related to the labour market seems to exist, inclusive of a gender perspective. The EC Kosovo Report 2022 observed a lack of coordination among ministries.[129]

[122] KWN requested information from the Ministry of Economy, but it was not provided.

[123] Ibid.

[124] The World Bank, Brief, "Kosovo Women in Online Work - WOW Pilot", 2017, accessed 5 August 2023.

[125] Ministry of Economic Development, Environmental and Social Management Framework for Kosovo Digital Economy Project, 2019, p. 14.

[126] Ibid., p. 14. Sub-component 2.1.

[127] Ibid., p. 15.

[128] Republic of Kosovo, Government, Economic Reform Programme 2018-2020, 2018, p. 86.

[129] EC, Kosovo 2022 Report, 2022, p. 10.

Regarding **implementation** of labour and employment responsibilities related to digitalisation, very little information was publicly available that would enable gender impact analysis, perhaps due in part to the newness of these efforts but also due to the lack of implementation reports on MLSW and later MFLT strategies and action plans.[130] The lack of clear indicators, baselines, and targets related to employment, and digitalisation specifically, makes it difficult to examine implementation of measures from a gender perspective. Several non-governmental efforts related to employment exist outside the Government, some of which are discussed in later sections.[131]

Of the 106 meetings that this Committee held between April and June 2023, only 15 (14%) involved any mention of gender.

Regarding **monitoring** and **evaluation**, MFLT has published annual and six-month financial reports on its website.[132] It has not published annual reports on the work of the Ministry since 2020. Nor are there any reports available online regarding the work of EARK, employment offices, or VTCs. Previously MLSW and now presumably MFLT leads monitoring of the Sectoral Strategy 2018-2022 in a group led by the Minister.[133] The General Secretary provides technical leadership.[134] The same monitoring and evaluation hierarchy exists for the Action Plan in Youth Employment.[135] KWN found no official implementation report of the Sectoral Strategy 2018-2022. NGO KEEN conducted monitoring.[136] As the Action Plan did not include specific actions related to gender-responsive digitalisation of employment, it will be difficult to monitor and evaluate implementation. Meanwhile, the Labour Inspectorate within MFLT monitors the implementation of legislation on labour relations, as well as security and health at work.[137]

The **Assembly Committee for Budget, Labour, and Transfers** is responsible for monitoring the Government's work towards employment, safeguarding labour rights, and social welfare. This Committee has two women (20%) and eight men (80%),[138] so women are underrepresented in decision-making and parliamentary oversight of the Government's work. This could affect the gender-responsiveness of legislation and monitoring of its implementation.

[130] While KWN requested information, institutions provided only some of the information requested.

[131] A thorough mapping of employment programmes in Kosovo was beyond the focus of this research, so this chapter focuses on those that had online, publicly available information and that related explicitly to the ICT sector and digital work.

[132] MFLT website, reports, accessed 10 October 2023.

[133] Republic of Kosovo, MLSW, Strategjia Sektoriale 2018-2022 [Sectoral Strategy 2018-2022], [in Albanian], 2017 p. 55.

[134] Ibid.

[135] Republic of Kosovo, Government, MLSW, Action Plan: Increasing Youth Employment 2018-2020, 2017, p. 14.

[136] KEEN, Implementation of MLSW Sectorial Strategy in 2018 and 2019 – Assessment Report, 2019. This was used to inform further sections of this chapter.

[137] Labour Inspectorate [in Albanian], website, accessed 30 August 2023.

[138] Republic of Kosovo, Committee for Budget, Labor and Transfers, website, accessed 14 August 2023.

Of the 106 meetings that this Committee held for which public records exist between April 2023 and June 2023, only 15 (14%) involved any mention of gender.[139] The Committee never discussed digitalisation from a gender perspective.

Capabilities

Assessing the Government's capabilities for planning, implementing, and evaluating gender-responsive digital reforms related to employment and labour was difficult, as the responsible institutions did not respond to multiple requests for interviews. However, gender analysis of laws and policies, KWN's other interviews, a few reports, and known shortcomings in using gender-responsive data management for policymaking all suggest weak capacities. Research participants observed that staff, particularly older staff, lacked digital skills for maintaining electronic data management systems.[140]

In assessing **MFLT**'s capabilities, KWN could only refer to MFLT efforts to compile policy documents that reflect a gender perspective related to digitalising its services. However, KWN found no such policy documents. Based on KWN's experiences with MFLT when advocating for amendments to the draft Labour Law,[141] draft Law on Family and Social Services, budget law regarding financing CSWs,[142] and during the SAA Sub-Committee on Information Society, Social Policy, and Employment, KWN can conclude that MFLT officials lack capabilities in gender mainstreaming policy documents. This could affect MFLT, EARK, and employment offices' ability to make gender-responsive policies, including on digitalisation.

Regarding **EARK**, the EC Kosovo 2022 Report notes that "the public employment services of the Employment Agency need to vastly improve their management and operational procedures, as well as data management." The report emphasises that improvements are needed in EARK's operational capacity, particularly monitoring, evaluation, and employment counselling, prioritising women, youth, and the long-term unemployed.[143] If EARK lacks capabilities for data management, it may encounter difficulties using electronic data management systems, inclusive of gender-disaggregated data and other data relevant to policymaking.

[139] Ibid., "Calendar of activities of the Committee": 16.06.2021; 3.11.2021; 17.11.2021; 7.12.2021; 8.12.2021; 30.03.2022; 13.04.2022; 25.05.2022; 08.06.2022; 13.07.2022; 12.10.2022; 3.02.2023; 27.02.2023; 28.03.2023; 14.06.2023, accessed on 15 August 2023.

[140] Correspondence with KWN, August 2023. A hiring freeze refers to a temporary policy or decision made by an organisation or government entity to restrict or halt the hiring of new employees for a certain period (Investopedia, Hiring Freeze: How it Works and its Impact – Investopedia, 3 June 2022).

[141] Dita Dobranja on behalf of KWN, prepared for UNFPA, Policy Brief, Expanding Choices through Family-Friendly Policies: Costing Maternity, Paternity, and Parental Leave Provisions in the Law on Labour, 2022.

[142] KWN, Advocacy Letter for Budget Line for Centers for Social Work, 2022.

[143] EC, Kosovo 2022 Report, p. 99.

In 2022, EARK adopted a Gender Equality in Employment toolkit towards better integrating a gender perspective in its work.[144] The toolkit aims to support EARK, and specifically employment offices and VTCs, to "include a gender perspective in their work, reduce gender blindness, break down stereotypes and contribute to gender equality through their activities."[145] It also aims to improve cooperation with employers in furthering gender equality. It contains instructions for mentors and trainers on how to conduct gender analysis during programmes and in offering career advice, examining how gender differences impact roles, activities, needs, opportunities, rights, and/or benefits for men, women, girls, and boys in specific situations or contexts.[146] For example, the toolkit states: "Ask yourself: Are there any evident gender differences in relation to linguistic skills, comprehension barriers, or usage of information technology among applicants?"[147] The toolkit suggests that in addition to online services, employment officers should use counselling to support affirmative measures for women job applicants, as needed. As it is rather new, no publicly available information exists regarding the toolkit's application in practice. It is too early to assess how this toolkit has affected capabilities in integrating a gender perspective in employment services towards enhancing digital skills and employing people in digital-related jobs.

Employment offices seem not to have the necessary qualifications.[148] EARK has cooperated with KIPA, GIZ, UNDP, Helvetas, ADA, ILO, and the EU Office in Kosovo for capacity-building.[149] KWN could not find publicly available information as to whether training included a gender perspective. Historically, employment offices have not shown particular attention to women and other vulnerable groups, such as minority women and men. In 2017, employment offices secured employment for only 3% of persons registered as unemployed (40% were women).[150] Meanwhile, in 2021 only 5% of youth stated that they used employment offices to search for jobs, preferring to use public announcements (47%) or recommendations from family and friends.[151] More recent data on gender differences among women and men assisted by employment offices is not publicly available. Nor have studies examined qualitative reasons underpinning gender differences. Weak capacities in providing counselling based on labour market needs, especially digital career opportunities, can hinder young women and men's access to such opportunities. The EC Kosovo Report 2023 expressed concern that

[144] Republic of Kosovo, Government, MFLT, EARK, Gender Equality in Employment, [Albanian only], 2022.

[145] Ibid., p. 5.

[146] Ibid., p. 37.

[147] Ibid., p. 14.

[148] Prishtina Institute for Political Studies, Employment Agency of the Republic of Kosovo: Monitoring Report, 2019, p. 10.

[149] Ibid. p. 10.

[150] KWN, Kosovo Gender Analysis, 2018, p. 39.

[151] Riinvest, Employment and Labour Market Analysis, 2021, p. 98.

employment offices have weak management, operational procedures, data management, and human resources.[152]

KWN's prior research found that the **Labour Inspectorate** required more staff to carry out inspections, including related to reports of gender-based discrimination in labour, as well as further training related to gender.[153] Staff had not attended training related to digitalisation.[154] No known analysis has examined labour inspectors' digital skills or ability to provide gender-responsive digital services. KWN could not find any evidence of a needs assessment regarding the capacities of EARK, VTC, Employment Office, or Labour Inspectorate staff regarding their digital skills, inclusive of gender analysis.

Digital Public Services

This sector has several digitalised services: EARK's website, the Kosovo Job Portal, and Superpuna. EARK has a functional, updated website available in three languages. It has an interactive interface to identify the locations of VTCs and employment offices. Among the four publications is the Gender Equality and Employment toolkit. The website has templates to apply for training, and three digital skills courses were offered: Web Design, Digital Marketing, and Project Cycle Management.[155] None of the IT-related calls for training participants published on the website seemed to include affirmative measures, such as encouraging women to apply.[156] No brochures or guidelines existed to guide women and men applicants in navigating the platform or on the eligibility requirements of published calls. The template asked applicants' gender and whether they own a laptop. While EARK does not offer laptops for applicants, trainings are held in their centre, which has the necessary equipment for learning, they said.[157] Despite KWN's request, EARK did not provide gender-disaggregated data on who had applied for the training via EARK's online portal, training participants, or how many secured employment after training.

[152] EC, Kosovo Report 2023, 2023, p. 101.

[153] KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022, p. 72.

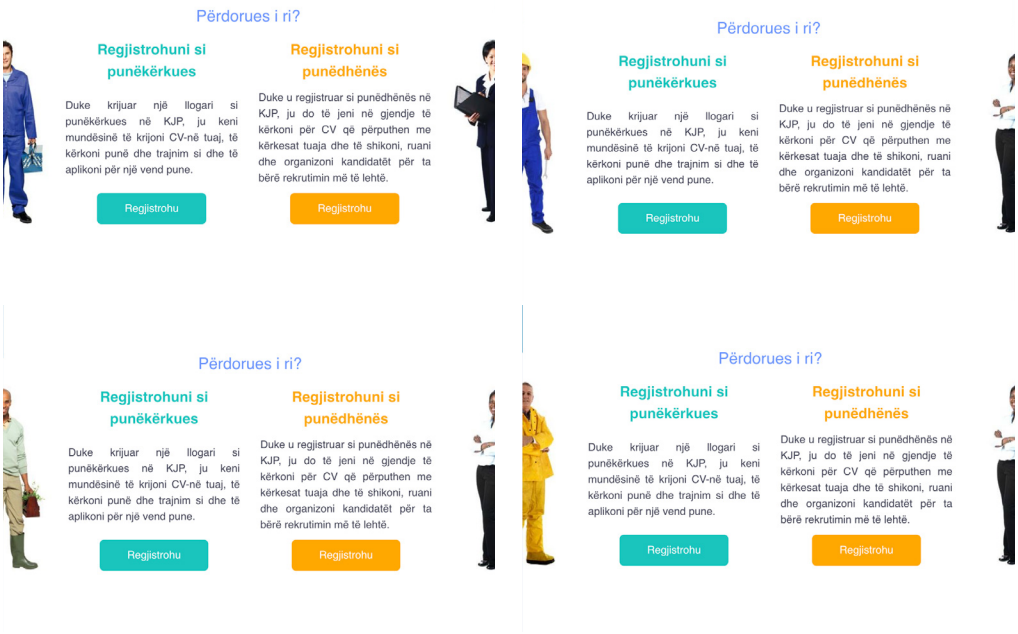
[154] KWN meeting with the Labour Inspectorate, September 2023.

[155] Republic of Kosovo, Government, MFLT, EARK, "Kosovo Job Portal", website, accessed 21 August 2023. The Project for Youth Participation in Kosovo provides trainings in partnership with EARK and facilitated by VTCs, implemented by CARE International Balkans in partnership with Students Helping Life Kosovo and financed by the EU.

[156] Republic of Kosovo, Government, MFLT, EARK. Training calls were last updated in March 2023. Last accessed on 29 June 2023.

[157] KWN correspondence with EARK, 19 May 2023.

Figure 15. EARK Kosovo Job Portal Images of Women and Men in Occupations



To facilitate matching jobseekers' skills with labour market needs, EARK has used Employment Information System Management (EISM). It functions in all employment offices and VTCs. EISM allows for registering job vacancies, employers, trainees, unemployed persons, and jobseekers. It tracks changes in employment status and supports the profiling of jobseekers according to employment services needed. According to UNDP, 16,312 women (47%) and 18,358 men (53%) were registered jobseekers in EISM in 2023.[158] EARK has transformed this system into the Kosovo Job Portal. With an interactive user interface, the Portal enables jobseekers to search for a job, register, upload their CV, identify training, apply for a job, or apply for a grant, including for equipment.[159] Employers can search for candidates, as well as list vacancies, trainings, and applications. The jobseekers' registration application does not contain a field for gender. The advertisement to register as a new user has alternating images of potential occupations. These tend to show men in stereotypical gender roles as firefighters, engineers, and businessmen (Figure 15). Images change when the page is refreshed to show women and men in various occupations. Sometimes only two men are shown or only two women. The portrayal of images could have ensured a women and men are showcased in every image in case the user only loads the page once. Additionally, women and men could be portrayed in different non-stereotypical professions, towards challenging occupational gender stereotypes. The dashboard stated there were 3,205 jobseekers and 4,127 employers registered on the system in 2023, though gender-disaggregated data was unavailable.[160] EISM still lacks several functional services that would enhance its digital public services.[161] EISM, managed by MLFT, has not been connected yet with EMIS, managed

[158] KWN correspondence with UNDP, August 2023. Despite KWN's requests, EARK did not provide gender-disaggregated data. For further information, see the People section.

[159] Republic of Kosovo, Government, MFLT, EARK, website, accessed 8 December 2023.

[160] Ibid, "Dashboard", accessed 8 December 2023.

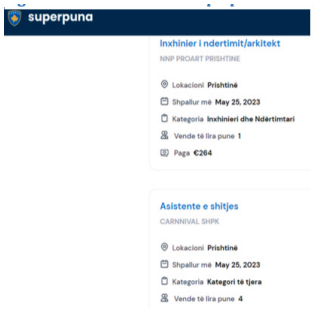
[161] Correspondence with KWN, August 2023.

by MESTI.[162] The labour market information system is outdated and lacks operational capacity in critical areas.[163]

Another Government job placement platform is *Superpuna* [Superwork], launched as part of the EU-supported Youth Job Guarantee Scheme.[164] It aims to facilitate young adults' access to the labour market by matching young jobseekers with employers. The MFLT Minister stated that the Government aimed to employ 10,000 young adults (ages 18-25) within a year of launching the platform.[165] The Government will subsidise the salaries of up to 50 young adults per employer in the amount of €264 for six months.[166] In August 2023, *Superpuna* had more than 4,700 job vacancies, 6,400 verified jobseekers, and 3,700 registered businesses.[167]

Electronic job matching can aid efficiency but also can reinforce discriminatory patterns. For example, historically women have tended to work in education, trade, and healthcare sectors, whereas men have worked in the trade, construction, and production sectors. Such occupational segregation may feed computer algorithms with biased data on which careers can be suggested for women and men jobseekers, reinforcing gender norms.[168] Women's comparatively lower attendance at professional development and training also may mean that women's profiles are not referred to employers to the same extent as men's profiles. The platform does not publish gender-disaggregated data on women and men users, jobseekers, or persons successfully matched with employment opportunities.[169] Generally, the platform does not have any gender perspective. *Superpuna* could have provided incentives for employers who recruit women through the platform.

Figure 16. Gender Bias on Superpuna



Source: Superpuna, 2023

An analysis of 1,357 job vacancies posted to *Superpuna* as of April 2023 found that only 281 (21%) were written in such a way to target both men and women.[170] In contrast, 79% contained gender stereotypes, indicating that the positions were more for men or women. Of these, 793 (74%) involved gender bias towards men and 283 (26%) towards women. Figure 16 provides an example; in Albanian, the language used implies that the engineer/architect should be a man, and the sales assistant should be a woman. Biased language

[162] KEEN, Employment and Social Welfare Policies in Kosovo, Assessment Report, 2017.

[163] EC, Kosovo Report 2023, 2023, p. 101.

[164] Republic of Kosovo, MFTL, Superpuna, website, accessed 30 August 2023.

[165] Klan Kosova, "Lansohet platforma -Super Puna-, synohet punësimi i 10 mijë të rinjve brenda vitit" ["'Super Puna' platform launched, aiming to employ 10 thousand youth within the year"], 6 February 2023.

[166] Ibid.

[167] Superpuna, accessed 30 August 2023.

[168] EIGE, Artificial intelligence, platform work and gender equality, 2021, p. 12.

[169] Despite requests, Superpuna did not provide gender-disaggregated data. Superpuna officials said they were still working on updating data disaggregated by gender and location (KWN correspondence with Superpuna, May 2023).

[170] GAP Institute, Gender-based discrimination in job vacancies, April 2023, p. 4.

can dissuade women and men from applying for some positions, as they may assume that the employer prefers persons of a particular gender. Using gendered language is illegal,[171] but violations rarely have been addressed in practice. Gendered job titles and automated gender profiling may contribute to continued occupational gender segregation, including for digital-related jobs, limiting women's access to employment.[172]

Funding and Procurement

MFLT determines VTCs and EARK's budget. EARK's budget has been smaller than international norms, though it has increased significantly since 2017.[173] Although the MTEF emphasises the importance of gender budgeting, the section in reference to EARK does not contain objectives, indicators, or targets towards gender equality.[174] MFLT and EARK have not implemented gender-responsive budgeting in EARK's or VTCs' operations, including related to digitalisation.

According to the World Bank, public employment agencies need partners to provide labour market services, and "the Government of Kosovo has recognised the role of non-public providers in delivering employment support services".[175] International actors are financing several actions related to digitalising labour and employment services. The extent to which they have used gender-responsive budgeting is not publicly available. Moreover, Government reliance on non-state actors to provide employment services can jeopardise the sustainability of programmes reliant on ad-hoc foreign funding.

While the MTEF for 2024-2026 mentions gender budgeting as relevant to promoting fiscal discipline,[176] neither the Labour Inspectorate's MTEF nor its annual budget contains information related to gender-responsive budgeting. The Labour Inspectorate has not implemented gender-responsive budgeting.

Tender dossiers on e-procurement do not contain any statement encouraging businesses owned by underrepresented genders to apply. Nor do they provide for affirmative measures for companies working to further gender equality internally.

[171] Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015, Article 5.

[172] GAP Institute, Gender-based discrimination in job vacancies, April 2023.

[173] KEEN, Implementation of MLSW Sectorial Strategy in 2018 and 2019 – Assessment Report, 2019, p. 25. It was €7.9 billion or 0.13% of GDP, compared to the OECD average of 0.56%.

[174] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023.

[175] The World Bank, Active Labor Market Programs (ALMPs) in Kosovo, 2019, p. 3.

[176] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, accessed 18 December 2023.

Infrastructure

This section examines the extent to which gender-responsive Infrastructure for employment services and digital work is available, focusing on digital tools and software.

The **Labour Inspectorate** does not have a digitalised data management system or services.[177] Insufficient equipment and digital tools are an obstacle to the Inspectorate's work; inspectors handwrite reports and then enter information into computers, which takes time.[178] The Inspectorate is developing an information system that will track and generate data on gender, age, and other demographics.[179]

EARK uses EMIS for data management. It does not yet have a user-friendly interface for displaying gender-disaggregated data online. EARK collaborates with AIS to protect personal data. Towards interoperability, MFLT has connected EMIS with SAS. The design of this new system reportedly has attended to gender, and it should provide gender-disaggregated data.[180] The system contains questions as to whether the person applying for employment has experienced gender-based violence. When job openings are announced, the system digitally prioritises survivors of violence, social assistance recipients, single parents, and women as candidates for job openings.[181] Information was unavailable regarding measures taken to protect such sensitive data, though institutions generally follow the LPPD.

Regarding interinstitutional interoperability, EARK data are not automatically reported to KAS, disaggregated by gender and other variables like age, ethnicity, disability, or rural/urban location. Having this information would enable KAS to publish regularly gender-disaggregated data for public use, facilitating transparency and independent monitoring.

ALLED supported the development of three complementary barometers to facilitate Smart Skills Intelligence evidence-based policymaking related to education and employment.[182] The system analyses the labour market based on Industry 4.0 principles, including interoperability, real time capability, digitalisation, decentralisation, service orientation, and modularity.[183] First, developed by a Kosovar woman entrepreneur, the EARK-managed Kosovo Labour Market Barometer enables interoperability of 12 national databases,

[177] Labour Inspectorate, Development Strategy of the Labour Inspectorate 2023-2027, [in Albanian], 2023.

[178] KWN meeting with the Labour Inspectorate, September 2023.

[179] Ibid.

[180] KWN interview with UNDP, 2023.

[181] Correspondence with ALLED, August 2023.

[182] Correspondence with ALLED, November 2023.

[183] ALLED^2 Kosovo, "Developing Kosovo Skills Intelligence System", YouTube, 2023, accessed 5 November 2023.

providing real time statistics that can inform labour market policy.[184] The Barometer includes gender-disaggregated data on labour force participation but not on business registration or education. Second, the VET Barometer collects data on offerings, needs, shortcomings, challenges, and potential of VET schools,[185] using more than 200 variables. Following four years of data collection across 20 VET schools, the tool will provide publicly available data soon.[186] A draft Administrative Instruction would render MESTI responsible for managing the VET Barometer in the future.[187] Third, developed and managed by the Kosovo Chamber of Commerce, the Skills Barometer supports cooperation between the private sector and VET, towards informing policies. It helps identify skills, needs, and occupations to make three- to five-year forecasts of skills in private sector demand; it contains gender-disaggregated data.[188] The barometers have been recognised as a sign of "good progress".[189]

Regarding non-governmental platforms, some Kosovars use the LinkedIn global portal for engaging in the labour market and seeking employment. LinkedIn reportedly has shifted its algorithms to exclude a person's name, age, gender, and ethnicity because including these characteristics can contribute to bias in automated AI processes.[190] Thus, LinkedIn does not have data available on users by country or gender.

Kosovo has several non-governmental job portals that people use to find a job or to publish vacancies. The private company KosovaJob has been among the most visited portals, averaging one million clicks per month.[191] An estimated 80% of the audience are ages 25 to 45. Other portals include *Pune* [Work], *Kastori*, and *Burime Njerezore* [Human Resources].[192] They are only available in the Albanian language, though several job openings are in English and Serbian. The language and visuals used are **gender sensitive**. No publicly available gender-disaggregated data on users of these platforms exists. They do not have accessibility features for people with disabilities.

[184] Republic of Kosovo, EARK, Kosovo Labour Market Barometer, accessed 5 November 2023.

[185] ALLED^2 Kosovo, "Developing Kosovo Skills Intelligence System", YouTube, 2023, accessed 5 November 2023.

[186] KWN interview, 2023.

[187] Ibid.

[188] ALLED^2, Kosovo Skills Barometer 1.0, 2022.

[189] OECD, SME Policy Index: Western Balkans and Turkey 2022*: Assessing the Implementation of the Small Business Act for Europe*, SME Policy Index, OECD Publishing, Paris: 2022, pp. 261, 265-6.

[190] Sheridan Wall and Hilke Schellmann, "LinkedIn's job-matching AI was biased. The company's solution? More AI", in *MIT Technology Review*, Artificial Intelligence, 23 June 2021.

[191] KOSOVA JOB, website, 2023, accessed 21 August 2023.

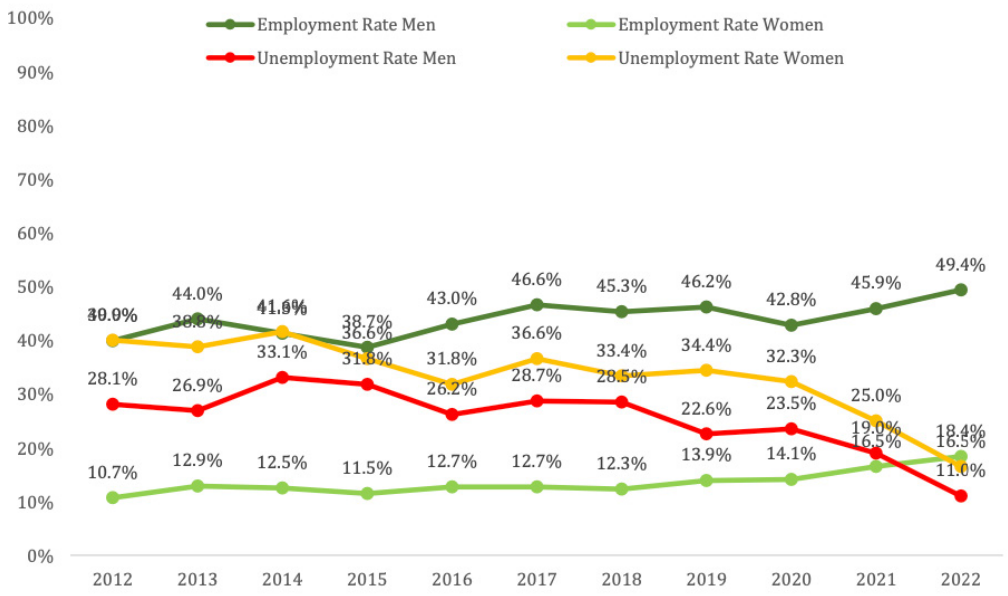
[192] Portal Pune, Kastori, and Burime Njerezore, accessed 21 August 2023.

Digitalisation can contribute to creating employment opportunities or to deepening the gender digital divide. This section examines diverse women and men's access to and participation in employment, including ICT-related jobs, as well as job training and employment services. It briefly discusses digital literacy skills, digital wellbeing, and protection.

Access to and Participation in Employment

Kosovo has among the lowest employment rates in the WB region.[193] Women's labour force participation has remained worryingly low (Figure 17). In 2020, the unemployment rate was 26%, but 24% for men and 32% for women.[194] The employment rate was 28%, but nearly 43% for men and 14% for women.[195] These statistics point to women's high inactivity rate; they are neither engaged nor registered as unemployed. A striking 81% of women were inactive compared to 42% of men.[196] Trends have remained fairly consistent over time as Figure 17 illustrates.[197] In 2022, 49% of working-age men were employed compared to only 18% of women.[198]

Figure 17. Employment and Unemployment Rates by Gender



[193] KWN, Gender-based Discrimination and Labour in the Western Balkans, Second Edition, 2022; ETF, Kosovo Education, Training and Employment Developments 2020, 2020, p. 3.

[194] KAS, ASKdata, "Main labor market indicators by Variables, Year and Gender", 2020, accessed 26 December 2023.

[195] Ibid.

[196] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020, p. 99.

[197] KAS, ASKdata, "Main labor market indicators by Variables, Year and Gender, 2023, accessed 27 December 2023.

[198] Republic of Kosovo, Government, OPM, KAS, Labour Force Survey 2022 [in Albanian], 2023, p. 13.

KAS does not publish gender-disaggregated data on employment by rural/urban residency. However, a 2022 Kosovo-wide representative household survey found that the employment rate for women in urban areas (50%) was almost double that of women in rural areas (26%).[199] In comparison, 64% of men were employed in urban areas and 43% of men in rural areas.

Women's low labour force participation stems from several factors, including prevalent socialised gender roles according to which some people still believe women's role is in the home; the absence of affordable, accessible childcare;[200] occupational gender stereotypes; low property ownership (18% of all properties)[201] that hinders women's access to capital; undocumented work in the informal economy that contributes to underreporting of actual labour rates; general structural labour market challenges, such as the fast growth of the working age population, inadequate skill sets to secure jobs, and precarious workplaces;[202] and the current labour law according to which employers pay for six months of maternity leave, contributing to gender-based discrimination against women in hiring.[203] The EC's 2018, 2019, and 2020 Kosovo reports confirmed that reforming maternity, paternity, and parental leave is necessary to facilitate women's labour force participation, particularly in the private sector.[204]

Access to and Participation in ICT-related Employment

With Kosovo's widespread internet use and careers in the ICT sector thriving,[205] digitalisation can boost employment for women and men. Several Kosovo-based companies are remotely providing ICT services for Europe and North America.[206] More than 90% of these services are exported, and some companies have no domestic clients.[207]

Historically, women mostly have been employed in education, health, and trade sectors (56%) and men in trade, production, and construction sectors (44%).[208] The KAS Labour Force Survey does not report gender-disaggregated data on women and men employed in the ICT sector or digital-related jobs in other sectors. In 2014 approximately 22% of ICT employees were women,

[199] KWN for FAO, *Kosovo Gender Profile, Agriculture and Rural Livelihoods*, forthcoming.

[200] KWN, Kosovo Gender Analysis, 2018, p. 4

[201] Kosovo Cadastral Agency, 2021 Annual Report, [in Albanian], 2022, p. 99.

[202] EC, Kosovo Report 2023, 2023, p. 99.

[203] KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022.

[204] Cited in KWN, Gender-based Discrimination and Labour in Kosovo, Second Edition, 2022, p. 18.

[205] STIKK, Women in ICT: *An Analysis of the State of Kosovan Women in the ICT Sector*, 2021.

[206] The Young European Ambassadors, Women to the fore in fast evolving ICT services in Kosovo, Closing the digital gender gap: more female representation in ICT is essential to this export-dominated sector, 2022.

[207] Ibid.

[208] Republic of Kosovo, Government, OPM, KAS, Labour Force Survey 2022 [in Albanian], 2023, p. 10.

and only 20% in exclusively ICT positions.[209] Men held 78% of ICT positions. More recent sources suggest that women's participation in the ICT sector is changing.[210] However, actual data is unavailable. Most ICT staff are responsible for technical duties, averaging 15 employees, followed by employees responsible for administration/finance, C-level executives, and other duties with an average of three employees. The largest gender difference is in technical duties where on average 30% more men are hired.[211] Thus, women employed in the ICT sector did not always have IT-related jobs but rather secretarial ones. Women in ICT with IT skills have said that although they have academic qualifications equal to their male colleagues, they are often asked to do secretarial and care-taking duties because they are women.[212]

> "There are numerous challenges women professionals face throughout their career in this mostly male dominated industry."
>
> — STIKK

ICT is still considered a "male dominated" field.[213] A WCSO representative observed, "Although there are a number of girls and women who have studied and study ICT, in case of employment or promotion, boys and men always have advantages because they are considered 'more competent'".[214] Women ICT professionals face several challenges, including trust issues from team members and clients, difficulties acquiring new skills, and unequal pay.[215] Gender norms regarding appropriate jobs for women may undermine women's access to jobs in ICT. Additionally, several ICT company managers stated that they do not employ women in their institution due to maternity leave provisions in the labour law.[216]

Considering the structural challenges women face to securing employment due to socialised gender norms, some observers hypothesise that digital work could create an enabling environment for improving women's employment by allowing for more flexible working hours and locations. Globally, women have fewer opportunities to work flexible hours and invest time in paid work because of activities and duties outside employment.[217] Given gender roles,

[209] Rrezarta Pllana for STIKK, "Challenges of women in the field of Information Technology and Communication", position paper, 2014.

[210] Eddie Rabeyrin, "Kosovo Women Leaving Their Mark in ICT", *Prishtina Insight*, 15 May 2023.

[211] STIKK, Women in ICT: *An Analysis of the State of Kosovan Women in the ICT Sector*, 2021, p. 14.

[212] KWN conversation with a woman ICT employee.

[213] KWN interviews and STIKK, Women in ICT: *An Analysis of the State of Kosovan Women in the ICT Sector*, 2021.

[214] KWN interview, 2021.

[215] STIKK, Women in ICT: *An Analysis of the State of Kosovan Women in the ICT Sector*, 2021.

[216] Rrezarta Pllana for STIKK, "Challenges of women in the field of Information Technology and Communication", position paper, 2014. KWN generally found this situation among employers across several sectors in Striking a Balance, 2016.

[217] International Labour Organisation (ILO), Policy Brief, "Building Forward Fairer: Women's rights to work and at work at the core of the COVID-19 recovery", 2021.

men still have more time to invest in work, which can reinforce the socialised idea of the "ideal worker".[218] In the digitalised workplace, the "ideal worker" may not only work full time and comply with the employer's needs but may continually engage in training. Since "men have more time than women to invest in training and life-long learning, such a work norm would worsen gender inequality at the digitalized workplace".[219] This "ideal worker" can create work standards that are difficult for women to achieve. Increased flexibility in work may come at a cost, replacing conventional "fixed contract" employment with less transparent and secure work arrangements, such as freelance work with "gig contracts", contractors, self-employed consultants, and internships.[220] This "may lead to cynical and unscrupulous use of new, atypical, work arrangements that seeks to exploit low-skilled and/or low-paid labor, which in turn erodes the quality of the working conditions".[221] Such "flexible" remote arrangements, without proper legislative guidance, may impact women more, given their other care responsibilities. Thus, employers' expectations regarding the "ideal worker" may mean that women still lack equal access to employment opportunities in a digitalised labour market due to socialised gender norms and relations. Risks exist with contractual online work, for both women and men, such as labour rights violations in unmonitored workplaces, inconsistent work, lack of benefits (e.g., pension and health insurance contributions by employers), and general insecurity in social welfare. Internet-based work arguably has contributed to the growth of a new proletariat, referred to in social sciences as the "precariat" due to their precarious position in society.[222]

While both men and women can have this risky status, gender differences in the precariat exist, and women often face specific vulnerabilities within this social class.[223] Several factors contribute to gender disparities. First, occupational segregation means that women are often concentrated in industries and occupations that are more likely to offer low wages, part-time work, and limited job security, such as caregiving, retail, and hospitality.[224] Second, the gender wage gap contributes to women, on average, earning less than men, which can exacerbate financial instability and economic insecurity for women in the precariat. Third, women are more likely to have caregiving responsibilities; balancing these responsibilities with unstable or multiple jobs can be particularly challenging, leading to higher levels of precarity for women. Fourth, women tend to perform significantly more unpaid domestic

[218] UNI Global Union, p. 3.

[219] Ibid, p. 4.

[220] Anthony Larsson and Yamit Viitaoja, "Identifying the digital gender divide: How digitalization may affect the future working conditions for women" in *The Digital Transformation of Labor: Automation, the Gig Economy and Welfare*, (pp. 235–253), Edition: 1, Chapter: 14, 2020.

[221] Ibid.

[222] F. Lunning, *Mechademia 5: Fanthropologies*, University of Minnesota Press, 2010, p. 252.

[223] Guy Standing, The Precariat: The New Dangerous Class, London: Bloomsbury Academic, 2011, p. 60.

[224] Ibid.

labour, which can limit their ability to work in stable, full-time employment.[225] Fifth, gender-based discrimination and gender bias can limit women's access to stable, well-paying jobs, pushing them into precarious employment situations.[226] Gender disparities in the precariat can intersect with other factors such as ethnicity and socioeconomic status, creating greater vulnerabilities for women of colour or from low-income backgrounds.[227] Further research is needed on these issues in Kosovo.

Access to and Use of Training and Employment Services

Considering Kosovo's low employment rates, the need for employment services is great. Much of Kosovo's unemployment is long term. Eurostat defines long-term unemployment to include individuals who have been searching for a job for more than one year.[228] The average time individuals spent looking for a job was 18.8 months (1.6 years). On average, men searched for four months longer than women did.[229] This may be due to gender norms and stereotypes, according to which men are under more social pressure to provide for their families, whereas it is more acceptable for women to spend more time on household activities and family care.[230]

Meanwhile, inactivity rates illustrate that many people are not seeking employment. The most common reasons cited for economic inactivity were participation in professional education or training (26%), looking after children (22%), belief that work was unavailable (19%), and retirement (13%).[231] Reasons for inactivity varied substantially by gender. Men tended to cite education or training, a belief that work was unavailable, or retirement, while women mention childcare (30%).[232] Only 1% of men cited childcare as a reason for their inactivity. The COVID-19 pandemic contributed to an increase in the unemployment rate. Arguably, a contributing factor was the Government's Emergency Fiscal Package Measure 15, which benefitted individuals registered as unemployed. Consequently, citizens who had been unemployed, but not registered as such, registered as unemployed to receive the €130 per month benefit. Jobseekers' numbers increased from 1,628 to 32,377 in April 2020. More men registered as jobseekers than women across all age groups. Most jobseekers, women and men, were 25-39 years old.[233]

Considering the unequal share of care responsibilities, women in Kosovo have less time than men to seek employment. In 2022, in 64% of households,

[225] Ibid., p. 99.

[226] Ibid., p. 60.

[227] Ibid., p. 137.

[228] MCC Kosovo, Labor Force and Time Use Study Research Report, 2018.

[229] Ibid., p. 72.

[230] KWN, Kosovo Gender Analysis, 2018, p. 38.

[231] MCC Kosovo, Labor Force and Time Use Study research Report, p. 18.

[232] Ibid., p. 16.

[233] GAP Institute, The Impact of the COVID-19 Pandemic on the Labor Market, 2020, p. 7.

women were still the primary person responsible for childcare; in only 30% were men primary caregivers, and in 6% was the role shared (6%).[234] In 90% of households, women were responsible for cooking and washing clothes, and in 84% women were responsible for cleaning. Given these socialised gender roles, women tend to have less time for engaging in other activities than do men, including attending vocational training, developing digital skills, applying for jobs, or working. In 2023, among women identifying as unemployed, 42% considered themselves "homemakers".[235]

Women may face added obstacles to accessing employment and employment services. Workplaces may not be located nearby. Women may lack sufficient finances to travel to training, job interviews, or work, given the lack of available, affordable public transport.[236] Given gender norms, family members may not think that women should work outside the house.[237] Isolation and gender-based violence can further affect women's ability to access employment. Women with disabilities, older ages, minority ethnic groups, rural women, and LGBTQI+ persons may face added challenges accessing employment due to discrimination, language, and/or physical accessibility.[238]

The need for employment-related training is great towards enhancing women and men's employability. Although women are overrepresented among the economically inactive and unemployed, historically they have been underrepresented among VTC attendees. "In a recent survey, 76% of women stated that they had never attended tailored training programs with the aim of enhancing job-related skills. Women who have only finished primary education or less, are inactive in the labour force and earn less than 150 euros per month, are overrepresented among women who have never received such trainings."[239] Thus, women have had less access to training that could enhance their prospects of employment, including in digital-related jobs. In 2022, EARK provided professional vocational training for 990 women (35%) and 1,807 men (65%).[240] Although women had a lower participation rate in these vocational trainings, they had a higher rate of certification; 81% of women attendees were certified, compared to 77% of men.[241] It is unclear whether this involved digital skills.

[234] KWN Kosovo-wide survey of 809 households with 400 women and 409 men supported by the EU and FAO, 2022; publication forthcoming.

[235] UNDP, Exploring the dynamics of household poverty in the face of inflation: Evidence from a Survey, 2023, p. 21.

[236] KWN, Kosovo Gender Analysis, 2018, p. 37.

[237] UNDP, Youth Attitudes towards Gender and Social Norms, Development and Human Security In Kosovo, 2022, p. 25.

[238] EC, Kosovo 2022 Report, 2022, "Fundamental Rights" and "Social Policy and Employment".

[239] KWN, Kosovo Gender Analysis, 2018, p. 49.

[240] Republic of Kosovo, Government, MFLT, EARK, "Punesimi dhe Aftesimi Profesional" [Vocational Training and Employment], [Albanian only], 2022, p. 38.

[241] Ibid.

The need for employment services is also great. As of August 2023, women comprised 47% and men 53% of the 34,670 people registered as unemployed with EARK.[242] Women (17%) and men (19%) without schooling comprised the highest percentage of persons registered as unemployed. Among persons with lower levels of education, similar proportions of women and men were unemployed. However, women comprised 74% of persons with bachelor's degrees and 66% of those with master's degrees. Higher educational attainment clearly enables employment, but more so for men than for women. Within age groups, similar percentages of women and men were registered as unemployed except that men comprised a slight majority among 25-39-year-olds (57%). Within ethnic groups, similar proportions of women and men were registered as unemployed. Exceptionally, women comprised a substantially lower percentage of Roma (36%), Ashkali (28%), and Egyptians (30%) registered as unemployed, suggesting that they may not be seeking work. Among the 137 persons with disabilities registered as unemployed, men comprised 72% and women only 28%.

EARK did not provide data on jobseekers for which it secured employment. Therefore, it is difficult to assess the extent to which diverse women and men are accessing employment services, including for ICT related jobs. Historically, in 2017, more men (61%) than women (39%) found jobs through employment offices.[243] Only 0.2% of women reported being hired for their position through employment offices.[244]

On average, women jobseekers reported attending five interviews in five years, compared to 3.6 interviews among men.[245] This suggests that women may have to attend more interviews than men when trying to secure a job. This is partly explained by the fact that 47% of employers believed their work was fit for men, whereas 9% said work was for women and 35% for both women and men.[246] Thus, women may be more likely than men to face gender-based discrimination in hiring and employment.[247] People with disabilities and some minority groups like Roma, Ashkali, and Egyptians may face added challenges in securing employment, potentially relevant to ICT-related fields as well.[248] Meanwhile, activists with disabilities have observed that digital jobs could be perfect for them, enabling them to become economically

[242] All data in this paragraph are KWN calculations based on EARK data on registered jobseekers provided by UNDP, August 2023. EARK did not provide data despite requests from KWN.

[243] Correspondence with the Department of Labour and Employment, MLSW, 2018, cited in KWN, Kosovo Gender Analysis, 2018, pp. 38-39.

[244] Riinvest Institute, Women in the Workforce: An Analysis of the Workforce Conditions for Women in Kosovo, 2017, p. 31. They did not survey men, so no data were available for comparison.

[245] KWN, Striking a Balance: Amending the Law on Labor, 2016, p. 14.

[246] Ibid.

[247] KWN, Gender-based Discrimination and Labour in Kosovo, 2022, p. 52.

[248] Ibid., p. 49.

independent and engaged from their own homes.[249] Given ICT companies' demands,[250] opportunities exist for more women and men to enter ICT jobs.

Digital Literacy Skills

While people need digital skills on the job, they also need digital literacy to learn about jobs that may be available. Generally, 56% of women and men said that social media was their main source of information about new job opportunities, or family and friends (38%).[251] Use of online job portals has been low, with 62% of survey respondents declaring that they are unaware of the Kosovo Job Portal (65% of women and 59% of men).[252] They likely did not have access to sufficient information that these portals exist. Hence, they did not use them. Further research could examine reasons behind low uptake. Although the Kosovo Job Portal tracks the number of jobseekers and employers, it does not provide gender-disaggregated data on either.[253] Other job portals exist, but gender-disaggregated data on their use by diverse women and men seeking employment is either not tracked or not published. Thus, it is difficult to assess differences in women and men's access. Considering existing gender roles, particularly care responsibilities, women may have less time to navigate online platforms or may not even be looking for work. The language in job portals related to specific professions may affect the way women and men use job portals to apply for vacancies.

Digital Wellbeing and Protection

Working at home can enable women and men to achieve a better work-life balance, as well as to save time and costs that would be spent on commuting to work. However, women and men working remotely, freelance, or self-employed in IT professions are not always protected, potentially constituting a new precariat, as discussed. During the COVID-19 pandemic, employees experienced challenges because they were not always allowed to disconnect from work, as reported by more women (13%) than men (7%).[254] Employers also may have infringed more on employees' privacy through electronic monitoring and contacting them outside working hours.[255] Labour Inspectorates' fieldwork was halted, and they did not have the same level of access to homes as to other workplaces to monitor workers' rights.[256] The dearth of legislation regulating distance work means that the Labour Inspectorate still has limited jurisdiction over private workspaces like homes. Thus, opportunities exist for labour rights violations related to overtime work and working conditions. Data remain unavailable on the extent to which women and men have used Labour Inspectorate services, including pertaining to work in IT fields. No

[249] KWN focus group with women with disabilities, 2022.

[250] ETF, "Digital skills and online learning in Kosovo", 2020, p. 2.

[251] UNDP, Digital Household Survey 2022.

[252] Ibid.

[253] Republic of Kosovo, Government, MFLT, EARK, Kosovo Job Portal, 2023, accessed 8 December 2023.

[254] KWN, Gender-based Discrimination and Labour in Kosovo, second edition, 2022.

[255] Ibid., p. 68.

[256] Ibid.

information exists on inspections related to work at home or digital-related workers' rights violations, let alone gender-disaggregated data. Long working hours and physical repercussions from digital work also can contribute to health risks like back problems and carpal tunnel syndrome, affecting workers' wellbeing.[257]

Generally, insufficient protections exist from sexual harassment at work.[258] Sexual harassment may occur via online applications, including those used for professional purposes, or online platforms. In 2023, 16% of women surveyed said that women experience sexual harassment at work both online and physically.[259] Harassers included customers (45%), clients (31%) and women's supervisors (22%). Few workplaces have policies related to sexual harassment, especially in the private sector.[260] Due to fear of losing their jobs, women do not report sexual harassment at work.[261] Thus, sexual harassment and gender-based discrimination in labour rarely have been treated in judicial practice.[262] Judges have emphasised the need for some judges to specialise in treating sexual harassment and gender-based discrimination cases.[263]

Considering these risks to wellbeing, the AI Now Institute has recommended CSOs and labour organisers support groups that are at risk of job loss and exploitation due to AI and other threats they may be unaware of.[264]

Conclusion

Regarding **Regulation**, laws and strategies related to digitalising employment are primarily gender neutral. The Labour Law contributes to gender-based discrimination against women in labour, including in digital jobs. It does not regulate self-employment or flexible work adequately. Strategies and action plans tend not to contain gender-responsive indicators, baselines, targets, and budgets that would facilitate monitoring and evaluating progress. Ex-ante and ex-post gender impact analyses seem not to have been conducted, though these could inform policymaking and programming.

It was difficult to assess the gender-responsiveness of **Government** efforts given the lack of publicly available data and response to KWN's requests. Capabilities for planning, implementing, coordinating, monitoring, and evaluating gender-responsive digital reforms related to employment and

[257] B. Pinto, S. Ulman, and H. Assi, "Prevalence of occupational diseases in information technology industries in Goa", *Indian J Occup Environ Med* 2004; 8, pp. 30–33.

[258] See Chapter 2.

[259] UN Women, Safety and Health: A study of sexual harassment in the workplace in Kosovo for Public and Private sector, p. 29.

[260] KWN conversations with several employers in Kosovo, 2022.

[261] KWN, Gender-based Discrimination and Labour in Kosovo, second edition, 2022.

[262] Ibid.

[263] Ibid.

[264] AI Now Institute, "The AI Now Report", 2018.

labour seem weak. EARK is undergoing needed digital reforms, but these have not been informed sufficiently by gender analysis. While some digital services are offered for job placement, insufficient publicly available information exists about government programmes and beneficiaries. MFLT has not ensured implementation of the Law on Vocational Ability, Rehabilitation, and Employment of People with Disabilities, including in ICT. The Centre of Vocational Rehabilitation of Kosovo does not provide adequate training for enhancing the digital skills of people with disabilities so that they can adapt to labour market needs. Gender-responsive budgeting has not been implemented.

Regarding **Infrastructure**, the interoperability of institutional software on education and employment has progressed in recent years. Still, the Government has inadequate software for managing its work, tracking beneficiaries, and making gender-disaggregated data publicly available in real time. Institutions lack adequate human resource management systems for monitoring officials' capacities, training attended, and certifications received, by gender.

On **People**, women are underrepresented in the labour market, including in digital professions, due largely to the labour law that contributes to discrimination against women in hiring, occupational gender stereotypes, and gendered social roles that consume women's time like caretaking. Assessing beneficiaries of employment and labour inspector services from a gender perspective was difficult given the lack of publicly available data. Insufficient protections exist for work at home or work-related sexual harassment. Such cases are rarely reported. Free legal aid could help improve access to justice and improve online workers' rights.

06

Digitalising Business and Trade

The most pressing challenges that businesses and trade face in Kosovo include unfair competition due to the informal economy (estimated to constitute approximately 30% of Kosovo's GDP), slow law enforcement in economic disputes, tax gaps, and insufficient cooperation between the private and public sectors.[1] Kosovo does not have a comprehensive gender analysis related to trade.[2] Without accurate data, interventions to digitalise business and trade risk being gender neutral or even gender negative.

[1] Republic of Kosovo, Government, Economic Reform Programme 2019-2021, 2019, p. 71.

[2] KWN, Kosovo Gender Analysis, 2018. This analysis contains a short section on trade but does not comprehensively treat it. KWN also has an outdated publication, but its focus was on gender-responsive budgeting in the Ministry (Budgeting for Trade and Industry, 2016), and it does not comprehensively treat the entire sector.

According to the World Economic Forum, the gender gap would take another 131 years to close at the current pace of policy reform.[3] The trade gender gap impacts women as consumers, workers, and entrepreneurs.[4] For example, in developing countries, women and men compete for formal employment with companies that are integrated into global value chains as they offer better opportunities and fewer risks than most other jobs.[5] According to the World Bank, two-thirds of these positions go to men.[6] The World Trade Organisation (WTO) has noted that digital technologies, such as e-commerce platforms, have the potential to address the trade gender gap.[7] Technology can connect women producers and traders, provide women consumers with products at reduced prices, and facilitate access to loans for women entrepreneurs.

This chapter examines the digitalisation of business and trade from a gender perspective, examining the Regulation, Government, Infrastructure, Business, and People dimensions of the Gender-responsive Inclusive Digital Transformation Model.

[3] Sally Jones, "Why the gender gap in international trade needs to close faster", EY, 16 May 2023, accessed 28 December 2023.

[4] Ibid.

[5] Ibid.

[6] World Bank Group and WTO, Women and Trade. The Role of Trade in Promoting Gender Equality, 2020.

[7] Ibid.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Business and Trade

This section analyses the gender-responsiveness of laws and policies pertaining to digitalising business and trade. It discusses the extent to which gender equality aspects of these have been adopted officially and in practice.

Law on Business Organizations

This 2018 Law regulates the types of organisations through which business activities may be conducted; the requirements, conditions, and procedures of registering and deregistering each type of business organisation; and the rights and obligations of shareholders, authorised representatives, owners, directors, managers, and third parties.[8] This Law makes the Kosovo Business Registration Agency (KBRA) responsible for developing and publishing on its website, and making available in business registration centres, models of partnership agreements, charters, and agreements of incorporation that businesses can use when registering.[9] KBRA maintains the Registry of Business Organisations, separated into specific physical and electronic files for each business. KBRA can initiate electronic registration of businesses and provide other electronic registration-related services.[10]

The Law does not explicitly foresee the collection and regular publishing of gender-disaggregated data on business ownership. While this is required by the Law on Gender Equality,[11] including it in this Law would ensure harmonisation and responsible officials' awareness of this requirement, potentially contributing to improved implementation. Related to the Law on Gender Equality's requirements for equal representation of women and men, the Law on Business Organizations foresees that within two years of the initial registration of a joint stock company, a gender quota should be applied at 50%.[12] Initially in a joint stock company, at least 40% of the members of the Board of Directors must be women.[13]

According to this Law, KBRA must prepare and publish on its website performance measurement reports on the effectiveness of business registration services offered by KBRA's central office and municipal business registration centres.[14] These reports are prepared and published on KBRA's website each quarter and annually with some gender-disaggregated data.

[8] Republic of Kosovo, Assembly, Law No. 06/L-016 on Business Organizations, 2018.

[9] Ibid., Article 9.

[10] Ibid., Article 8.

[11] Republic of Kosovo, Assembly, Law No. 05/L-020 on Gender Equality, 2015, Article 5, Paragraph 1.8.

[12] Republic of Kosovo, Assembly, Law No. 06/L-016 on Business Organizations, 2018, Article 34.

[13] Ibid.

[14] Ibid., Article 9.

This Law is partially **gender responsive** because it refers to a gender balance in joint stock companies. However, it does not have similar gender-equality requirements for other types of business that must register with KBRA.[15] The Law could have clearer requirements for maintaining and publishing gender-disaggregated data, but the digitalisation-related articles are **gender neutral**. Although it was adopted after 2017, KWN found no public record that a G(E)IA had been conducted to inform this Law.

Law on Value Added Tax

This 2015 Law established the Value Added Tax (VAT) system, charging taxable persons on the supply of goods and services traded in Kosovo, including imports.[16] It exempts from VAT imported IT equipment and materials for electronic and written media.[17] Then, VAT is charged at a standard rate of 18%, but specific goods and services including IT equipment have a reduced VAT rate of 8% when purchased by second parties.[18] This Law does not attend to gender at all and is **gender neutral**. KWN has recommended how the Law could be more gender-responsive, particularly for impoverished women and girls.[19]

Law on Consumer Protection

This 2018 Law regulates market conditions in business-consumer relations, consumer rights, administrative and judicial protection of consumer interests, and consumer protection.[20] The Law recognises trade conducted through electronic means. It states that the seller shall notify the consumer in advance of all conditions of public services and publish those conditions in electronic and written media.[21] Failure to do so carries a fine of €1,000-€10,000.[22] The Law regulates "Aggressive commercial practices" to include those that impair or are likely to adversely affect a consumer's behaviour or free choice of a commodity or service by exercising excessive influence or psychological or physical violence.[23] The original language refers to the consumer as "he", and thus is gender negative, presuming that consumers are men and only clearly offering rights to male consumers. Considering that women are more likely to experience gender-based violence, the article should have reflected that aggressive behaviours could affect both women and men.

[15] Ibid., Article 23. Other types of business organisations that must register in the KBRA Registry include: Individual Businesses; General Partnerships; Limited Partnerships; Limited Liability Companies; and Joint Stock Companies.

[16] Republic of Kosovo, Assembly, Law No. 05/L-037 on Value Added Tax, 2015, Article 3.

[17] Ibid., Article 29.

[18] Ibid., Article 26.

[19] KWN, "'Menstrual Products are Necessity, not Luxury': Advocacy for the Removal of VAT from Menstrual Products", 2021.

[20] Republic of Kosovo, Assembly, Law No. 06/L-034 on Consumer Protection, 2018, Article 1.

[21] Ibid., Article 20.

[22] Ibid., Article 137, Paragraph 1.9.

[23] Ibid., Article 11.

The Law regulates the use of harassment, coercion, or undue influence; when determining whether a commercial practice has used psychological, physical, and/or other undue influence, the following indicators shall be considered:

> its timing, location, nature or persistence; the use of threatening or abusive words or behaviours; the exploitation by the trader of any specific misfortune or circumstance of such gravity as to impair the consumer's judgement, of which the trader is aware, to influence the consumer's decision with regard to the product[24]

The UN Conference on Trade and Development (UNCTAD) guidelines for consumer protection recognise consumer vulnerability and the imbalance in economic capacity, level of education, and bargaining power.[25] These circumstances could have been noted explicitly in Article 12.

Advertisements may misinform, reinforce stereotypes, or contribute to discrimination. Forbidding such ads could have been included among "Misleading actions", which specifies that a commercial practice shall be considered misleading if it is untruthful or in any way likely to deceive the average consumer, even if the information is factually correct, or is likely to cause "him to take a transactional decision that he would not have taken otherwise".[26] Notably, the Law's language refers to men. Defining "misleading action" to include those that reinforce gender stereotypes or contribute to gender-based or other forms of discrimination could have provided further clarity and encouraged claims related to gender-based harassment or discrimination in advertising. This Law does not attend to gender at all. It is **gender negative** considering that the language used tends to refer to male consumers.

Economic Reform Programmes

While earlier ERPs did not reference digitalising business and trade, ERP 2023-2025 includes a measure for "Improving business environment through trade facilitation and quality infrastructure development".[27] For 2023, it foresaw progress on several related policies, including drafting the Trade Policy Program, approving the new Customs and Excise Code, adopting the Law on Internal Trade, drafting a Law on Product Market Surveillance, adopting the Regulation on the Establishment of the Trade Facilitation Information Center,

[24] Ibid., Article 12.

[25] UNCTAD, "United Nation's guidelines for consumer protection", website, 2016, accessed 11 December 2023.

[26] Ibid., Article 9.

[27] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023, Reform Measure 12.

and approving a Law on External Trade as well as secondary legislation.[28] The prior ERP 2020-2022 foresaw additional policy analysis towards increasing competitiveness, including integrating gender impact assessments in the policy development process.[29] KWN did not find any evidence that MIET had conducted G(E)IAs to inform these draft laws and policies. The absence of data and a comprehensive gender analysis of this sector likely presented challenges to conducting G(E)IAs.[30]

Regarding expected impacts on social outcomes such as employment, poverty reduction, and gender equality, the ERP references research by the International Trade Center, according to which women-owned export businesses employ an average of 42 people, compared to an average of just eight people employed by non-women-owned export businesses. Other facts mentioned, mainly from other counties, include that trade is associated with higher participation of women in jobs with greater formality and higher wages; that exporters in developing countries employ more women than non-exporters; and that women comprise up to 90% of the workforce in export processing areas.[31] Despite this gender analysis, the measure does not state how it will address such issues in Kosovo through planned activities or gender-equality-responsive indicators, such as how this measure will directly or indirectly impact women and men or how it will ensure more jobs for women and men in trade and business. Thus, the ERP is gender sensitive but not gender responsive in responding to these issues with clear ERP objectives, measures, and indicators.

Women-owned export businesses employ an average of 42 people, compared to an average of just eight people employed by non-women-owned export businesses;

Under "Digital transformation", the ERP observes that the overall use of ICT in the industry remains limited and many companies lack awareness of its competitive benefits. It estimated that approximately 4% of all employees work in the ICT sector compared to slightly less than 4% at the EU level.[32] Roughly 600 businesses have registered ICT as a primary activity but only about 120 are considered businesses with ICT product-based services; the rest are hardware sales and servicing businesses. The ERP does not provide any of this data disaggregated by gender such as the extent to which women and men are employed in or leading ICT businesses.

[28] Ibid.

[29] Republic of Kosovo, Government, Economic Reform Programme 2020-2022, 2020, p. 74.

[30] KWN, Kosovo Gender Analysis, 2018.

[31] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023, Reform Measure 12.

[32] Ibid., Measure 5.2.3.

The same section analyses structural obstacles to the digital transformation faced by the Government. It lists the lack of an ecosystem to create opportunities for innovative ideas, not only in the ICT sector, but in all areas of life that relate to ICT and digital technologies, and the lack of broadband internet infrastructure as obstacles to the productivity and competitiveness of companies; these contribute to reduced opportunities for self-employment, distance learning, digital learning, and digital marketing.[33] The lack of a system for electronic identification and authentication (eID) is also noted as disadvantageous to the development of online services and electronic trading. The ERP observes businesses as unprepared to "go for digitalisation". It concludes that a better enabling environment for fixed broadband networks and 5G networks is needed for digitalising the economy. The ERP sought to address these issues in 2023 through measures supporting businesses, including: digitalisation of businesses through ICT (eID System, creating a safe ecosystem for e-business and e-commerce); developing the Digital Excellence Centre - 5G Pilot; developing electronic services on the eKosova Platform; and applying electronic payments.[34] None of the planned measures includes a gender perspective. The ERP observes that more than 20 business-to-business (B2B) meetings have taken place in Kosovo and four outside Kosovo.[35] No gender-disaggregated data is offered.

Overall, ERP 2023-2025 measures related to business, trade, and digitalisation do not have any indicators, baselines, or targets towards gender equality.[36] Nor do they plan any specific activities targeting women-owned businesses, women consumers, or diverse women and men. Given its brief gender analysis related to digitalising business and trade, the ERP is **gender sensitive** in some sections but not gender responsive. Other sections pertaining to business, trade, and digitalisation are **gender neutral**.

NPISAA 2022-2026

This Programme prioritises developing economically significant sectors such as energy, infrastructure, agriculture, telecommunication and information society, and tourism.[37] A medium-term objective is "improving access to finance for SMEs by increasing the Kosovo Credit Guarantee Fund".[38] Extending ICT network infrastructure, particularly broadband infrastructure, to areas not covered and digitalisation of businesses are among the priority objectives.[39] The Programme states that Kosovo has made progress in facilitating business start-ups and service delivery through the

[33] Ibid., p. 95.

[34] Ibid., p. 97.

[35] Ibid., p. 96.

[36] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023.

[37] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022.

[38] Ibid., p. 56.

[39] Ibid., p. 68, Chapter 2.2.

one-stop-shop concept.[40] An objective is improving "human and technical capacities of one-stop shops and of business services" and "undertaking affirmative action to encourage [the] underrepresented gender, in line with the Law on Gender Equality".[41]

Pertaining to digitalising business and trade, the NPISAA is, for the most part, **gender responsive**. Perhaps the matrix on implementing measures could have contained gender-related affirmative measures related to SMEs supported by the Kosovo Credit Guarantee Fund. The NPISAA does not have indicators, though indicators, baselines, targets, and a budget disaggregated by gender could facilitate monitoring and evaluation.

National Development Strategy 2016-2021

NDS 2016-2021 affirmed that the Government needed to continue supporting new entrepreneurs, existing enterprises, and potential foreign investors, because such an innovative approach is necessary to enable access to finance and business development.[42] A planned intervention was increasing foreign direct investments and diaspora investments to address Kosovo's funding needs, facilitate technology and skills transfer, and decrease the trade deficit.[43]

Related to digitalising business and trade, this NDS was **gender neutral**; it did not refer to gender. NDS could have attended to inequalities among women and men in business, such as in adopting new technological equipment,[44] funding incentives for women entrepreneurs, and an improved ICT ecosystem that benefits women and men. Addressing these could have been incorporated among objectives, indicators, and targets. A new NDS does not yet exist. Ex-post gender impact analysis of the prior NDS could help inform gender-responsive objectives, indicators, targets, and budgets for the new NDS.

Governance

This section examines Governance in digitalising business and trade, including the extent to which diverse women and men have participated in leading, planning, implementing, coordinating, monitoring, and evaluating related policies and programmes. It assesses the Government's capabilities to support gender-responsive digitalisation in this sector. It examines availability and accessibility of digital public services for business and trade, and the

[40] Ibid., p. 48.

[41] Ibid., p. 97.

[42] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021 (NDS), 2016.

[43] Ibid., p. 29.

[44] For instance, under "Support to Kosovar IT businesses (through Employment and Development Fund) to export services abroad and to other businesses to upgrade their business operations through use of IT" (Measure 30, Activity 2).

extent to which funding and procurement related to digitalising businesses is gender responsive.

MIET **leads** government efforts related to business and trade. It is responsible for "creating a favorable environment for the development of the private sector and businesses, advancing policies to support industry, entrepreneurship, trade and innovation, and creating favorable business conditions for attracting foreign investment and strategic investments".[45] In collaboration with other ministries, MIET is responsible for **planning**, including laws and policies supporting the digital transformation of this sector. MIET coordinates several departments in this Ministry. In 2022, MIET had 185 employees.[46] In 2023, MIET had 98 women (42%) and 137 men (58%) employees.[47] While 10 women hold decision-making positions, MIET did not reveal the number of men in decision-making positions. Therefore, the gender balance in decision-making could not be assessed. The MIET GEO participates in law and policy working groups, but she has not participated in working groups related to digitalisation.[48] This could hinder the extent to which a gender perspective is reflected in policymaking and programming on digitalisation.

MIET had 98 women (42%) and 137 men (58%) employees.

KBRA is the only institution responsible for registering businesses. Within MIET, it consists of the Directorate for Administrative Affairs and Business Registration and three sectors (approvers, data processing, and collateral). KBRA has 29 one-stop-shop municipal business centres that support business registration, among other services.[49] One-stop-shops are physical locations through which requests for different customer services are received, processed, and returned to the customer.[50] They aim to improve services for citizens by having the public administration deliver services in one place. KWN could not find any Government decision defining their roles and responsibilities, such as whether they perform tasks besides business registration or if they provide any gender-responsive support services related to digitalisation.[51] It is unclear whether the Government utilised gender analysis to inform the design of

[45] Republic of Kosovo, Government, OPM, Regulation (OPM) No. 03/2022 on Internal Organization and Systematization of Jobs of the Ministry of Industry, Entrepreneurship and Trade, 2022, Article 3.

[46] Ibid., Article 4.

[47] KWN correspondence with MIET, July 2023.

[48] KWN interview with GEO, MIET, 2022.

[49] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022.

[50] Swiss-Kosovo Local Governance and Decentralisation Support Programme (LOGOS) and Helvetas, *The Establishment and Functioning of a One-Stop-Shop, the Case of Kosovo, Manual for establishing a one stop shop and good practices from the case of municipality of Kamenicë*, 2012.

[51] KBRA did not respond to multiple requests for information.

one-stop-shops, towards identifying and addressing the needs of diverse women and men citizens and business owners. KBRA also is responsible for providing information about business registration centres online, manuals, and procedures for e-registration of businesses. No information was provided on women and men employees in KBRA or one-stop-shops.

In **monitoring**, KBRA publishes quarterly and annual reports including gender-disaggregated data on business owners. They provide the percentage of individual businesses by the gender of the business owner, as well as the percentage of partners or shareholders by gender in business organisations. KBRA does not provide gender-disaggregated data on all indicators, such as the time required for registering businesses. To better understand the number, size, and functional status of business organisations and other entities involved in economic activities, a comprehensive effort involving TAK and MIA would be required.[52]

Within MIET, **KIESA** is responsible for promoting investments, exports, and tourism; supporting implementation of public policies and programmes for micro, small, and medium-sized enterprises (MSMEs); and developing economic zones.[53] The Agency houses the Private Sector Development Directorate with its Economic Zones Development Sector and Small and Medium Enterprises Projects Sector, as well as the Private Sector Promotion Directorate with its Investment Promotion Sector and Export Promotion Sector.[54] KIESA has 21 employees, including seven women (33%) and 14 men (67%).[55]

Also under MIET is the **Consumer Protection Department**.[56] It protects consumers' basic rights when purchasing commodities and services.[57] It should inform consumers electronically on conditions of public services; levy fines; and punish aggressive behaviour, harassment, and discrimination, including in advertising. These could be gender related. However, none of the Department's legal responsibilities explicitly relates to furthering gender equality, including related to digitalisation. The head of the Department is a man, and the Department has two women and two men.[58]

The **Coordination Body for Market Surveillance**, established in 2016, coordinates surveillance through inspection authorities and Kosovo Customs.

[52] MIET, KBRA, Basic Performance Indicators Report on Business Registration in Kosovo for the Period: October-December 2022, 2022, p. 3.

[53] Republic of Kosovo, Government, Regulation No. 29/2012 on Internal Organization and Systematization of Jobs of the Ministry of Trade and Industry, 2012, Article 38.

[54] Republic of Kosovo, Government, Regulation No. 29/2012 on Internal Organization and Systematization of Jobs of the Ministry of Trade and Industry, 2012, Article 38. MTI is now MIET.

[55] Correspondence with KIESA, July 2023.

[56] Republic of Kosovo, MIET, "Consumer Protection Department", website, accessed 11 December 2023.

[57] Republic of Kosovo, Assembly, Law No. 06/L-034 on Consumer Protection, 2018, Article 1.

[58] Correspondence with the Consumer Protection Department, October 2023.

[59] It has Market, Sanitary, Energy, Pharmaceutical, Environment, and Labour inspectorates, as well as the Department for Public Security, Department of Vehicles, and Metrology Agency.[60] All representatives of these institutions are men. The gender responsiveness of the Body's discussions, decisions, and policymaking were unclear, based on publicly available information.

Aside from some data provided by KIESA, no publicly available information enabled an ex-post gender impact analysis of Government programmes related to digitalising business and trade.

The **Assembly Committee on Economy, Industry, Entrepreneurship, and Trade** is responsible for conceptualising and reviewing draft laws, strategies for economic activities with other countries, and the legal foundation for investments, commercial agreements, and concessions.[61] It formulates and oversees the implementation of policies on the economy, trade, industry, energy, and IT. This Committee has six men (60%) and four women (40%).[62] From April 2021 to July 2023, the Committee held 120 meetings.[63] It never discussed gender-responsive budgeting or digitalisation from a gender perspective.

Capabilities

The NPISAA indicates the need to improve human and technical capacities of one-stop-shops and business services, including gender-responsive affirmative measures.[64] KIESA officials articulated their commitment to integrating a gender perspective in their services. They provided gender-disaggregated data on how KIESA has striven to support the digitalisation of women-owned businesses, illustrating capacities for tracking such data. KIESA still does not publish this data in publications, annual reports, or online interactive data sets, which could ease KIESA's workload in responding to data requests as well as enabling real-time gender analysis that could inform policymaking. As women and men do not benefit equally from subventions,[65] capacity-building could support KIESA in designing gender-responsive programmes towards digitalising businesses that include affirmative measures as per the Law on Gender Equality. This could include improving outreach that targets women with information about opportunities and designing subventions for purchasing digital equipment with criteria better targeting women.

[59] Republic of Kosovo, "The Coordination Body for Market Surveillance", RAPEX website, accessed 6 September 2023.

[60] Ibid.

[61] Republic of Kosovo, Assembly, Committee on Economy, Industry, Entrepreneurship and Trade, accessed 20 December 2023.

[62] Ibid.

[63] Ibid.

[64] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022, p. 97.

[65] See the section on Funding and Procurement.

It was difficult to assess **KBRA**'s capacities for ensuring a gender-responsive approach to digitalisation as KBRA did not respond to requests for an interview or data. Their capabilities could only be assessed based on publications. The fact that more men register businesses than women due to various socioeconomic barriers suggests that KBRA services, including digital services, likely have more men than women beneficiaries.[66] It may also suggest insufficient outreach targeting women-owned businesses and start-ups.

During interviews, some research participants indicated that they found no specific relevance of gender to digitalisation processes.[67] KWN noticed this recurring trend during public consultations, such as on ERP 2022-2024. When KWN suggested using gender-disaggregated data in ERP indicators on the number of businesses supported in digitalisation efforts, Government officials said that "the number of applicants or persons cannot be foreseen beforehand".[68] To achieve gender-equality aims, targets must be set, and affirmative measures used. Leaving to chance who applies and who benefits likely will not result in sought-after aims towards gender equality. Officials' comments suggest that responsible persons in the Government may have insufficient knowledge and capacities for gender mainstreaming policies and programmes.

For example, in an Assembly Committee meeting, it was assessed that women were not applying to become board directors of joint stock companies in numbers sufficient to achieve legally prescribed percentages.[69] The KBRA Director of the Directorate for Administrative Affairs of Business Registration said:

> I think that the provision requiring boards to have a 50/50 gender composition should be removed. This is presenting a problem in practice, and this is best evidenced by the small number of applications for registering commercial companies. So, it is not enough to be a woman; you must also be a professional to be a member of the board of a commercial company or public enterprise.[70]

The MIET Minister said, "The concern is that in the absence of finding female professionals, many businesses are being deregistered, and this is disrupting

[66] For further information, see the People section.

[67] KWN interview, 2021-2022.

[68] KWN correspondences with officials, 2022.

[69] Republic of Kosovo, Assembly, Committee on Economy, Industry, Entrepreneurship, and Trade, "Meeting Minutes", 1.2.2022, Meeting Number 44/2022, p. 5, accessed 9 January 2024.

[70] Ibid., p. 4.

the market".[71] These statements suggest that officials may lack capacities for identifying ways to implement the Law on Business Organizations and the Law on Gender Equality,[72] which set quotas for increasing women's representation on corporate boards. The first comment hints that some officials may set higher standards for women than for men. In reaction to this perspective, an Assembly Committee member responded, "You must be careful […]. In Kosovo, we have many more girls and women graduates than men. Therefore, it follows that we have both professional women and girls."[73] Officials could have discussed and identified ways to make the business environment more accessible to women, addressing issues related to work-life balance, gender roles, stereotypes, and power imbalances that may be dissuading women from applying for board positions. Statements made during the Committee meeting suggest that officials may lack knowledge on how the digital transformation may involve different starting points and implications for women- and men-owned businesses.

Digital Services

Overall menu options on the **MIET** website (e.g., news, publications, announcements) are available in three languages. However, not all content is translated. Users can download job application templates, peruse job postings, and read news. The website does not offer any digital services. It includes a hyperlink to "Report trade barriers", which ostensibly should link to a web platform for addressing trade barriers, but the hyperlink does not function.[74] Developed by the MIET Department of Trade in collaboration with an EU project supporting trade policy, the new web platform intends to enable businesses to quickly address "trade barriers encountered during export, import, or transit of their goods to other countries, whether at border points or elsewhere".[75] As it is not functional, its gender-responsiveness could not be assessed. This digital tool could consider that women-owned businesses may face added barriers related to trade and provide ways for reporting and addressing these.[76]

With the Access to Market and Digitalisation Services for Kosovar Businesses (ACCESS) project, **KIESA** has launched platforms to facilitate business registration online and to inform citizens on the benefits of digitalising their businesses. MIET and **KIESA**'s ACCESS platform, implemented by the ADC

[71] Ibid., p. 5. Deregistered means that the business discontinues its registration with the Government.

[72] Republic of Kosovo, Assembly, Law No. 06/L-016 on Business Organizations, 2018, Article 34.

[73] Republic of Kosovo, Assembly, Committee on Economy, Industry, Entrepreneurship, and Trade, "Meeting Minutes", 1.2.2022, Meeting Number 44/2022, p. 5, accessed 9 January 2024, p. 5.

[74] Republic of Kosovo, Government, MIET, "Report trade barriers", website, accessed 5 January 2024.

[75] Ibid.

[76] For barriers women face, see: KWN, Kosovo Gender Analysis, 2018, p. 41, and KWN, Budgeting for Gender Equality in Trade and Industry, 2016.

ACCESS project team with support from the Business Consultants Council,[77] aims to assist SMEs in their digital transformation. This platform, *Biznesi im* [My Business] was launched in 2021, offering tools and digital services to help businesses increase their competitiveness and improve performance.[78] The platform offers advice and practical guides, including brochures on registration, benefits of digitalisation, assistance creating business plans, fundraising, and finance, including webinars.[79] *Biznesi im* seeks to "trigger market system changes by enabling Kosovo enterprises, especially those run by women and youngsters, to better access information and relevant services that are expected to foster autonomous business growth." Generally, the language and images on the site are gender neutral. None of the tools is tailored to women-owned businesses and/or start-ups. None of the webinars offers advice or discusses trade barriers women and men encounter or how to overcome them (e.g., funding, administrative burden, information sessions or accessing subventions due to gender roles).[80] No brochures involve a tailored approach towards women in digitalising their businesses. Eleven webinars have been published on the *Biznesi im* platform so far, five of which were led by women and six by men.[81] This gender balance in trainers showcases women and men as business leaders. Gender-disaggregated data is not available on webinar or *Biznesi im* users.[82] Regarding interoperability, *Biznesi im* is not yet linked with eKosova.

KBRA operates the e-Business Register where businesses can register or change their registration status.[83] Businesses also can request changing their name, address, type, number of employees, activities, ownership, board, capital, and official representative, as well as registration certificates or deregistration. It is unclear what measures KBRA has taken to avoid misuse, such as women-owned businesses having "authorised" representatives who are men (e.g., husbands, brothers, fathers), and what this may mean for women's role in decision-making as business owners. For example, reports exist of men registering businesses in women's names to qualify for financial affirmative measures meant for women-led businesses, though in practice

[77] ACCESS implements "interventions that respond to market constraints that hinder pro-poor growth in Kosovo's market systems. The interventions are tailored to trigger systemic changes in behaviors, capabilities and relationships of key market system actors that benefit people living in poverty. The Inclusive Market System Development (IMSD) approach guides this project towards delivering the outcomes, facilitating stakeholders' activities and delivering systemic impact" (ECIKS Management Consulting, ACCESS, "About Access", accessed 11 December 2023).

[78] ACCESS/KIESA, Biznesi Im [My Business] [in Albanian and Serbian], 2023. The site was under construction in January 2024.

[79] Ibid.

[80] KWN, Kosovo Gender Analysis, 2018, p. 14.

[81] "*Biznesi im*", Webinars, accessed in early 2023. In December, it was under construction and unavailable.

[82] Correspondence with KIESA, October 2023.

[83] MIET, KBRA, "Business Registration", website, 2023; and KBRA, "Business Registration System in Kosovo", website, 2023, accessed 11 December 2023.

men make decisions and benefit from the businesses.[84] Data on the extent to which women and men business owners have used online services was unavailable.

The KBRA Pledge Registration Sector is responsible for archiving data on pledges of movable property, enabling the public to search pledges and update records; pledge registration is available online.[85] E-registration guidelines are in Albanian, Serbian, and English. All visuals and text are primarily gender neutral. Video instruction is only available in Albanian, which may mean that Serbian and English language users have less access to information.[86]

KBRA has a user guide for business registration.[87] It uses the masculine form of nouns in Albanian, such as for directors or owners (*drejtori, pronari*).[88] This can contribute to reinforcing stereotypes that business leaders should be men.

The **Consumer Protection Department** has an updated website available in Albanian, Serbian, and English.[89] It includes information on consumers' rights, consumer protection principles, legislation, and traders' responsibilities. Consumers can file a complaint online, containing personal data and information about the complaint. They can request legal advice as well. Statistics on consumer complaints can be searched and downloaded. This includes types, numbers, and percentages of cases reported, resolved, and unresolved. Between 1 January and 11 December 2023, 3,053 complaints were received: 1,534 were being processed (50%), 889 were resolved (29%), and 630 were refused (21%). No gender-disaggregated online data exists on who filed complaints or against whom complaints were filed. The form does not request gender. Officials said the gender of claimants can be requested.[90] Perhaps gender disaggregation of data is done manually; digitalising such data could facilitate tracking such data. Language and visuals on the website are gender neutral. No features for persons with disabilities are available.

[84] KWN conversations with officials and funders, 2018-2023.

[85] A pledge is a "development of an interest over movable property or over any right by an agreement or by the law, which entitles the pledgee to take in possession such property or to use such right in order to fulfil any existing and identifiable obligation provided by the pledge, determined by the Law on Property and Other Real Rights" (Republic of Kosovo, Government, MIET, KBRA, "Register of Pledge" website, accessed 11 December 2023).

[86] Republic of Kosovo, Government, MIET, KBRA, Business Registration System in Kosovo, accessed 20 December 2023.

[87] Ibid.

[88] Ibid., Albanian language user guide, English user guide, accessed 20 December 2023.

[89] Republic of Kosovo, MIET, "Consumer Protection Department", website, accessed 11 December 2023.

[90] Correspondence with the Consumer Protection Department, October 2023.

Another online digital service is the **Rapid Alert System for Dangerous Non-Food Products** (RAPEX).[91] The Consumer Protection Department's website links to a complaint form on potentially dangerous products. Gender is not required in filing a complaint.

Funding and Procurement

The MTEF emphasises the importance of gender budgeting but does not contain objectives, indicators, or targets towards gender equality for this sector.[92] Gender-responsive budgeting has not been implemented, including related to digitalisation.

Specific budget information exists in other policy documents. The NPISAA foresaw financing SMEs by increasing the Kosovo Credit Guarantee Fund, but gender-disaggregated data on the amount of funding available or distributed to women- and men-led businesses and the timeliness of loan repayment are unavailable online. The loan amount for the Women in Business Window was €11,736,215 in 2021.[93]

2021

The loan amount for the Women in Business Window was €11,736,215.

ERPs 2021-2023 and 2022-2024 foresaw that Measure 4 would increase production-industry competitiveness through KIESA's support to businesses for digitalisation. ERP 2022-2024 reported that the activity was completed, and 40 SMEs' digital transformation was supported.[94] The measure and activity were not continued in ERP 2023-2025. The amount of SME subsidies in previous years was not specified. Nor did any of the last three ERPs (2021, 2022, 2023) refer to this initiative. The ERP report table on the implementation of measures during ERP 2022-2024 contained no information on how many women-owned businesses the Government supported, if any.[95] The only information is that 32 enterprises were supported to purchase machinery to increase production, and 83 companies were supported to participate in international fairs to promote exports and tourism.[96] KBRA and KIESA have not published gender-disaggregated data on businesses, subsidy beneficiaries, or beneficiaries of training and development opportunities. Nor did KBRA provide such information when KWN requested it. The absence of gender-disaggregated data online or in the ERPs related to financing, as per gender-responsive budgeting commitments, means that the digitalisation

[91] Coordination Body for Market Surveillance, RAPEX website, accessed 6 September 2023. The hyperlink was not functioning in December 2023.

[92] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, accessed 5 October 2023, Pillar IV.

[93] Kosovo Credit Guarantee Fund, "Economic Recovery Package", presentation, 31 December 2021, accessed 11 December 2023.

[94] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022, p. 145.

[95] Ibid., p. 168.

[96] Ibid., p. 168.

subsidies distributed to women- and men-led businesses is not publicly available and cannot be assessed.

Digital tracking systems have enabled KIESA to track beneficiaries of subsidies by gender. Overall, based on data provided to KWN by KIESA, since 2018 KIESA has provided €4 million, €750,000 of which women-led businesses received (19%).[97] Men received 81% of the subsidies. Of 54 interns who had a three-month internship in 2022, 40 were women (74%), and 14 were men (25%).[98] KIESA reported that it supported 29 women-owned businesses as part of its "women in business" scheme in 2020.[99]

Men received 81% of the subsidies.

Within KIESA, the "Digital Empowerment Initiative", which started in 2020, provides subventions to support the digital transformation of SMEs. Subventions are foreseen for digital marketing, digital accounting or human resources, e-commerce and online selling platforms, customer relationship management, resource planning, and use of automatization and optimisation programmes.[100] The subsidy amount varies based on businesses' size and annual turnover.[101] Women-owned businesses have been encouraged to apply and selected for support.[102] In the first stage of applications, from 178 applications, ten SMEs were supported, of which seven were women-owned (70%).[103] In the second stage, 19 of 31 SME beneficiaries were women-owned (61%), and in the third stage, six of 31 SMEs were women-owned (19%), as of January 2020. In total, 62 businesses benefited from an approximate total value of €160,000. Among these businesses, 34 were women-owned, and women-owned enterprises received about €70,000 (44%). From 2018 to mid-2023, from 180 benefitting enterprises, 46 women-owned businesses (26%) received subventions for purchasing manufacturing machinery from KIESA.[104]

The KIESA website links users to The Business Plan Competition, a project encouraging aspiring entrepreneurs in need of financial support to apply with business plans or ideas.[105] Young entrepreneurs can compete for support to start a business. No information regarding eligibility criteria and whether affirmative measures exist for women and/or other marginalised groups is available online. Nor does the website contain any gender-disaggregated data

[97] Correspondence with KIESA, July 2023.

[98] Ibid.

[99] Republic of Kosovo, Government, MTI, KIESA, Annual Report 2020 [in Albanian], 2021.

[100] The Initiative is supported by ACCESS and co-financed by MIET and the Ministry of Economy (MTI, KIESA, "Call: Digitalize your Business through the Digital Empowerment Initiative" [in Albanian], 2020).

[101] Ibid. Enterprises with a turnover of up €50,000 can qualify for up to an 80% subsidy; €50,001-€150,000 up to 70%; €150,001-€500,000 up to 60%; and more than €500,001 up to 50%.

[102] KWN interview with KIESA, 2022.

[103] Ibid.

[104] Correspondence with KIESA, July 2023.

[105] KIESA, Support for young entrepreneurs and women.

on the number of beneficiaries to date or the percentage of funding provided to diverse women and men.

Annually, KIESA organises the Women in Business Fair where women-led businesses showcase their products for three days. It aims to "promote women's entrepreneurship and encourage the establishment of new businesses by women, as well as raise awareness among the public about supporting such initiatives."[106] The participating businesses are artisanal women-owned businesses promoting national clothing, handmade crafts, and traditional food, among other products and services. According to KIESA, 40 women participate in this annual fair. No efforts seem to have supported these MSMEs to digitalise, such as product development and digital networking with global sellers of indigenous women's products, which could help find a stronger market for their products outside Kosovo.

Amid the Government's measures to address COVID-19, one measure sought to offer "professional support for businesses to operate in times of pandemic, such as work from home, online work, digital transformation" in the amount of €3,000,000.[107] KWN could not find gender-disaggregated information online regarding how these funds were spent.

Infrastructure

This section examines the extent to which Infrastructure for digitalising business and trade is available to diverse women and men, including connectivity, digital tools, software, and an innovation ecosystem.

Connectivity

ERP 2021-2023 concluded that a better enabling environment for fixed broadband networks and 5G networks was needed for digitalising the economy.[108] The lack of broadband internet infrastructure has hindered companies' productivity and competitiveness, reducing opportunities for self-employment, distance learning, digital learning, and digital marketing.[109] Information on gender differences in connectivity is unavailable, though women-led businesses could face added challenges with connectivity access.[110]

[106] KIESA, "Trade Fair 'Women in Business'", website, accessed 11 December 2023.

[107] EC, Economic Reform Programme 2021-2023 of Kosovo, 2021, p. 11, Measure 3C.

[108] Ibid., p. 95.

[109] Ibid.

[110] See the People section for reasons why.

Digital Tools and Software

MIET, KIESA, and KBRA's limited response to KWN's requests made it impossible to assess the availability of hardware and software from a gender perspective. KBRA recognised the need for cooperation with TAK and MIA to better understand businesses.[111] This suggests the need for improved interoperability across KBRA, TAK, and MIA databases to collect and analyse data, including gender-disaggregated data. Neither *Biznesi im* nor KIESA has gender-disaggregated information digitally available, and infrastructure seems insufficient for presenting such data.

Although Kosovo has nearly universal internet access, e-commerce remains at an early stage.[112] While data on e-commerce preparedness and online shopping behaviour exist for Central European Free Trade Agreement (CEFTA) countries based on 2020 Eurostat data, no data exists for Kosovo.[113] Charts do not make any gender-disaggregated distinctions.[114] Kosovo seeks to adhere to EU standards for e-commerce and consumer protection but does not have any law specifically regulating e-commerce. The lack of an eID system negatively affects the development of online services and electronic trading.[115] In terms of online financial services, most commercial banks have implemented internet banking systems, and utility providers offer online bill payment options.[116] Various payment methods are available for e-commerce transactions, including e-banking, credit cards (Visa and Mastercard), and cash-on-delivery for domestic purchases. While third-party payment services like PayPal and Payoneer are generally unavailable in Kosovo, some individuals find alternative solutions by utilising banks in neighbouring countries.[117] Most online purchases in Kosovo are made from retailers in the EU and United States;[118] few Kosovo-based businesses seem to use online transactions for

[111] MIET, KBRA, Basic Performance Indicators Report on Business Registration in Kosovo for the Period: October-December 2022, 2022, p. 3.

[112] International Trade Administration, "Kosovo - Country Commercial Guide", 2022, accessed 11 December 2023.

[113] Ibid.

[114] The ecommerce4all.eu platform is an information centre on e-commerce for CEFTA markets (North Macedonia, Serbia, Bosnia and Herzegovina, Albania, Kosovo, Montenegro, and Moldova). It has e-commerce data, interactive graphs, and data on CEFTA e-commerce market development, as well as data on using e-commerce for doing business. No gender-disaggregated data is available. GIZ, commissioned by the EU and the German Federal Ministry for Economic Cooperation and Development (BMZ), supports this project and website towards an Open Regional Fund for South East Europe - Foreign Trade. In Kosovo, STIKK is the implementing party. Ecommerce4all has data on five modules: e-commerce data, regulation, payment, delivery, and e-commerce success stories in all CEFTA markets and "interactive graphs of the state of e-commerce in each market and comparisons of e.g. customers, payment cards, digital skills, UNCTAD B2C e-commerce readiness index and other relevant Eurostat data."

[115] European Commission, Economic Reform Programme 2021-2023 of Kosovo, 2021, p. 95.

[116] International Trade Administration, "Kosovo - Country Commercial Guide", 2022.

[117] Ibid.

[118] Ibid.

purchasing or selling goods. Thus, consumers have few possibilities to use direct payments in Kosovo to make purchases online via their banks.[119]

Kosovo does not yet have any regulatory framework in place regarding the use of cryptocurrencies. KWN struggled to find information related to business aspects of cryptocurrencies in Kosovo, particularly from a gender perspective.

Innovation Ecosystem

ERP 2023-2025 observed that Kosovo "lacks an ecosystem to create opportunities for innovative ideas, not only in the ICT sector, but in all areas of life that relate to ICT and digital technologies".[120] While the Government has faced constraints in developing an innovation ecosystem, NGOs like ICK and ODK have supported businesses in developing innovative digital solutions. Since 2012, ICK has supported startup businesses in developing ideas.[121] "All that is required is for an individual or company to have an innovative idea focused on the ICT sector," ICK told KWN. According to ICK, ICT businesses are a closely interconnected community, aware of each other's initiatives and efforts. ICK fosters the innovation ecosystem by organising networking events among startups, companies, NGOs, chambers of commerce, investors, and others to support new business initiatives. Information on the gender-responsiveness of the innovation ecosystem for businesses was unavailable.

Business

This section examines diverse women and men businessowners' adoption of digital technology, access to financing incentives for digitalisation, the start-up environment, and CSR from a gender perspective.

Technology Adoption

ERP 2023-2025 observed that businesses are unprepared to "go for digitalisation".[122] In 2022, KIESA published the "Training Needs of MSMEs and Assessment of the Impact of the COVID-19 Pandemic Analysis", which aimed to inform policies for supporting MSMEs and programmes facilitating access to more suitable online training for MSME employees.[123] It involved a research sample of 800 MSMEs throughout Kosovo. It offers some gender-disaggregated data, such as the percentage of women and men MSME employees by age.[124] It does not provide gender-disaggregated data on their training

[119] Republic of Kosovo, Government, MAFRD, Strategy for Agriculture and Rural Development 2022-2028, 2021, p. 15.

[120] European Commission, Economic Reform Programme 2023-2025 of Kosovo, 2023, p. 95.

[121] KWN interview with ICK, 2022.

[122] European Commission, Economic Reform Programme 2023-2025 of Kosovo.

[123] Republic of Kosovo, MIET, KIESA, "SWOT Consulting Group" LLC, Training Needs of MSMEs and Assessment of the Impact of the COVID-19 Pandemic Analysis, 2020.

[124] Ibid., pp. 15-16.

needs or offer insight on different technology adoption needs of women- and men-owned businesses. Survey respondents indicated that training in digital marketing was a priority; data was not gender disaggregated. Thus, gender analysis cannot inform the design of training tailored to women- and men-owned businesses. Further research on businesses adoption of technology was unavailable, including gender analysis.

Financing Incentives

In addition to the aforementioned Government support, non-governmental financing has existed for businesses' digital transformations. Several funders have provided financing, but gender-disaggregated data was unavailable online. Kosovo lacks gender-disaggregated data on financial support to businesses for digitalisation. The absence of a consolidated database could contribute to overlap and inefficiencies. Moreover, it hampers gender analysis of beneficiaries and of the gender-responsiveness of programmes, which could inform targeted programming.

Startup Environment

The World Bank's Doing Business Report 2019 ranked Kosovo 13th of 190 economies in starting a business.[125] Kosovo has supported business startups using one-stop-shops.[126] For individual businesses and partnerships, registration can take place within one day.[127] For joint-stock and limited liability companies (LLCs), registration takes place within two to three days. KWN could not find publicly available gender-disaggregated data on business start-ups. Globally, women's lower earnings can discourage them from starting a business.[128] The OECD has reported that support for women entrepreneurs is "not yet well developed" in Kosovo, and no dedicated online portal exists for women entrepreneurs to access information, training opportunities, and funding options.[129]

ICK reported that men comprise approximately 85% of ICT entrepreneurs.

In assessing Kosovo's startup ecosystem, ICK reported that men comprise approximately 85% of ICT entrepreneurs, which is 5.5 times more than the number of women entrepreneurs (15%).[130] Also, while male entrepreneurs participating in this study were mainly owners and co-owners (80%) or directors (17%), female participants from this sample of startups held significantly fewer leadership positions; only 69% were owners or co-owners, and 6% were directors. Some interviewed officials did not think

[125] World Bank Group, Doing Business 2019: Training for Reform, 16th Edition, 2019, p. 182.

[126] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022, p. 48.

[127] Ibid.

[128] World Bank Group and WTO, Women and Trade. The Role of Trade in Promoting Gender Equality, 2020, p. 40.

[129] OECD, "Kosovo Economy Profile" in SME Policy Index: Western Balkans and Turkey 2022: Assessing the Implementation of the Small Business Act for Europe, 2022, accessed 5 January 2024.

[130] ICK, Startup Ecosystem Kosovo, Needs Evaluation Report, 2020.

that women had the "expertise needed" to engage in these processes.[131] Such gender norms and stereotypes could discourage women from investing in ICT start-ups.

Corporate Social Responsibility

The non-profit Kosovo CSR Network aims to support sustainable economic and social development by encouraging the private sector to implement CSR practices and to increase the visibility of responsible practices by initiating social impact activities related to the environment, workers' rights, anti-corruption, youth empowerment, and community engagement.[132] All companies and non-profit organisations can become members. The Network has committed to principles of non-discrimination, including based on race, gender, sexual orientation, language, and disability.[133] It had 23 members in 2023, primarily large businesses.[134] One of five Board members (20%) is a woman, and the Network's management are women.[135] Planned activities include supporting the Government and other actors in drafting "national CSR policy in Kosovo".[136] Thus, opportunities exist for the Network to contribute to gender-responsive policies on CSR related to digitalisation.

While its website mentions utilising CSR to address human rights and "various social issues", it does not explicitly commit to furthering gender equality. Its Strategic Plan refers to SDG 5 on Gender Equality and established some "fields of intervention" for the Network and private sector, which include principles of gender quality.[137] It plans to gender-mainstream training and education, promote equal opportunities, address gender-based discrimination, empower women, raise awareness, promote affirmative measures, and undertake efforts to include women in corporate management boards in accordance with the Law on Gender Equality.[138] The Strategic Plan does not specify indicators or targets that could be used to measure changes achieved related to gender equality or other aims. Nor does it explicitly mention digitalisation related to CSR. Its website is only available in Albanian and English, which may hinder access for Serbian-speaking businesses, counter to its aims for inclusivity.

KWN struggled to find other information pertaining to CSR and digitalisation inclusive of a gender perspective. No research seems to have examined the extent to which Kosovo businesses, including ICT businesses, know about CSR, are implementing it, or have included attention to furthering gender

[131] KWN interviews with public officials, 2021.

[132] Kosovo CSR Network, website, "Mission And Vision", accessed 6 October 2023.

[133] Kosovo CSR Network, By-laws of the "Kosovo Corporate Social Responsibility Network", Article 4.

[134] Kosovo CSR Network website, "Members", accessed 6 October 2023.

[135] Ibid., "Board and Management", accessed 6 October 2023.

[136] Kosovo CSR Network, By-laws of the "Kosovo Corporate Social Responsibility Network", Article 3.

[137] Kosovo CSR Network, Strategic Plan for Corporate Social Responsibility in Kosovo 2021-2025, ND, p. 9.

[138] Ibid., pp. 13-16.

equality as part of CSR. Meanwhile, in the EU, beyond CSR, Environmental, Social, and Governance concerns are gaining prominence, where social includes attention to gender equality. The EU has established European Sustainability Reporting Standards that call for actors to identify "actual or potential adverse impacts connected with the group's own operations and with its value chain, including its products and services, its business relationships and its supply chain, [and] actions taken to identify and monitor those impacts".[139] The EU Directive calls for sustainability reporting standards and reporting to address gender equality, including equal pay for equal work, as well as employment of persons with disabilities;[140] gender diversity in management and on boards; gender diversity in corporate policies;[141] and measures against violence and harassment at work.[142] Given Kosovo's aspirations to join the EU, beyond CSR, these standards could be considered for businesses.

People

This section examines diverse women and men's access to, participation in, and use of digitalisation in business and trade; digital literacy skills pertaining to using digitalisation for business and trade; and digital wellbeing and protection in business and trade.

Access, Participation, and Use

By law, at least 40% of joint stock companies' board members must be women, and within two years of registration, this should increase to 50%.[143] Data on women's representation in boards has been difficult to secure; in publicly owned enterprises it constituted 10% in 2019.[144] Women's underrepresentation has been attributed to few women having professional qualifications and to maternity leave.[145] Gender stereotypes regarding women's capacities may affect their representation on boards.

[139] Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 amending Regulation (EU) No 537/2014, Directive 2004/109/EC, Directive 2006/43/EC and Directive 2013/34/EU, as regards corporate sustainability reporting, 2022, Article 29(a).

[140] Ibid., (49) and Article 19b, paragraph 2(b)(i).

[141] Ibid., (58) and Article 19a, paragraph (5)(a).

[142] Ibid., Article 19b, paragraph 2(b)(i).

[143] Republic of Kosovo, Assembly, Law No. 06/L-016 on Business Organizations, 2018, Article 34.

[144] Equal Rights for All Coalition and KGSC, Gender Quota in Corporate Boards in Kosovo, 2019, p. 8. KWN could not find more recent data.

[145] Ibid.

Of all legally registered businesses in 2021, only 17% had women owners or administrators.[146] Of 3,735 new enterprises registered in 2021, women owned 33%, which suggests an upward trend. Nearly 70% of women-led enterprises were micro-businesses that had up to nine workers, 24% were small businesses with up to 49 workers, 5% were medium-sized businesses, and fewer than 1% were large businesses. Women-owned businesses primarily offered services (31%), engaged in trade (29%), and in production (15%). Electricity, gas, steam, air conditioning supply, and construction sectors are led predominantly by men. Most businesses owned by women are registered in Prishtina/Priština (42%). According to KBRA, the percentage of businesses registered by women has increased from 30% of individual business owners in 2018 to 32% in 2021.[147] The percentage of women business owners as partners seems to have increased slightly, from 17% in 2019 to 20% in 2021. Even so, women have consistently registered businesses at lower rates than men.[148]

The decision to register a business lies largely with business owners. However, registering a business can depend on several contextual factors that may impact women and men differently. Women face several challenges in establishing and leading businesses, including sociocultural resistance in families, communities, or institutions; lower growth rates; higher closing rates; fewer employees; insufficient access to finance; social constraints; and limited time and skills.[149] Often, these challenges are buttressed by power structures, gender roles, and stereotypes as women entrepreneurs struggle to balance household responsibilities with running their businesses. This leaves little time for them to participate in digital and business-oriented innovation ecosystems or networking events, which could contribute to business growth. Given their comparatively lower levels of education, limited time, lack of capital, poor access to public transport, and patriarchal social norms that can contribute to isolation, rural women may have even less access to opportunities. The challenges that women face in opening and leading businesses, compared to men, can contribute to slower progress for women in learning about, accessing, financing, adopting, and participating in digitalising their businesses.

Women's minimal participation in business networking predates digitalisation.[150] Business networking environments continue to exclude women due to

[146] Regional Cooperation Council, Women Entrepreneurship Kosovo, 2021, using KBRA data. In all age groups, substantially more men than women work in SMEs (Republic of Kosovo, MIET, KIESA, "SWOT Consulting Group" LLC, Training Needs of MSMEs and Assessment of the Impact of the COVID-19 Pandemic Analysis, 2020, pp. 15-16). Information related to digitalisation was unavailable.

[147] MIET, KBRA, Basic Performance Indicators Report on Business Registration in Kosovo for 2021, 2022.

[148] KWN, Budgeting for Gender Equality in Trade and Industry, 2016.

[149] Ibid., p. 45.

[150] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

gender norms and stereotypes, as well as cultural and social circumstances.[151] This means that women have less social and financial capital because of their gender, which limits their participation in innovative ecosystems. Social capital theory involves the idea that networks and their structures influence an individual's possibilities to achieve life goals.[152] Gender affects social capital accumulation; if women have less social capital than men, they face credibility problems in networks.[153] From the perspective of social exchange theory, men in networks view women as less attractive exchange partners than men.[154] This can prevent women from expanding their networks and forming new business partnerships. Women's networking tends to be at the intersection of work, family, and social life.[155] Women can be disadvantaged due to their domestic responsibilities and lack of engagement with male oriented networking activities that often exclude women. As McAdam, Harrison, and Leitch observed, "women can easily eliminate themselves from business opportunities as they tend to rush off home to family afterwards, while men retire to the bar which is where a lot of the main networking is conducted".[156] While Kosovo lacks data on this phenomenon, businesswomen have relayed similar struggles in accessing business associations and networking which are primarily led by men.[157]

The positive impacts of digitalisation became evident during the COVID-19 pandemic for businesses that could adapt to digital changes. During the first year of the pandemic, most women-owned businesses faced added challenges operating as schools and day-care centres were closed. Given women's socialised care roles, some businesswomen had to work less or discontinue their market work to care for children.[158] Moreover, unequal care responsibilities have kept women from seeking business counselling, development training, funding, and participating in business forums, webinars, and conferences. Care responsibilities have been devastating for women-owned businesses; many women reported closing their businesses during the pandemic due to an inability to maintain their businesses while caring for children.[159]

Despite these challenges, some women had new opportunities brought about by the rise of e-commerce and the opportunity to continue selling products

[151] Kosovo Democratic Institute, Perkrahja e Gruas me Veteiniciative Biznesore [*Supporting Women with Business Self-initiative*], [Albanian only], 2017.

[152] B. Volker, Social capital across the life course: Accumulation, diminution, or segregation? Network Science 8, 2020.

[153] R. Burt, "The gender of social capital", *Rationality and Society*, 1998.

[154] J. W. Thibaut and H. H. Kelley, *The social psychology of groups*, 1959.

[155] L. Foss, "Research on entrepreneur networks: the case for a constructionist feminist theory perspective", *International Journal of Gender and Entrepreneurship*, 2010.

[156] M. McAdam, R.T. Harrison, and C.M. Leitch, Stories from the field: women's networking as gender capital in entrepreneurial ecosystems, 2019.

[157] KWN observations and discussions with businesswomen.

[158] KWN, "The Pandemic Knows No Gender?", 2020.

[159] Hana Bacaj and Gëzim Krasniqi, "Kosovo's Pandemic Response Left Women-Led Businesses Struggling", Balkan Insight, 12 July 2022.

online even after the relaxation of restrictive COVID-19 measures.[160] The COVID-19 pandemic prompted more businesses in Kosovo to explore e-commerce options.[161] No data exists on the extent to which COVID-19 precipitated women- and men-owned businesses' use of e-commerce. Although some women digitalised their business operations and used digital platforms, few could make significant investments, given the lack of overall support from local and national levels in shifting to digital operations and the lack of women-owned businesses' perspectives in designing COVID-19 economic recovery measures.[162]

In 2020, Kosovo had the highest percentage of online shoppers in the region: 47% over the last 12 months.[163] Most online shoppers purchased clothes (77%), though 8% bought computers, tablets, mobile phones, or accessories.[164] No gender-disaggregated data is available, though this could inform gender analysis on e-commerce behaviour of diverse women and men. Data was unavailable regarding the extent to which diverse women and men use cryptocurrencies in Kosovo.

Digital Literacy Skills

Aside from KIESA data, insufficient data exists regarding the extent to which diverse women and men in business and trade have had access to educational opportunities on how to digitalise their businesses. Nearly a third of rural women and men consider insufficient information the main challenge preventing them from using modern technologies.[165] Women and men's awareness of government and other platforms they might use to expand their businesses may differ, but data is lacking.

Better statistics could support Government reforms and affirmative measures to reduce gender-based barriers to trade, including related to digitalisation. A data-centric approach has worked elsewhere to measure and close gender gaps.[166] Harmonising government surveys could facilitate data collection and comparisons across countries.[167] Better understanding women and men's digitally literacy could enable the Government to tailor measures for improved knowledge and equipment to women- and men-owned businesses.

[160] USAID, "Women-owned businesses: Challenges and Opportunities", 2020.

[161] KWN interviews, 2022.

[162] Hana Bacaj and Gëzim Krasniqi, "Kosovo's Pandemic Response Left Women-Led Businesses Struggling", Balkan Insight, 12 July 2022.

[163] Ecommerce4all, website, "Ecommerce data in the CEFTA region: Internet Use and E-shoppers", 2023, accessed 13 December 2023.

[164] Ibid., "Categories of Online Shopping".

[165] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[166] World Economic Forum, Global Gender Gap Report 2022, 2022.

[167] UNCTAD, Making trade policies gender-responsive: Data requirements, methodological developments, and challenges, 2019.

Digital Wellbeing and Protection

Women-owned businesses may be particularly vulnerable to rights violations, sexual harassment, and cybercrime due to unequal, gendered power structures and insufficient awareness of protection mechanisms. For example, a woman who owned a small production business shared her experience using online social media to sell her products.[168] After publishing her phone number as the company's owner, she experienced sexual harassment and stalking. This continued consistently for three years. As a result, she removed her number from social media, which made it difficult to develop her business, as she was unable to receive orders. Addressing online stalking and sexual harassment is a responsibility of KP. However, the businesswoman said a police officer encouraged her not to report the case as "it would take too long to find the person" and "the case would not be taken seriously by the police". Such responses may discourage women from seeking justice. Given socialised power relations and broader trends regarding sexual harassment against women, businesswomen may be more prone to sexual harassment than men, which could impact their businesses, as well as their personal wellbeing. Fear of threats may deter women from using digital solutions to expand their businesses.

Due to insufficient access to knowledge or financial resources, businesswomen may lack infrastructure for protecting themselves, their business, and their employees. Women-owned MSMEs may be more prone to cyberattacks and data breaches because they have less access to finances to purchase protection software. Given women and men's limited knowledge about cybercrime, women and men MSME owners may not be aware of cyber threats.

KWN could not find information or gender-disaggregated data on men and women's trust in businesses or in digital operators, such as in making online payments;[169] the gender-responsiveness of businesses' ethical standards related to digitalisation; on businesses' protection of online users' personal data; or cybersecurity in making payments online. These areas require further research, including gender analysis.

Relevant institutions did not report undertaking any campaigns specifically targeting women-owned businesses with information about digital well-being.[170]

Conclusion

Regarding **Regulation**, laws, strategies, and programmes related to business and trade tend to be gender neutral. Seemingly, they have not been drafted

[168] Participant, KWN training on gender-based discrimination at work, 2021.

[169] Globally, trust barometers do not publish gender-disaggregated data. For example, see Edelman, Edelman Trust Barometer 2022, 2022.

[170] KWN interviews with MIET and KIESA, 2021.

based on (G)EIAs or adequate consultations with diverse women and men, including GEOs. They do not have gender-responsive indicators, baselines, targets, or budgets, so it is difficult to monitor or evaluate progress. Electronic payments, digital trade, e-commerce, and adequate protection of businesses and consumers engaging in digitalised business and trade require further regulation based on (G)EIAs. Regulations regarding consumer protection were gender neutral.

The lack of gender-disaggregated data made it difficult to assess the gender-responsiveness of **Government** policies and programmes. Without G(E)IAs, the GEO's engagement in policymaking on digitalisation, and clear targets towards gender equality in policy documents, one could infer that there is insufficient gender mainstreaming of programming. While commitments to furthering gender equality exist, policies and officials' public statements suggest inadequate capabilities for gender-mainstreaming policies and programmes. Digital platforms and services generally lack a gender perspective and gender-disaggregated data on users. While KIESA maintains gender-disaggregated data, the Government has not published gender-disaggregated data for all subsidies and loans provided. Gender-responsive budgeting has not been implemented.

Regarding **Infrastructure**, interoperability is insufficient, e-commerce is in a nascent phase, and gender-disaggregated data is unavailable. Access to broadband and 5G networks is insufficient. Development of an innovation ecosystem is drawing increasing interest, but its gender responsiveness remains uncertain.

Minimal gender-disaggregated information exists related to **Business**, and further gender analysis is needed. Women are underrepresented among business owners and start-ups due to social and financial constraints. They face added challenges due to gender roles that hamper their access to networks, expanding partnerships, and thus business growth. Given the dearth of data, it is difficult to assess knowledge of businesswomen and men related to digitalising their businesses, although Kosovo generally lacks digital literacy. Financial support for business digitalisation is difficult to assess given the lack of publicly available gender-disaggregated data.

Limited gender-disaggregated data is available concerning **People**. Given gender roles and relations, businesswomen seem to have less access to training and information and to be more prone to experiencing sexual harassment and violence, which negatively affects their businesses. Few women-owned businesses are registered, though the percentage is increasing. While some advantages of digitalisation efforts became evident during the pandemic, women are not always in a position to take advantage of digital opportunities. They have less access to social and financial capital to support and grow their businesses.

07

Digitalising Agriculture

The agricultural sector comprises approximately 8% of Kosovo's GDP and employs about 23% of the workforce.[1] Although the COVID-19 pandemic caused farmers to suffer losses in production and sales,[2] the sector holds opportunities for growth and for contributing to the livelihoods of women and men. Digitalisation offers promise for improving productivity, networking, marketing, and sales for the agricultural sector.[3] FAO defines "e-agriculture" to involve "designing, developing and applying innovative ways to use information and communication technologies, including digital technologies - in the rural domain, with a primary focus on agriculture, including fisheries, forestry and livestock".[4]

This chapter examines the gender-responsiveness of efforts and opportunities to digitalise the agriculture sector in Kosovo, including the Regulation, Government, Infrastructure, and People dimensions of the Gender-responsive Inclusive Digital Transformation Model. The chapter is based on mixed research methods including content analysis, data analysis, and interviews; it also draws from a representative, Kosovo-wide household survey with questions specific to digitalisation.[5]

[1] Republic of Kosovo, Government, Economic Reform Programme 2021-2023, 2021, p. 65.

[2] Ibid.

[3] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[4] FAO, National e-Agriculture Strategy, 2017.

[5] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, 2023. The Gender Analysis involved a Kosovo-wide statistically representative survey of 809 rural households, with 400 women and 409 men of working age (18-65). It contains further analysis related to gender, digitalisation, and rural economies.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Agriculture

This section analyses the gender-responsiveness of laws and policies related to digitalising the agricultural sector.

Law on Agricultural Census

This 2012 Law specifies the content and organisation of the Agricultural Census.[6] It addresses data collection, processing, protection of personal data, and publication.[7] KAS is responsible for data collection.[8] The Law requires collection of data based on sex, related to agricultural households; the gender of the agricultural business holder and family members working for it; and time spent for agricultural work, other gainful activity, and education.[9] For all kinds of agricultural holdings, including agricultural households, data is required on agricultural machinery, equipment, and buildings.[10] Data could be collected on the extent to which agricultural holdings have used digital tools and digitalisation in their work, including gender-disaggregated data on ownership, use, and access, but the Law does not require this.

Data collection involves a door-to-door survey using the census questionnaire in agricultural households.[11] This method can be inefficient and inaccurate due to human error.[12] More modern technology is available for improving the quality, efficiency, and timeliness of statistical outputs,[13] though the Kosovo context and need to reach diverse households and respondents (by gender) must be considered in digitalising the census. Agricultural households are surveyed based on lists from the population census, whereas agricultural enterprises, entrepreneurs, and other legal units that carry out agricultural activities are surveyed based on the register of businesses, updated from available statistical and administrative sources.[14]

Generally, this Law is **gender sensitive** because it refers to the collection of some gender and sex-disaggregated data. Regarding digitalisation of data collection, it is **gender neutral** and does not refer to potential differences in women and men's use of digital tools for participating in the census or for conducting agricultural work. The Law could require further

[6] Republic of Kosovo, Assembly, Law No. 04/L-127 on Agricultural Census, 2012, Article 1.

[7] Ibid., Article 1.

[8] Ibid., Article 10.

[9] Ibid., Article 6.

[10] Ibid., Paragraph 2.

[11] Ibid., Article 8.

[12] FarmErp, Agricultural Data Collection: Understanding Agritech's Role in Gathering Farm Data, 29 June 2022.

[13] Ibid.

[14] Ibid.

gender-disaggregated data related to time use within agricultural households and digitalisation. Despite requirements, insufficient gender-disaggregated data has been collected during the agricultural census, such as the gender of owners and employees. It does not provide further gender-disaggregated intersectional data by ethnicity, location, age, or other demographic factors.[15]

Law on Agriculture and Rural Development

This 2023 Law abolished prior laws.[16] It regulates the drafting and implementation of national policies, which should be non-discriminatory and promote equality.[17] It specifies that the Agency for Agriculture Development shall serve as the Payment Agency and be responsible for implementing measures for agriculture and rural development.[18] It shall manage agricultural databases and registers,[19] including for: farms; producers and processors of agricultural and food products; agricultural land use (LPIS); identification and registration of animals; beneficiaries; producers in integrated agriculture; producers in organic production; traders and importers of certain agricultural products; Farm Accountancy Data Network (FADN); market prices of agricultural products; agricultural products in quality schemes; and state aid in agriculture. The Law does not specify that these registers and databases should collect gender-disaggregated data.

The Law notes that MAFRD can collaborate with other ministries, HEIs, and their scientific structures to "co-finance research on development projects" for agriculture, rural development, and infrastructure. The Law foresees the establishment of a Council for Research Applied in Agriculture to implement projects. KWN found no evidence of any publication or research conducted by this Council involving gender analysis, such as the situation of women and men in agriculture. It does not refer to digitalisation such as transforming application procedures from physical to electronic or to the beneficiaries of measures. The Law is **gender neutral.**

Programme for Rural Development 2020-2021

MAFRD developed this Programme based on the seven-year draft programme for Agriculture and Rural Development 2014-2020.[20] An objective was to increase the competitiveness of the sector in internal and external markets, using modern technology to increase production, productivity, and food safety.[21] It identifies challenges including lack of knowledge on how to use modern technology, insufficient financial means for investments, and low competitiveness of farmers in internal and external markets. An indicator for

[15] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[16] Republic of Kosovo, Assembly, Law No. 08/L-072 on Agriculture and Rural Development, 2023.

[17] Ibid., Article 9, Paragraph 1.

[18] Ibid., Article 18.

[19] Ibid., Paragraph 2.6.

[20] KWN could not find this program online and thus only analysed the 2020-2021 plan.

[21] Republic of Kosovo, MAFRD, Programme for Rural Development 2020-21 [in Albanian], ND, p. 9.

measuring the objective on better use of modern technology is the number of modernised farms using or applying modern technology.[22] The target for 2021 was 472, but it was not gender disaggregated. The Programme did not mention the challenges that women in agriculture face, including related to digitalisation,[23] did not contain any affirmative measures to address challenges, and lacked a gender-responsive budget. Therefore, it was **gender neutral**. The Programme noted that "All projects supported by the Rural Development Program are subject to ex-post control for a period of three years."[24] However, no known ex-post gender impact analysis was conducted to assess how its implementation affected diverse women and men in agriculture differently, though this could have been used to inform the new Strategy replacing this Programme.

Strategy for Agriculture and Rural Development 2022-2028

Adopted in 2021, this Strategy aims to support a competitive, innovative agro-rural sector "based on modern knowledge, technology, and standards".[25] It plans for sustainable development with attention to the use of natural resources and the environment. It also seeks to provide "economic activities and employment opportunities, social inclusion and quality of life for residents in rural areas". MAFRD is responsible for monitoring implementation through the Managing Authority for this Strategy. One objective is to increase competitiveness and improve market orientation, focusing on "research, innovation, technology, and digitalization". The objective for comprehensive institutional and sector reform calls for digitalisation and knowledge transfer.[26] An objective on supporting businesses in rural areas, enhancing employment, and building social infrastructure foresees "promoting gender equality, including women's participation in agriculture and social inclusion of vulnerable communities and groups".[27] The Strategy states that "women's participation in decision-making processes will be ensured", giving women equal opportunities to access funds.[28] The Strategy generally is **gender responsive** as it considers gender inequalities and its objectives seek to address them. However, it is only **gender sensitive** regarding digitalisation because indicators, baselines, and targets do not measure how the Strategy will further gender equality. The Strategy does not include gender-responsive budgeting, such as how funds will support women and men.

[22] Ibid., p. 37.

[23] See KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming, and the People section.

[24] Republic of Kosovo, MAFRD, Programme for Rural Development 2020-21 [in Albanian], ND, p. 16

[25] Republic of Kosovo, Government, MAFRD, Strategy for Agriculture and Rural Development 2022-2028, 2021, p. 6.

[26] Ibid., Objective 4, 4.3.

[27] Ibid., Objective 3, 3.4.

[28] Ibid., p. 43.

National Development Strategy

NDS foresaw support for agriculture and IT sectors.[29] An activity was to establish an information platform for the Integrated Agriculture Information System to drive competitiveness in the sector.[30] This included FADN, the Electronic Farmer Register, Land Parcel Identification System, and Integrated Administration and Control System. Another activity foresaw strengthening the information management system on agricultural farms and products registry.[31] Measures on agriculture and data management did not attend to gender. Nor did they explain how measures and activities would impact diverse women and men in agriculture. Therefore, NDS is **gender neutral** related to agriculture and digitalisation.

Economic Reform Programmes

ERP 2022-2024 plans for structural changes in the agricultural sector.[32] It builds on ERP 2021-2023, which aimed to align policies with the EU's Common Agricultural Policies, digitalising systems, increasing local production, and increasing the workforce engaged in the production, processing, and service chain.[33] The ERP lists outdated technology and the lack of a digitalised system among the structural barriers undermining the development of the agricultural sector. Other factors include smaller average farm size, low productivity, high production costs, land fragmentation, low production, and poor irrigation infrastructure. A measure foresees that MAFRD, supported by ADC, will develop software for a grants and subsidies management system.[34] Despite a plethora of problems mentioned, no other activities relate to digitalising the agricultural sector. Nor are there any indicators to measure improvements. On social outcomes, employment, poverty, and gender equality, the ERP states that agricultural measures aim to respect gender equality and that women will be prioritised when evaluating applications.[35] This ERP is **gender responsive**, as it seeks to reduce gender inequalities. However, no gender equality related indicators, baselines, targets, or budgets are set that would enable MAFRD to measure changes initiated by this Strategy over time.

ERP 2023-2025 also foresees structural changes in the agricultural sector.[36] While observing changes achieved in 2022, it acknowledges that some planned activities were only partially implemented. Therefore, it includes the same measure as ERP 2022-2024. An activity is for MAFRD to provide training and knowledge transfer, including on innovation "as an essential part of agriculture". This measure seeks to respect gender equality. Observing that

[29] Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021 (NDS), 2016.

[30] Ibid., Reform Measure nr. 18: "Upgrading SMEs to activities with higher added value", Activity 3, p. 32.

[31] Ibid., Reform Measure nr. 31: "Agriculture Infrastructure at the Service of Agro-Business", Activity 5.

[32] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022, Measure 15.

[33] Ibid., p. 104.

[34] Ibid., Measure 15.

[35] Ibid., p. 105.

[36] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023, Measure 14, p. 114.

the agriculture sector employs an estimated 23% of Kosovo's population, it expresses concern regarding the gender imbalance. The measure involves "giving gender priority" in evaluating applications and creating jobs towards generating income, addressing poverty, and improving wellbeing.[37] The ERP is **gender responsive** regarding agriculture and digitalisation as it seeks to reduce gender inequalities through affirmative measures. However, no gender-responsive indicators, baselines, targets, or budgets are set that would enable MAFRD to measure change.

Governance

This section examines the extent to which diverse women and men have participated in leading, coordinating, planning, implementing, monitoring, and evaluating policies related to digitalising agriculture. It discusses capabilities for gender-responsive policymaking and programming. It also assesses the gender-responsiveness of digital public services, government funding, and procurement related to digitalising agriculture.

MAFRD is responsible for drafting policies and implementing laws that develop agriculture, including cattle, plant production, rural development, and maintenance standards.[38] In 2023, MAFRD employed 62 women (41%) and 89 men (59%).[39] In decision-making positions, four women (36%) and seven men (64%) served as directors of departments, while 11 women (38%) and 18 men (62%) worked as division leaders. Thus, a gender imbalance exists.

The Ministry provides agricultural extension and rural advisory services throughout Kosovo via Advisory Service Departments and local public advisors.[40] These are available in all municipalities; services are free and funded by the Government.[41] In May 2022, there were 445 licensed agricultural advisors with 38 working for the Government, including seven women (18%) and 31 men (82%).[42] The 407 other private advisors licensed by the Government included 133 women (33%) and 274 men (67%). MAFRD has licensed 13 companies to provide advisory services, and only one is woman owned. Women's underrepresentation among providers of extension services may mean that some women in rural areas may not feel comfortable accessing services provided by men, given social norms and perceptions.[43] This may affect women's access to digital tools as well.

[37] Ibid., p. 115.

[38] Republic of Kosovo, MAFRD, website, "Mandate and Background", 2020, accessed July 2023.

[39] KWN correspondence with MAFRD, 4 July 2023.

[40] MAFRD website, accessed 11 September 2023.

[41] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[42] Ibid.

[43] Ibid.

Considering that strategies have not always contained sufficient attention to furthering gender equality or relevant indicators and targets, implementation, monitoring, and evaluation may not have been gender-responsive either. Given that digitalisation efforts are rather new in MAFRD, KWN could not find any ex-post gender impact analysis that addressed how MAFRD's policies and programmes have affected diverse women and men.

The **Assembly Committee for Agriculture, Forestry, Rural Development, Environment, Spatial Planning, and Infrastructure** is responsible for monitoring Government efforts related to agriculture, including digitalisation. It has a gender balance of five women (50%) and five men (50%).[44] In two years, this Committee held 53 meetings for which public records exist, but it has never discussed gender-responsive digitalisation of agriculture, gender-responsive budgeting, or gender-responsive financing for digitalising this sector.

Capabilities

Generally, there is a lack of experts with knowledge in both agriculture and digitalisation.[45] Officials involved in agriculture seemed to lack clear understanding of what digitalisation means.[46] They "claimed that digitalisation is very important, as seen especially during the COVID-19 pandemic", but "they lacked information and ideas how digitalisation can be used for businesses and citizen services".[47] They considered digitalisation "a long and complicated process". Officials tended to understand digitalisation narrowly as an "online web page platform" where people can find information about what institutions offer, such as open procurement processes and applications for grants or subsidies.[48] Some officials observed that the "digitalisation process can provide faster, easier, and more effective forms of communication with farmers, and that digitalisation could include updating their websites, expediting the download and upload procedures [...], and training farmers how to use smartphones, computers, and different websites".[49] Officials tended not to have considered digitalisation from a gender perspective. This and the fact that laws and strategies have not always included sufficient attention to gender suggests that some officials lack knowledge and capabilities for supporting gender-responsive digitalisation processes in agriculture. No known assessments have examined MAFRD and other government workers' training needs related to digitalisation and gender equality.[50] MAFRD officials reportedly have limited knowledge and capacities for gender mainstreaming.[51]

[44] Republic of Kosovo, Assembly, Committee on Agriculture, Forestry, Rural Development, Environment, Spatial Planning and Infrastructure, accessed 2 September 2023.

[45] KWN interview with stakeholders, December 2021.

[46] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[47] Ibid.

[48] Ibid.

[49] Ibid.

[50] KWN correspondence with FAO, August 2023.

[51] Ibid.

MAFRD has coordinated with AGE to provide training, though stakeholders observed that there could have been greater participation.[52]

Digital Public Services

Few digital public services are available. MAFRD frequently updates its website in Albanian, Serbian, and English languages. However, most information about services online is available in Albanian only.[53] The website offers information on how to apply for grants and subsidies, including published calls for applications. Lists of beneficiaries are available by the name of the beneficiary, municipality, amount, and project name.[54] Gender-disaggregated data is not published. An analysis of calls to apply for grants and subventions as well as other documents on the website suggests that the language is gender neutral. The images and visuals on the website are gender neutral, representing women and men.

Funding and Procurement

The MTEF calls for gender budgeting.[55] MAFRD's chapter did not contain objectives, indicators, or targets towards gender equality. Thus, MAFRD has yet to implement gender-responsive budgeting, including related to digitalisation. MAFRD received support on how to do this but has not followed up consistently.[56] As KWN has reported, "since Kosovo does not use programmatic budgeting, no system exists for analysing the amount of agricultural subsidies distributed to women and men".[57] MAFRD does not publish gender-responsive information about their budget online, though this would be a best practice in line with UN SDG 5.c.1.

Although funding has involved affirmative measures for women farmers, an analysis of MAFRD grant and subvention beneficiaries suggests that men have benefitted more than women. In 2020, 28,501 people received subsidies, including 1,358 women (5%) and 27,142 men (95%).[58] There were 343 grants: 130 for women (38%) and 213 for men (62%). In 2021, some 24,958 farmers benefited from subsidies; only 1,268 were women (5%), collectively receiving nearly €1.9 million (7%).[59] Meanwhile, men received more than €27 million (93%). In 2022, women received 29% of grants and 5% of subsidies

[52] KWN interview with stakeholders, December 2021.

[53] MAFRD website, accessed 11 September 2023.

[54] Ibid.

[55] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, Pillar IV, p. 19, accessed 18 September 2023.

[56] KWN provided training and mentoring to MAFRD in 2017, producing together Budgeting for Better Agriculture and Rural Development, which can serve as a guide for applying gender-responsive budgeting.

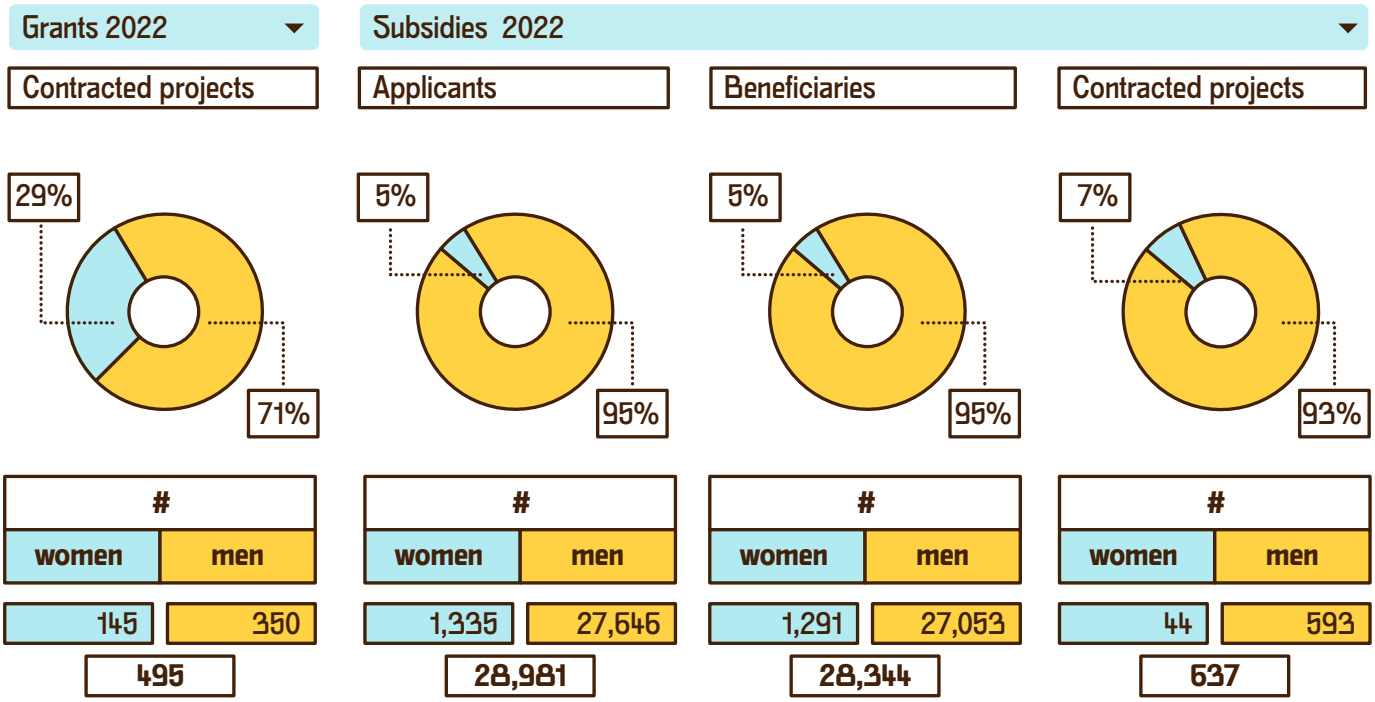
[57] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[58] Correspondence with MAFRD, October 2023.

[59] Republic of Kosovo, MAFRD, Raporti i Gjelbërt 2022 [Green Report 2022], [in Albanian], 2022, accessed 2 September 2023.

(Table 7).[60] The situation has improved only slightly since 2017, when KWN found that "women comprised only 19% of all beneficiaries of subsidies and transfers" and received less than 3% of expenditures.[61] While inequalities are due in part to the fact that women are underrepresented among agricultural business owners, this makes clear the dire need to identify innovative ways to support women-led agricultural businesses. This gender disparity in participation and funding underscores the need for continued efforts to address gender imbalances and promote equal opportunities towards a more inclusive and equitable distribution of resources among farmers.

Table 7. MAFRD Grants and Subsidies in 2022 by Gender



[60] Correspondence with MAFRD, October 2023.

[61] KWN, Budgeting for Better Agriculture and Rural Development, 2017, p. 5.

[62] This number could change during the authorization stage (correspondence with MAFRD, October 2023).

In response to the COVID-19 pandemic, the Government's Economic Recovery Program included doubling the budget of the Direct Payments Program in 2020, budgeted at €24 million.[63] In September 2020, the Government decided to double the amounts of direct payments (subsidies) for each crop in the Direct Payments Program.[64] In 2020, subsidies had 28,501 total beneficiaries, including 1,358 women (5%) and 27,142 men (95%), demonstrating a gender imbalance.[65] A gender imbalance also existed in the allocation of grants related to this measure in 2020: of 343 projects, women had 130 (38%), and men had 213 (62%).[66] KWN could not find any analysis regarding how subsidies and grants benefitted diverse women and men to assess their gender-responsiveness or whether they involved any digitalisation-related initiatives.

Related to procurement and hiring, MAFRD's website has a category for job opportunities. Among the 44 job vacancies analysed by KWN in September 2023, none used neutral gender nouns to target both men and women. Rather, nouns were written to refer to men. Meanwhile, 36 (82%) had a statement encouraging both genders or the underrepresented gender to apply,[67] and eight (18%) had no such statement. Tender dossiers on e-procurement do not have any statement that encourages businesses owned by the underrepresented gender to apply.

The audit report for MAFRD's annual financial statements for 2022 does not involve gender-responsive budgeting.[68] The National Audit Office did not recommend that MAFRD incorporate gender-responsive budgeting in its financial practices.

Infrastructure

This section examines the extent to which gender-responsive infrastructure is available for the agricultural sector, including digital tools, software and innovation ecosystems.

[63] Republic of Kosovo, OPM, Economic Recovery Package, 2020, Measure 4A. The link was no longer accessible online by the time of this publication.

[64] Correspondence with MAFRD, October 2023.

[65] Ibid.

[66] Ibid.

[67] MAFRD, "Job Opportunities", website, accessed 2 September 2023.

[68] *Zyra Kombëtare e Auditimit* [National Audit Office], Raporti i auditimit për pasqyrat financiare vjetore të Ministrisë së Bujqësisë, Pylltarisë dhe Zhvillimit Rural për vitin 2022, [Audit report for the Ministry of Agriculture, Forestry, and Rural Development for the year 2022] [Albanian only], accessed 18 September 2023.

Digital Tools and Software

The agriculture sector generally is "poorly digitalized, with only a few farms with precision agricultural technology".[69] This may be due to "limited financial capacities to invest in new technology".[70] The lack of available modern agricultural equipment in Kosovo, access to electronic devices, and consistent internet service in remote villages were among the main reasons why surveyed women and men faced challenges digitalising agricultural work.[71]

It is difficult to compare agricultural and non-agricultural incomes because Kosovo does not have direct payments.[72] Direct payment infrastructure enables consumers to purchase products using their bank accounts via the internet. Direct payments are seldom used in Kosovo, especially compared to EU countries.[73] At present, direct payments are only available for some crops and animals; they are not possible for agricultural land.[74] Given the broad use of cash in purchasing agriculture products, it is difficult to monitor the purchase of products, sales, prices, and other information that could be useful to producers, sellers, and consumers. The limited availability of this infrastructure affects gender analysis of women and men consumers' different behaviours purchasing various agricultural products, which could be useful information for producers and sellers. The COVID-19 pandemic exposed the urgent need to digitalise agriculture. Lower sales contributed to lost profits,[75] some of which may have been prevented if digital direct payments had been possible.[76]

Generally, MAFRD has lacked systems for collecting and publishing gender-disaggregated data.[77] Both NDS 2016-2021 and ERP 2022-2024 listed outdated technology and the absence of digitalised systems among the structural barriers undermining agricultural sector development, identifying needed infrastructure.[78] These policies evidenced MAFRD's previously insufficient infrastructure. As of 2023, MAFRD officials said they have software for managing grants and subventions and the Electronic

[69] Republic of Kosovo, Government, MAFRD, Strategy for Agriculture and Rural Development 2022-2028, 2021, p. 25.

[70] Ibid.

[71] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

72 Republic of Kosovo, Government, MAFRD, Strategy for Agriculture and Rural Development 2022-2028, 2021, p. 15.

[73] Ibid.

[74] Ibid.

[75] World Bank, Vulnerability during Covid-19 in the Western Balkans, 2020, p. 6.

[76] IADK, "FAO dhe IADK prezantojnë rekomadimet për digjitalizimin e bujqësisë në Kosovë" [FAO and IADK present recommendations for digitalisation of agriculture in Kosovo], [Albanian only], website, 2022, accessed 13 December 2023.

[77] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[78] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022, Measure 15; and Republic of Kosovo, Government, OPM, National Development Strategy 2016-2021 (NDS), 2016, Reform Measure 18, Activity 3, p. 32, and Reform Measure 31, Activity 5.

Farmer Registry.[79] The Registry collects personal information on farmers, including their gender, nationality [ethnicity], land, agricultural mechanisms, livestock, and electronic signature.[80] It does not include information related to persons with disabilities. The Parcel Identification System includes digitalised information pertaining to land parcels, and basic data about farmers is obtained from the Electronic Farmer Registry.[81] FADN and the Integrated Agricultural Information System are operational.[82] Meanwhile, the Integrated Administration and Control System in Agriculture has not been developed. No software seems to include data on farmers' use of technology or knowledge using digital solutions, disaggregated by gender.[83] According to officials, most systems maintain data on gender and geographic location but not ethnicity or disability. Moreover, the systems do not have the capacity to generate gender-disaggregated data. Functionalising this infrastructure could facilitate gender analysis to inform policymaking in agriculture.

Innovation Ecosystem

KWN struggled to find any evidence of innovation ecosystems related to the agriculture sector. The Strategy for Agriculture and Rural Development observes that "a horizontal gap relates to the digitalization of institutions and the weak inclusion of the innovation into knowledge transfer networks".[84]

People

This section examines how gender norms, roles, and relations may affect different women and men's engagement in the agriculture sector's digital transformation. It discusses diverse women and men's access to, ownership of, and use of digital tools, as well as their participation in decision-making related to digital reforms. Then, it addresses their digital literacy skills and awareness and briefly discusses digital wellbeing and protection.

Access, Ownership, Use, and Participation

Officially, agriculture, forestry, and fishing sectors employ approximately 19,700 people, approximately 76% men and 22% women.[85] However, official data does not reflect accurately all women and men involved in these sectors, as some work informally without registering their employment. In 2022, an

[79] KWN correspondence with MAFRD, September 2023.

[80] Ibid.

[81] Ibid.

[82] Ibid.

[83] KWN interview with FAO experts, December 2021.

[84] Republic of Kosovo, Government, MAFRD, Strategy for Agriculture and Rural Development 2022-2028, 2021, p. 49.

[85] Ibid., p. 21. The gender of the remaining 2% seemingly was unknown.

estimated 51% of rural women and 49% of rural men engaged in informal or vulnerable work.[86]

Few farmers have taken steps towards modernising and digitalising their agricultural operations.[87] A 2022 survey of agricultural businesses found that few respondents used technologies in their work.[88] Farmers tend to use traditional methods of production and outdated technology.[89] Where more advanced equipment could save time, this lack of modern technology contributes to longer working hours for the same amount of product. While most men and women have access to smartphones and the internet, rural women have less access to ICT and social media for work, due to their comparatively lower levels of education, limited time, poor access to finance, and social norms.[90]

Rural women (87%) and men (85%) tended to use ICT for communication more than for business, though men used social media for work more than women did. Only approximately one-third of surveyed rural women and men used phone applications to check the weather forecast and only one-fourth used phone apps for updates on market prices.[91] Women and men working in rural economies usually communicate via social media, such as Facebook, Viber, and WhatsApp, and they rarely use email. They tend to prefer physical meetings to online communication, considering physical interaction "more effective".[92] Women involved in agricultural activities, including WCSOs, said they "preferred face-to-face meetings for networking and sharing information with other farmers, associations, and agriculture officials".[93] Similarly, UNDP found that although opportunities existed for using ICT to access public services for agricultural activities, 38% of rural women and 41% of rural men tended to call or visit an office in person.[94] Rural women and men's discomfort with the internet could contribute to their lack of access to public services, including those related to digitalising agricultural activities.[95]

Meanwhile, 7% of rural women and 8% of rural men said they did not have access to purchasing or maintaining digital technologies.[96] Of the agricultural businesses surveyed, "63% did not have access to financial resources to

[86] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[87] Ibid.

[88] IADK and FAO, Report, "Assessment on digital agriculture, gender and youth in rural Kosovo for economic inclusiveness", 2022, p. 21. The survey reported 13% but did not involve random sampling and thus may not be representative of the population of agricultural businesses.

[89] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[90] Ibid.

[91] Ibid.

[92] Ibid.

[93] Ibid.

[94] UNDP, Digital Household Survey, 2022.

[95] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[96] Ibid.

invest in new technologies".[97] Women and youth faced the most challenges as they had less access to decision-making and finance, particularly as family property tends to be registered in men's names. Having less access to property and finance than men may mean that women cannot afford to invest in digital reforms. It also may mean that women are less able to adapt to crises like the initial COVID-19 restrictions on movement. The Government granted subventions to registered farmers only and equipped them with special permissions to return to work during restrictions.[98] Since women have fewer registered agricultural businesses, they likely had less access to these subventions; women working in agriculture also had to juggle work with added care responsibilities for children, which limited the time they had available to investigate digital solutions for their agricultural businesses.

Difficulties accessing public transport have hindered some women's access to markets for selling their products.[99] Poor access to transport can prevent women from participating in decision-making related to digitalising agriculture. Facing particularly challenging mobility issues, women with disabilities have observed that their families have not considered that they could contribute to agricultural businesses; however, they emphasised that ICT has created opportunities for them to engage more because they have more time than other family members to support digital development of their families' agricultural businesses, such as through researching innovative solutions, attending online training on new technologies, and improving online advertising of products.[100]

Regarding participation, 91% of rural women and 79% of rural men stated that they do not engage in political decision-making.[101] Very few women participated in decision-making, agricultural meetings (only 3% of women and 12% of men), education, or training regarding agriculture, let alone digitalisation of this sector.[102] Women's main reasons included lack of interest, "insufficient information, lack of transport, household duties, and socio-cultural norms whereby men have tended to represent their families in decision-making processes".[103]

Digital Literacy Skills and Awareness

Farmers tend to feel safer using traditional methods because they lack knowledge of how to use newer technologies and the benefits of doing so. Some fear losing existing customers if they begin conducting business online.[104]

[97] IADK, "FAO dhe IADK prezantojnë rekomadimet për digjitalizimin e bujqësisë në Kosovë" [FAO and IADK present recommendations for digitalisation of agriculture in Kosovo], [Albanian only], 2022.

[98] Ibid.

[99] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[100] Ibid.

[101] Ibid.

[102] Ibid.

[103] Ibid.

[104] Ibid.

Approximately 30% of rural women and 28% of men considered that they did not have enough information about the digital services and technologies available. Further, 23% of rural women and 20% of rural men did not use digital technologies in their work because they felt that they lacked knowledge on how to use it, including for increasing profit or marketing. Rural women's limited education presented a challenge to digitalising their agricultural activities; many lacked knowledge and skills on how to use smartphones, laptops, and the internet. Farmers lack "soft skills, financial means, and willingness to start using more advanced digital tools".[105]

Insufficient knowledge on how to use technology has adversely affected farmers. Women especially have had difficulties applying online because they lacked knowledge of how to use digital platforms to apply for grants and subsidies, and they would prefer applying physically.[106]

The MAFRD GEO said the institution had offered training to farmers on how to use new technology and equipment and that women had participated.[107] However, the GEO observed that overall "the participation of women in trainings remains low; it is more because of the lack of women's will to participate", she said.[108] While no gender analysis seems to have examined the reasons why women may not participate in digital training, research suggests that time availability and physical access may be among the main factors, coupled with socialised gender norms. As KWN interviews with women in rural areas suggest, women have less time to engage due to house chores, caring for children and family members; they also lack information about learning opportunities and lack access to transport to participate in trainings.[109]

According to FAO and IADK, 67% of the agricultural businesses they surveyed considered investing in digitalisation very important for their future.[110] Meanwhile 11% stated they would never use digital technologies.[111] In any case, 96% stated that they did not have any programs available in their area to support digital business development, and 44% said no support existed for training. Gender-disaggregated data was not provided. Meanwhile, KWN found that only 5% of rural women knew about extension services offered.[112] This suggests that insufficient awareness about available opportunities

[105] IADK and FAO, Report, "Assessment on digital agriculture, gender and youth in rural Kosovo for economic inclusiveness", 2022, p. 43.

[106] KWN interviews.

[107] KWN interview with GEO, MAFRD, March 2022.

[108] Ibid.

[109] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

[110] IADK, "FAO dhe IADK prezantojnë rekomadimet për digjitalizimin e bujqësisë në Kosovë" [FAO and IADK present recommendations for digitalisation of agriculture in Kosovo], 2022.

[111] IADK and FAO, Report, "Assessment on digital agriculture, gender and youth in rural Kosovo for economic inclusiveness", 2022, p. 21.

[112] KWN for FAO, *Kosovo Gender Profile: Agriculture and Rural Livelihoods*, forthcoming.

may prevent women from accessing training, mentoring, and other support services that could enable them to digitalise their agricultural work.

Digital Wellbeing and Protection

There is a general dearth of digital infrastructure for agriculture in Kosovo. Thus, there is not enough existing digital technology to assess the gender-responsiveness of protection measures. Similarly, the digital wellbeing of women and men in agriculture cannot be assessed.

Conclusion

Regarding **Regulation**, the legal and policy framework related to digitalising agriculture is gender neutral, sensitive, and responsive, depending on the legislation, with newer policies being more gender responsive. Strategies do not set clear indicators, baselines, targets, or budgets disaggregated by gender, so it is difficult to monitor or evaluate progress.

Related to **Governance**, MAFRD does not have a gender balance across all levels of decision-making. As strategies have not always involved sufficient attention to furthering gender equality, the implementation, monitoring, and evaluation may not be gender-responsive either, though no ex-post gender impact analysis seems to have examined how MAFRD's policies and programmes have affected diverse women and men. Officials tend to lack knowledge and thus capabilities for supporting gender-responsive digitalisation processes in agriculture, though some see the opportunities that digitalisation presents. Digital public services are very limited. Funding has involved affirmative measures for women farmers, but women continue to receive substantially less funds in grants and subsidies. MAFRD has not implemented gender-responsive budgeting.

Digital **Infrastructure** has improved in recent years, but additional software developments are needed and planned. In all systems, data analysis capabilities require improvement to enable gender analysis that can inform policymaking.

Regarding **People**, while rural women and men have equal and almost universal access to smartphones and the internet, few use technology for their agricultural work. Insufficient knowledge and information about the benefits digitalisation can bring to their businesses, coupled with hesitancy to embrace change, seem to be among the main factors slowing women and men's uptake of digital reforms. Women in agriculture face added challenges related to time, resources, finances, transportation, networks, training, and subsidies that hinder their engagement in the digital transformation. Given that the agricultural sector has minimal digital infrastructure in place and few people using it, this report cannot thoroughly assess whether sufficient protections are in place for diverse women and men's wellbeing.

While digitalisation can offer benefits, it also can impact the environment negatively, such as by increasing energy use and carbon emissions, and improper disposal of digital tools in landfills, which contributes to electronic

waste (e-waste).[113] Thus, the EU has prioritised the green transition together with economic development, freedom, and protection of citizens, including digitalisation.[114] Relevant EU GAP III objectives include involving diverse women in decision-making processes on environmental conservation and climate change; and improving their access to the green and circular economy, entrepreneurship opportunities, and alternative livelihoods.[115]

Globally, women disproportionately bear the burden of extreme environmental degradation and climate change.[116] When water and energy become scarce, women must dedicate more of their time to providing for their families, often at the expense of education, paid economic opportunities, or leisure.[117] Women constitute 80% of the population forcibly displaced due to climate change and face a 14-fold higher risk of mortality due to climate change.[118]

Kosovo faces multiple environmental challenges, including pollution, climate change, natural disasters, and insufficient capacities for responding to these issues.[119] Some of Kosovo's environmental challenges relate to CO^2 emissions from energy production and use, so this report discusses the interrelated issues of energy use, environmental protection, and climate change. Kosovo generates most of its energy through outdated coal power plants, uses energy inefficiently, and suffers technical losses in electricity distribution networks.[120] The energy sector, power plants, transportation, agricultural activities, and household waste are among the greatest contributors to air pollution.[121] As climate change impacts diverse women and men differently, their needs differ.[122] Therefore, climate-change adaptation and mitigation policies must be based on gender analysis and be gender responsive.[123]

[113] See C. Stoll, L. Klaaßen, and U. Gallersdörfer, "The Carbon Footprint of Bitcoin", *Joule* 3, 2019, pp. 1647–1661; and Ankit, et al., "Electronic Waste and Their Leachates Impact on Human Health and Environment: Global Ecological Threat and Management", *Environmental Technology & Innovation*, 2021.

[114] EU, "EU Priorities". See also EC, "The European Commission's priorities", accessed 29 August 2023.

[115] EC, Objectives and Indicators to frame the implementation of the Gender Action Plan III (2021-25), EU, Joint Communication to the European Parliament and the Council, EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU External Action, 2020, pp. 30-31.

[116] UNECE, Gender Responsive Standards, 2019.

[117] Ibid.

[118] EU, Joint Communication to the European Parliament and the Council, EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU External Action, 2020, p. 18.

[119] UNDP, website, "Environment, climate and disaster resilience", accessed 23 August 2023 but no longer accessible.

[120] Republic of Kosovo, Government, Economic Reform Programme 2021-2023, 2021, p. 60.

[121] UNDP, "Gender and Climate Change in Kosovo: gender analysis in climate change related sectors and climate change action", policy brief, draft shared with KWN, forthcoming, p. 11.

[122] Ibid.

[123] See Chapter 1.

08

Digitalising Environmental Protection, Energy, and Climate Change Response

This chapter examines the gender-responsiveness of Kosovo's digitalisation efforts related to environmental protection, energy, and climate change response, examining Regulation, Governance, Infrastructure, and People dimensions of the Gender-responsive, Inclusive Digital Transformation Model.[1]

[1] While part of MESPI's responsibilities, transport, spatial planning, and digital cities were not examined in detail due to time and information limitations. For a brief discussion, see Chapter 1.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Environmental Protection, Energy, and Climate Change Response

This section analyses the gender-responsiveness of laws and policies pertaining to digitalising environmental protection, energy, and climate change response. It discusses the extent to which these have been adopted in practice where information was available.

Law on Environmental Impact Assessment

The original 2010 Law aimed to "prevent or mitigate adverse impacts of proposed public and private projects", safeguarding and improving the environment, human health, and the quality of life.[2] It stated that an Environmental Impact Assessment (EIA) shall assess direct and indirect impacts of a given project on human beings, flora, fauna, soil, water, air, and climate.[3] The Law did not contain a gender perspective or require any gender impact assessment as part of the EIA. It was **gender negative**, reinforcing gender norms and stereotypes through its language.[4]

In 2022, the Government approved a new Law on Environmental Impact Assessment, which entered into force in 2023, replacing the 2010 version. Its aim is to prevent or reduce negative impacts of proposed public and private projects by defining rules and procedures for obtaining consent that includes assessing the impacts of projects on the environment.[5] It defines the EIA process to include project applicants' preparation of a report, public consultations, institutional review of the EIA and additional information, and Ministry conclusions based on its own examination.[6] In line with EU regulations, the Law defines "project" as "the execution of construction works, of other installations or other schemes, removal or decommission of installations or schemes, [or] other interventions in the natural surroundings and landscape".[7] The Law does not reference digitalisation, such as obligations to digitalise records or EIA processes. Although the Law does explicitly mention digital projects, digitalisation projects could have environmental implications, for which EIAs should be conducted.

With the ever-increasing production of electronic products, the need for related waste disposal increases, leading to use of illegal dumpsites and a

[2] Republic of Kosovo, Assembly, Law No. 03/L-214 on Environmental Impact Assessment, 2010, Article 1, paragraph 1.

[3] Ibid., Article 3.

[4] It consistently uses the masculine form of nouns when referring to public positions, such as *Ministri* [Minister], *Kryetari* [Chairman], *Inspektori* [Inspector], *Aplikuesi* [Applicant], and *Eksperti* [Expert].

[5] Republic of Kosovo, Assembly, Law No. 08/L-181 on Environmental Impact Assessment, 2023, Article 1.

[6] Ibid., Article 3, paragraph 1.14.

[7] Ibid., Article 2.

growing demand for the construction of proper electronic waste disposal sites. If not built according to environmental and health regulations, these sites pose a disproportionate threat to women and children. The World Health Organisation (WHO) has identified these sites as a growing global risk for women who work in informal waste sectors and children who play in the area due to their exposure to toxic chemicals.[8] This underscores the importance of conducting a gender analysis in addition to EIAs to ensure that constructions include measures to eliminate exposure to chemicals that pose risks specific to women. The new Law does not contain any reference to gender and does not require the EIA to include gender impact analysis. The Law uses gender-biased language, referring to the environmental inspector as "he", assuming that the role would be filled by a man.[9] It is **gender negative**, reinforcing gender norms and stereotypes through its language, while allowing for EIAs to ignore gender differences, potentially reinforcing rather than addressing inequalities. EIAs conducted to inform projects relating to digitalisation may lack gender-impact analysis on how climate change and environmental degradation may affect women and men differently.

Law and Draft Law on Strategic Environmental Assessment

In 2010, the Assembly adopted the Law on Strategic Environmental Assessment (SEA), which aims to ensure environmental protection and human health through environmental assessment of plans and programs.[10] In June 2023, the Government adopted a new draft Law on Strategic Environmental Assessment setting rules and procedures for assessing "environmental impacts of plans and programs initiated by local and central authorities to ensure [a] high level of environmental protection" and sustainable development.[11] The draft Law aligns with the EU Directive on the assessment of the effects of certain plans and programmes on the environment.[12] As per EC guidance, land-use plans are subject to SEA, setting out how land may be developed or establishing rules or guidance as to the kind of development which might be appropriate or permissible in particular areas, such as waste management plans or water resources plans. Similar to the EU Directive, the draft Law applies to environmental impacts of "agriculture, forestry, fishing, energy, industry, transport, waste management, telecommunications,

[8] WHO, Soaring e-waste affects the health of millions of children, WHO warns, 2021.

[9] Republic of Kosovo, Assembly, Law No. 03/L-230 on Environmental Impact Assessment, 2010 and Law No. 08/L-181 on Environmental Impact Assessment, 2023.

[10] Republic of Kosovo, Assembly, Law No. 03/L-230 on Strategic Environmental Assessment, 2010.

[11] Republic of Kosovo, Government, Draft Law on Strategic Environmental Assessment, 2023.

[12] EU, Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, 2001.

tourism, city and country planning or land use" and for protected areas such as NATURA 2000, in accordance with the Law on Nature Protection.[13]

EU law does not require SEA to include gender impact analysis, though gender analysis of planned projects' potentially different environmental impacts on women and men could inform plans and approvals. The Kosovo draft Law on SEA does not call for gender analysis nor indicate how land use may affect women and men differently. It does state that the SEA Commission in the Ministry should reflect gender balance. However, the Law uses gender-biased language by referring to environmental inspectors as "he". Thus, the Law is **gender negative**.

Law on Environmental Protection

This 2009 Law "harmonizes economic development and social welfare with basic principles for environmental protection according to the concept of sustainable development".[14] It aims to promote the establishment of a healthy environment in accordance with EU standards.[15] It foresees an EIA for planned and realised projects, including changes in technology, particularly those that may result in major environmental pollution or constitute a risk to human health.[16] Persons who "apply technologies that are harmful towards the environment must undertake all the necessary protective and security measures" to reduce risks to the environment and human health.[17] The Law obliges the Government to report annually to the Assembly on the state of the environment and changes to it compared to the prior report, including environmental influence on public health; environmental damage; implementation of strategies and action plans for the environment; measures taken towards nature protection; measures' benefits including economic development; natural resource management; environmental protection; and financing of environmental protection.[18]

The Law does not explicitly foresee the need for gender analysis, such as the potentially differential impacts of environmental damage on women and men's health and wellbeing; impacts of strategies and action plans on diverse women and men; how women and men have benefitted economically or manage their natural resources differently; or the gender-responsiveness of

[13] Republic of Kosovo, Government, Draft Law on Strategic Environmental Assessment, 2023. NATURA 2000 is a network of core breeding and resting sites for rare and threatened species, and some rare natural habitat types that are protected. It covers all 27 EU member states on land and at sea. The network aims to ensure the long-term survival of Europe's most valuable and threatened species and habitats listed under the Birds Directive and the Habitats Directive. Although not a member and legally not obliged to participate, Kosovo has agreed to identify preliminary areas that would qualify to be part of NATURA 2000.

[14] Republic of Kosovo, Assembly, Law No. 03/L-025 on Environmental Protection, 2009, Article 1, paragraph 1.

[15] Ibid., Article 1, paragraph 2.

[16] Ibid., Article 29.

[17] Ibid., Article 16.

[18] Ibid., Article 25.

financing for environmental protection. The Law does not consider or mention gender at all. Therefore, this Law is **gender neutral**, including related to digitalisation. A gender-neutral approach could contribute to gender negative outcomes by inadvertently placing women or men at risk.

KWN analysed from a gender perspective four publicly available EIAs for two solar parks, an airport terminal extension, and a cement factory.[19] Conducted in 2022 and 2023, the EIAs included population demographics, settlements, and the negative impact projects might have on people's lives, required as part of EIAs.[20] None included any gender impact analysis. Gender analysis could have examined potential impacts on women and men's health resulting from air pollution, noise, toxic substances, changes in living conditions, or other hazards related to these projects.[21] EIAs also could have considered any environmental and health impacts on diverse women and men workers engaged in construction projects.

Law on Nature Protection

This 2010 Law regulates nature protection and conservation.[22] It applies for all persons, actors, and institutions, except in urgent cases to avoid risk to life, human health, or property; to rescue people or property; and to defend Kosovo.[23] The Law calls for public participation in decision-making related to nature protection.[24] This would require access to information about opportunities to participate, which access to technology could facilitate. Women, particularly rural women, may have less access to technologies and information, which can hinder their participation in decision-making,[25] though the Law does not address this.

EU citizens tend to lack information on legislation protecting biodiversity, and this seems to result from differences in access to technology, including between women and men. According to the 2019 Eurobarometer survey, 48% of EU citizens said that the EU should better inform citizens on biodiversity.[26] Women tended to be less informed about NATURA 2000 than men by

[19] Republic of Kosovo, MESPI, "Shpalljet" [Announcements]. Reports are in Albanian: *Raporti i Vlerësimit të Ndikimit në Mjedis* "Limak Kosovo International Airport" S.C. SH.A.; *Raport i Vlerësimit të Ndikimit në Mjedis për Parkun e Energjisë Diellore "Slivova 1" me fuqi 0.8 MW, Dragoc – Prishtinë*; "Swiss Solar Park" L.L.C. Gjakovë; *Raport i Vlerësimit të Ndikimit në Mjedis për Impiantin e Betonares*. All accessed 29 August 2023.

[20] EU, Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014, amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, Article 3(1)(a).

[21] These are areas identified by EC guidance (EC, Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report, 2017).

[22] Republic of Kosovo, Assembly, Law No. 03/L-233 of Nature Protection, 2010, articles 1 and 2.

[23] Ibid., Article 3.

[24] Ibid., Article 6, paragraph 2.9.

[25] Convention on Biological Diversity, Addressing Gender Issues and Actions in Biodiversity Objectives, 2020, p. 12.

[26] EU, Eurobarometer, "Attitudes of Europeans towards Diversity", 2019, accessed 21 December 2023.

17%.[27] Women's and particularly rural women's lack of access to technology contributes to a lack of information on nature conservation.[28] KWN could not find any such data for Kosovo. However, studies at global and regional levels suggest that a connection exists between digitalisation, environmental protection, and gender, suggesting the importance of their inclusion in the Law.

The Law considers "ecologically important areas" in accordance with NATURA 2000, a network of rare and threatened habitats and species in Europe identified through Special Areas of Conservation and Special Protection Areas.[29] Although NATURA 2000 primarily stretches over EU member states, biogeographical regions include Kosovo.[30] Any intervention in nature, according to the Law, is subject to an assessment of protected species and sites; it must assess effects on special conservation and protection areas.[31] Digital tools can be used to enlist rare and threatened species and habitats in Kosovo, as well as in conducting assessments, though the Law does not mention this. Cases of intervention in "ecological network areas" for which an EIA is required do not mention any gender impact analysis.[32] The Law contains no gender perspective, and thus is **gender neutral**.

Law for Protection Against Natural and Other Disasters

This 2011 Law focuses on managing "protection against any natural and other disasters", prevention, reduction, and consequence mitigation.[33] It renders the state responsible for assisting in "restoration and recovery from natural and other disasters" to protect the health and life of "people, property, cultural heritage and the environment".[34] Related to digitalisation, it makes the state responsible for establishing and maintaining electronic communication for "protection, rescue and assistance".[35] The Law states that every citizen capable of working may be engaged in protection and rescue, except for children and pregnant women; both men and women over age 15 can engage in voluntary protection and rescue structures.[36] Except for these references to women and men, the Law does not mention any other ways that gender may be considered in responding to natural and other disasters. Thus, this Law is **gender sensitive** but not gender responsive to diverse women and men's potential needs amid natural and other disasters.

[27] I. Kokkoris, et al., "Natura 2000 Public Awareness in EU: A Prerequisite for Successful Conservation Policy", *Land Use Policy* 125, 2023.

[28] Convention on Biological Diversity, "Addressing Gender Issues and Actions in Biodiversity Objectives", 2020.

[29] EC, Environment, "Natura 2000", accessed 21 December 2023.

[30] Ibid.

[31] Republic of Kosovo, Assembly, Law No. 03/L-233 of Nature Protection, 2010, Article 7.

[32] Ibid. Article 34, paragraph 2.

[33] Republic of Kosovo, Assembly, Law No. 04/L-027 for Protection Against Natural and Other Disasters, 2011, Article 2.

[34] Ibid., Article 36.

[35] Ibid.

[36] Ibid., articles 19 and 21.

Law on the Inspectorate of Environment, Waters, Nature, Spatial Planning, and Construction

This 2013 Law regulates inspections and inspectors in areas relating to water, nature, planning for use of space, and construction.[37] It does not mention anything related to digitalising record keeping, data maintenance, or data protection for diverse women and men reporting misuse. The Law does not mention gender, gender equality, men, or women. The language is gender discriminatory, referring to an inspector's duties as "his". This reinforces gender norms and stereotypes that only men are qualified and capable of serving as inspectors. Therefore, the Law is **gender negative**.

Strategy and Action Plan for Biodiversity 2011-2020

Towards EU Accession, this Strategy stated that Kosovo should harmonise its legislation with NATURA 2000 and implement measures related to environmental protection.[38] Adopted in 2010, it established objectives for conservation of biodiversity, landscape diversity, and nature protection in harmony with economic, social, and cultural development.[39] It observed the agricultural sector's reliance on natural resources and potential benefits from biodiversity through proper management systems and technologies.[40] Otherwise, this Strategy did not attend to digitalisation or gender. The Strategy was **gender neutral**.

Climate Change Strategy 2014-2024

This 2014 Strategy envisioned a "climate-resilient Kosovo" that effectively addresses climate change and responds to its impacts based on internationally endorsed principles.[41] It made climate change a government priority and considers climate change mitigation and adaption measures.[42] It aimed to enhance the "adaptive capacity of natural systems, vulnerable ecosystems, and society," particularly targeting poor farmers and women, so that they can address climatic impacts and risks.[43] The National Adaptation Component aimed to support new climate actions for vulnerable groups too. However, no measures or indicators targeted women. Nor did the Component include baselines, targets, or gender-responsive budgets, which could be used to monitor and evaluate progress towards gender equality. It is unclear whether any G(E)IA informed this Strategy. It was **gender sensitive**, as it noted gender inequalities but did not address them. KWN could not find any publicly available evidence of an ex-post gender impact analysis being conducted to inform the next Strategy.

[37] Republic of Kosovo, Assembly, Law No. 04/L-175 on the Inspectorate of Environment, Waters, Nature, Spatial Planning and Construction, 2013, articles 1 and 2.

[38] Republic of Kosovo, Government, MESPI, Strategy and Action Plan for Biodiversity, 2020.

[39] Ibid., p. 7.

[40] Ibid., p. 23.

[41] Republic of Kosovo, Government, MESP, Climate Change Strategy (CCS) 2014-2024, 2014, p. 8.

[42] Ibid., p. 9.

[43] Ibid., p. 9, Objective 2.

Climate Change Strategy 2019-2028 and Action Plan for Climate Change 2019-2021

Adopted in 2018, this Strategy defines policies and measures for reducing greenhouse gas (GHG) emissions and for climate-change adaptation, towards promoting sustainable development.[44] This Strategy has the same aim as the previous Strategy: to enhance the "adaptive capacity of natural systems, vulnerable ecosystems, and society," focusing on poor farmers and women.[45] No other objectives, measures, indicators, baselines, targets, or budgets refer to gender. Therefore, the Strategy is **gender sensitive** as it briefly notes the need to consider women, but it is not gender responsive because it does not include any actions to enhance women's adaptive capacities.

Energy Strategy of the Republic of Kosovo 2022-2031

This Strategy aims to "provide reliable, affordable, and clean energy" as "essential to Kosovo's economic development and the social well-being of its citizens".[46] It establishes actions for developing the energy sector.[47] An objective involves improving system resilience by modernising energy networks, reducing losses, and ensuring cybersecurity of the sector.[48] Another foresees empowering and protecting consumers, especially vulnerable consumers, and preserving human health and the environment.[49] Its aim is to develop skills "for women and men in line with the needs of the dynamic energy sector".[50] A specific objective foresees "women's participation with equal opportunities in [energy] education and training programs (including through scholarship schemes) and promoting inclusion of women in energy sector companies and institutions".[51] The Strategy states that 9% of energy sector employees were women in 2021 and targets increasing this to 11% by 2024 and at least 25% by 2031.[52] Therefore, this Strategy is **gender responsive** as it seeks to reduce gender inequalities in the energy sector. Planned training and education likely will include attention to digital developments in the sector.

This Strategy replaced the prior Energy Strategy for 2017-2026,[53] which was **gender neutral**. KWN could not find any publicly available ex-post gender impact assessment of the prior Energy Strategy, which could have informed the new Strategy.

[44] Republic of Kosovo, Government, MESP, Climate Change Strategy 2019-2028, 2018, p. 6.

[45] Ibid., p. 12.

[46] Republic of Kosovo, Government, Ministry of Economy, Energy Strategy of the Republic of Kosovo 2022-2031, p. 6.

[47] Ibid., p. 10.

[48] Ibid., p. 7.

[49] Ibid., p. 9, Objective 5.

[50] Ibid., p. 26.

[51] Ibid., p. 36, Specific objective 4.3.

[52] Ibid., p. 37.

[53] Republic of Kosovo, Government, Ministry of Economic Development, The Energy Strategy of the Republic of Kosovo, 2017-2026.

Draft National Energy and Climate Plan of the Republic of Kosovo 2025-2030

Kosovo was supposed to develop an integrated energy and climate plan for 2021-2030, aiming to address energy efficiency, renewable energy, emission reduction, and interconnection; however, the Government has reported delays due to the pandemic.[54] The Government published a draft in July 2023.[55] It mentions financial support to women entrepreneurs from 2020 onwards: "Support women in making necessary investments in energy efficiency measures and modern equipment that will help them grow their business and use green energy".[56] The draft plan mentions gender equality only once:

> The priority of this objective is the development of a stable and supportive environment for scientific research and innovation in Kosovo, supported by a functional legal infrastructure and the advancement of culture for credible scientific research in academic, scientific, and economic institutions, including the strategy and programs for gender equality.[57]

Generally, the draft Plan is **gender neutral**. It is unclear whether a gender analysis has informed this Strategy.

European Reform Programmes

ERP 2021-2023 foresaw allocating grants for efficiency measures for women's businesses and internships for 100 women in the energy sector, and ERP 2022-2024 reported successful allocation of these funds.[58]

Towards EU Accession and the green transition, ERP 2023-2025 plans to develop laws and conditions towards energy efficiency and renewable energy sources that will "address the components of gender equality, education and innovation in the energy sector, thus positively affecting the wellbeing of citizens and participants in the energy market".[59] Its fourth objective includes adopting a "coherent long-term energy and climate strategy for lowering carbon emissions", increasing energy efficiency per commitments

[54] Republic of Kosovo, Government, Economic Reform Programme 2021-2023, 2021, p. 59.

[55] Republic of Kosovo, Government, National Energy and Climate Plan of the Republic of Kosovo, 2025-2030, First draft version, published by GIZ GmbH. The German government is supporting its finalisation, co-implemented by the GIZ Kosovo Energy Project II and the German Economic Team, financed by the German Ministry of Economic Affairs and Climate Action (p. 13).

[56] Ibid., p. 24, measure 11, citing Kosovo's 5th Renewable Energy Progress Report for 2020-2021.

[57] Ibid., p. 55, Objective 1.

[58] Republic of Kosovo, Government, Economic Reform Programme 2022-2024, 2022, p. 142.

[59] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023, Reform measure 5.

in the WB Green Agenda, adopting an action plan identifying energy costs, and providing "mitigation measures for vulnerable consumers".[60] The ERP does not disaggregate consumer data by gender. The measures planned related to the Green Agenda do not include digitalisation or use of new technologies. Nor do they provide gender-disaggregated data. Measure 7 on reducing environmental pollution and preserving biodiversity mentions gender equality as an expected social impact but does not elaborate. These measures foresee establishing new jobs towards increasing the participation of "marginalised groups" in the formal economy but do not reference gender.[61] This ERP does not include indicators, baselines, targets, or budget to measure progress toward gender equality. Nor does it specify any affirmative measures related to employment in the energy sector, though it could have foreseen affirmative measures to prioritise engaging more women in line with GAP III. Measures on environmental protection and digital transformation lack gender-disaggregated data.

Governance

This section examines the extent to which diverse women and men have participated in leading, coordinating, planning, implementing, monitoring, and evaluating policies and programmes related to digitalising environmental protection, energy, and climate-change response. It discusses officials' capabilities for gender-responsive policymaking and programming. Then, it examines the gender-responsiveness of digital public services related to the environment, energy, and climate change, as well as government funding and procurement.

The **Ministry of Environment, Spatial Planning, and Infrastructure** (MESPI) "prepares public policies, drafts legal acts, drafts and adopts bylaws, implements them, and determines mandatory standards in the fields of environmental protection, water, spatial planning, construction, housing, cadastre, road transport, railway, air transport, sea transport and road safety".[62] It is responsible for coordinating activities related to the environment and spatial planning. It oversees implementation of established standards, monitors the state of the environment and spatial planning, and manages the use and development of infrastructure.[63]

Within MESPI, seven women (21%) and 25 men (78%) hold decision-making positions.[64] Women have been underrepresented, comprising less than

[60] Ibid., p. 11.

[61] Ibid., Reform measure 7, pp. 77-78.

[62] Republic of Kosovo, Government, Regulation No. 02/2021 on the areas of administrative responsibility of the Office of the Prime Minister and Ministries, 2021, p. 61.

[63] Ibid., p. 62.

[64] KWN correspondence with MESPI, 2023.

38% of all employees.[65] While the GEO could support integrating a gender perspective in laws and policies, she lacked information about digitalisation processes in the Ministry.[66] Thus, she could not contribute adequately to informing digital reforms from a gender perspective.

EIAs require public consultations.[67] Public discussions could help gather input from diverse women and men on draft laws and policies and their implementation. However, historically, MESPI and the responsible municipal authorities rarely organised public consultations, and women have been underrepresented among participants.[68] Although MESPI considers public discussions helpful for addressing environmental issues, the public lacks information and few people participate in such discussions.[69] The public consultation platform has a limited list of ongoing and concluded public consultations since 2021.[70] KWN found only one relevant public consultation on a Strategic Environmental Assessment report for the Municipality of Kaçanik's/Kačanik development plan organised by the Municipality in July 2023. KWN found information pertaining to two public consultations organised by the Municipality of Prishtina/Priština in 2019 for two EIAs.[71] None had information related to gender equality.

MESPI should monitor whether EIAs have been conducted for planned and realised projects, including changes in technology.[72] KWN could not find publicly available information as to whether this has been done and thus could not analyse the gender responsiveness of EIAs or MESPI's monitoring of them. Gender-disaggregated data regarding environmental inspections was unavailable as well.

Within MESPI, the **Department for Environmental and Water Protection** is responsible for reviewing applications for environmental permits and providing recommendations.[73] A working group involving MESPI officials reviews applications. A temporary, ad-hoc working group currently handles applications, and gender-related data regarding its members is unavailable. The previous group involved two women and three men.[74]

[65] KWN correspondence with MESPI, 2016, cited in KWN, Budgeting for a Better Environment: A Gender Analysis of Expenditures and Services in the Ministry of Environment and Spatial Planning, 2016.

[66] KWN interview, 2021.

[67] Ibid., Article 3, paragraph 1.14.

[68] KWN, Budgeting for a Better Environment, 2016.

[69] Republic of Kosovo, Government, MESPI, Strategy and Action Plan for Biodiversity, 2020, p. 23.

[70] Republic of Kosovo, Government, OPM, Office on Good Governance, Public Consultations, List of the latest public consultations, "Search consultations", accessed 25 October 2023.

[71] Municipality of Prishtina/Priština, Debatet Publike 2019 [Public Debates 2019] [in Albanian], accessed 25 October 2023.

[72] Republic of Kosovo, Assembly, Law No. 03/L-025 on Environmental Protection, 2009, Article 29.

[73] Ibid., Republic of Kosovo, MESPI, website, Department for Environmental and Water Protection, 2023, accessed 21 December 2023.

[74] KWN interview, 2023.

Also under MESPI is the **National Climate Change Council**, which supervises implementation of strategies and action plans.[75] The Council is an inter-institutional body comprised of all ministers, led by the Minister of MESPI.[76] The Council has two women (30%) and seven men (70%) in 2022.[77] The Council's Technical Secretariat consists of civil society, international actors, and other relevant institutions. The Council plans to establish an advisory academic board to inform climate change policies.[78] The Council is still in the process of becoming fully functional, so progress towards establishing or implementing gender-responsive responsibilities or gender analysis in its work has been slow as well.[79] Participation in the Council involves people in specific decision-making positions or with credentials related to the field, so there is little consideration of gender.[80] Given that most participants have been men, the underrepresentation of women in decision-making may affect the gender-responsiveness of the Council's work.

The Council coordinates all activities arising from the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol, prepares documentation for participation and membership in international protocols and agreements related to climate change, and ensures implementation of projects impacting climate change.[81] The Kyoto Protocol operationalises UNFCCC by committing industrialised countries and economies in transition to limit and reduce GHG emissions in accordance with agreed-upon individual targets.[82] Although Kosovo cannot become a party to the Protocol given that the UN does not recognise Kosovo, the Kosovo Government has committed to taking steps related to climate change adaptation and mitigation.[83] For example, the Paris Agreement binds nations to combatting climate change by aiming to hold "the increase in the global average temperature to well below 2°C above pre-industrial levels" and pursuing efforts "to limit the temperature increase to 1.5°C above pre-industrial levels".[84] While Kosovo is aligned with other countries in implementing the Paris Agreement, its exclusion from the UN has hindered the country's climate change mitigation efforts due to Kosovo's lack of access to direct funding.[85] This also hinders efforts to digitalise climate change and to ensure its gender responsiveness.

[75] MESPI, Circular Economy Roadmap of Kosovo, 2023.

[76] KWN interview, 2023.

[77] Ibid. See also: MESPI, Facebook, "News", January 2022, accessed 21 December 2023.

[78] KWN interview, 2023.

[79] Ibid.

[80] KWN interview, 2023.

[81] MESPI, Circular Economy Roadmap of Kosovo, 2023.

[82] UN, Climate Change, What s the Kyoto Protocol?, accessed 21 December 2023.

[83] Republic of Kosovo, Assembly, website, "The commitment of Kosovo", 2019, accessed 21 December 2023.

[84] UNFCCC, The Paris Agreement.

[85] KWN interview, 2023.

The **Kosovo Environmental Protection Agency** (KEPA) is a government institution established in 2003.[86] It operates within MESPI and is responsible for developing and coordinating a "unique system of information on environmental protection", as well as collecting data related to the environment.[87] KEPA has six institutes and directorates.[88] The Directorate for Environmental Assessment is considered KEPA's "main pillar", responsible for monitoring, evaluating, and reporting on the quality of air, water, soil and biodiversity.[89] The Directorate's duties and responsibilities do not clearly include gender impact analysis, though gender analysis could support environmental data analysis, using digital tools.

The **Hydrometeorological Institute of Kosovo** that operates within KEPA is the main body responsible for monitoring air pollution, atmospheric precipitation, and surface water. The Institute should provide early warning about any hydrometeorological disasters.[90] Most Institute services exist online, providing citizens with real-time data.[91] To provide data, physical work is required to manage rain gauges, which help identify rain levels and enable warnings, such as for flash floods.[92] Gender-disaggregated data was unavailable on whether women or men perform this work, including managing the resulting data. KEPA would need to ensure that women and men have equal access to real-time data in cases of flash floods, which have become more frequent and even deadly.[93] Insufficient information is available about diverse women and men's access to such information.

The **Water Service Regulatory Authority** (WSRA) is an independent institution responsible for regulating the activities of all water service providers.[94] The Director of the Authority is a woman, while data on staff could not be found. An estimated 79% of the population has water supplied by regional water companies managed by WSRA, whereas other inhabitants may have

[86] Republic of Kosovo, Assembly, Law No. 2002/8 on the Environmental Protection, 2008.

[87] Ibid., Article 60, Paragraph 2.

[88] KEPA, website, "Directorate for Environmental Assessment", 2022, accessed 21 December 2023. These include the Kosovo Institute for Nature Protection, Kosovo Hydrometeorological Institute, the Directorate for the Administration of the National Part "Sharri", the Directorate for the Administration of the National Part "*Bjeshket e Nemuna*", the Directorate for Environmental Assessment, and the Directorate for the Administration of Natural Monuments of Special Importance.

[89] Ibid.

[90] Ibid., "Kosovo Hydrometeorological Institute" Duties and responsibilities, accessed 31 August 2023.

[91] Republic of Kosovo, Hydrometeorological Institute of Kosovo, website, accessed 21 December 2023.

[92] KWN interview, 2023.

[93] Uran Haxha, "Floods are taking Kosovo by surprise", *Kosovo 2.0*, 19 September 2023, accessed 21 December 2023. In June 2023, a woman and her five-year-old son lost their lives in a flash flood.

[94] Republic of Kosovo, Assembly, Law No. 05/L-042 for Regulation of Water Services, 2016, Article 4. WSRA consists of "four departments and an inspection unit, three departments are responsible for regulatory activities and one department provides support for office work as well as an inspection unit that oversees the implementation of WSRA legal acts" (Water Service Regulatory Authority, website, accessed 4 September 2023).

water providers not licensed by WSRA.[95] Authority inspectors monitor the implementation of water supply policies using regional water companies' digital systems, which maintain data on water supply.[96] The Authority does not maintain data on consumers as this is done by regional water companies, which should use data protection standards as per Kosovo law.[97]

Other ministries have duties related to environmental protection, energy, and climate change response. **MIET** can support private sector development related to the circular economy by making business operations more circular and by contributing to innovation that can strengthen circularity across economies.[98] MIET adopted an Environmental and Social Management Framework for KODE.[99] While KODE is gender-responsive,[100] it does not have indicators, baselines, and targets to measure changes towards gender equality related to environmental protection. However, an EIA was conducted to inform the project's design. Within MIET, the **Kosovo Agency for Energy Efficiency** is responsible for developing policies, supporting municipalities to establish energy efficiency plans, and monitoring their implementation.[101]

MAFRD is responsible for agriculture and rural development;[102] two key risks are water scarcity and more prevalent dry seasons, particularly in the Dukagjini geographic area, which is the largest agricultural region.[103] The Government seeks to adapt to climate change by constructing dams in Firaje/Štrpce and Shtime/Štimlje. However, construction of additional water reserves for agricultural purposes is pending adequate funds.[104] For these construction projects, no gender impact analysis has been conducted, including as part of EIAs, though the projects could have gender-related impacts. Water availability and access can affect women and men differently, affecting both agricultural businesses and individual households using subsistence farming.

The **Ministry of Economy** has departments for Energy and Mining. The **Independent Commission for Mines and Minerals** is responsible for "the orderly exploration and exploitation of mineral resources in Kosovo and the optimal utilization of mineral resources at all mining operations in

[95] KWN correspondence with WSRA, September 2023.

[96] Ibid.

[97] Ibid.

[98] OECD, SME Policy Index: Western Balkans and Turkey 2022*: Assessing the Implementation of the Small Business Act for Europe*, 15. Kosovo: Kosovo Economy Profile, 2022.

[99] Ministry of Economic Development, "Environmental and Social Management Framework for Kosovo Digital Economy Project", 2019, p. 6.

[100] See Chapter 6.

[101] Kosovo Agency for Energy Efficiency, website, [in Albanian], 2023, accessed 21 December 2023.

[102] Republic of Kosovo, MAFRD, website, 2020, accessed 21 December 2023.

[103] KWN interview, 2023.

[104] KWN interview, 2023.

accordance with the Law on Mines and Minerals and the Mining Strategy".[105] The Energy Department is responsible for designing policies and measures, implementing them, monitoring, and promoting investments in the sector towards a "secure, affordable energy supply for consumers based on the principles of sustainable development".[106] The Energy Inspectorate monitors implementation of relevant laws and policies.[107] The Mining Department is responsible for creating conditions for sustainable development of this sector, considering "social and environmental aspects".[108]

Generally, none of these government bodies has clear responsibilities related to furthering gender equality, particularly related to digitalisation. Nor could KWN find any gender-impact assessments produced by these bodies that may have informed their work.

The **Assembly of Kosovo Committee for Agriculture, Forestry, Rural Development, Environment, Spatial Planning, and Infrastructure** is responsible for defining and monitoring government implementation of policies and programmes related to environmental protection, including digitalisation.[109] The Committee's role extends to integrating environmentally sustainable practices into various sectors. It collaborates with other committees, notably the Committee on Budget and Transfers, to secure financing for environmental initiatives. It conducts reviews of relevant legislation and budgets. In two years, this Committee held 53 meetings for which public records exist; it never discussed gender-responsive budgeting. Only three meetings (6%) involved mention of gender, and digitalisation was mentioned twice (4%). For example, MP Fitore Pacolli-Dalipi observed that since investors organised debates for EIAs close to project sites, few citizens participated.[110] "In such debates that are held in village cafes, women do not participate", she said. Holding meetings in cafes demonstrated a lack of consideration for gender inclusivity in EIA discussions, because rural women tend not to visit these establishments. As a result, debates may not have addressed the needs and concerns of women, hindering a comprehensive evaluation of potential project effects. Related to digitalisation, MESPI reported that they have digitalised water payments and services and that online equipment servicing related to property certificates is now available

[105] Republic of Kosovo, The Independent Commission for Mines and Minerals, Function, accessed 21 December 2023.

[106] Republic of Kosovo, Ministry of Economy, website, "Department of Energy", 2023, accessed 21 December 2023.

[107] Ibid. These include Law No. 05/L-081 on Energy, 2016; Law No. 03/L-201 on Electricity, 2010; Law No. 05/L-084 on the Energy Regulator, 2016; Law No. 06/L-031 on Pressure Equipment, 2018; Law No. 05/L-052 on Thermal Energy, 2015; Law No. 05/L-082 on Natural Gas, 2016; and Law No. 06/L-079 on Energy Efficiency, 2018.

[108] Ibid.

[109] Republic of Kosovo, Assembly, Committee on Agriculture, Forestry, Rural Development, Environment, Spatial Planning and Infrastructure, accessed 2 September 2023.

[110] Ibid., Meeting Minutes (13.12.2022), accessed 2 September 2023.

through Kosovo's digital platform.[111] However, digital geospatial databases have been deficient with planning, prioritising business development over enhancing citizens' lives.[112] Discussions on digitalisation did not refer to gender and vice versa.

Capabilities

When asked about digital infrastructure, a recurring comment was that MESPI has a website.[113] This suggests limited understanding among officials of digital infrastructure and opportunities for using it, let alone for ensuring its gender-responsiveness. The fact that few laws and policies contained gender analysis or gender responsive measures indicates shortcomings in decision-makers' capabilities for ensuring gender-responsive laws and policies related to digitalisation in these sectors. Policymakers struggled to understand relationships between the climate change, the environment, energy, digitalisation, and gender equality.[114]

Digital Public Services

MESPI has an easily accessible website. However, users may be confused due to the lack of a single, functional, merged website. In 2023, two websites operated simultaneously.[115] The newer MESPI website has information about the environment and infrastructure. It has useful information available in Albanian but not all information exists in English and Serbian. The website links to the Public Consultation Platform and to Access to Public Documents.[116] Other services offered are air quality monitoring, legalisation program (about legalising unpermitted construction via registration with the Cadastre),[117] and reporting illegal actions.[118] The language is gender negative as it primarily uses male nouns, especially in calls published. Given that most persons holding decision-making positions in the Ministry are men, most images portray more men than women in meetings among officials.

Digital solutions can facilitate women and men's participation, such as via online consultations, surveys, and collection of gender-disaggregated data to inform environmental protection, energy, and climate change response policies and programmes. MESPI has a few online platforms for communicating with citizens. Citizens can "Write to the Minister". The form requires

[111] Ibid., Meeting Minutes (6.12.2022), accessed 2 September 2023.

[112] Ibid., Meeting Minutes (27.5.2022), accessed 2 September 2023.

[113] KWN interviews, September 2021.

[114] KWN interviews, 2021.

[115] Ministry of Infrastructure and MESPI website, accessed 4 September 2023.

[116] Ibid.

[117] The World Bank is financing upgrading and digitising of all cadastral records; it plans to launch publicly available e-services and investments in geospatial datasets (KWN correspondence with the World Bank, September 2023).

[118] Ibid.

the person's name and email but not gender,[119] so it would be difficult for MESPI to monitor trends in who writes letters on which topics without the manual labour of coding data based on names. The website also provides the option for citizens to report illegal activities, such as river damage, forest degradation, and illegal construction.[120] Reporting is anonymous, presumably to encourage reporting without fear of repercussion. Thus, MESPI cannot track the extent to which women and men are using this feature. Some public services are available online, like direct payments for energy and water through applications or websites hosted by private service providers. None of them requires information about gender, so gender-disaggregated data cannot be tracked on users of these digitalised public services.

MESPI is undergoing a process of digitalising EIAs, where applicants can upload required documents online. Officials observed that this will save time and make the process more efficient.[121] Neither KEPA nor the Hydrometeorological Institute of Kosovo has a website, but they use Facebook for announcements. WSRA has a functional, updated website in Albanian, English, and Serbian.[122] Information can be found easily, though no services are offered online except sending messages directly to the institution. The language and visuals used are gender neutral.

Few official municipal government websites were updated as of October 2023, and most municipalities used alternative websites with non-governmental domains.[123] This could hinder citizens' access to real-time, accurate information and undermine their participation in public consultations on EIAs and budget planning for environment-related interventions.

Funding and Procurement

In 2016, KWN supported then-MESP to implement its gender-responsive budgeting responsibilities. However, based on publicly available official documents, it seems that the Ministry has not continued implementing gender-responsive budgeting.[124] While the MTEF references gender budgeting towards fiscal discipline, MESPI did not implement gender-responsive budgeting in its MTEF chapter.[125] The chapter does not contain any specific objectives,

[119] Republic of Kosovo, Government, MESPI, website, Ministry, "Write to the Minister", 2023, accessed 31 August 2023.

[120] MESPI website, accessed 31 August 2023.

[121] KWN interview, 2023.

[122] Republic of Kosovo, Water Services Regulatory Authority, website, 2017, accessed 4 September 2023.

[123] See: Republic of Kosovo, Municipalities Websites of the Republic of Kosovo, accessed 25 October 2023.

[124] KWN, Budgeting for a Better Environment: A Gender Analysis of Expenditures and Services in the Ministry of Environment and Spatial Planning, 2016.

[125] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, accessed 6 October 2023.

indicators, baselines, or targets related to gender equality.[126] The Government has planned to support investments in digital solutions to address climate change. For example, ERP 2021-2023 foresaw grants for efficiency measures for women's businesses and internships for 100 women in the energy sector; and ERP 2022-2024 reported successful allocation of these funds.[127] However, precise information regarding the number of beneficiaries and amounts spent was not reported; KWN could not locate this information online. Nor could KWN find publicly available gender-disaggregated information pertaining to beneficiaries of other government supported investments in environmental protection, energy, and climate change. MESPI's audit report for 2022 does not include gender-responsive budgeting.[128] Nor did the National Audit Office provide recommendations to incorporate gender-responsive budgeting in the Ministry's financial practices, though this is a legal obligation, including related to digitalisation efforts.

In 2020, the EU committed €9 billion of IPA III funding for 2021-2027 for the WB for sustainable connectivity, enhancing human capital, promoting competitiveness and inclusive growth, and facilitating green and digital transitions.[129] An annual budget of €400,000 has been foreseen for projects related to the green economy, focusing on awareness-raising, but no information exists on activities implemented to date.[130] Nor was information available regarding the gender responsiveness of activities related to green and digital transition.

MESPI has two accounts on the e-procurement platform: one for the Ministry of Environment and Spatial Planning and one for the Ministry of Infrastructure. Although these two ministries have become one, MESPI, procurement remains divided according to the previous ministries. Tender dossiers on the e-procurement platform do not contain any statements encouraging businesses owned by underrepresented genders to apply. Nor do they provide affirmative measures for companies working to further gender equality internally.

[126] Ibid., pp. 82-84.

[127] Republic of Kosovo, Government, Economic Reform Programme 2023-2025, 2023, Table 11, p. 142.

[128] Republic of Kosovo, National Audit Office, Raporti i auditimit për pasqyrat financiare vjetore të Ministrisë së Mjedisit, Planifikimit Hapësinor dhe Infrastrukturës për vitin 2022, [Audit report for the annual financial statements of the Ministry of Environment, Spatial Planning and Infrastructure for the year 2022] [Albanian only], accessed 18 September 2023.

[129] EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: An Economic and Investment Plan for the Western Balkans, 2020.

[130] OECD, SME Policy Index: Western Balkans and Turkey 2022*: Assessing the Implementation of the Small Business Act for Europe*, 2022.

Infrastructure

This section examines the availability and gender-responsiveness of digital tools related to environmental protection, energy, and climate change. Little to no infrastructure exists for collecting and using gender-disaggregated data to inform policymaking in these sectors. MESPI reportedly planned to develop additional software, but efforts were halted pending approval of the Digital Agenda.[131] The existing energy and water digital infrastructure lacks gender-disaggregated data for tracking resource consumption. While electricity use and carbon-footprint information is largely based on assumptions, research suggests that men have higher demands.[132] Tracking data on energy use at different times and geographic locations, disaggregated by gender, could support a "polluter pays" system as well as supporting more gender-targeted awareness-raising on reducing consumption.

No digital infrastructure seems to exist for inspectors to manage cases inclusive of gender-disaggregated information on persons reporting alleged violations, polluters, the type of alleged pollution or infringement, case status, or fines.

Digital tools and technology can be used to predict and respond to climate crises. Technology is considered crucial to evaluate, reduce, and manage risk stemming from climate change, using such information for early warning systems.[133] Apart from the Hydrometeorological Institute, responsible for flash flood warnings, the Government does not have any early warning system in place, let alone warning systems with a gender perspective. Nor do insurance schemes adequately cover all households and businesses in Kosovo, protecting them from climate-change crises and weather-related losses.[134] Global examples provide practical, reliable models that utilise technology, such as weather index insurance. This solution uses an index that considers "rainfall patterns, temperature, and other indicators" associated with weather-related risks.[135] Some countries have adopted machine learning to understand and manage risks effectively, establishing an index that links local meteorological records with weather observations to inform broader risk-management strategies.[136]

[131] KWN interview, 2023.

[132] Phil Grünewald and Marina Diakonova, "Societal differences, activities, and performance: Examining the role of gender in electricity demand in the United Kingdom", *Energy Research & Social Science*, Volume 69, 2020.

[133] OECD, "Technology for Reducing and Managing Losses and Damages" in *Managing Climate Risks, Facing up to Losses and Damages*, OECD, 2021.

[134] Republic of Kosovo, Government, MAFRD, Strategy for Agriculture and Rural Development 2022-2028, 2021.

[135] OECD, "Technology for Reducing and Managing Losses and Damages" in *Managing Climate Risks, Facing up to Losses and Damages*, OECD, 2021.

[136] Ibid.

Digital solutions for predicting climate-related crises and for effectively communicating warnings must be based on gender analysis. Due to their lack of access to real-time information, women and vulnerable groups may be affected disproportionately by climate-change crises. Research suggests considering historically gendered practices in technology when devising climate-change adaptation strategies towards avoiding reproducing unequal gender relations.[137]

People

This section examines diverse women and men's access, participation, and use of digitalisation related to the environment, energy, and climate change response. Then, it discusses people's awareness and relevant digital literacy skills. Finally, it discusses protection and digital wellbeing from a gender perspective.

Access, Participation, and Use

EU GAP III calls for the participation of diverse women in decision-making on environmental conservation and climate change policies and actions, as well as their employment in the green and circular economy.[138] Given that few women are in decision-making positions in Government and few women and men have been involved in public consultations in these sectors, participation in decision-making seems minimal for all citizens and particularly for women. Women's underrepresentation in public consultations relates to gender norms and relations in families. Men historically have been considered heads of households with the responsibility of representing the family's interests in public discussions and meetings.[139] Further, men tend to participate as women have "house chores to do and don't have time for this", an official said.[140] Socialised gender roles, insufficient time, limited finances to travel to meetings, and unavailable transport in rural areas can be barriers to women accessing decision-making processes.

Historically, women's participation in the energy sector has been low and the leadership male-dominated.[141] This is due in part to gender norms regarding what constitutes appropriate work for women.[142] Affirmative measures seem to have contributed to increasing women's participation. In

[137] N. Gonda, "Climate Change, "Technology" and Gender: "Adapting Women" to Climate Change with Cooking Stoves and Water Reservoirs", *Gender, Technology and Development*, 2017.

[138] EU, Joint Communication to the European Parliament and the Council, EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU External Action, 2020.

[139] KWN interviews 2021-2023; KWN, No More Excuses, 2015, pp. 29-30.

[140] KWN interview, 2022.

[141] USAID, "Advancing Gender Equality in Kosovo's Energy Sector", 2021, accessed 5 January 2024.

[142] KWN, Kosovo Gender Analysis, 2018, p. 2.

2021, women comprised 9% of energy sector employees,[143] reflecting a slight increase compared to 7% in 2018.[144] The Government sought to increase their participation to 11% by 2024 and 25% by 2031.[145]

A few studies have concluded that women are responsible for using more electricity. However, recent research conducted in the UK countered this assumption, finding that although women engage in activities with a larger energy footprint, they use less electricity than men to perform many of these activities.[146] Studies in other contexts have shown that the lack of women's rights to access and use electricity contribute to fewer opportunities than men to engage in decision-making.[147] In Kosovo, energy is used for "space heating, air conditioning, sanitary water heating, cooking, lighting and the use of household and individual household appliances". Due to their engagement in unpaid labour, particularly housekeeping, women are considered "the main household consumers".[148] Thus, capacity building for women in energy efficiency could strengthen their socio-economic position.[149]

Few opportunities exist to use digital tools in energy-related sectors, so women and men's usage cannot be assessed. As noted, MESPI's online forms for filing complaints for forest damage, river damage, or illegal construction are anonymous. Online payments for water, electricity, and trash require no gender-related data. Thus, gender analysis regarding service users is not possible. Collecting this information could reveal who tends to use these services or report environmental degradation, facilitating better targeted outreach to encourage more reporting. Such data could shed light on whether women or men are more inclined to use digital public services for utility expenses, further informing outreach. At present, more women (9%) than men (7%) think the eKosova platform should offer an online service for reporting environmental pollution.[150]

In 2017, MCC launched the Kosovo Threshold Program, aiming to strengthen the energy sector, offer opportunities for women, and promote transparent

[143] Republic of Kosovo, Government, Ministry of Economy, Energy Strategy of the Republic of Kosovo 2022-2031, 2023, p. 37.

[144] MCC, "Women Are Driving Change in Kosovo's Energy Sector", 2020.

[145] Republic of Kosovo, Government, Ministry of Economy, Energy Strategy of the Republic of Kosovo 2022-2031, [2023], p. 37.

[146] Phil Grünewald and Marina Diakonova, "Societal differences, activities, and performance: Examining the role of gender in electricity demand in the United Kingdom", *Energy Research & Social Science*, Volume 69, 2020.

[147] T. Winther, et al., "In the Light of What We Cannot See: Exploring the Interconnections between Gender and Electricity Access", *Energy Research & Social Science*, 2020.

[148] Association of Women in the Energy Sector of Kosovo, Gender diversity in the energy sector of Kosovo, 2022, pp. 32-33.

[149] T. Winther, et al., "In the Light of What We Cannot See: Exploring the Interconnections between Gender and Electricity Access", *Energy Research & Social Science*, 2020.

[150] UNDP, Digital Household Survey, 2022.

governance.[151] MCC provided funds for improving home insulation, contributing to energy efficiency. It also offered opportunities for women entrepreneurs to "invest in and benefit from energy efficiency".[152] MCC provided training that enhanced women's knowledge of energy efficiency and their access to finance. MCC's scholarships for young women focused on STEM and energy-related fields.[153] By August 2022, 28 women had received MCC scholarships to enter the energy sector.[154]

Digital Literacy Skills and Awareness

MESPI has highlighted the need to increase awareness of the importance of environmental issues and biodiversity by strengthening cooperation with MESTI, MEDs, and schools. MESPI observed insufficient funds for environmental education and a lack of environmental training as challenges.[155]

Kosovo-wide surveys on citizens' perceptions and knowledge could inform policies, but such data is lacking. No comprehensive survey has examined women and men's knowledge related to environmental protection, energy consumption, climate change response, related digital tools, or how to report environmental violations. Global public surveys suggest that people in Kosovo are less likely than those in other countries to consider climate change a high priority area for the Government,[156] due to other pressing issues like socio-economic development, employment, and politics.[157] In 2023, people considered unemployment (33%) and poverty (20%) the most significant problems; only 1.4% considered the environment a key concern.[158] Approximately 16% of women and 13% of men said that they had no knowledge about the environment. Slightly more women said they knew "a lot about this topic" (16%) than men (14%). However, no significant difference seems to exist between women and men regarding their knowledge about climate change, where 65% of men and 62% of women claimed to have heard about it.[159] Women and men tend to receive climate-related information via the same means of communications, particularly via TV and social media.[160]

[151] MCC, website, "Kosovo Threshold Program", 2023, accessed 21 December 2023.

[152] MCC, website, "Investing in Energy Efficiency Sparks Change for Kosovo's Women Entrepreneurs", 28 March 2021, accessed 21 December 2023.

[153] MCC, Crossing the Threshold for Equal Opportunities: The summary report on gender and social inclusion activities implemented during the Threshold program by Millenium Foundation Kosovo, 2022.

[154] MCC, Table of Key Indicators, 2022, accessed 21 December 2023.

[155] Republic of Kosovo, MESPI, Strategy and Action Plan for Biodiversity, 2020, pp. 27-28.

[156] A. Leiserowitz, et al., "International Public Opinion on Climate Change, 2022". New Haven, CT: Yale Program on Climate Change Communication and Data for Good at Meta, 2022. Gender-disaggregated data was unavailable.

[157] UNDP Kosovo, "Exploring Climate Change Challenges and Opportunities in Transitioning to a Carbon Neutral Economy in Kosovo", 2022, accessed 21 December 2023.

[158] UNDP Kosovo, "Public Pulse Brief XXIV", 2023, p. 24. The survey involved 1,306 research participants.

[159] UNDP Kosovo, "Exploring Climate Change Challenges and Opportunities in Transitioning to a Carbon Neutral Economy in Kosovo", 2022, accessed 21 December 2023.

[160] Ibid., p. 21.

A survey conducted in Prizren municipality found that most citizens (83%) had noticed changes in rainfall, temperature, seasons, floods, and drought.[161] Although the researchers did not provide gender-disaggregated data, 84% of respondents had heard about climate change, mostly through digital means such as television (46%) and internet (30%). Fewer respondents (16%) had received such information from educational institutions. Most citizens indicated being somewhat informed about climate change (58%), while only 16% considered themselves sufficiently informed, and 26% did not feel informed. Among environmental issues, many people were concerned about trash (28%), air pollution (23%), water pollution (17%), and traffic (15%). In a Kosovo-wide survey, both women (25%) and men (27%) considered air pollution a top concern.[162] When asked about the effects of climate change, most anticipated a later impact (37%), while 33% were uncertain. Only 27% believed in an immediate effect. Almost half of the surveyed citizens (49%) agreed that something could be done to improve the situation, while 40% were uncertain. Citizens tended to consider local and national government authorities responsible for addressing climate change (40%), while 37% noted individual responsibility. Most (63%) had not taken any measure or action to address climate change. Among those who did, most had participated in clean-up activities (59%) and planting flora in public spaces (24%). Although the survey was not representative of the entire Kosovo population, it suggests a need for further awareness-raising regarding climate change, including using digital solutions to address climate change.

Women can contribute significantly to addressing climate change as they often are responsible for collecting and safeguarding water and energy sources.[163] Digital online campaigns could encourage women and men to consider how to preserve energy and protect the environment. However, KWN found few examples of awareness-raising efforts targeting diverse women and men in their languages, especially in rural areas. Faced by an energy crisis in 2022, KEDS electricity company conducted an online campaign in collaboration with mayors. Through online videos, mayors urged citizens to save energy, aiming to prepare for the upcoming winter; they did not explicitly link conservation efforts with environmental concerns or any gender-related issues.[164]

Civil society initiatives and organisations such as GAIA also organised campaigns to raise awareness about climate change and nature conservation,

[161] *Ec ma ndryshe*, "Përceptimi i qytetarëve të Prizrenit për ndryshimet klimatike" [Perceptions of citizens of Prizren about climate change], accessed 22 December 2023. The findings were published as infographics, and no information was available regarding the sample size or any gender-disaggregated data.

[162] UNDP Kosovo, "Exploring Climate Change Challenges and Opportunities in Transitioning to a Carbon Neutral Economy in Kosovo", 2022, p. 28.

[163] Katharina Miller and Sylvia Cleff Le Divellec, European Women Lawyers Association for KWN, Working Paper, "Gender Mainstreaming Kosovo's Legal Framework on the Environment in Line with EU Commitments", 2023.

[164] KEDS Energy, Facebook, "Kampanja për Kursim të Energjisë Elektrike" [Campaign for Saving Electric Energy], [in Albanian] 2022, accessed 21 December 2023.

particularly among youth.[165] UNDP involved students in co-designing activities towards a greener environment in Prishtina/Priština most polluted areas. Recommendations included "micro-mobility programs, pedestrian-friendly infrastructure, air-purifying socializing spaces, greenery, solar panels, and efficient public transportation and bus stations equipped with air purifiers". Focusing on the capital city neglects the challenges faced by women and men in rural areas,[166] where further awareness-raising is needed.

Digital Wellbeing and Protection

Digitalisation offers opportunities to address many development challenges, including related to climate change. However, if not used properly, digital tools can worsen existing social and gender inequalities. The Commission on the Status of Women has observed that the lack of gender- and sex-disaggregated data regarding many environmental issues renders women and girls and their needs invisible to policymakers.[167] In Kosovo, the environment and energy sectors have insufficient gender-disaggregated data and gender analysis,[168] which hinders policymaking that adequately addresses the needs of diverse women and men. No known research has examined public trust in environmental inspectors either. Towards women and men's wellbeing, the development of new software that digitalises services related to early warning of climate risks, water, energy, and online reporting of environmental violations should consider gender-responsive ethical standards, data protection, privacy, trust, and cybersecurity. At present, all reporting that does exist is confidential and anonymous.

Energy consumption has been identified as a cause for higher CO^2 emissions and environmental degradation.[169] Energy production, particularly from coal, may contribute to women facing greater public health consequences than men. Life expectancy in Kosovo remains low, partly because of poverty, but also due to environmental factors.[170] Women in rural areas suffer more consequences because they have poorer access to health services than

[165] L. Bahtiri, "Perceptions of Kosovar Youth on the Environmental Situation in Kosovo", Climate 4 Change, 2019.

[166] UNDP Kosovo, website, Digital Transformation: Empowering a Sustainable Future, 26 July 2023, accessed 21 December 2023.

[167] UN, Economic and Social Council, Commission on the Status of Women, Sixty-sixth session, 2022; and UN Human Rights, Special Procedure, Special Rapporteur on human rights and environment, "Women, Girls and the Right to a Healthy Environment: Good Practices", 2023.

[168] KWN, Kosovo Gender Analysis, 2018.

[169] J. Chontanawat, "Relationship between Energy Consumption, CO2 Emission and Economic Growth in ASEAN: Cointegration and Causality Model", *Energy Reports*, 6th International Conference on Energy and Environment Research - Energy and environment: challenges towards circular economy, 6 (1 February 2020): pp. 660–65. In Kosovo, a large amount of energy has been used for cryptocurrency production. According to KP, within one day in one village in Zubin Potok, 11 devices used to produce cryptocurrency were located and confiscated (KosovaPost, "Konfiskohen në veri 11 pajisje për kripovaluta, pronari dyshohet se gjendet në Beograd" [11 cryptocurrency devices confiscated in the north, owner suspected to be in Belgrade], 11 June 2023, accessed 15 August 2023).

[170] Republic of Kosovo, Government, OPM, AGE, Kosovo Program for Gender Equality 2020-2024, 2020.

men and women in urban areas partly due to socio-cultural norms.[171] Thus, environmental degradation can affect women's health more than men's because they have less access to treatment, though this is not yet sufficiently researched and evidenced in Kosovo.

Another insufficiently researched issue is the impact that digital tools can have on the environment, potentially undermining diverse women and men's wellbeing. Globally, electronic waste, including mobile phones, computers, televisions, and freezers, is causing illnesses resulting from ingestion, inhalation, and skin contact with toxins.[172] No data seems to exist in Kosovo on the uncontrolled dumping of digital hardware into landfills and waterways or its effects on human health. This requires further examination given the general lack of awareness or Government control of dumping electronic products in Kosovo's land and rivers.

Conclusion

No comprehensive gender analysis exists related to climate change or the environment; it would entail a substantial undertaking given the many dimensions requiring examination. Regarding **Regulation**, none of the relevant laws or policies seems to have been informed by the required G(E)IA. Nor were ex-post gender equality assessments conducted to determine the impact policies have had on diverse women and men. Thus, laws and policies are not sufficiently gender-responsive, including as they pertain to digitalisation.

Related to **Governance**, women's underrepresentation in decision-making, minimal capabilities among officials for gender-responsive policymaking, and limitations in gender-disaggregated data are key barriers to developing gender-responsive laws and policies. Digital services do not meet diverse women and men's needs for information, online engagement, and e-services. Nor do they collect gender-disaggregated data that could be used to inform policymaking and services. Gender-responsive budgeting has not been consistently applied, including related to e-procurement or financing for digitalisation. Kosovo has very limited digital **Infrastructure** for these sectors and gender-disaggregated data is rarely collected.

Few **People** can access or use digital solutions, hindering gender analysis. Minimal research exists on how people use technology related to environmental protection, energy, or climate-change response, or about their knowledge. While research is lacking, the extent of environmental degradation and pollution in Kosovo suggests insufficient awareness about the environment

[171] Ibid.

[172] M. Jain, et al., "Review on E-waste management and its impact on the environment and society", *Waste Management Bulletin,* 2023.

or digital tools that could help address these issues. Given the minimal digital infrastructure available, assessing protection and digital wellbeing from a gender perspective is difficult.

09

Digitalising Healthcare

The COVID-19 pandemic catalysed the use of digital health technologies and services. It brought a new era of "digital health", defined to include use of "mobile health apps, telemedicine, and data analytics to improve health systems".[1] Although digital health can "bolster gender equity through increased access to health care, empowerment of one's own health data, and reduced burden of unpaid care work, it is rarely designed from a gender equity perspective".[2] Digital applications used for health services can "reinforce gender bias or sexism, ignore gender inequities and use biased algorithms".[3]

As elsewhere, the pandemic accelerated the need to digitalise the health sector in Kosovo, where digital health options had been virtually non-existent. This chapter examines Kosovo's efforts to digitalise healthcare, examining the Regulation, Governance, Infrastructure, and People dimensions of the Gender-responsive Inclusive Digital Transformation Model.

[1] Caroline Figueroa, Tiffany Luo, Adrian Aguilera, and Courtney Lyles, "The need for feminist intersectionality in digital health", 2021.

[2] Ibid.

[3] Ibid.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Healthcare

This section analyses the gender-responsiveness of laws and policies pertaining to digitalising healthcare.

Constitution of the Republic of Kosovo

The Constitution renders CEDAW directly applicable in Kosovo, including in this sector.[4] According to CEDAW, states must undertake measures to "eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning."[5] States must ensure equal access to healthcare facilities, services, information, counselling, and education. This "implies an obligation to respect, protect and fulfil women's rights to health care".[6] The CEDAW Committee further requires that states not restrict women's access to health services or clinics based on gender, marital status, or authorisation of family members or health authorities. States should ensure access for women in rural areas.[7]

Due to its political status, unrecognised by the UN, Kosovo is not an official signatory and does not need to report officially on CEDAW implementation. Civil society produced a shadow report, but it is outdated.[8]

Law on Health

The 2012 Law ensures inclusive healthcare services without discrimination "on the basis of gender, nation, race, colour, language, religion, political preference, social status, sexual orientation, level of physical or mental abilities, family status or age".[9] It states that the Ministry of Health must ensure the establishment, development, and functioning of an integrated health information system (HIS). All healthcare institutions must assure regular, accessible, confidential, and safe collection and reporting of data.[10] To ensure continuity of treatment, healthcare institutions must provide access to electronic data or written information to facilities providing diagnosis, treatment, or rehabilitation services.[11]

Aside from the anti-discrimination clause, the Law does not mention gender and is **gender neutral**. It does not emphasise the need to maintain gender-disaggregated data in HIS, despite Law on Gender Equality requirements.

[4] Republic of Kosovo, Constitution, 2008, Article 22.

[5] UN General Assembly, CEDAW, 1979, General Recommendation 24 on Article 12 (Women and Health).

[6] Ibid.

[7] UN General Assembly, CEDAW, 1979, Article 14, paragraph 2.

[8] KGSC, Monitoring of the Implementation of CEDAW in Kosovo, 2008.

[9] Republic of Kosovo, Assembly, Law No. 04/L-125 on Health, 2012, Article 5, 1.2.

[10] Ibid., Articles 49 and 52.

[11] Ibid., Article 53.

This omission can contribute to insufficient collection, maintenance, and publishing of relevant data. While KWN could not find any official, publicly available report monitoring implementation of this Law, evidence in this chapter suggests shortcomings in implementation. The Health Sector Strategy stated that no accurate picture of the health situation exists "due to limitations on the scope and accuracy of the data".[12]

Law on the Rights and Responsibilities of Kosovo Residents to Health Care

This 2007 Law provides every resident with the right to healthcare based on "his" health.[13] Residents can access documentation and data relevant to their health status and medical treatment.[14] They have the right to confidentiality and protection of personal information.[15] Although the Law was amended in 2022, it still lacks reference to electronic healthcare data.[16] It does not require institutions to digitalise patients' data, a mandate that could make healthcare information and services more accessible. The Law states that "he, his or him always imply female gender, unless it is expressly otherwise stated".[17] Therefore, the Law is **gender negative**, and gender-negative language persists in the 2022 Law.

Law on Health Inspectorate

This Law states that the Health Inspectorate is an administrative authority of the Ministry of Health, which conducts external professional monitoring of health institutions according to the Law on Health, regardless of institutions' financing and ownership.[18] The Inspectorate also is responsible for maintaining medical documents, evidence, and forms.[19] Neither the 2006 Law, nor its amended 2022 version, specifies how the Inspectorate should collect, maintain, and safeguard inspection data. It does not specify the need to maintain gender-disaggregated data. KWN found no evidence that the Inspectorate had an existing and functioning data management system, so it would be difficult to assess women and men's access to inspection services. This law is **gender neutral** related to digitalisation and gender equality.

[12] Republic of Kosovo, Government, Ministry of Health, Health Sector Strategy 2017-2021 [in Albanian], 2016, p. 12.

[13] Republic of Kosovo, Assembly, Law No. 2004/38 for the Rights and Responsibilities of the Kosovo Residents in the Health Care, 2007, Article 4.

[14] Ibid., Article 19, paragraph 19.1.

[15] Ibid., Article 20, paragraph 20.1.

[16] Republic of Kosovo, Assembly, Law No. 08/L-051 on Amending and Supplementing Law 2004/38 on the Rights and Responsibilities of the Kosovo Residents in the Health Care, 2022.

[17] Ibid., Article 2, paragraph 2.2. For further discussion, see Chapter 2.

[18] Republic of Kosovo, Assembly, Law No. 02/L-38 on Health Inspectorate, 2006, Article 1, amended and supplemented by Law No. 08/L-049 on Amending and Supplementing Law No. 02/L-38 on Health Inspectorate, 2022.

[19] Ibid., Article 6.

Health Sector Strategy 2017-2021

This Strategy aimed to improve the quality of healthcare services.[20] The Strategy mentioned that high-technology medical equipment improves diagnosis and treatment capacities but increases health spending, noting that Kosovo has not invested in renovating and purchasing high-tech medical equipment.[21] The Ministry of Health intended to "address the needs of vulnerable groups" by developing services for persons with disabilities, hospice patients (e.g., terminally ill patients), prisoners, and survivors of gender-based violence, including human trafficking.[22] However, no objective, indicator, baseline, target, or budget mentioned gender equality or sought to further gender equality. Nor did the Strategy aim to digitalise services in a gender-responsive manner; maintain electronic, updated, gender-disaggregated data; or develop applications and electronic means of communicating that reach diverse women and men, especially in rural areas or with disabilities who could benefit from digitalised health services. The Strategy was **gender neutral**, mentioning gender only in reference to population and death statistics. KWN could not find any publicly available official report or ex-post gender impact analysis monitoring the Strategy's implementation, which could inform the next strategy.

Health Insurance Communication Plan 2017-2021

This 2017 Plan was established as part of the Health Sector Financing Reform to increase citizens' knowledge regarding their rights, obligations, responsibilities, and benefits expected from the health insurance scheme.[23] Specific objectives included effective external, internal, and intergovernmental communication. Attention to diverse women and men's communication needs, messaging that appeals to women and men's different socioeconomic positions, and gender-responsive communication materials could have been included in the Plan. However, the Plan was **gender neutral**, mentioning gender only in reference to population census statistics. No publicly available report monitored the Plan's implementation, inclusive of gender-impact analysis.

Mental Health Action Plan after the COVID-19 Pandemic

This Plan aimed to implement SDG 3.4 towards ensuring heathy lives and promoting wellbeing for all.[24] It was a one-year plan for 2023, calling for monitoring afterward. The Plan did not contain any objectives, indicators, baselines, targets, or budget related to gender equality, though it could have considered how COVID-19 may have affected women and men's mental

[20] Republic of Kosovo, Government, Ministry of Health, Health Sector Strategy 2017-2021 [in Albanian], 2016.

[21] Ibid., Chapter 4.4.

[22] Ibid., p. 43.

[23] Republic of Kosovo, Government, Ministry of Health, Office of the Minister, Health Insurance Communication Plan 2017-2021, 2017, p. 17.

[24] Republic of Kosovo, Government, Ministry of Health, Mental Health Action Plan After the COVID-19 Pandemic [in Albanian], 2022.

health differently or how state interventions to support mental health have benefitted diverse women and men. It was **gender neutral**.

National Programme for the Implementation of the Stability and Association Agreement

Related to EU Acquis Chapter 28, "Consumer and Health Protection", NPISAA 2021-2025 foresees operationalising the health insurance system, including the necessary legislative framework; collecting premiums through the Insurance Fund; and improving HIS.[25] It reiterates the EC Kosovo 2020 Report findings that "more financial resources should be allocated to health", enabling reforms including HIS expansion.[26] NPISAA does not explicitly refer to gender, women, or men in health and is **gender neutral**.

NPISAA 2022-2026 refers to the Accessible and Quality Health Care project, funded by the Swiss Government, which will focus on improving access to primary healthcare services, the quality of services, health management, and empowering patients, especially vulnerable groups.[27] It does not mention digitalising health services or gender and is **gender neutral**.

European Reform Agenda II

ERA II briefly mentioned health but not digitalising health services.[28] It foresaw drafting in 2021 a new sectoral health strategy for 2022-2031, but the Ministry of Health has not published such a strategy. It foresaw conducting an analysis to identify priorities and strengthen the health system. This should include a G(E)IA, but this is not mentioned explicitly, and the action is **gender neutral**. KWN could not find evidence that public consultations informed any such analysis before drafting the new strategy, or if the Ministry of Health planned to conduct a gender-impact analysis.

Governance

This section examines the extent to which diverse women and men have participated in leading, coordinating, planning, implementing, monitoring, and evaluating policies and programmes related to digitalising healthcare. It discusses officials' and healthcare workers' capabilities to undertake gender-responsive digital reforms. Finally, it examines the gender-responsiveness of relevant digital public services, funding, and procurement.

[25] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2021-2025, 2021.

[26] Ibid., p. 220.

[27] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022, p. 231.

[28] Republic of Kosovo, European Integration, Second Phase of EU – Kosovo Political Priorities: European Reform Agenda (ERA) II, accessed 21 December 2023.

Healthcare in Kosovo is organised at three levels: primary, secondary, and tertiary.[29] Healthcare services are provided by public, private, and public-private healthcare institutions. The **Ministry of Health** is primarily responsible for health protection. It supervises the provision of healthcare in public and private institutions at all three levels of healthcare.[30] The Ministry is responsible for developing and implementing laws and policies that ensure a non-discriminatory healthcare system; monitoring the situation; implementing measures to prevent, identify, and solve problems; and developing healthcare infrastructure.[31] The Ministry must implement development policies, supporting and guiding other institutions, municipal employees, employers, civil society, citizens, residents, and the healthcare system.[32] This entails coordination, including digital reforms. In the Ministry of Health, women hold 13 (43%) and men hold 17 (56%) of the decision-making positions.[33] Meanwhile, 77 women (55%) and 61 men (44%) work in the Ministry's central administration. **HIS** staff has a gender balance of three women and three men. Thus, a near gender-balance exists in decision-making positions and processes. The GEO said she was consulted in drafting concept documents but not laws or strategies.

The **National Institute of Public Health (NIPH)** is the highest health, professional, and scientific institution in Kosovo. It develops, organises, supervises, and implements public health policies.[34] NIPH covers all of Kosovo through its branches, Public Health Institutes, in six regional centres. It is also the base for the Faculty of Medicine. It organises and supervises studies and evaluates the scientific and professional training of public health job candidates.[35] NIPH does not offer any digital services. During the COVID-19 pandemic, NIPH used social media, mainly Facebook, to communicate with citizens.

The **Hospital and University Clinical Service of Kosovo** is an autonomous and independent health institution in Prishtina/Priština.[36] It has public secondary and tertiary healthcare institutions, including the University Clinical Centre of Kosovo and the University Dental Clinical Centre of Kosovo.[37]

[29] Republic of Kosovo, Assembly, Law No. 04/L-125 on Health, 2012, Article 15.

[30] Ibid.

[31] Republic of Kosovo, Ministry of Health, website, "Scope" [in Albanian], accessed 14 September 2023.

[32] Ibid.

[33] KWN correspondence with the Ministry of Health, July 2023.

[34] NIPH, website, 2017, accessed 22 December 2023.

[35] Ibid.

[36] Republic of Kosovo, Hospital and University Clinical Service of Kosovo, website, "*Historiku SHSKUK*" [History of UHCSK] [Albanian only], accessed 10 August 2023.

[37] Republic of Kosovo, Government, Statute of the Hospital and University Clinical Service of Kosovo, 2013, p. 5. These include the University Clinical Centre of Kosovo (UCCK); Dental University Clinical Centre of Kosovo; National Centre of Labour Medicine in Gjakova/Đakovica; National Centre of Sports Medicine; National Centre for Blood Transfusion; National Telemedicine Centre; General Hospital in Kosovo municipalities; community-based Mental Health Centres and Houses for Integration; and the Centre for integration and rehabilitation of chronic psychiatric patients in Shtime/Štimlje. These do not have websites or digital services.

Municipalities have **Family Medicine Centres**. It has seven regional general hospitals in Peja/Peć, Mitrovicë/Mitrovica, Gjilan/Gnjilane, Prizren, Ferizaj/Uroševac, Gjakova/Đakovica, and Vushtrri/Vučitrn.

The **Health Inspectorate in Kosovo** is an administrative body of the Ministry of Health, which exercises external professional oversight of healthcare institutions.[38] It is located in Prishtina/Priština and has 12 inspectors. The Inspectorate supervises inspections, takes measures, and imposes fines.[39] Given that its legal mandate is gender neutral, information about the gender-responsiveness of its work was difficult to find. The Inspectorate does not have a website or any digitalised services. The only online information about this institution is in a Ministry of Health website link, which contains the name of the vice head of the Inspectorate.[40]

Generally, regarding public healthcare institutions, KWN could not find any digitalised services. The EC Kosovo Report 2023 observed that:

> Kosovo has an e-health information system, that enables virtual communication between users/patients and general practitioners, provides counselling services, and captures data on patient admissions, discharges and transfers. However, it is not used by all health institutions and further functionalities (covering pathology, radiology, blood transfusion, vaccination and other interventions) remain to be added.[41]

Despite searching, KWN could not find this system online as of January 2024.

Regarding **participation** of professionals in the health sector, in public health institutions, 34% of the 8,812 employees are men and 66% are women, mostly because women tend to be nurses.[42] In the Chamber of Nurses in Kosovo, 80% of the 25,463 members are women and 20% are men. Women's overrepresentation among nurses is indicative of gender norms, where women tend to serve as caretakers and men tend to hold higher, better-paid positions. Unfortunately, KAS does not provide gender-disaggregated data on doctors, dentists, pharmacists, and physiotherapists. The gender of

[38] Republic of Kosovo, Assembly, Law No. 02/L-38 on Health Inspectorate, 2006, Article 1.

[39] Republic of Kosovo, Assembly, Law No. 08/L-049 on Amending and Supplementing Law No. 02/L-38 on Health Inspectorate, 2022, Article 1.

[40] Ministry of Health, website, accessed 22 December 2023.

[41] EC, Kosovo Report 2023, 2023, p. 92.

[42] KAS, Seria 5: Statistikat Sociale, Statistikat e Shëndetsisë 2022, [Series 5: Social Statistics, Health Statics, 2022], [in Albanian], p. 10, accessed 22 December 2023.

healthcare providers could affect patients and their willingness to receive services, including digital healthcare services. KWN research found that:

> Given the values held by some women, they may not want to be touched by men who are not their husbands, even if they are doctors […] 23.8% of women considered having a health provider of another gender a problem limiting their access to healthcare compared to 18.4% of men. Such views were more widespread in rural areas where 25.3% of Kosovars considered this a problem compared to 15.0% in urban areas.[43]

While limited information exists regarding the gender-responsiveness of digitalisation reforms in this Ministry, the fact that most laws and policies are gender neutral indicates that gender has not been considered as part of these reforms and thus attention to furthering gender equality may not have been adequately integrated into reforms. Gender norms and values should be considered when designing digital healthcare services, ensuring that services can be provided by women to women.

The **Assembly Committee on Health and Social Welfare's** responsibilities include developing policies ensuring the wellbeing and social protection of vulnerable groups and reviewing legislation and budgets. It oversees the implementation of laws in its jurisdiction. It has four women (40%) and six men (60%) members.[44] Women's underrepresentation may hinder the Committee's inclusion of women's perspectives in policymaking and assurance of gender-responsive healthcare.

Capabilities

The GEO has attended training on how to use digital technologies and, according to recent correspondence, believed there were enough capacities among staff to use them.[45] KWN could not find any publicly available analysis of **Ministry** officials' capabilities to undertake gender-responsive digital reforms. The fact that laws, policies, and reforms generally have not included a gender perspective suggests insufficient capacities for ensuring attention to gender equality.

HIS staff have educational backgrounds in ICT, including capacities for developing, administering, and managing data.[46] The Ministry provides training

[43] KWN, Access to Healthcare in Kosovo, 2016, p. 44.

[44] Republic of Kosovo, Assembly, Committee on Health and Social Welfare, accessed 2 September 2023.

[45] KWN correspondence, September 2021.

[46] Ibid.

for staff to keep up to date with technological innovation. However, HIS reportedly needs at least 15 more people to manage its operations.[47] While HIS is operational according to the Ministry, other research participants said it is not yet fully functional.[48] A visit to any public healthcare clinic illustrates that most healthcare workers still use paper ledgers rather than electronic systems, suggesting shortcomings in capabilities for transitioning to this digital system. No gender-disaggregated data could be found regarding the digital skills of healthcare employees and their needs for adapting to secure digital data maintenance and/or digital healthcare services.

Meanwhile, Kosovo does not have enough trained healthcare providers, which can hinder progress in adopting and implementing technical and innovative digital reforms to the healthcare system.[49] Kosovo may not have experts specialised in health informatics or medical technology.[50] Research published in 2021 found that healthcare workers have little self-confidence in using digital technologies because they lack education and professional training.[51] Another study found that most nurses "were more likely to imagine themselves using a computer, laptop or smartphone and less likely to imagine themselves using an assistive robot or telemedicine", though nurses expressed interest in further training for using health technology.[52]

Digital Public Services

The Government used the eKosova platform to support vaccinations during the COVID-19 pandemic.[53] This was among the first online services available in Kosovo. Regarding digital health services, eKosova offers access to digital vaccination passports, and the option to select or change a family doctor was recently added. When asked how effective the Government was in using digital technologies in responding to COVID-19, 35% of UNDP's survey respondents thought the Government was effective, while 16% thought the Government was ineffective or very ineffective.[54]

During the COVID-19 quarantine, AGE cooperated with the Ministry of Health to provide free mental health counselling. The Ministry worked with the University of Prishtina Department of Psychology to provide free

[47] Ibid.

[48] Ibid., and comment on draft report during peer review, 2023.

[49] Shegë Bahtiri and Erza Selmani, Digital Public Healthcare in Kosovo: An overview of the situation and challenges, Konrad Adenauer Foundation (KAS) in Kosovo, 2023, pp. 11-12. The research did not include gender analysis.

[50] Ibid.

[51] Ibid., citing Adnan Hoxha, Besarta Taganoviq, and Arben Hysenaj, "Qualitative research: Determinants and Long-Term Implications of Readiness and Trust of Kosovo Health Professionals on Digital Technology", *Pielęgniarstwo w Opiece Długoterminowej / Long-Term Care Nursing* 6 (4): 47-56, 2021.

[52] Ibid., citing Petrit Beqiri et al., "Affinity for assistive technology and interest in future training of Kosovar nurses", 2023.

[53] EKosova, accessed 10 August 2023.

[54] UNDP, Digital Household Survey, 2022.

tele-counselling services in Albanian and Serbian languages for people who had anxiety due to isolation during quarantine. It is unclear whether these services continued after the pandemic, though such services could be useful for women in isolation in non-pandemic times as well. Nor could KWN find online any intersectional gender analysis on providers and recipients of these services. KAS Health Statistics in 2020 and 2021 did not contain gender-disaggregated data on persons using public mental health services during the pandemic.

KAS publishes data on the health sector annually. It includes gender-disaggregated data on employees in public health institutions, births, deaths, injuries, and disease.[55] Despite requirements in the Law on Gender Equality, KAS does not provide gender-disaggregated data on patients visiting UCCK, general hospitals, Main Family Medicine Centres, or mental health institutions. Nor does it offer gender-disaggregated information on deaths in UCCK, staff providing COVID-19 services, or workplace injuries. Among the types of visits (e.g., home, daily, specialist, psychiatry, sports, therapy, entertainment), data do not exist for online healthcare or psycho-therapy services. Thus, insufficient data is publicly available for assessing the gender-responsiveness of digital health services.

The websites of the Ministry of Health and public providers are published in Albanian, Serbian, and English.[56] The Ministry's website has information about the Ministry, its organisation, functions, legislation, strategies, news, and links to public health providers. The website does not have any tools for people with disabilities. Overall, the language and images used are gender neutral. The only digital service is "Reporting" for informing the Ministry of irregularities. Problems can be described, images attached, and submissions made to the Ministry.[57] The only required fields in the reporting form are the subject, category (administrative or health services), message, and media upload. No field exists for the gender of the person filing the irregularity, which hinders tracking of women and men's use of this feature.

The **Health Inspectorate's** website only contains the contact information of the Deputy of the Chief Health Inspector.[58] It does not feature any digital services.

Funding and Procurement

Generally, Kosovo does not have a reliable methodology for estimating medical costs.[59] The MTEF calls for gender budgeting towards fiscal discipline.[60]

[55] Republic of Kosovo, Government, MFLT, KAS, Series 5: Social Statistics: Health Statistics 2020, 2021.

[56] Republic of Kosovo, "Ministry of Health", website, accessed 14 September 2023.

[57] Ibid.

[58] Republic of Kosovo, Ministry of Health, website, "Health Inspectorate", accessed 14 December 2023.

[59] EC, Kosovo 2022 Report, 2022, p. 92.

[60] Republic of Kosovo, Government, MFLT, Medium-Term Expenditure Framework 2024-2026, 2023, Pillar IV, p. 19.

The Ministry of Health has yet to implement gender-responsive budgeting; its MTEF does not contain any objectives, indicators, baselines, or targets related to gender equality or measuring benefits of government-financed healthcare services for diverse women and men. Digital tracking of expenditures using gender-disaggregated data could facilitate this but does not seem to exist yet. The Ministry of Health uses *e-prokurimi* for procurement.[61]

The Ministry's 2022 audit report did not include gender-disaggregated data or information on contributions to gender equality.[62] The National Audit Office did not recommend incorporating gender-responsive budgeting into the financial practices of the Ministry. Meanwhile, the audit report observed shortcomings in Ministry management of specialist services. Late issuance of maternity leave decisions led to a three-month delay in compensating specialists; improper compensation for maternity leave and related allowances negatively affected the Ministry's budget. The National Audit Office advised the Minister to make maternity leave decisions promptly to safeguard specialists' compensation rights and, as needed, to implement a salary freeze to prevent financial damage.[63] This was the audit report's only gender equality-related point. Similarly, no information existed in the 2021 audit report on the gender-responsiveness of the Ministry's COVID-19 response expenditures.[64]

Infrastructure

This section examines the availability of gender-responsive digital infrastructure in the health sector. It briefly discusses innovation ecosystems.

Digital Tools and Software

Related to public health, the EC's Kosovo 2021 Report stated that during the COVID-19 pandemic, Kosovo made significant progress in improving surveillance, case investigation, contact tracking, case management, and vaccination.[65] Even so, it observed limited progress on health protection, particularly considering the partial introduction of HIS. Plans have long existed to develop HIS towards improving evidence-based decision-making. HIS was to function throughout Kosovo by 2020 and serve as a comprehensive cancer

[61] Time constraints precluded a thorough analysis of the gender-responsiveness of procurement.

[62] Republic of Kosovo, National Audit Office, Raporti i auditimit për pasqyrat financiare vjetore të Ministrisë së Shëndetësisë për vitin 2022 [Annual financial statements of the Ministry of Health for the year 2022] [Albanian only], 2023.

[63] Ibid., Recommendation B1, pp. 7-8.

[64] National Audit Office, Audit Report on Annual Financial Statements of the Ministry of Health for year 2021, accessed 15 January 2024.

[65] EC, Kosovo 2021 Report, 2021.

registry, supporting screening programmes.[66] According to the Ministry of Health, HIS has a Basic Health Information System and Legacy Systems.[67] The Basic HIS enables registration of medical visits in primary healthcare providers and some specialised clinics. It also enables patient registration, queue management, medical procedure, diagnosis, therapy prescription, vaccination data, payment referral, and report printing. Legacy Systems enable digitalisation of work and processes by the Ministry and health institutions. For example, it enables pharmaceutic stock management, health staff data registration, online applications for private health institutions, digital files, online applications for specialisations, and the management of specialists. The system includes personal and medical data related to medical visits derived from existing personal data in the system. It can be filtered or disaggregated by gender, location, age, and diagnosis; ethnicity is not included explicitly. The system is in AIS. According to the Ministry of Health, the infrastructure for data administration, management, and storage is sufficient.[68] It is managed by HIS staff and contracted companies for system maintenance. According to officials, Ministry of Health staff are equipped with the Zero Client system (a server-based computing model in which the end user's computing device has no local storage) and other needed equipment.[69] However, there has been no proper analysis of data security challenges related to digitalising patient records, which contributes to concerns regarding HIS data privacy and security.[70]

Despite efforts towards reforms, Kosovo has not progressed with HIS.[71] A 2021 study found that there was no coordinated working methodology, system compatibility accounting, tools, software support, or communication system to inform health policy indicators.[72] Family medicine centres still track data using physical records.[73] With healthcare institutions still recording data by hand in paper ledgers, it is extremely difficult to refer patients using electronic data sharing or to identify potential health crises in time. Inappropriate use of HIS infrastructure also affects the availability of quality gender-disaggregated health statistics. Without HIS data, it is difficult to analyse women and men's use of health services. In Serb-majority

[66] Republic of Kosovo, National Audit Office, Efficiency and Effectiveness in Implementation of Unified and Integrated Health Information System, 2017.

[67] KWN correspondence with the Ministry of Health, July 2023.

[68] Ibid.

[69] Ibid.

[70] Bahtiri, Shegë and Selmani, Erza, Digital Public Healthcare in Kosovo: An overview of the situation and challenges, Konrad Adenauer Foundation (KAS) in Kosovo, 2023, p. 10.

[71] EC, Kosovo Report 2023, 2023, p. 49.

[72] Afrim Loku, Nadire (Shehu) Loku, and Lindita Loku, "Information System Management in Health Institutions of Kosovo: Case Study", *Journal of International Cooperation and Development*, Vol 4. No. 2, November 2021.

[73] Ekonomia Online, Mosfunksionimi i shërbimit informativ shëndetësor zvarrit digjitalizimin [The non-functioning of the informational health system slows down digitalization], 2018.

municipalities, medical data is not reported to Kosovo institutions,[74] so gender-disaggregated data regarding Kosovo Serbs is lacking.

Poor infrastructure, or its limited use, can make it difficult to track gender-related health trends and issues. Only through real-time electronic monitoring can trends in gender-specific illnesses like breast cancer be tracked. As another example, healthcare institutions are among the first points of contact in cases involving gender-based violence.[75] Maintaining electronic data on such cases, including suspicion of abuse, while ensuring protection of this data, can help document and identify trends in abuse. If patients with injuries potentially stemming from abuse visit healthcare institutions one or more times, good digital record-keeping can help identify such cases as well as document evidence in case the patient wants to use it in legal proceedings later.

The Ministry of Health has established a Home Visiting Programme to reach children and their parents throughout Kosovo. The Ministry is digitising the Programme's information system, which involved providing 300 computer tablets to nurses providing health services via the Programme, supported by USAID via UNICEF.[76]

From a gender perspective, online health services like counselling can facilitate access to information and healthcare, particularly for rural women and some women with disabilities who tend to lack equal access to transportation and face other financial obstacles in accessing such services.[77] Online healthcare counselling can inform patients of their rights and support their wellbeing. However, Kosovo does not seem to have the infrastructure for providing online healthcare services yet.

The availability of confidential, quality psychological support online, including for persons who have suffered gender-based violence, remains limited. Currently, public providers do not offer such services.[78] During the COVID-19 pandemic, KWN and the Autonomous Women's Centre in Serbia developed a Protocol that established principles and standards for online counselling services. It contains several security measures and step-by-step procedures for service providers to assist women using digital communication. It is based on international best practices in data security that seek to protect women receiving these services. Most shelters are using the Protocol to guide their

[74] Republic of Kosovo, Government, Ministry of Health, Health Sector Strategy 2017-2021 [in Albanian], 2016, p. 12.

[75] KWN, From Laws to Action: Monitoring Institutional Response towards Gender Based Violence in Kosovo, 2021.

[76] UN Kosovo Team, "UNKT in Brief – July 2023". See also, UNICEF Kosovo Programme, Facebook, news, 4 July 2023, accessed 9 January 2024.

[77] KWN, Access to Healthcare in Kosovo, 2016.

[78] Republic of Kosovo, Government, Ministry of Health, Health Sector Strategy 2017-2021 [in Albanian], 2016, Chapter 4.4.

online counselling services.[79] Opportunities exist for health institutions to consider adopting the KWN Protocol as part of the forthcoming revised SOPs.

Innovative Ecosystems

Little has been done in Kosovo's health sector. In contrast, recent developments in AI globally are enabling landmark changes to healthcare, such as enabling stroke patients to speak after 20 years by converting brain signals into speech.[80] The healthcare industry in some countries uses AI now to automate decision-making; in the future AI could be responsible for "making choices that affect people's life trajectory, such as which medical treatment they receive [or] whether they are eligible for life insurance or a loan".[81] The gender-responsiveness of AI algorithms in the health sector has yet to be considered in Kosovo but could prove essential for ensuring adequate protections for diverse women and men.

People

This section analyses diverse women and men's access and use of healthcare services; their digital literacy and awareness to enable use of digital services; and how well such services protect them and their digital wellbeing.

Access and Use

Aside from studies on corruption, access to maternal and antenatal care, and difficulties minorities face accessing care, no known comprehensive gender analysis has examined access to healthcare for diverse women and men since KWN's 2016 study.[82] Based on a Kosovo-wide household survey, KWN's study found that women tended to lack access to healthcare compared to men, particularly women in rural areas and of Bosnian, Gorani, Roma, Ashkali, and Egyptian ethnicities.[83] Due to social norms, women tended to have less time than men to access healthcare services, as women were more engaged in household chores and caring for others.[84] Financial barriers also prevented women from accessing healthcare, given that few women had access to income. Beliefs also affected women's access to healthcare, such as that "women should be strong and not need to visit the doctor"; due to social values, women may hesitate to visit male doctors.[85]

[79] KWN interviews with shelters, 2023.

[80] Pam Belluck, "A Stroke Stole Her Ability to Speak at 30. A.I. Is Helping to Restore It Years Later", *New York Times*, 24 August 2023.

[81] M. West, R. Kraut, and H. Ei Chew, I'd blush if I could: closing gender divides in digital skills through education, UNESCO, 2019.

[82] KWN, Access to Healthcare in Kosovo, 2016, p. 6.

[83] Ibid., p. 51.

[84] Ibid., p. 43.

[85] Ibid.

Poor access to healthcare may have been compounded during the pandemic, particularly given restrictions on movement and interruptions in public transport, on which women tend to rely more than men.[86] Women reported difficulties reaching services outside their regions, including healthcare. Without a gender perspective, "special measures to ensure the functioning of gynaecological wards", information, and sufficient staff, fewer women sought gynaecological services during the pandemic, according to the KGSC.[87]

Generally, neither women nor men could use digital healthcare services because Kosovo has not put in place the necessary infrastructure. More women than men had eKosova platform profiles, though gender-disaggregated data on their use of e-health services was unavailable. In terms of overall usage since launching, the platform has 852,000 registered users and 2.37 million "health" services have been used, according to eKosova data.[88] The precise nature of these services is unclear (e.g., several may have involved COVID-19 vaccination appointments). If the digital transformation of health services is informed by gender analysis, diverse women and men may have improved access to healthcare. Without proper gender analysis, pre-existing barriers in accessing healthcare services may hinder women's access to digital healthcare services.

Digital healthcare services could potentially enhance diverse women and men's access to healthcare. For women, who tend to have less time, access to transportation, and financial resources for accessing healthcare at physical locations, digital healthcare services hold opportunities for supporting diagnosis and treatment.

Digital Literacy Skills and Awareness

As there are few digital services, no information exists regarding the extent to which diverse women and men have sufficient knowledge, awareness, and digital skills for locating, accessing, and using digital healthcare services. In setting appointments for vaccinations during COVID-19, elderly people and persons in rural areas seem to have encountered more difficulties than other citizens. AIS spent significant time providing instructions on how to set appointments or register on the platform.[89] AIS did not maintain gender-disaggregated data on callers, the languages they spoke, or their abilities. Better tracking and reporting of intersectional gender-disaggregated data from the eKosova platform could help inform gender-responsive policies and measures for diverse citizens.

The Ministry of Health could use digital communication tools, including social media, in targeted campaigns to inform diverse women and men about their

[86] KWN, "The Pandemic Knows No Gender?", 2020.

[87] KGSC, Shëndeti riprodhues i vajzave dhe grave gjatë pandemisë COVID-19 [Reproductive health of girls and women during the COVID-19 pandemic] [in Albanian], 2020.

[88] EKosova, accessed 10 January 2024.

[89] KWN interview with AIS, 2021.

health, healthcare services, and their rights. Aside from the annual breast cancer awareness campaign in October that targets women, KWN found no evidence of gender-responsive online informational campaigns targeting diverse women and men related to healthcare services or rights.

Digital Wellbeing and Protection

Healthcare institutions entering patients' data are responsible for "regular and safe collection, storing, and management of data".[90] They should ensure protection and confidentiality of personal data. Institutions collaborate with AIS and AIP to ensure data protection. The eKosova platform uses security mechanisms in accordance with AIP guidance. No complaints regarding data misuse have been reported, including related to healthcare services provided via platform.[91]

Healthcare practitioners, particularly psychiatrists, have noted that patients have hesitated to seek care for fear of breached confidentiality.[92] More precisely, 11% of Kosovars in 2016 felt that their privacy had been breached while they were receiving medical care. The main barriers to confidentiality identified were: lack of space in healthcare institutions, lack of respect and understanding of doctor-patient confidentiality, documents which could easily be breached, and personal data that could easily be accessed.[93] In 2021, citizens reportedly lacked knowledge as to what online privacy entails.[94] This may mean that people do not know when their privacy rights are violated and thus cannot seek recourse. No representative, gender-disaggregated data was available.

Power structures can affect privacy and women and men's access to healthcare services differently, including digitally. Women and girls may hesitate to seek digital healthcare services for fear that their personal data may be revealed. Given socialised gender roles, family members (spouses, parents, children, or extended family) may insist on accompanying women to see the doctor. Also, during the pandemic, family members often set up appointments for each other or attended patients' healthcare appointments, allowing patients little privacy for discussing their well-being with healthcare providers. This is a sociocultural barrier to confidentiality, whereby healthcare providers still consider the family as a protective and supportive mechanism for individuals and thus better suited to helping them address healthcare issues than individuals would be alone.[95] Women, however, may not want their private information shared with family members, and therefore may elect not to seek healthcare. Health institutions collecting data need to be aware

[90] Republic of Kosovo, Assembly, Law No. 04/L-125 on Health, 2012, Article 52, paragraph 2.1.

[91] KWN interview with AIS, 2021.

[92] KWN, Access to Healthcare in Kosovo, 2016.

[93] Ibid.

[94] KWN interview with AIS, 2021.

[95] KWN, Access to Healthcare in Kosovo, 2016, p. 65.

of the gendered aspects of maintaining and processing data, and prevent unauthorised persons, including other family members from accessing data, including digital data.

Conclusion

Regarding **Regulation**, no recent gender analysis has been conducted to inform reforms towards digitalising health services. Generally, all laws and policies pertaining to the health sector and digitalisation are gender neutral or negative. No publicly available official reports have monitored their implementation, including ex-post gender impact analysis.

While minimal information exits regarding the capacities of the **Government** to implement digital health reforms, the fact that laws and policies seldom mention digitalisation, that they are gender neutral or negative, and that HIS is seldom used suggests insufficient capabilities. The only digital public service available via eKosova relates to pandemic vaccinations. Other public services that could facilitate diverse women and men's access to healthcare are not yet in place, so their gender-responsiveness cannot be assessed. Health sector financing did not involve gender-responsive budgeting.

Infrastructure including software and hardware for maintaining accurate, timely digital medical records exists, but adoption seems to be lagging. Thus, the sector suffers from a dearth of electronic gender-disaggregated data. As a result, any differences among diverse women and men are difficult to identify and treat in decision-making, policymaking, and programming. Few innovative solutions exist, and future innovation needs to be based on gender analysis.

It is difficult to analyse **People's**, diverse women and men's, access, use, and awareness related to digital healthcare services given the dearth of such services. Nor does sufficient information exist to assess data protection efforts or women and men's wellbeing related to digital healthcare services. Concerns regarding patient confidentiality provide insight regarding potential rights and privacy violations that future digital data and information sharing will need to consider. Overall, much remains to be done towards digitalising the healthcare sector in Kosovo.

10

Digitalising Media and Communications

Communication encompasses a process which aims to create meaning, starting from "questions concerning how people create meaning psychologically, socially, and culturally; how messages are understood intellectually; and how ambiguity arises and is resolved".[1] Media include nonpersonal "means of communication which have functions such as informing, raising awareness, education, socialization, entertainment and agenda setting, including all kinds of oral, written and visual images".[2] Technology has changed the means of communications significantly. Information sources have changed; traditional paper-based media has been largely replaced by digital news outlets.[3] Digital media's many opportunities are accompanied by challenges related to misinformation, disinformation, copyright violations, data security and personal safety.[4]

[1] K. Rosengren, "Communication, an introduction", *Sage*, 2000, cited in B. Ruler, "Communication Theory: An Underrated Pillar on Which Strategic Communication Rests", *International Journal of Strategic Communication*, 2018.

[2] IGI Global, "Handbook of the Research on the Impact of Culture and Society on the Entertainment Industry", 2014.

[3] Carlow University, "How Digital Media Has Changed Communication", 2021.

[4] Abraham, "Impact of Digital Media on Society", *International Journal of Creative Research Thoughts*, 8, 5, 2020.

In many ways, "cyberspace seemed like a new gender-neutral arena".[5] However, the development of technology and media land in a "gendered space" of social, economic and political structural inequalities, which produce barriers for diverse women and girls to access and use digital ICTs.[6] Barriers can be material, social, cultural, psychological, political, and institutional, and they can have different effects on men and women, including different groups.[7] Digitalisation of media and communications, particularly mobile phones, can benefit women by increasing their access to information, participation including in decision-making processes, time available, and security, enabling them to reach out for help.[8] It also can contribute to overcoming patriarchal roles and improving women's economic and social situation, such as facilitating participation in paid jobs and online advocacy. Meanwhile, technological development has led to increased surveillance by governments and corporations, amplifying existing socio-cultural norms and structural inequalities and transferring them into the online space.[9] Women can be at risk of online stalking, sexual harassment, and gendered smear campaigns[10] (i.e., an intentional, premeditated, or strategic communication effort to undermine the credibility, reputation, or work of an individual or group).[11] Media often perpetuate discriminatory gender norms and stereotypes.[12]

This chapter examines the digitalisation of media and communications in Kosovo, including the Regulation, Governance, Infrastructure, and People dimensions of the Gender-responsive, Inclusive Digital Transformation Model. It identifies and describes each dimension, assessing gender responsiveness.

[5] Judy Wajcman, Erin Young, and Anna Fitzmaurice, "The Digital Revolution: Implications for Gender Equality and Women's Rights 25 Years after Beijing", 2020, p. 4.

[6] C. Cummings, T. O'Neil, "Do digital information and communications technologies increase the voice and influence of women and girls? A rapid review of the evidence", ODI, 2015, pp. 7-11.

[7] Ibid.

[8] See OECD, "Bridging the Digital Gender Divide: Include, Upskill, Innovate", 2018, p. 42; C. Cummings, T. O'Neil, "Do digital information and communications technologies increase the voice and influence of women and girls? A rapid review of the evidence", ODI, 2015; H. Al-Alosi, "Fighting fire with fire: Exploring the potential of technology to help victims combat intimate partner violence", *Aggression and Violent Behavior*, 52, 2020.

[9] Judy Wajcman, Erin Young, and Anna Fitzmaurice, "The Digital Revolution: Implications for Gender Equality and Women's Rights 25 Years after Beijing", 2020, pp. 2-3.

[10] The Global Partnership for Action on Online Gender Based Abuse, "Technology-Facilitated Gender-Based Violence: Preliminary Landscape Analysis", 2023; UNESCO, "The Chilling: Global trends in online violence against women journalists", 2021.

[11] Definition adapted from Jonathan Day, "What Is a Smear Campaign? Can You Spot and Beat One?", Democracy & Justice, 28 March 2023.

[12] UNICEF and UN Women, "Evidence Review: Mapping the Nexus between Media Reporting of Violence Against Girls", 2022, p. 7.

Regulation: Gender Analysis of Laws and Policies Related to Digitalising Media and Communications

Kosovo's policies should comply with EU Acquis Chapter 10 "Information Society and Media", which addresses electronic communication, information society services, and audio-visual policies by which EU regulations promote and encourage competition, development, and a comprehensive approach to modern services and technologies, emphasising the interests of end users.[13] This section analyses the gender responsiveness of laws and policies related to media, communications, and digitalisation.

Law on Electronic Communications

This 2021 Law regulates electronic communications networks, services, and resources including radio and terminal equipment, their use, and social relations pertaining to them. The Law protects personal data, particularly the right to privacy in the processing of personal data in the electronic communication sector.[14] The Law states that providers of digital services should offer services on a "fair, reasonable, and non-discriminatory basis".[15] However, its framers missed the opportunity to include gender equality and to address the needs of persons with disabilities among its principles. Equality could have been considered in developing policies governing the use and management of resources. As the Law regulates matters pertaining to personal data protection, it should reflect the Law on Protection of Personal Data, which recognises and protects characteristics related to sex.

Regarding transparency and publication of information, the Law requires publicly available electronic communication networks and services to provide public-interest information free of charge.[16] This stipulation could have encouraged promotion of electronic materials that increase awareness of diverse women and men regarding protecting personal data, personal security, and privacy, especially related to online gender-based violence.

This Law is **gender neutral** because it does not mention gender, women, or men. It does not include gender-responsive protection for vulnerable women and men as consumers of electronic communications. Nor does it explicitly ensure that electronic communication provides accessible services to all citizens, including women and men with disabilities.

[13] EC, Communication from the commission to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions, 2030 Digital Compass: the European way for the Digital Decade, Brussels, 9 March 2021, Chapter 10.

[14] Republic of Kosovo, Assembly, Law No. 04/L-109 on Electronic Communications, 2021, Article 2.

[15] Ibid., Articles 3 and 42.

[16] Ibid., Article 65.

Law on the Independent Media Commission

This 2012 Law established the Independent Media Commission (IMC) to promote the development of a viable market of audio-visual media services that meet the needs of all citizens.[17] According to the Law, IMC should design a Broadcasting Policy in accordance with recognised international broadcasting and human rights standards, relevant EU legislation, and the EC Directive on Audiovisual Media Service with respect for democracy, the rule of law, and protection of freedom of expression.[18] Broadcasting Policy should "promote locally produced, educational, and cultural programmes, especially youth programmes" that reflect equality among citizens and communities in Kosovo.[19]

Respect for gender equality, gender identity, and sexual preferences could have been included among the principles addressed by this Law. It could have specified the need to broadcast programmes that help eliminate gender stereotypes and traditional norms. Media could have been explicitly constrained from carrying content that denigrates and objectifies women. The Law could condemn reinforcement of unhealthy power dynamics, such as gender-based violence. Policy could have considered the integrity of media portrayals of women and girls and articulated what constitutes violations.

This Law is not aligned with the Law on Gender Equality and does not consider gender differences. The IMC is supposed to include "at least two" women members, while the Law on Gender Equality guarantees equal representation of women and men defined as 50%.[20] Further, language in both Albanian and English versions of the Law refer to sex (female) rather than using the preferred terminology pertaining to gender (women). Considering these issues, related to gender and digitalisation, this Law is **gender neutral**.

Law on Digitalisation of Terrestrial Broadcasting Transmissions

This 2015 Law regulates the method, conditions, and procedure for switching from analogue to digital terrestrial broadcasting.[21] IMC is responsible for implementing this Law. The Government "shall support the expansion of digital broadcasting in the form of consumer incentives by co-financing the purchase of digital television receivers for socially disadvantaged consumers, based on available funding".[22] The Law does not define categories of "disadvantaged consumers", where it could have included gender-responsive measures. Overall, the Law is **gender neutral** as it does not refer explicitly to gender, women, or men.

[17] Republic of Kosovo, Assembly, Law No. 04/L-044 on The Independent Media Commission, 2012, Article 1.

[18] Ibid., Article 9.

[19] Ibid., Article 9, paragraph 4.

[20] Ibid., Article 10; Republic of Kosovo, Assembly, Law Nr. 05/L-020 on Gender Equality, 2015.

[21] Republic of Kosovo, Assembly, Law No. 05/L-027 on Digitalisation of Terrestrial Broadcasting Transmissions, [201]5, Article 2.

[22] Ibid., Article 12.

Law on Information Society Services

This 2012 Law aims to support the development of electronic trade, conduct of transactions, and securing of signatures by private citizens, government entities, and businesses.[23] Its purpose is to reduce abuse and other problems in electronic transactions and to address the safety of information systems. The Law specifies that new regulations can be made to provide for information society services related to cross-border transactions as necessary for consumer protection; protection of minors, public health, or security; or to fight incitement to hatred based on race, sex, religion, ethnicity, political opinion, or nationality.[24] This Law could have defined and regulated a safe environment for electronic trade, use of electronic transactions, and electronic signature, considering the specific threats women face. This Law is **gender neutral** because it does not refer to the different needs of women and men related to information society services.

Regulation on the Protection of Children and Minors in Audiovisual Media Services

This 2013 IMC Regulation ensures protection of children and minors from program content that would negatively affect their physical, mental, or moral development, or that reveals their identity.[25] It defines protected subjects as well as harmful content for children and minors. It defines terms including gratuitous violence, programming with harmful content, and pornography. It could have defined gender-based violence, as well as protecting children and minors from exposure to inappropriate expressions of power, emotional or physical. Although content with physical, verbal, emotional, and sexual violence depicted through special effects is included in "Programmes with Harmful Content", a special definition could have been added to recognise how such violence affects girls and boys differently. The Regulation is **gender neutral** related to digitalisation.

NPISAA 2022-2025

NPISAA 2022-2026 prioritises "Information Society and Media".[26] From 2022 to 2024, the NPISAA has aimed to draft and adopt primary legislation and bylaws related to electronic communications as well as to adopt and begin implementing the Digital Agenda of Kosovo 2030. The medium-term priorities include developing ICT infrastructure, services, and electronic content, as well as promoting their use and advancing skills of both women and men in ICT use.[27] Of the 15 medium-term priorities related to ICT, none planned for 2021-2024 is gender disaggregated. Related to media, the NPISAA is **gender neutral**.

[23] Republic of Kosovo, Assembly, Law No. 04/L-094 on Information Society Services, 2012, Article 10.

[24] Ibid.

[25] IMC, website, IMC-2013/01 Regulation on the Protection of Children and Minors in Audiovisual Media Services, 2013.

[26] Republic of Kosovo, Government, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA) 2022-2026, 2022, Acquis 10.

[27] Ibid., p. 123

Governance

This section examines the extent to which diverse women and men have been engaged in leading, planning, coordinating, implementing, monitoring, and evaluating policies related to media and communications. It discusses the capabilities of officials to integrate a gender perspective into laws, policies, and programmes pertaining to digitalising media and communications, and the gender responsiveness of digital public services, funding, and procurement.

The **Regulatory Authority for Electronic and Postal Communications (RAEPC)** is an independent agency responsible for legal approximation and market surveillance of Radio Equipment and Telecommunications Terminal Equipment. It is responsible for implementing the Law on Electronic Communication.[28] The Authority does not have specific responsibilities related to gender equality. Since its establishment in 2009, the RAEPC has had three boards recommended by the Government and approved by the Assembly of Kosovo. Only the last board engaged two women among its five members (40%); women did not serve in the two preceding boards.[29]

> **"If the whistleblower is a woman, she may find it easier to report and explain the situation to a woman. A woman understands and processes a complaint easier than a man. There is a more gender-sensitive approach."**
>
> —IMC

IMC is an independent body responsible for regulating, managing, and overseeing broadcasting.[30] More specifically, it "licenses public and private broadcasters, establishes and implements policy and regulates broadcasting rights, obligations and responsibilities of individuals and entities who provide audio and audiovisual media services".[31] The IMC has a mandate to prepare a strategy for transitioning to digital broadcasting.

IMC should have seven members appointed by the Assembly of the Republic of Kosovo through an open, transparent process. The Law on IMC requires that at least two women participate, while the Law on Gender Equality would require an equal share of women and men. As of July 2023, the IMC had only five members (two women and three men) while it awaited Assembly review of applications for two more members.[32] The open positions have hindered the IMC's ability to work effectively.[33] According to IMC, "women are equally repre-

[28] Republic of Kosovo, Assembly, Law No. 04/L-109 on Electronic Communications, 2012.

[29] RAEPC website, accessed 23 August 2023.

[30] Republic of Kosovo, Assembly, Law No. 04/L-044 on the Independent Media Commission, 2012.

[31] IMC, website, accessed 22 December 2023.

[32] KWN interview with IMC, July 2023.

[33] EC, Kosovo 2022 Report, 2022, p. 94.

sented in decision-making processes, votes are equal, and there is an equal environment".[34] A woman leads the monitoring department, a key role. This is helpful, the IMC representative said, because if a whistleblower is a woman, she may find it easier to report and explain the situation to another woman: "A woman understands and processes a complaint easier than a man. There is a more gender-sensitive approach." Having a woman in this role may encourage more women to report complaints.

An IMC representative did not know whether a G(E)IA had been conducted to inform laws and policies but contended that "The internal policies of IMC consider gender, especially in promotion policies."[35] The new Draft Law on IMC "has all the elements" and was open for public consultation, the representative said. It does not seem that the IMC has ensured that G(E)IAs were conducted to inform the drafting of laws and policies nor undertaken any ex-post gender equality impact assessment as part of monitoring or evaluating policy implementation. Gender criteria seem not to have been considered in its work to date.

In its annual reports, IMC provides information regarding violations and fines. The report names companies involved and the code or regulations they violated. In 2021, IMC reported three cases in which television stations received fines and notices related to violating the Regulation for the Protection of Children and Minors.[36] The report does not include a gender perspective, and it is unclear whether any fines involved violations related to sex, gender, sexual orientation, or discriminatory content.[37] Gender-disaggregated data on persons reporting violations to IMC is neither tracked nor available, though this is feasible for IMC.[38] This omission in reporting is likely due in part to the absence of a clear legal and policy framework that defines and regulates gender-based violations. This also could result from insufficient gender-equality expertise within IMC, as interviewed representatives noted that this data was not tracked because "it has not occurred to them", though keeping gender-disaggregated data of complaints "could be very useful and informative".[39]

IMC signed a memorandum of cooperation with AGE and KGSC in 2021, aiming to promote gender equality in the media.[40] IMC agreed to collaborate on research that raises awareness of gender equality, promotes gender

[34] KWN interview with IMC, July 2023.

[35] Ibid.

[36] IMC, "Raporti Vjetor i Punës për vitin 2021 drejtuar Kuvendit të Republikës së Kosovës" [Annual Report 2021 for the Assembly of the Republic of Kosovo], [in Albanian], 2022, p. 28.

[37] No information existed as to whether IMC had taken action or levied fines against operators contributing to gender inequalities or for any gender-related issues; KWN sent a data request but received no response.

[38] KWN interview with IMC, July 2023.

[39] Ibid.

[40] KWN interviews with IMC, July 2023 and KGSC, October 2023.

equality in media, and furthers human capacity to promote gender equality. Additionally, IMC signed an agreement with the University of Prishtina to engage students as interns in monitoring media content for their representations of children and gender.[41]

The 2022 EC Report stated that Kosovo needed to do more to strengthen the capacity of RAEPC and the IMC and that Kosovo had not marked progress in the process of switching from analogue to digital television.[42] In 2019, IMC submitted to the Government the Strategy for Transition to Digital Terrestrial Broadcasting, towards digitalisation.[43] According to IMC, the Government did not approve this Strategy. "IMC took the initiative to draft the Strategy, but IMC can't finish this process alone without the Government. Until now, nothing has been done regarding the Strategy", an IMC representative said.[44] The EC Report called for the Office of the Prime Minister to adopt the Strategy on Crossing the Digital Transmission as soon as possible so that the IMC can implement the Law and Strategy. No G(E)IA was conducted to inform this Strategy. An IMC representative observed that the lack of Government approval hinders activities.

The **Assembly Committee on Public Administration, Local Governance, Media, and Rural Development** has a multifaceted scope of work. Key areas involve enhancing civil service capacities, engineering, IT, payment systems, official statistics, maintenance of the cadastral system, local governance, and review of relevant legislation.[45] The Committee also undertakes media oversight, reviewing members of media regulatory bodies and ensuring implementation of relevant laws. The Committee of ten has two women (20%) and eight men (80%).[46] Women's under-representation in this Committee may hinder women's contributions to developing and monitoring the implementation of legislation towards a more inclusive, gender-responsive approach to digitalisation in this sector. This Committee reported in April 2022 that IMC was in the process of developing a new digitalisation strategy that would be submitted to the Government for approval.[47] Reporting did not involve discussion of gender analysis or gender equality. From May 2021 to July 2023, the Committee held 47 meetings, and gender-responsive budgeting was not discussed in any of these meetings; nor was digitalisation discussed from a gender-responsive perspective.[48]

[41] KWN interview with IMC, July 2023.

[42] EC, Kosovo 2022 Report, 2022, p. 113.

[43] Ibid.

[44] KWN interview with IMC, July 2023.

[45] Republic of Kosova, Assembly, Committee on Public Administration, Local Governance, Media and Rural Development, accessed 10 October 2023.

[46] Ibid.

[47] Ibid., Meeting minutes 26 April 2022, accessed 10 October 2023.

[48] Ibid.

Capabilities

In 2023, the IMC did not have gender equality expertise to consider differences related to sex, gender, or other vulnerable categories when collecting data, producing yearly reports, drafting strategies and workplans, or receiving complaints of violations. It could adopt a more gender-responsive approach to monitoring content broadcast via various channels and operators. An IMC research participant noted that they collaborate with AGE:

> We have a memorandum of cooperation with the Agency for Gender Equality. We have consulted them extensively on the protection of women and children, content-wise. We participate in discussions with NGOs, or women's rights in the media, and when there are initiatives to protect women, children, and people with disabilities.[49]

IMC expressed willingness to further increase a gender perspective throughout its work on digitalisation, media, and communications. Perhaps more clearly phrased legal requirements on gender equality related violations in the field of media and communications, as well as gender mainstreaming IMC working documents, could contribute to improvements.

Digital Public Services

Due to the absence of a functioning infrastructure, RAEPC and IMC did not have digital public services available for gender analysis, as discussed in the Infrastructure section.

Funding and Procurement

The IMC budget is under the Recreation, Culture and Religion chapter of the MTEF. Although Pillar IV of the MTEF called for gender budgeting, the IMC budget does not include objectives, indicators, or targets related to gender equality. The IMC has not made its financial statements available online, so its gender-responsiveness cannot be assessed. In its Annual Work Report for 2021, IMC presented its budget in the Department of Administration and Finance chapter.[50] It does not incorporate gender-responsive budgeting. IMC does not have any information on its website regarding procurement, including related to digitalisation. An IMC representative said gender was a budget consideration. "We take into consideration gender budgeting. When requesting for budget, we add gender-responsive budgeting; implementation is equal", he stated.[51] However, it was difficult to verify this based on budget documents.

[49] KWN interview with IMC, July 2023.

[50] IMC, Annual Report 2021 [in Albanian], pp. 70-72, accessed 9 January 2024.

[51] KWN interview with IMC, July 2023.

Infrastructure

Regarding **connectivity**, RAEPC has among its objectives to develop infrastructure, networks, and quality services for end users.[52] Although RAEPC allocates frequency bands, it is not responsible for slow mobile internet.[53] Internet infrastructure is widely available in Kosovo, with 97% of women and men having a Wi-Fi connection.[54] Yet IMC lacks adequate **digital tools and software** for digitalisation. Few digital services are available, and mobile internet is slow. IMC has highlighted the need for digitalisation towards offering better services and transparency internally and for the public. In 2022, IMC started a €250,000 project called "*e-KPM*" (e-IMC in English) aimed at digitalising the institution. "*E-KPM* foresees that all services that we offer will be digitalised and online, starting from a digital user-friendly website, to [punching] in/out [electronically recording working hours of staff], and leaves for staff to be digitalised".[55] Digitalisation of payment receipts is also foreseen. While a database exists, this would make work easier, IMC officials said. Another expected service is the online application for licences; to date, the application process has been done manually with physical files. The only digital services currently offered on the IMC website are e-Declaration and e-Complaint, and these are not fully functional. The forms do not have a field requesting the complainant's gender. When filing complaints, people tend to send phone messages, emails, or letters rather than using online forms; this makes it very difficult to track and maintain gender-disaggregated data.[56] As no functional infrastructure exists, none of this information is digitised.

People

Digitalisation of media, particularly mobile communications, can benefit women by increasing their access to information, participation in decision-making, and security.[57] At the same time, women can be at greater risk due to technology, such as sexual harassment online. Digitalisation enables the rapid spread of information, accurate or false, constructive or derogatory. Social media can be a tool for activists furthering social good; it also can be a weapon used to promote hate and violence. This section analyses women and men's access to, participation in, and use of digitalised media. It then discusses the digital literacy and awareness of women and men in using media. Finally, it examines digital wellbeing and protection.

[52] See Chapter 1.

[53] RAEPC, website, "Infrastructure", [in Albanian], accessed 22 December 2023.

[54] See Chapter 1.

[55] KWN interview with IMC, July 2023.

[56] Ibid.

[57] C. Cummings, T. O'Neil, "Do digital information and communications technologies increase the voice and influence of women and girls? A rapid review of the evidence", ODI, 2015, pp. 7-11.

Access, Participation, and Use

The number of women journalists reporting from the field and covering political news has increased over time.[58] In a Kosovo study involving 265 women working in media and communications, 45% of them covered politics.[59] After the end of the evening news, "women start to disappear from the screen".[60] Few women participate in televised political debates, which reinforces the widespread stereotype that politics is for men[61] and that women cannot provide valuable opinions related to economy, security, or justice.

Observation of digitally televised shows in Kosovo suggests that women and men remain in rather gender-stereotypical roles with women overrepresented on cooking shows and men in political talk shows. Through such portrayals of women and advertisements showcasing women in the kitchen, media perpetuate patriarchal stereotypical roles of women.[62] Women's underrepresentation in political talk shows and the portrayal of men as political experts perpetuate gender stereotypes and contribute to women's underrepresentation in politics, because voters rarely see women commenting on serious political issues.[63] For instance, in the 2019 national elections, women candidates received only 17% of the media coverage.[64]

Regarding women's participation as journalists, a 2023 survey found that 70% of women working in media believed that women were less present than men in positions creating media content.[65] In fact, "more than 40% of women journalists surveyed do cover politics. It is not a male-dominated field, but the perception is reinforced by popular evening TV [television] panels which remain sexist and exclusive to men".[66] However, it is estimated that there are twice as many women journalists as editors, and women are underrepresented in editor-in-chief positions although detailed statistical data is not available.[67] When asked about sexual harassment at work, 26% of women working in the media sector said they had experienced sexual harassment while working as a journalist.[68] Perpetrators were inside and outside the newsroom, including men in decision-making positions in politics

[58] D. Halili, "The Invisible Burden on Women Journalists", *Kosovo 2.0*, 2023.

[59] Peaceful Change Initiative, "Women in Media, Kosovo Survey", 2023, p. 6.

[60] D. Halili, "The Invisible Burden on Women Journalists", *Kosovo 2.0*, 2023.

[61] Ibid., p. 25.

[62] KGSC, Image of Women Politicians in the Kosovo Media, 2009.

[63] Key concern discussed by women in politics during Coalition for Gender Equality meeting, 2018.

[64] EU Election Observation Mission, Kosovo 2019, Final Report, 2019, p. 33.

[65] Peaceful Change Initiative, Women in Media: Kosovo Survey, 2023, p. 4. This research was conducted between August and December 2022. The survey was sent to 265 women working in media across Kosovo.

[66] Ibid., p. 4.

[67] Ibid.

[68] Ibid., p. 11.

and business.[69] Harassment can dissuade women from working in media and communications.

The **Press Council of Kosovo** is "a self-regulatory body founded for and by the print media sector".[70] Established in 2005, its principles include "Freedom of speech, the right of citizens to be duly and completely informed", and respect for the Press Code of Kosovo. The Council aims to protect citizens from inaccurate information and journalists from unfounded complaints. It has 40 regular members, including editors in chief from newspapers, portals, magazines, blogs, and news agencies, as well as three independent members: the chair and two vice-chairs.[71] Individuals can submit complaints to the Media Complaints Commission by mail or email, specifying the media outlet about which they are complaining, their complaint, the publication date of the writing, and where they believe the media outlet violated the Code.[72] Another option is to attach a copy of the article or link to online media. Individuals complaining can ask for one of the following actions: publishing a retraction, correcting the article, completing the article, or an apology.[73] The Council reviews complaints arriving within one month after the article was published. The Secretariat of the Council notifies the editorial office against which the complaint has been made and requests a response. The Secretariat can mediate between the two parties to clarify the issue. If an agreement is not reached, the Secretariat sends the complaint to the Board of the Press Council of Kosovo.[74] The complaint template does not ask for gender or sex. It only asks for the name, surname, email, and reason for complaint. Given this form, the Council cannot maintain gender-disaggregated data on individuals filing complaints. A rapid review of complaints suggests that men and companies, which tend to be owned by men, have filed more complaints than women.[75] The Council has not updated its complaints database since 2017. It used to lead page visitors to decisions on complaints that were confirmed or rejected. Publishing such information could facilitate gender analysis of complainants and the content of their complaints, such as whether complaints were filed related to gender-based discrimination in media. KWN found no evidence that any aspect of the Council's work includes a gender perspective. Most data on the Council's website consists of activities from 2018.

Digital Literacy and Awareness

Women seem more inclined than men to enrol in journalism studies. Of 1,785 students enrolled in social science, journalism, and statistics at the college level in the 2022/2023 academic year, 81% were women and 19%

[69] Ibid.

[70] Press Council of Kosovo, website, 2015, accessed 28 September 2023.

[71] Ibid.

[72] Press Council of Kosovo, website, "File a complaint", accessed 6 October 2023.

[73] Ibid.

[74] Ibid.

[75] Press Council of Kosovo, "Decisions", accessed 3 November 2023.

were men.[76] The extent to which this education involved gender-responsive digital literacy skills was unclear.

No known study has examined women and men's knowledge and capacities to utilise digital media or to speak publicly via electronic media. KWN struggled to find any information regarding women and men's digital literacy pertaining to media, such as their ability to discern real from fake news or their knowledge of where to report media that have violated laws, policies, or the Press Code of Kosovo. A 2022 report entitled "Misinformation, Disinformation and Fake News in Online Media in Kosovo" stated that "During the COVID-19 pandemic, citizens have been influenced by fake news and conspiracy theories published in online media".[77] Further, it observed that "News from unreliable and suspicious sources [has] caused fear, panic and social uncertainty among the public." The spread of disinformation has been ranked among the main reasons why 16% of Kosovars do not trust certain media.[78] The 2022 report said that these concerns were addressed by the Press Council of Kosovo in cooperation with its member media editors. However, no details were given on how concerns were addressed, inclusive of a gender perspective. The general shortage of editors affects news quality,[79] including quality assurance related to gender sensitive news. The research does not mention the impact of misinformation, disinformation, and fake news on diverse women and men. The Press Council of Kosovo seems to lack capacities for including a gender perspective in handling information and misinformation, including that circulating via online media. Building journalists' capacities for fact-checking has been identified as one way to undermine the spread of fake news.[80] KWN could not find any references to applying a gender perspective.

Digital Wellbeing and Protection

Women and LGBTIQ+ persons often pay a high price for exposure in the media, including negative portrayals, smear campaigns, virtual threats, and cyberbullying.[81] This happens via TV channels but especially through social media.[82] Messages often are transmitted via memes, which consist of popular-culture images or videos accompanied by humorous or satirical text that are initiated by individual internet users and get copied, modified, and widely distributed across social media (a phenomenon sometimes referred

[76] KAS, Statistikat e Arsimit të Lartë sipas fushave të studimit 2022/2023, [Statistics on Higher Education by field of study], 2023, accessed 26 December 2023. Comparing data across years was not possible due to unavailability of similar data on KAS's website.

[77] Qerim Ondozi for the Press Council of Kosovo, "Misinformation, Disinformation and Fake News in Online Media in Kosovo", 2022, p. 1.

[78] Ipsos, Trust in media – Kosovo, 2021.

[79] Ibid.

[80] Kreshnik Gashi cited in Association of Journalists of Kosovo, Edukimi medial - një nga zgjidhjet për luftimin e lajmeve të rreme [Media education – one of the solutions for fighting fake news], [in Albanian], 2022, accessed 26 December 2023.

[81] Shkodrane Dakaj, "Lynching and Public Propaganda Remain a Challenge for Women in Kosovo", *Prishtina Insight*, 1 September 2023, accessed 29 September 2023.

[82] KWN activists' experiences and observations.

to as "going viral").[83] When women are the subject of memes, portrayals often represent patriarchal gender norms and stereotypes.[84]

Even when a woman achieves a political victory, media coverage of her may focus on sexist and superficial descriptions. For example, former President Atifete Jahjaga, one of the first women presidents in the world, faced widespread negative portrayals and smear campaigns online. She was targeted in news and social media.[85] The sexual objectification of her person went viral among internet users. Disregarding the fact that she held the highest office, portrayals reflected socialised gender stereotypes of how a woman should be. President Jahjaga recalled, "At the centre of attention were shoes, hair colour, size of bags, and, of course, weight. Sexist attacks against me have manifested in the form of misogynistic comments from politicians, both male and female [and as] a lack of support from civil society".[86] Media focused more on the President's dress than on her decisions, policies, or leadership.

President Vjosa Osmani-Sadriu spoke of similar experiences, after she was bullied on Facebook over her weight on the very day she was appointed President of Kosovo.[87] On 4 April 2021, Ardian Kastrati, Assistant Professor at the Faculty of Philosophy at the University of Prishtina and an MP from the Kosovo Democratic Party (PDK), quoted the late Albanian writer Faik Konica. Konica published the following text about a woman public official: "a villager woman with a belly like a cauldron and legs like stilts, with a pair of thick and mature hands and a face as red as the peppers of Ohrid". On Facebook, Kastrati quoted Konica, stating, "This satirical piece [...] made me laugh tonight with tears", inferring that this text depicted President Osmani-Sadriu.[88] While the post sparked controversy, and there were disciplinary consequences for the professor,[89] cases of public figures being sanctioned for hate speech or denigrating comments online are rare. Massive civil society activism will likely need to occur for countermeasures to be taken.

[83] L. Shifman, "Memes in a digital world: reconciling with a conceptual troublemaker", *Journal of Computer-Mediated Communication* 18(3), 2013, p. 367.

[84] J. Drakett et al., "Old jokes, new media – Online sexism and constructions of gender in Internet memes", *Feminism & Psychology*, 28(1), 2018; S. Brooke, "There are no girls on the Internet": Gender performances in Advice Animal memes" *First Monday*, 24(10), 2019.

[85] For example, see *Gazeta Metro*, Jahjaga nuk gabon, me shumë sukses ia del që pa gabime ta uroj Fitër Bajramin [Jahjaga didn't miss it, successfully managed to congratulate Eid without mistakes], [in Albanian], 4 June, 2019, accessed 29 September 2023.

[86] Speech at FemFest feminist festival in Tirana, Albania, 2023. Parts of the speech are available on Radio Mitrovica, "Sulmet që mbajnë gratë larg jetës publike" [Attacks which keep women out of the public sphere], 15 March 2023, accessed 29 September 2023.

[87] Antigone Isufi, "Gjuha denigruese ndaj grave në diskursin publik" [Denigrating language towards women in the public discourse], Kallxo.com, 21 April 2021, accessed 29 September 2023.

[88] Grazeta, "Deputeti Ardian Kastrati bullizon Presidenten Osmani për peshë" [MP Ardian Kastrati bullies President Osmani over weight], [in Albanian], 4 April 2021, accessed 23 December 2023.

[89] *Gazeta Express*, "Offends Vjosa Osmani: The Ethics Council has made its decision regarding Ardian Kastrati", 8 June 2021, accessed 29 September 2023.

Valdete Idrizi, a civil society activist who ran in local elections in the Municipality of Mitrovicë/Mitrovica in 2017, also faced extensive negative media commentary. She was alleged to be "lesbian", falsely accused of standing "against veiled women", and said to be "separated from her husband".[90] Idrizi said such commentary was not only against her but against women in general.

As these three cases illustrate, smear campaigns against women target them based on their gender and involve socialised gender stereotypes regarding socially acceptable "roles", dress, and body types for women. Such media emphasis detracts from their effectiveness, reinforces gender stereotypes, and potentially dissuades other women from engaging in politics.

Roma, Ashkali, and Egyptian women may be particularly vulnerable. When a video of a young man assaulting a Roma woman in Ferizaj/Uroševac went viral, one commenter wrote, "Good for him for beating her up, the way she acted like a devil".[91] Her attack was precipitated by local media falsely reporting that the woman had been kidnapping children. Police investigations had shown that these were false statements.[92] Regardless, it is unacceptable for citizens to perpetuate or condone violence. Research from other contexts suggests that when women victims of violence differ from the majority population, based on ethnicity, age, class, or sexual orientation, media tend to portray them in ways that normalise the violence perpetrated against them.[93] This occurs by making explicit reference to their ethnicity, as in this case.

Figure 18. Media publish provocative headlines on the rape of a girl in a motel

Media reporting and headlines lack a gender-responsive approach, especially in cases of sexual violence; they often further "sexist and discriminatory discourse against women".[94] For example, media have used headlines such as: "Gets raped in a motel", which implies that the girl should be blamed for the sexual violence she suffered (see Figure 18).[95]

[90] RTV Mitrovica, "Sulmet që mbajnë gratë larg jetës publike" [Attacks which keep women out of the public sphere], 15 March 2023, accessed 29 September 2023.

[91] Donika Alihajdaraj, "Gjuha e urrejtjes në media sociale, nxitëse e dhunës" [Hate speech in social media, incites violence], [in Albanian], *Evropa e Lirë*, 10 August 2019, accessed 29 September 2023.

[92] Ibid.

[93] UNICEF and UN Women, "Evidence Review: Mapping the Nexus between Media Reporting of Violence Against Girls", 2022, p. 7.

[94] KGSC, "Towards Gender-sensitive Media Reporting of Violence Against Women", 2022, p. 13.

[95] Indeks Online, "Dhunohet në motel, e mitura denoncon të dyshuarin në polici" [Minor is raped in a motel, reports the case to police] [in Albanian], 4 March 2021.

Figure 19. Comments state, "There is no violence in the hotel; they are going there by choice" ...

Figure 20. Media portray rape as a result of women drinking alcohol

Such suggestive headlines contribute to victim-blaming. As illustrated by the social media commentary that followed this headline, commentators said: "There is no violence in the hotel; they are going there by choice [...] She deserved it, he didn't force her to go there"; "Prostitution is fun..."; "This isn't violence, sister, but a service"; "how can [she] get raped in a motel, I don't think she went there to do her make-up [...] well-deserved" (see Figure 19).[96] In another example of a recurring trend in media, Klan Kosova reported: "Under the influence of alcohol, a female in Prizren gets raped" (see Figure 20).[97] Such headlines blame victims for male aggression perpetrated against them.

The recurring narrative blames the victim, reinforcing false socialised perceptions that sexual violence must have been the fault of the woman. In few cases do media limit rape coverage to the crime and institutional response to it. Sensationalising these events contributes to spikes in hate speech targeting women both online and offline. While wrongly accusing women victims of male violence, such coverage dissuades women from reporting sexual violence for fear of the media circus and social consequences they will face afterward, particularly in the small country of Kosovo where many people are connected through social or family relations. Women fear the social consequences they will face in reporting crimes partially due to media reporting.

Meanwhile, headlines serve as "clickbait", luring commentators to read and spread these posts, thereby bolstering advertising profits for media.[98] This media approach misses an opportunity to educate audiences via appropriate

[96] Ibid.

[97] Klan Kosova, "Nën ndikimin e alkoolit dhunohet një femër në Prizren" [A women is raped in Prizren under the influence of alcohol] [Albanian only], 5 January 2020.

[98] "Clickbait refers to web content headlines, particularly those that are excessive or sensational and designed to compel readers to click a link to another story or image. The goal is often to increase advertising exposure and revenue" (N. A. Zuhroh and N. A. Rakhmawati, "Clickbait detection: A literature review of the methods used," Register: *Jurnal Ilmiah Teknologi Sistem Informasi*, 6, 1, pp. 1-10, 2020). See also Marina Molina, Does Clickbait Actually Attract More Clicks? Three Clickbait Studies You Must Read, 2021.

Figure 21. Derogatory terms used towards LGBTIQ+ persons encourage suicidal thoughts

Figure 22. Adelina Tershani recites slam slam poetry in Prishtina/Priština; her image is used for memes mocking youth's use of English slang: "Why I don't know man and not I don't know woman".

terminology, gender-responsive reporting, and respect for individuals' privacy and dignity. Rather than addressing or challenging gender inequalities, some online media portals contribute to the continued stereotyping and objectification of women. This, in turn, can contribute to further violence by upholding patriarchy and enabling such violence to seem socially acceptable in the eyes of persons reading these online commentaries. Digitalisation concerningly enables the rapid spread of such views.

LGBTIQ+ persons and activists often face threats and bullying online, as well. Every year hate speech calls for the death of LGBTIQ+ persons and their supporters during the annual Pride parade in Prishtina/Priština.[99] Media channels have used sensational reporting titles to spike public reactions. This has negatively affected the lives of activists.

Women's human rights activists also have experienced online bullying, smear campaigns, and threats. Rather than improving, the situation has worsened over time, activists say.[100] For example, a video of feminist activist Adelina Tershani reciting slam poetry in 2019 went viral, after which she began receiving "repulsive threats and comments" in her personal online accounts.[101] In 2021, Tershani became the subject of Kosovar meme culture, and memes were amplified through sharing on local media outlets (Figure 22).[102] The memes mocked youth's use of slang in slam poetry, while being gendered in nature. The backlash involved reactions against the "unusual courage of her, as a woman, to be so loud in a public space",[103] as well as against her poetry, which pointed to the oppression and violence some women in Kosovo face; men who consider submission and violence to be cultural norms did not think they should be changed and thus reacted. She subsequently received extensive backlash and hate speech, such as "#FemeNazi" (Figure 23).[104] She did not report these cases to police, wanting the comments "to simply fade away as soon as possible". Tershani shut down her social media accounts but decided not to "abandon the cause". She has investigated Facebook commentators who have posted hate speech blaming victims of rape and other offenses. She was surprised to learn that some of these people were social workers and

[99] Gazeta Express, Pride Parade in Prishtina, 2021.

[100] KWN correspondence with civil society activists, 2023.

[101] Correspondence with Adelina Tershani, August 2023.

[102] Ibid.

[103] Ibid.

[104] Comments made on Adelina Tershani's personal social media account.

police officers. “There should be a database that at least tracks these people”, she said. “Their opinions interfere directly with their roles, and they will sooner or later handle a case, using this same approach. What will the fate of that victim be?” Hate speech online reinforces gender stereotypes that can contribute to institutional failures in treating cases and further violence.[105] As Adelina Berisha, a KWN women’s rights activist, told Kallxo.com, “The language and mindset represented by these individuals do not present isolated cases but a social norm that is being presented to people.”[106]

Figure 23. Online comments involve misogynist language towards

Media sometimes normalise derogatory language and violence as acceptable when used by men, contributing to perceptions and expectations among Kosovars that it is acceptable for men to be aggressive and violent. Normalising such speech and behaviour can contribute to further violence. As the Association of Journalists of Kosovo has noted, in September 2019, Milaim Zeka and Frashër Krasniqi were invited on the Info Magazine television show. One of the guests was an official from the Nisma party, and the other was from *Vetëvendosje* [Self-determination party]. The Association observed elements of hate speech and risks that the debate would escalate into violence from the beginning. Words like street thug, cattle, rapist, idiot, and snitch were some of the expressions used during the show. However, the host never intervened.[107] Eventually, the two TV guests started physically assaulting one another. Following physical altercations, the show’s staff had to step in to calm the situation. Meanwhile, the video posted on Klan Kosova’s page was financially sponsored so the media outlet would receive more clicks.[108] This illustrates a situation in which media have exploited (male) violence to generate income.[109]

These cases show how media, online or printed, can contribute to shrinking the safe public space for human rights activists and diverse women, negatively affecting their wellbeing and hindering their ability to contribute to social change. Fear of social condemnation, threat, or violence may hinder women in particular from participating in politics and civic spaces.[110] Victims of hate speech, discrimination, or sexism in any audio or audio-visual medium should file complaints to the IMC. The extent to which diverse women and men use these institutions to report their cases is not documented. The lack of clear mechanisms for regulating individuals who use hate speech online and incite violence can demotivate activists and contribute to victims’ unwillingness to report offenses.[111]

[105] Antigonë Isufi, “Gjuha denigruese ndaj grave në diskursin publik” [Denigrating language towards women in the public discourse], *Kallxo.com*, 21 April 2021, accessed 29 September 2023.

[106] Ibid.

[107] Association of Journalists in Kosovo, “Gjuha e urrejtjes dhe dhuna ne studio televizive” [Hate speech and violence in public debates], 5 July 2022.

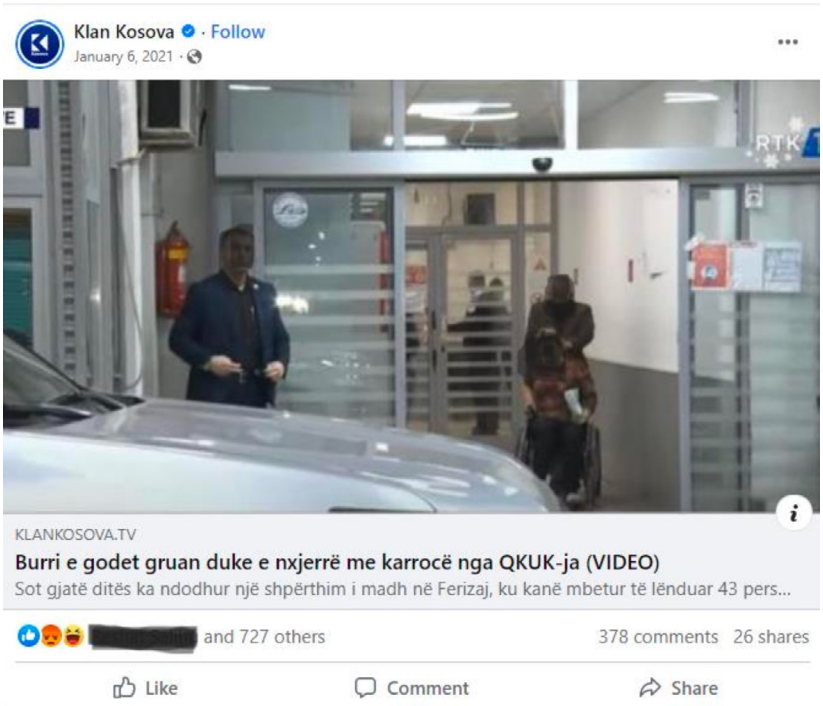
[108] Ibid.

[109] Men tend to perpetrate violence more than women. See Chapter 2.

[110] Diverse women politicians, activists, journalists, and public figures have said this. For example, see statements by Sibel Halimi, Atifete Jahjaga, Valdete Idrizi, Shqipe Gjocaj, Neri Ferizi, and Adelina Berisha.

[111] KWN conversations with activists, 2021-2023.

Figure 24. Klan Kosova reveals the identity of a woman abused by her husband



Media do not always respect the Law on Data Protection. For instance, in 2021 Klan Kosova published a video in which they exposed a woman who had experienced violence from her husband (Figure 24).[112] KWN could not find any indication that Klan Kosova was sanctioned for this breach of data privacy. As officials noted, public awareness of data protection mechanisms is low. Thus, media outlets may violate data security rights with impunity. Publicising persons' identities and contact information is especially threatening in cases of gender-based violence and can contribute to further stigmatisation and violence perpetrated against women victims. Meanwhile, in judicial practice, a fine line exists between what qualifies as "free speech" and cyberbullying, which makes online attacks difficult for institutions to address.

Conclusion

Regarding **Regulation**, laws and policies related to digitalising media and communications are gender neutral. Insufficient attention to gender in laws and policies makes it difficult for the **Government** or other relevant institutions to address gender-based discrimination and hate speech in digital media. These entities lack capacities for doing this. Digital public services are inadequate for reporting violations and collecting gender-disaggregated data on who reports violations. **Infrastructure** is insufficient in terms of media, as well as for collecting, tracking, and reporting gender-disaggregated data on media violations of laws and policies. Regarding **People**, women are represented less often and less favourably in media. They have been subjected to hate speech, smear campaigns, cyberbullying, and stigmatisation via digitalised news and social media. Roma, Ashkali, and Egyptian women, as well as LGBTIQ+ persons, also face hate speech online. Such negative media coverage can affect victims' psychological and physical wellbeing as well as undermining women's participation in Kosovo's public sphere by dissuading women from engaging. Without appropriate inclusion of gender-specific language and protections in relevant laws and policies, institutions cannot

[112] Klan Kosova, "Burri e godet gruan duke e nxjerrë me karrocë nga QKUK-ja (VIDEO)" [Men hits wife while taking her out of the QKUK in a wheel] [Albanian only], 6 January 2021.

properly monitor and sanction media, including portals that use derogatory language, incite violence, or fail to comply with human rights standards.

Recommendations

In concluding this analysis, KWN offers suggested remedies to identified problems. The key recommendations are consolidated here, while additional suggestions can be gleaned from the findings in individual chapters. They are arranged by the institution responsible, organised according to the order in which they appear in this report, except for recommendations for inter-sectoral cooperation and for the EU, which are presented first. Within each section, recommendations follow the Regulation, Governance, Infrastructure, and People order as in each chapter.

For Government, Private Sector, Funder, and Civil Society Cooperation

- Ensure engagement of civil society, particularly WCSOs with relevant expertise, in drafting new laws and policies related to digitalisation by involving them in official working groups as well as via the public consultation platform.

- Collect, maintain, analyse, and use gender-disaggregated data to ensure that the design of digital applications, platforms, and public services is informed by diverse women and men's needs, including related knowledge, use, security, privacy, protection, and digital wellbeing.

- Continue funding qualified WCSOs to conduct intersectional gender analyses to support the Government with expertise, informing the gender mainstreaming of laws, policies, programmes, and budgets.

- Collaborate to conduct an intersectional gender analysis on protection related to digitalisation, including digital wellbeing, trust in operators, data protection, gender-responsive ethical standards, and privacy, towards identifying threats affecting diverse women and men.

- Collaborate in funding initiatives to increase the digital skills, awareness, and wellbeing of diverse women and men from a gender perspective. Ensure gender-responsive funding for the digital transformation process.

- Support WCSOs financially and collaborate with them in continuing to counter patriarchal gender roles and stereotypes through online awareness campaigns that transform these norms.

- Collaborate to design and implement awareness campaigns targeting diverse women and men with information about forms of cybercrime, cyberviolence, and how to report them; available digital services; digital wellbeing, security, and privacy; and opportunities for using digital tools beyond social media. Use images that counter and transform gender stereotypes regarding diverse women and men's ability to engage in digitalisation, including in higher education and employment in digital fields. Establish digital mechanisms for feedback that collect gender-disaggregated data, enabling analysis of campaigns' effectiveness and inform adaptation as needed.

- Contract WCSOs to support training, mentoring, and assisting marginalised and vulnerable women through a "learning by doing" approach during the digitalisation process, enhancing women's digital skills and access to public services online.

- Support WCSOs to provide legal aid, particularly assisting vulnerable groups, whose labour and other rights may be violated by online work, AI, or other digital means.

- Support WCSOs and businesses in piloting new initiatives, such as those recommended for MAFRD.

For the EU Parliament, Commission, and Office in Kosovo

- Adopt the proposed EU Directive on combating online gender-based violence, including a clear definition and regulation of cybersecurity and various forms of cyberviolence.

- Require and ensure gender analysis and inclusion of gender-responsive objectives, indicators, baselines, and targets in actions relevant to digitalisation, including for direct government budget support, towards tracking EU impacts on gender equality, fulfilling the OECD criteria for gender marking, and meeting the EU GAP III aim that 85% of all EU-supported actions should be gender-responsive. Ensure quality control of gender marking and that actions meet OECD criteria. Include clearer requirements for gender analysis and gender-responsive programmes in future EU regulations on external financing.

- Better gender-mainstream the Methodological Framework for the Principles of Public Administration, including more indicators related to gender equality, towards supporting potential candidate countries in gender-responsive public administration reform. Ensure contractors, like SIGMA, use and report on these.

- Strongly encourage the Government via political dialogue and ensure that all contractors use G(E)IAs to inform all draft laws and policies, including those related to digitalisation, as per legal obligations.

- In monitoring and evaluating the Kosovo Sector Reform Contract for Public Administration Reform, include clear requirements for ex post gender impact analysis, considering that the original objectives and indicators were not sufficiently gender-responsive in line with EU commitments. Use findings to inform future programming and financing.

- Encourage the Government to engage gender equality experts, including diverse WCSOs, in drafting new, more gender-responsive laws and policies related to digitalisation.

For the Assembly of the Republic of Kosovo

- Finalise and publish the Action Plan for implementing SDGs, establishing clear commitments, indicators, baselines, targets, and timeframes for progress on SDGs related to gender and digitalisation. This includes indicator SDG5c1 on gender-responsive budgeting. Ensure regular, transparent monitoring and reporting on progress.

- Amend the Rules of Procedure of the Assembly to ensure that the Government has conducted the required G(E)IA, among other minimum criteria in the legislative drafting process like budget impact and harmonisation with the EU Acquis, before draft-acts reach parliamentary committees. This could include assessing the quality of the G(E)IA and ensuring its findings have been adequately addressed in draft laws. As the Directorate General on Legal and Procedural Affairs should ensure coherence with public interest and harmonisation with the EU acquis, as well as international treaties and conventions in the Constitution, it could ensure compliance with the G(E)IA in implementing the annual legislative plan. Improve software that digitalises the legislative review process inclusive of checking the gender-responsiveness of draft-laws. Upload G(E)IAs and any parliamentary comments on them to the Legislative Tracking System, making them publicly available.

- Ensure equal gender participation (50%) in the Assembly and parliamentary committees as per the Law on Gender Equality, towards reflecting the views of diverse women and men in all policymaking, monitoring, and evaluation, including related to digitalisation.

- Improve coordination among parliamentary committees working on digitalisation, gender, and budget and finance, such as through joint hearings to draw from each other's knowledge and expertise, as well as to discuss interrelationships between gender, digitalisation, and financing in different sectors.

- Digitalise attendance and voting, enabling gender analysis of MPs' attendance and voting patterns, as well as improving the transparency of their work.

- Monitor the Government's implementation of gender-responsive budgeting as part of the annual budget process, including related to digitalisation. Review in committee meetings whether ministries are applying gender-responsive budgeting in specific sectors.

- Ensure digitised records pertaining to Assembly debates, parliamentary committee meetings, and legislative records are updated regularly, available in all official languages, and that search functions enable gender-related searches (e.g., key words like gender, women, men, male, and female).

- Invite gender equality experts, including WCSOs, to share their knowledge and research during parliamentary hearings and committee meetings, informing parliamentary debate with their expertise and contributing towards more participatory democracy.

- Conduct a needs assessment to identify capacity development needs among MPs and Assembly staff on digitalisation and gender mainstreaming, respectively and together. Design training based on the assessment in coordination with funders and WCSO experts.

- Introduce requirements for obligatory training on gender equality, gender mainstreaming, conducting G(E)IAs, and digital skills, respectively, for incoming Assembly members. Participate in training and apply new knowledge.

- Implement gender-responsive budgeting by including gender analysis, objectives, indicators, and targets in the Assembly's MTEF, providing the required Annex to the budget, and making it publicly available and understandable through online visualisations.

For the Government of Kosovo and Office of the Prime Minister

- Increase women's participation in decision-making processes in line with the Law on Gender Equality's definition of equal participation (50%), towards ensuring women's voices are heard in digital reforms. With AGE, encourage and provide guidance to support the use of affirmative measures in hiring and promotion, particularly in decision-making and IT fields, throughout the Government and public administration, dispelling myths and addressing misunderstandings related to merit-based recruitment and how to implement affirmative measures towards gender equality as part of merit-based recruitment.

- With AGE, put forth guidance for all ministries and municipalities on how to improve engagement of GEOs in decision-making processes related to digitalisation towards integrating a gender-responsive or transformative perspective in these processes. Involve GEOs in working groups on laws and policies related to digitalisation.

- Require obligatory training on gender equality, gender mainstreaming, conducting G(E)IAs, gender-responsive policymaking, programming, budgeting, and gender-responsive digital skills for all incoming ministers, GEOs, and public servants. Budget adequately for such training.

- Ensure that ministries conduct G(E)IAs to inform all new laws, policies, strategies, programmes, and infrastructure, including related to digitalisation. Create digitalised checklists to support review of compliance with regulatory impact assessments including G(E)IAs. Do not proceed laws and policies for approval without the required G(E)IA being uploaded and reviewed for quality assurance by AGE.

- Amend the Law on Official Statistics to require gathering and submitting gender-disaggregated data to KAS for all categories. Based on the Law on Gender Equality, install clear legal requirements for all institutions to maintain and regularly publish online institutional intersectional gender-disaggregated data, including on services provided to diverse beneficiaries. Require KAS to share data with institutions as well. Clarify digital coordination in data-sharing using digital tools to facilitate timely and efficient data-sharing among institutions. This should include data related to digitalisation and beneficiaries of the digital transformation.

- Amend Article 3 of the Law on Electronic Communications, on non-discrimination, to include the principle of gender equality, consideration of sex and gender, and the needs of persons with disabilities. Consider equality in the use and management of resources. This Law should reflect the LPPD, which recognises and protects characteristics related to sex.

- Ensure through AGE that all Government action plans involve clear objectives, indicators, baselines, and targets for measuring gender-equality impacts, as well as gender-responsive budgeting with the institutions responsible for budgetary allocations clearly identified. Ensure budgets are planned and allocated as part of mid-term and annual budget processes.

- Ensure that future iterations of the NDS, ERA, ERP, and NPISAA are based on G(E)IA, mainstream attention to intersectional gender differences across all sectors, and include gender-responsive objectives, measures, indicators, baselines, targets, and budgets that seek to address gender inequalities, including related to digitalisation.

- Include in the Action Plan and monitoring matrix of the Kosovo Security Strategy 2022-2027 more gender-responsive objectives, indicators, baselines, targets, measures, and budget, including in the chapter on digital transformation and cyberviolence.

- Ensure that the new Programme of Official Statistics requires ministries and other institutions to collect, analyse, publish, and regularly submit gender-disaggregated statistical and administrative data. Ensure that responsible institutions implement this requirement. Include objectives, indicators, activities, and budget towards gender equality in the Programme. Conduct an ex-post gender impact analysis of the current Programme, including related to introducing CAPI, to analyse gender-related results and needs and to inform the new Programme.

- Institutionalise annual reporting on ERPs similar to the current annual reporting on ERA, including gender-disaggregated data.

- Institutionalise gender-responsive budgeting as part of the multiannual and annual budget processes for all ministries, together with MFLT. Ensure that all ministries' and other budget organisations' MTEFs includes clear objectives, indicators, targets, and planned expenditures towards furthering gender equality. All budget organisations should publish online gender analyses informing planned budget expenditures and annexes.

- Ensure that all job openings and e-procurement across all ministries use language encouraging diverse women and men to apply. Encourage all ministries to install affirmative measures for companies working to further gender equality internally.

- Continue ensuring an inclusive public consultation process on all draft laws and policies, including related to digitalisation. Involve gender experts and GEOs in designing digitalisation policies, including with sectoral expertise, to better understand and address the different needs of diverse women, men, girls, and boys.

- Instigate as part of legislative review process requirements that official periodic reports monitoring laws and strategies' implementation must include ex-post gender impact analysis and be made publicly available, towards informing independent monitoring of progress and the drafting of new evidence-based laws and strategies.

- Ensure that monitoring and reporting on the DA and digital transformation processes include gender analysis; include this responsibility explicitly within the work responsibilities of the Commission on Digital Transformation.

- Improve protections as part of the digitalisation process, drawing from the findings of the recommended gender analysis towards ensuring a safe internet environment for diverse women, men, girls, and boys. Require and undertake gender-responsive risk assessments with stakeholder consultations.

- Institutionalise and functionalise use of digital signature. Ensure actors using it, including women and men owned businesses, have proper digital awareness regarding its benefits.

For the Kosovo Agency of Statistics in the Office of the Prime Minister

- Publish regularly gender-disaggregated data by ethnicity, age, rural/urban location, and disability for all sectors. Provide this data on the KAS website, enabling gender analysis to inform more evidence-based policymaking.

For the Ministry of Internal Affairs

- Monitor and ensure timely implementation of commitments to purchase electronic surveillance infrastructure, towards implementing the Law on the Electronic Supervision of Persons Whose Movement is Limited by the Decision of the Court. This will contribute substantially to protecting women who have suffered gender-based violence.

- Specify the responsibilities of KP units related to cybercrime. Organise joint training for KP officers specialised in cybersecurity and those in gender-based violence, encouraging and facilitating cooperation between these units in treating cases of gender-based cybercrime, drawing from their respective expertise.

- Adopt secondary legislation that specifies coordination mechanisms and bodies responsible for the protection of children in internet cafes and video games, including specific measures against pornographic content, punishing online child abusers, reducing children's access to unhealthy and life-threatening material, and assisting children at risk from any form of online violence, as required in the Law on Child Protection. Ensure that the sub-legal act includes clear definitions of gender-based cyberviolence.

- Ensure that the Cyber Security Strategy requires that the manual on managing cybersecurity incidents is gender-responsive, such as assisting cases of gender-based cyberviolence. The planned cybersecurity platform should collect gender-disaggregated data of persons using it, ensure confidentiality, safeguard ethical standards, protect data, and ensure a user-friendly interface, inclusive of referral mechanisms through which users can file complaints. Planned awareness-raising should seek to transform gender norms through messaging and images, as well as include attention to gender-based cyberviolence. Clear, adequate budget allocations should be included. The indicator and targets for student scholarships in STEM should be gender disaggregated. Ensure adequate resources and an institutionalised approach to including cybersecurity education in the permanent curricula rather than underfunded ad-hoc actions. The Strategy could have more gender-responsive objectives,

indicators, baselines, targets, and budget allocations, identifying responsible institutions.

For the Department of Public Administration Reform

- Conduct a gender audit of hiring, promotion, and firing practices to better understand the reasons why women and men are not being hired and promoted to decision-making positions equally as per the Law on Gender Equality. Based on this, review and revise HRMIS from a gender perspective, including gender analysis of trends in human resource management; supporting the application of affirmative measures in human resource management towards women's equal participation in the civil service at all levels; and informing policies and programmes that could improve gender equality in the public administration. Ensure any future digitalised software for human resource recruitment and promotion considers and addresses existing gender biases that may affect algorithms, contributing to continued inequalities.

- Clarify which organisational unit is responsible for general administrative procedures, broader service delivery policy, monitoring, and evaluation related to PAR. Ensure it has clear responsibilities for gender-responsive policymaking, monitoring, and evaluation.

- Further define the Instruction on the Use and Management of the Internet in the Institutions of Kosovo to regulate data protection, ethical standards, privacy, and cybersecurity for public servants; to establish sanctions; to create clear entities and mechanisms for reporting violations; to establish mechanisms for secure electronic data management of cases and statistical reporting; and to ensure that all of these are gender responsive.

- Amend the Regulation on Disciplinary Procedures in the Civil Service to include improved protections and disciplinary procedures for gender-related rights violations occurring via digital means.

- Revise the Administrative Instruction on the Use and Management of the Internet in the Institutions of Kosovo to regulate clearly data protection, ethical standards, privacy, and cybersecurity for public servants when using the internet, attending to related gender issues. Include sanctions for officials failing to comply with restrictions. Enlist responsible entities and mechanisms for reporting internet misuse. Ensure clear monitoring or implementation mechanisms exist, including digital systems for tracking reports by gender.

- Undertake an ex-post gender-impact assessment of the Strategy for Modernisation of Public Administration and use it to inform the Action Plan for the new PARS, which lacks attention to gender

inequalities in several planned reforms related to digital public services.

- Include in PRAB the requirement for ex-ante assessments to include G(E)IAs. Digitalising this requirement as part of the PRAB system can help institutionalise gender analysis and more gender-responsive digital programming and reforms.

- Include indicators related to gender equality in establishing the planned central online register of administrative services to facilitate gender analysis in monitoring and evaluation, which can inform future planning.

- Require all public servants to undergo obligatory introductory training in gender equality, sexual harassment and abuse at work, and gender-responsive policymaking, programming, implementation, monitoring, and evaluation, using the existing KIPA curricula. Officials can use this basic knowledge in policymaking on digitalisation. Provide obligatory training in basic digital skills, protection of personal data, online security, gender-responsive e-procurement, and addressing online threats. Allocate funding for these trainings.

- Work closely with AIS to expand the availability and accessibility of user-friendly online public services, ensuring women and men with lower educational levels and disabilities have access. Ensure availability in official languages. Track gender-disaggregated data on usage, enabling gender analysis that can facilitate updates to meet diverse women and men's needs. Harmonise AIS updates with the eKosova platform, towards interoperability.

- Initiate televised and social-media campaigns that advertise new online public services, how to use them, and how they will make citizens' lives easier and their tasks more efficient than face-to-face communication. Target communications to diverse women, men, girls, and boys' information needs and use gender-transformative imagery.

- Budget for establishing info-centres with free, safe, publicly accessible computers in municipalities, such as in libraries and public offices, to facilitate access to online public services. Train staff to assist diverse women and men with using online software to access public services. Qualified CSOs or businesses could be contracted to provide these services, including door-to-door outreach to support use of digital public services.

- Ensure any evaluation of the Kosovo Strategic Framework for Public Administration Reform and related strategies includes an ex-post gender impact assessment to see whether and how these have impacted gender equality including related to digitalisation,

particularly given the insufficient attention to gender equality in the strategies' objectives and indicators.

For the Agency for Information Society

- Maintain gender-disaggregated data on service users, based on the Law on Gender Equality. Track, monitor, and publish gender-disaggregated data related to the eKosova platform, as well as using it to conduct gender impact analysis. This information could inform more targeted public outreach and policy interventions towards ensuring more people have access to gender-responsive online services.

- Launch awareness campaigns about the eKosova platform, services available and how to access them, targeting communication to diverse women and men, including of different ages, in rural areas, with limited literacy, and with disabilities. Use data on users' gender, age, geographic location, language, and ability to improve citizens' awareness related to platform services, using an intersectional gender-responsive approach.

- Ensure that hardware and software infrastructure offer adequate protections in terms of privacy and data protection, considering adequately the needs of diverse women and men.

For the Ministry of Industry, Entrepreneurship, and Trade, Including the Kosovo Investment and Enterprise Agency

- Conduct an ex-post gender impact assessment of the Digital Agenda for Kosova 2013-2020 to inform the new DA's action plan, reviewing it to establish clearer, gender-responsive objectives, indicators, baselines, targets, activities, and budget towards gender equality. Ensure any future DA is based on a G(E)IA, mainstreams attention to gender equality, seeks to transform gender norms related to digitalisation in line with EU and Kosovo commitments, and is harmonised with the most recent EU Accession requirements related to gender equality, the Law on Gender Equality, and the KPGE.

- Conduct G(E)IAs to inform laws and policies scheduled to be adopted in 2023, as per the ERP 2023-2025: Trade Policy Program; Customs and Excise Code; Law on Internal Trade; Law on External Trade; Law on Product Market Surveillance; Regulation on the Establishment of the Trade Facilitation Information Centre; Strategy for Industry Development and Business Support; and Law on E-commerce. Engage the GEO and informed WCSOs in working groups.

- Support women-led MSMEs in product development, digital marketing, and digital networking with global (online) retailers, such as sellers of products made by women, establishing a better market

for their products, and supporting vulnerable women by providing work-from-home opportunities in line with skills sets and social environments.

- Adjust advertisements for subsidies supporting young entrepreneurs' business plans and digitalisation to offer affirmative measures for women, persons from minority ethnic groups, rural women, and persons with disabilities. Boost awareness of affirmative measures, which can encourage more women to apply. Collaborate with WCSOs, particularly those focusing on women's economic empowerment, to better circulate information about subsidies so that it reaches diverse women.

- Further the capacities of KIESA to design gender-responsive programmes to digitalise businesses, which include affirmative measures as per the Law on Gender Equality, such as improving outreach that targets women with information about opportunities and designing subventions for purchasing digital equipment with criteria targeting women.

- Further the human and technical capacities of one-stop shops and business services, to provide affirmative measures to encourage the underrepresented gender, as per the Law on Gender Equality and the NPISAA objective.

- Publish gender-disaggregated data on all indicators reported by KBRA as well as other demographic information. For transparency, include in quarterly publications information on subsidies distributed to diverse women and men. Improve collaboration and interoperability of systems with TAK and MIA to provide more accurate information on businesses.

- Publish online gender-disaggregated information on beneficiaries, including KIESA and Kosovo Credit Guarantee Fund beneficiaries, including amounts given. Include gender-disaggregated data by ethnicity, rural/urban location, and persons with disabilities, enabling gender analysis in real-time.

- Undertake an ex-post gender impact analysis of KIESA and Credit Guarantee Fund support to assess the extent to which diverse women and men have benefitted, including from support for the digital transformation. Use this to inform more targeted future programming. Make the analysis publicly available online.

- Encourage and support businesses in expanding the availability of direct payment options, which can facilitate business, enhance accountability, decrease corruption, and decrease informal work.

- Ensure that development of further digital infrastructure for businesses and trade is based on gender analysis from the design phase,

ensuring that user-friendly, gender-responsive digital infrastructure is available for diverse women and men.

- Continue organising training to further business capacities in digital skills, ensuring access to information about them and participation for diverse women and men.

- Utilise eKosova to connect user profiles for businesses registered with KBRA, so that gender-disaggregated data connected with personal profiles on e-Kosova can be used to monitor use of online business registration services and to provide real-time gender-disaggregated data online with statistics on use and on women- and men-owned businesses.

For the Ministry of Justice

- Follow closely developments at the EU pertaining to gender-based cybercrime and cyberviolence, particularly the proposed Directive on combating gender-based violence. Proactively attend to these forms of gender-based violence and violence against women in Kosovo's legal framework, including the Criminal Code, forthcoming amendments to SOPs for treating gender-based violence, and other primary and secondary legislation related to gender-based violence. Ensure diverse women and men, including WCSO gender-equality experts, are engaged in defining cybercrime based on lived experiences. Clearly define and regulate cybercrime in the Criminal Code from a gender perspective, including various types of cybercrime like image-based sexual violence, sexual harassment online, cyberbullying, and sextortion.

- Ensure any future Law on Prevention and Protection of Cybercrime is informed by a G(E)IA and includes attention to the specific ways cybercrime and cyberviolence may affect women, men, girls, boys, and LGBTIQ+ persons. Amend the Law to include a specific article that defines and regulates cyberviolence against women and LGBTQI+ persons in harmony with the LPPD, EU GDPR, and Istanbul Convention requirements for a victim-centred approach. Amend Article 5 on prevention, security, and information campaigns to specify which institutions are responsible for taking specific measures to prevent cybercrime, including awareness-raising that targets diverse women and men. Align this Law with the Criminal Code, ensuring the Code has specific definitions of cybercrime, drawing on the G(E)IA.

- Amend the LPPD in line with the GDPR to offer clearer data protection, including by defining gender, sex, and consent more clearly, particularly in terms of "protection of sensitive data" and "protection of special categories" of personal data (Article 8).

- Amend the Law on Whistleblowers to protect the personal data of women and men whistleblowers, clarify mechanisms for their protection, and better define gender-relevant repercussions.

- Amend the Law on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and Their Families to redefine and extend the period of war, ensuring inclusive access to benefits for all Kosovo citizens affected; to improve the gender-responsive, safe digitalisation of records; and to ensure timely, transparent publication of summary statistics online.

- Ensure SOPs establish clear responsibilities for all institutions for secure digitalised case management via the Ministry's case management system, as well as for collecting, maintaining, and reporting gender-disaggregated data via the shared institutional data management system (CMIS). Improve the interinstitutional database for managing gender-based violence cases in line with legal revisions. Improve its interoperability so that cases can be better managed across institutions and municipalities. Ensure adequate precautions in data protection and consent to share data. Provide real-time summary data in visually friendly ways, towards transparency, enabling gender analysis, monitoring, and evaluation of rule of law institutions' performance.

- Consider adapting and adopting KWN and shelters' Protocol for tele-counselling for persons suffering gender-based violence, enhancing access to psychological counselling services for isolated persons, improving personal data protection, safeguarding privacy, and other protections provided by this professionally developed protocol.

- Identify clearly in future strategies and action plans on rule of law and gender-based violence which institution is responsible for budgeting for and implementing actions. Use gender-responsive budgeting, indicating how funds will be used to support women, men, girls, boys, and gender equality. Include clearer objectives towards improved institutional coordination, capacities of responsible officials, and awareness-raising on gender-based cyberviolence.

- Ensure personnel are trained in the use of videos in interviews and courtrooms in line with the Istanbul Convention, towards reducing (re)traumatisation among survivors of gender-based violence. Ensure coordination mechanisms, police, prosecution, VAs, social workers, and courts coordinate to minimise the number of times testimonies must be taken by using video recording. Budget adequately for recording infrastructure.

- Conduct a needs assessment to understand the needs of municipal coordination mechanisms in addressing gender-based violence

related to their digital skills, understanding of gender-based cyberviolence, and ways to improve digital coordination with other municipal- and central-level institutions in treating cases. Use this to inform further training.

- Make free legal aid available to persons whose rights are violated by cybercrime and AI. Carry out campaigns to raise awareness about potential AI violations of rights, cyberviolence, cyber-harassment, and what these entail, reaching diverse women and men.

- Ensure that legal reforms related to social services include provisions for counselling, legal advice, available infrastructure in CSWs, and increasing digital and other skills of social workers.

- Enhance social workers' capacities to provide counselling, legal advice, and resources to help diverse women and men who have suffered cyberviolence to navigate the legal, emotional, and practical challenges resulting from online abuse and gender-based cyberviolence.

- Consider integrating within eKosova applications for status as persons in need of personal assistance, as well as applications to qualify for serving as a personal assistant once qualification requirements are established in secondary legislation.

- Make available online applications for individuals, NGOs, and private providers to apply for licenses for service provision.

For the Free Legal Aid Agency and Offices

- Train Free Legal Aid officers to improve their understanding of AI, its risks for diverse women and men, and how to defend people in such cases. Require successful completion of training in treating gender-based cybercrime and cyberviolence.

- Digitalise case management, including gender and other socioeconomic and demographic data. Improve collection and maintenance of data on cybercrime and persons with disabilities.

For the Medical Forensic Institute

- Improve electronic databases to track key demographic information including gender of victims and alleged perpetrators.

- Secure financial support for advancing current technology, enabling backup data storage in an additional secure location outside the facility.

For the Ministry of Defense

- Use affirmative measures to recruit and promote more women within the Ministry and KSF.

- Inform the development of digitalised early warning systems with ex-ante gender analysis, identifying gender-responsive measures needed as part of such digital solutions to prevent, protect from, and respond to conflict, in line with the Women, Peace, and Security Agenda.

- Ensure training and capacity development related to cybersecurity has gender-responsive content, and seek to increase the share of women participating.

For the Anti-Corruption Agency

- Publish gender-disaggregated data in annual reports, enabling gender analysis of the extent to which diverse women and men officials are transparent or engage in corruption.

- Provide information that targets diverse women and men about how to report corruption, making gender-responsive videos available on social media and the ACA website.

For the Ministry of Finance, Labour, and Transfers

- Ensure the Law on Public Finance and future Public Finance Management Reform Strategy are based on SDG 5c1 and PEFA GRPFM indicators for best practices in gender-responsive budgeting, including those in digitalised public finance management systems towards institutionalising gender-responsive budgeting across all institutions. Ensure the new Strategy includes clear objectives, indicators, actions, and budget towards institutionalising gender-responsive budgeting in line with the Law on Gender Equality; it should be based on G(E)IA, including lessons learned from an ex-post gender impact assessment of the 2016-2020 Strategy. Consult WCSOs with gender-responsive budgeting expertise, like KWN, to support the drafting process.

- Ensure that the new Law on Local Governance Finance is informed by a G(E)IA, requires public consultations that engage diverse women and men in selecting priorities for municipal financing, requires digitalised gender-responsive budgeting in line with the Law on Gender Equality, and includes gender analysis in the digitalised financing formula in calculating municipalities' level of need. Consult WCSOs to support the drafting process.

- Improve and further specify measures in the Law on Public Procurement for digitalised gender-responsive procurement and

include requirements for collecting, tracking, and publishing gender-disaggregated data.

- Ensure the Law on Labour is harmonised with the EU Work-Life Balance Directive, including articles regulating flexible work; self-employment; maternity, paternity, and parental leave rights; and carers' leave. Align it with the proposed EU Directive on improving work conditions in platform work and the Directive on equal treatment of self-employed men and women. Oblige digitalised management of data and programmes, disaggregated by gender.

- Ensure the new Law on Social Assistance Schemes is based on a G(E)IA, considering how SAS algorithms and AI may involve gender bias, and preventing gender-based discrimination. Consider including victims of gender-based violence in the definition of "dependent" persons for a period until they are financially stable and autonomous. The Law should require maintaining, transparently publishing, and regularly reporting online data disaggregated by gender and other demographic information (e.g., ethnicity, age, disability, location) as per the Law on Gender Equality.

- Require and better monitor implementation of the Law on Vocational Ability, Rehabilitation, and Employment of People with Disabilities in private and public sectors, including ICT work, which can facilitate the employment of people with disabilities.

- Include in the new NDS programmes to facilitate women and girls' access to digital skills, VET programs, and employment using these skills, including in, but not limited to, the ICT sector.

 Improve the interoperability of digital software and systems, enabling automatic and regular reporting on labour, training, social assistance, and Government programmes to KAS, disaggregated by gender and other potential intersecting demographic factors like age, ethnicity, disability, and rural/urban location, which can save time and human resources while improving accuracy.

For the Labour Force Department

- Improve the VTC and Employment Office system for human resource management, maintaining data on and monitoring the capacities of officials, including training attended, when, and certificates received, all disaggregated by gender. Undertake an assessment of needs for digital skills and provide obligatory training and qualifications for EARK, VTC, Employment Office, and Labour Inspectorate staff based on findings.

- Monitor job platforms, including the Job Portal of Kosova and Superpuna, from a gender perspective to ensure there is no unintended gender bias due to algorithms and language.

EARK

In close coordination with MFLT:

- Further digitalise employment services and track data on diverse women and men beneficiaries. Develop user-friendly interfaces for showcasing gender-disaggregated data online, including for EMIS, the Job Portal, and Superpuna, among others. Make gender-disaggregated summary information on labour, employment, and Government programme beneficiaries publicly available.

- Better link employment market needs and measures taken with developing ICT infrastructure, using clear, measurable indicators and targets to better address how measures will affect women, girls, men, and boys with an intersectional approach.

- Tailor VET programs and trainings in new strategies and EU Accession documents (e.g., NPISAA, ERA, ERP) to the needs of women, increasing women's knowledge in ICT. For example, consider providing free childcare for women taking courses that will enable them to develop digital skills for carrying out online work from home.

- Continue applying affirmative measures through job placement software, prioritising qualified women for employment opportunities, including in the ICT sector. Consider using additional affirmative measures to encourage employers to recruit women, such as added subsidies to salaries for young women.

- Improve the EARK-managed Kosovo Labour Force Barometer to include gender-disaggregated statistics related to business registration and education data.

- Pilot a programme to support digital skills development among women and men with disabilities, equipping them to work from home in close coordination with the Ministry of Justice.

- Consider partnering with tech companies to design gender-inclusive digital literacy programmes.

For the Labour Inspectorate

- Conduct an ex-post gender impact analysis of the implementation of the Law on the Labour Inspectorate.

- Analyse labour inspectors' digital skills to inform future needs for capacity-development, including for gender-responsive digitalisation of data and services.

For the Social Schemes Department

- Integrate gender analysis into the planned assessment of social workers' digital skills, knowledge, and needs, including for digital case management, protecting beneficiaries' personal data, and data management, disaggregating data by gender, ethnicity, age, geographic area, and ability. Assess social workers' capacities for protecting children from potential online abuse, and design tailored training to improve their abilities.

- Undertake a gender-age analysis of how families use SAS and how diverse women, men, girls, and boys within families benefit from it, including the extent to which it is used to meet their diverse needs. This can inform the planned redesign of the PMT, improvements in the gender-responsiveness of indicators based on a gender-age analysis of poverty, software, and any future AI-informed decision-making on beneficiaries. Digitalise application processes to expedite the application period towards enabling short-term work, addressing informality, and increasing tax revenues.

- Ensure the criteria, indicators, and algorithms used in developing AI and other digital solutions towards improved delivery of social assistance and services are based on ex-ante gender impact analysis so they adequately consider the needs of, and do not discriminate against, diverse women, men, girls, and boys.

- Establish an administrative instruction or protocol detailing work processes from data collection to reporting, including gender-disaggregated data and analysis. Collaborate with KAS, municipalities, and CSWs to improve the interoperability of data management systems enabling automatic reporting of data to KAS, including disaggregated by gender and age, ethnicity, disability, rural/urban location, and other social and demographic categories. Utilise this data to inform gender-responsive policymaking.

- Provide public-access computers at digital hubs in municipalities (e.g., in CSWs, schools, and libraries), free of charge, where vulnerable persons without access to devices can use public digital services related to social assistance and services. Ensure staff are available to assist. Continue visiting vulnerable groups and monitoring cases at home, ensuring access to physical services as needed.

- Launch awareness campaigns to inform people about digital social services and assistance available online, how to access it, and the benefits of accessing it. Tailor communications to be responsive to diverse women and men's information needs and means of communication they use. Ensure persons with disabilities and those who speak different languages have access to information. Campaigns should address issues of privacy and informed consent in sharing

beneficiaries' data across institutions, expanding their knowledge on data protection as well as trust in providers' protection of their data.

For the Tax Administration of Kosovo

- Streamline data management systems to collect and maintain gender-disaggregated data. Further the capacities for gender analysis, utilising this data to inform TAK's work.

- Seek to ensure a gender-responsive digitalisation process and report on progress.

- Strive for public outreach campaigns to use gender-transformative imagery towards challenging gender norms and roles.

For the Ministry of Youth, Culture, and Sports

- Undertake an ex-post gender analysis in evaluating the Strategy for Youth 2019-2023, using it to inform any future strategy with gender analysis.

For the Ministry of Education, Science, Technology, and Innovation and for Municipal Education Directorates

- Adopt secondary legislation to facilitate implementation of the Law on Child Protection in educational institutions, establishing their obligations to address cyberviolence, online harassment, abuse, safe processing of personal data, and the digital wellbeing of diverse girls and boys. Consider how gender roles, stereotypes, and relations can affect different risks for girls and boys, addressing power relations and social conditions that provide for male violence against women and girls.

- Ensure equal participation of women, men, and the GEO in the Education Strategy Implementation Group. Coordinate to ensure gender-responsive implementation, monitoring, and evaluation of this Strategy, including gender-impact analysis.

- Conduct a comprehensive, systematic assessment of digital training needs. Institutionalise obligatory, continuous training in gender roles, norms, and relations for officials, teachers, and school administrators, towards transforming gender norms through education. Integrate attention to gender roles, norms, and relations in continuous teacher training related to digitalisation and in using digital curricula. Establish a database tracking teachers' digital skills, formal training provided, and professional-development needs related to gender-responsive digitalisation.

- Expand digital public services to enable reporting of sexual harassment and cyberviolence online, including anonymous reporting forms and online forms for reporting violations of privacy or personal data protection rights.

- Invest in ensuring universal access to computers and internet in all schools and in ensuring that digital skills are part of basic education curricula; develop the innovation ecosystem so that diverse girls and boys have access.

- Continue affirmative measures like scholarships for diverse girls to enter ICT fields where they historically have been underrepresented. Undertake outreach targeting underrepresented ethnic groups, ensuring materials about affirmative measures are available in their languages and for persons with disabilities. Provide similar measures for boys to become pre-school and primary-school educators, including their important role in gender-transformative education, addressing male violence and child protection. Further their capacities to use digital teaching tools and ensure child protection in using ICT for teaching.

- Install academic and career counselling and annual job fairs in all schools, particularly in rural areas, that inform young women about career opportunities in ICT.

- Consider institutionalising digital literacy skills as part of the curricula offered at Learning Centres for Roma, Ashkali, and Egyptian students, towards equipping them to secure IT jobs.

- Provide free childcare during continuous learning opportunities related to digital skills, enabling more women to attend.

- Lead curriculum reforms and ongoing awareness-raising that transform gender roles, including for women to study ICT, cyberbullying, and how to report rights violations. Undertake outreach that supports students in challenging gender roles and stereotypes towards a safer online environment for girls and boys. Engage parents more in awareness-raising efforts.

- Ensure that all education statistics are disaggregated by gender and age, ethnicity, rural/urban location, and disability. Establish interoperability software so that data is automatically collected from schools, provided to MEDs and MESTI, analysed at a national level, and submitted to KAS through digital data sharing, so that KAS publishes such data regularly, as per the Law on Gender Equality.

- Publish regularly on MESTI and MED websites plans, reports, and budgets with gender-disaggregated information and gender impact analyses in line with legal responsibilities and towards improved transparency and accountability.

- Implement gender-responsive budgeting, using Budgeting for Education as a guide, produced by MESTI in 2016 in close cooperation with KWN.

- Add to Early Warning System and MED reporting templates on violence in schools' categories related to gender-based cyberviolence with examples to facilitate and encourage reporting.

- Improve protocols for child protection, including related to digitalisation.

For the Ministry of Economy

- Formalise improved coordination with MESTI, MFLT, and the Ministry of Justice in working jointly towards gender-responsive employment policy and programmes.

- Use affirmative measures to increase women's participation in decision-making in the Government, green and circular economy, and energy sector in line with the Law on Gender Equality.

- Conduct an ex-post gender impact assessment to analyse the impact of KODE on diverse women and men, including tracking long-term employment following job placement by gender and other demographic indicators. Use the assessment to inform programming.

- Ensure in any future iterations of action plans, KODE, YOU, or WOW programmes that action plans and project documents include gender-disaggregated indicators, baselines, targets, and gender-responsive budgets. This will facilitate monitoring gender-equality results.

For the Ministry for Agriculture, Forestry, and Rural Development

- Conduct GEIAs to inform all draft laws, policies, strategies, and programmes on agriculture and rural economic development. Ensure strategies and action plans have clear gender-responsive indicators, baselines, targets, and budgets towards measuring change (e.g., ERPs, NDS, the Strategy for Agriculture and Rural Development and its action plans, and EIAs for constructing dams).

- Amend the Law on Agricultural Census to require census questions pertaining to the extent to which agricultural holdings have used digital tools and digitalisation in their work, including gender-disaggregated data on ownership, use, and access. Draw from KWN and FAO's research and recommendations to inform question phrasing. Amid current efforts to digitalise data collection for the Census, such as using tablets, ensure gender-responsive approaches in reaching diverse women and men in agricultural households.

- Conduct an ex-post gender impact analysis of MAFRD's programmes and policies to inform future programming and gender-responsive budgeting.

- Develop a gender-responsive e-agriculture strategy and action plan.

- Increase women's participation in decision-making at MAFRD, municipal directorates, and in public consultations as per Law on Gender Equality requirements, because this can increase their engagement in planning agriculture and economic development policies and digitalising agriculture, towards better meeting diverse women and men's needs.

- Involve GEOs and WCSOs with gender expertise in working groups drafting laws and policies, including related to digitalisation, towards integrating an improved gender perspective.

- Ensure the GEO has sufficient time and capacities to participate meaningfully in gender-mainstreaming laws and policies, including related to digitalisation.

- Design and institutionalise training for staff in digitalisation, gender, and gender-responsive policymaking related to agriculture and gender.

- Apply regularly gender-responsive budgeting in annual budgeting and MTEFs, using as a guide KWN's report Budgeting for Better Agriculture and Rural Development, written in close cooperation with MAFRD.

- Ensure that new software infrastructure being developed by MAFRD includes data pertaining to gender, ethnicity, age, location, and disability, enabling future gender analysis. Improve digital infrastructure to enable gender analysis to inform policymaking.

- Support outreach, mentoring, training, and rural advisory and extension services to raise awareness about digital technologies, their benefits, and how to use them. Target rural women to address their historically disproportional access to services and educational constraints. More specifically, as KWN recommended to MAFRD in the forthcoming FAO *Kosovo Gender Profile*:

    - Use affirmative measures to increase the number and percentage of women providing advisory services, which can make women farmers more comfortable in accessing such services.

    - Better promote advisory services, ensuring rural women have access to information about what is available.

- Raise municipal advisory officials' awareness regarding issues women face in accessing and using ICTs, together with WCSOs, so they can better support women in addressing these issues.

- Introduce into municipal advisory services training and follow-up mentoring on digital literacy, skills, and ICT use for agricultural activities.

- Consider a pilot to support women and men with disabilities who are interested in supporting their families with digitally transforming their [families' existing agricultural] businesses.

- Support diverse women and men in developing online marketing and sale of products in line with EU standards.

For the Ministry of Environment, Spatial Planning, and Infrastructure

- Ensure that the new Law on Social Housing contains more specific references to the gender-responsive digitalisation of social housing services, maintenance, and transparent public reporting of consolidated gender-disaggregated electronic data on beneficiaries (among other demographic information). Based on a G(E)IA, prioritise the right of survivors of gender-based violence and their dependents, as well as vulnerable LGBTIQ+ persons, to receive housing. Require gender analysis to inform the process of identifying housing needs and prioritising recipients. Provide further regulation and guidelines on digital communication with existing or potential beneficiaries, privacy standards, and protection of personal data in close cooperation with MFLT and the Ministry of Justice. Ensure gender-responsive physical security precautions in buildings, together with municipalities, considering potential risks for single women, for example.

- Conduct a G(E)IA to inform the draft Law on Strategic Environmental Assessment, consult WCSOs and GEOs, and revise it to include gender impact analysis and to address current gender stereotypes within the draft Law.

- Ensure G(E)IAs and EIAs containing gender analysis inform all draft laws, policies, strategies, and programmes, including related to digitalisation. Involve GEOs and WCSOs with gender expertise in working groups drafting laws and policies and in public consultation processes to better integrate a gender perspective.

- Improve legal requirements for tracking data on resource users, disaggregated by gender, to support an improved, digitalised "polluter pays" system, as well as more gender-targeted awareness-raising towards reducing consumption.

- Involve in the National Climate Change Council more, diverse experts, including WCSOs and academics in the sciences who can contribute knowledge and recommendations on climate change and its impacts on diverse women and men.

- Institutionalise obligatory training in gender and digitalisation for policymakers, and budget for its delivery.

- Plan physical public consultations at times and places that diverse women and men can attend, or have municipal officials visit women to support their participation in decision-making that affects their lives.

- Consider using digital solutions to facilitate women and men's participation, such as online consultations and surveys to inform climate change mitigation and adaptation policies.

- Develop early warning systems related to climate crises, utilising gender analysis to identify information needs and ways of providing information that reaches diverse women and men.

- Use digital communications including TV and social media to raise awareness about climate change, mitigation strategies, and how to report violations, targeting diverse women and men with information and imagery that seeks to transform gender norms and roles.

- Consider gender-responsive ethical standards, data protection, privacy, trust, and cybersecurity in developing new software that digitalises services related to water, energy, and online reporting of environmental violations, enhancing women and men's wellbeing.

- Apply gender-responsive budgeting regularly in annual budgeting and MTEFs, using as a guide KWN's report Budgeting for a Better Environment, written in close cooperation with MESP.

For the Ministry of Health

- Ensure G(E)IAs inform all draft laws and policies, including objectives, indicators, baselines, targets, and budgets towards furthering gender equality. Conduct a gender-impact analysis of the health sector to inform reforms towards digitalisation of health services, particularly the new Health Sector Strategy.

- Complete installation of HIS and ensure its use. Digitise health data in all health institutions, inclusive of gender-disaggregated data and other key social and demographic information (e.g., age, ethnicity, disability, geographic location). Establish improved software for interoperability among public and private healthcare providers, municipalities, the Ministry of Health, National Institute of Public Health, Civil Registration Agency, and KAS that enables collection and

real-time direct reporting of gender-disaggregated data on people and services used, including online services. Publish in KAS Health Statistics gender-disaggregated data on persons using different services, including mental health services.

- Provide computers and update software to enable modern and accurate case management that protects the privacy of patients, considering a gender-responsive approach.

- Ensure all responsible staff are trained in using such systems, and enforce their use.

- Better track and report intersectional gender-disaggregated data from the eKosova platform; such data can inform the design of more gender-responsive policies and measures for diverse citizens, while also enabling faster detection of health trends and impending crises.

- Improve the Health Inspectorate's website to include information about health rights, violations, and how to report violations. Link to the reporting form on the Ministry of Health's website and/or include an online form for reporting alleged violations that includes gender as a data-entry field and ensures protection of personal data.

- Consider piloting digital healthcare services, particularly providing elderly, rural, and disabled women with better access to some forms of basic healthcare and follow-up treatment. Develop services in multiple languages and for people with different disabilities.

- Conduct further research to examine the extent to which diverse women and men have sufficient knowledge and digital skills for locating, accessing, and using digital healthcare services. In developing digital healthcare solutions, undertake an intersectional gender analysis considering age, ethnicity, ability, and other socio-demographic indicators to better understand the needs of diverse women and men and any potential accessibility challenges they may face, so that digital services can be adjusted to their needs and digital literacy.

- Consider gender norms and values when designing digital healthcare services, such as by ensuring that services can be provided by women to women.

- Consider adapting and adopting the KWN Protocol for tele-counselling that protects clients based on best international practices.

For Municipalities

- Institutionalise, budget for, and provide obligatory training for all incoming municipal government and assembly officials in gender

equality, gender-responsive policymaking and budgeting, and digital skills.

- Use official websites rather than private domains, updating these regularly and providing user-friendly and accessible information so citizens with limited digital literacy can easily access information.

- Publish online municipal budgets, medium-term budget frameworks, gender-responsive annexes to budgets, and gender-budget statements, making them publicly available.

For the Information and Privacy Agency

- Improve access to gender-disaggregated data related to data protection and rights violations by improving collection, automated digital reporting to KAS, and publishing of this information.

- Use data to inform awareness campaigns on data protection and where to report violations. Consider different information outreach needs, better targeting diverse women and men. Include more specific information regarding threats that diverse women and men may face related to data protection, and attend to gender-related aspects of data-protection threats.

- Ensure that data-protection impact assessments require gender analysis, including the ways diverse women and men may be differently affected by data violations. Draw from G(E)IAs and involve AGE in Data Protection Assessments.

- Track gender-disaggregated data on cases reported.

For the Regulatory Authority of Electronic and Postal Communication

- Track gender-disaggregated data on complaints, threats, and incidents in electronic communications.

- Utilise gender analysis, including by age, language, and disability, in monitoring implementation of the Law on Electronic Communications.

For the Independent Media Commission

- Extend the Law on IMC to define gender-based violence and to better protect children and minors. The Law should specify the need to broadcast programmes that contribute to eliminating gender stereotypes and traditional norms. Provisions should condemn broadcasting content that reinforces unhealthy power dynamics, such as gender-based violence. Further, broadcasting policy should consider how women and girls are portrayed in media and what constitutes

violation. Media should be explicitly required not to broadcast content that denigrates and objectifies women. "Respect for gender equality, gender identity, and sexual preferences" should be included among the principles enlisted in this Law. Harmonise Article 10 on the composition of IMC with the Law on Gender Equality to ensure equal representation of women and men, defined as 50%. Revise language to refer correctly to women (gender) and sex (female) where relevant, rather than the currently confused terminology.

- Include in the Law on Electronic Communications the principle of gender equality, consideration of sex and gender characteristics, and the needs of persons of different ages and with disabilities.

- Define and regulate in the Law on Information Society Services a safe and convenient environment for electronic trade, use of electronic transactions, and electronic signature that consider the specific threats women and men may face.

- Following amendments to the Law, include a special definition to recognise how violence affects girls and boys related to their gender in addition to "Programmes with Harmful Content". The IMC 2013/01 Regulation on the Protection of Children and Minors in Audio-Visual Media Services should further extend Article 2 to define gender-based violence and to protect children and minors from exposure to expressions of power, emotional or physical. Add a definition recognising that such violence affects girls in particular because of their gender.

- Gender-mainstream IMC working documents and provide advanced training and mentoring to IMC members to strengthen their efforts for gender-responsive policymaking, implementation, monitoring, and evaluation.

- Consult WCSOs when drafting documents that regulate IMC work towards a more gender responsive approach to the treatment of women, girls, men, and boys in media and communications, enabling WCSOs to share their expertise.

- Implement planned reforms for digitalisation of public services, facilitating access to online complaints. Ensure information pertaining to the gender of the complainant, and ideally the accused violator where relevant, is part of the online form. Establish a system for tracking complaints, enabling gender analysis. Such information can support improvements to awareness campaigns, among other policies and programmes. Systems also should include information as to whether complaints involved gender-related violations.

For the Ombudsperson Institution

- Include a field for "other" under gender in the online case reporting form, given the Institution's mandate to protect the rights of differently identifying persons. Rephrase male and female as man and woman to reflect gender rather than sex. Add a category for gender-based discrimination.

- Improve the electronic data management system for tracking cases by including fields for the type of case treated, including cybercrimes, cyberviolence, and cyber-harassment. Provide electronically real-time gender-disaggregated data on cases reported and addressed.

For the National Audit Office

- Monitor budget organisations' implementation of gender-responsive budgeting and include in all audit reports information as to whether they implemented legal requirements, such as conducting gender analysis to inform planned budget expenditures and making publicly available the annex requested by MFLT in budget circulars.

- Recommend in all audit reports that budget organisations implement gender-responsive budgeting in their financial practices, as per UN SDG 5.c.1 and PEFA GRPFM guidance. This can facilitate gender-responsive budgeting related to digitalisation in all sectors.

For the Kosovo Police

- Define clearly the responsibilities of KP units in treating gender-based cyberviolence, eliminating subjective interpretations of what constitutes cybercrime and confusion about responsibilities.

- Use affirmative measures to recruit more women to the KP Cybercrime Investigation Unit.

- Provide obligatory training on a gender-responsive approach to addressing cybercrime and cyberviolence as part of basic training for all KP officers.

- Improve coordination among KP officers specialised in cybersecurity and those in gender-based violence in addressing cases of gender-based cybercrime, drawing from their respective expertise. Include training on avoidance of blaming the victim. Educate officers on using digital recording devices during police interviews to reduce re-traumatisation from multiple interviews by various institutions.

- Improve timely public access to summary statistics of alleged crimes reported and treated, including cybercrimes, disaggregated by type of crime, gender of perpetrator, gender of victim, and other socioeconomic and demographic factors (e.g., age, ethnicity).

- Ensure the MTEF includes clear objectives, indicators, targets, and planned expenditures towards furthering gender equality. Publish online gender analyses informing planned budget expenditures and budget annexes in line with best practices of gender-responsive budgeting. For example, use electronic systems to track cases assisted and associated financial needs for treating cases to inform evidence-based budget requests.

- Ensure that all job openings and e-procurement use language encouraging diverse women and men to apply. Use affirmative measures for companies working to further gender equality internally.

- Update the online form for reporting cybercrime to request the gender of the person reporting the incident and of the alleged perpetrator. Make it available in Serbian and English as well as Albanian. Add an interactive interface that presents consolidated gender-disaggregated information on cases reported and treated. Consider adding information on how KP protects claimants' rights, data, confidentiality, and privacy towards encouraging reporting. Consider adding an option to report anonymously.

For the Kosovo Prosecutorial Council, the Prosecution, and Victim Advocates

- Utilise affirmative measures to recruit more women prosecutors. Ensure that any algorithms used in the digitalised process of recruiting new prosecutors do not inadvertently discriminate against women.

- Foresee obligatory training for prosecutors on gender-based cybercrime, cyberviolence, and online harassment, as well as digital forensics.

- Ensure digital systems prioritise gender-based violence cases and randomly assign them to prosecutors trained, certified, and experienced in treating gender-based violence including cybercrime.

- Ensure CMIS collects gender-disaggregated data, enabling analysis based on gender and age, ethnicity, rural/urban location, and other socioeconomic and demographic indicators. Enable searching digitalised records by key words, including terms related to gender and sex.

- Publicise the summary data about cases online, including information related to gender, enabling independent monitoring and tracking of cases through the prosecutorial system.

- Ensure the MTEF includes clear objectives, indicators, targets, and planned expenditures towards furthering gender equality. Publish online gender analyses informing planned budget expenditures and

budget annexes in line with best practices of gender-responsive budgeting. Ensure sufficient budget for VAs' human resources.

- Ensure that all job openings and e-procurement use language encouraging diverse women and men to apply. Use affirmative measures for companies working to further gender equality internally.

- Improve VAs' case management system, including enabling use of computer tablets when assisting cases.

For the Kosovo Judicial Council, Courts, and the Academy of Justice

- Use affirmative measures to recruit more women to decision-making positions and as judges.

- Establish obligatory training for judges on gender-based cybercrime, cyberviolence, online harassment, and electronic surveillance measures, particularly for protection orders.

- Provide further training on CMIS, encouraging staff to complete all fields, including the motive and whether any gender-related motive is suspected. Ensure the system collects data on the gender, age, and ethnicity of the victim and alleged perpetrator; whether the victim has a disability; and the type of alleged crime, including if it involved cyberviolence.

- Further improve the functionality and searchability of existing public e-services, ensuring gender-disaggregated data, summary statistics, and searchable text are available in three languages. Include gender of judges enabling gender analysis of trends.

- Ensure the MTEF includes clear objectives, indicators, targets, and planned expenditures towards furthering gender equality. Publish online gender analyses informing planned budget expenditures and budget annexes in line with best practices of gender-responsive budgeting.

- Ensure that all job openings and e-procurement use language encouraging diverse women and men to apply. Use affirmative measures for companies working to further gender equality internally.

- Ensure that the design and updates to digital systems are based on gender analysis.

- Include additional criteria in the software program for random assignment of judges to cases, according to which certification in gender-based violence figures into the algorithm determining judge assignment.

- Complete ongoing efforts to equip all courts with digital technologies that allow for testimony through video towards witness protection. Provide training and instruction encouraging use of such technologies.

For Funders, Development Actors, and Supporters

- Ensure that gender analysis informs all actions, including objectives, indicators, baselines, targets, and budgets towards gender equality. Implement quality control measures to ensure that all actions are informed by gender impact analyses and seek to further gender equality, using OECD guidance; this will facilitate monitoring gender-equality results.

- Require all evaluations of actions to include ex-post intersectional gender impact assessments.

- Improve software and consistency in reporting and data sharing of funding planned and provided, displaying information by sector and gender-disaggregated, among other social and demographic indicators, to facilitate donor coordination, as well as transparency in financing. Improve monitoring and reporting contributions to gender equality and support for WCSOs.

- Also, as KWN recommended in the Gender Profile written for FAO:

    - Pilot the engaging of young women and women with disabilities in ICT programmes, given their comparative advantage of knowledge, access, and use of ICT for communication and networking, towards enhancing their engagement within family businesses, such as researching developments, information-sharing, networking, and marketing products online.

    - Invest in technology that makes agricultural work easier and less physically demanding, including through digitalisation.

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Annex 1. Summary of Traffic Light Gender Analysis of Laws and Policies

This annex summarises the findings of the gender analysis using the traffic lights analogy described in the Methodology (Figure 25).[1] It provides a visual summary of findings regarding the gender-responsiveness of laws and policies related to each sector in the order in which they appear in the chapters.

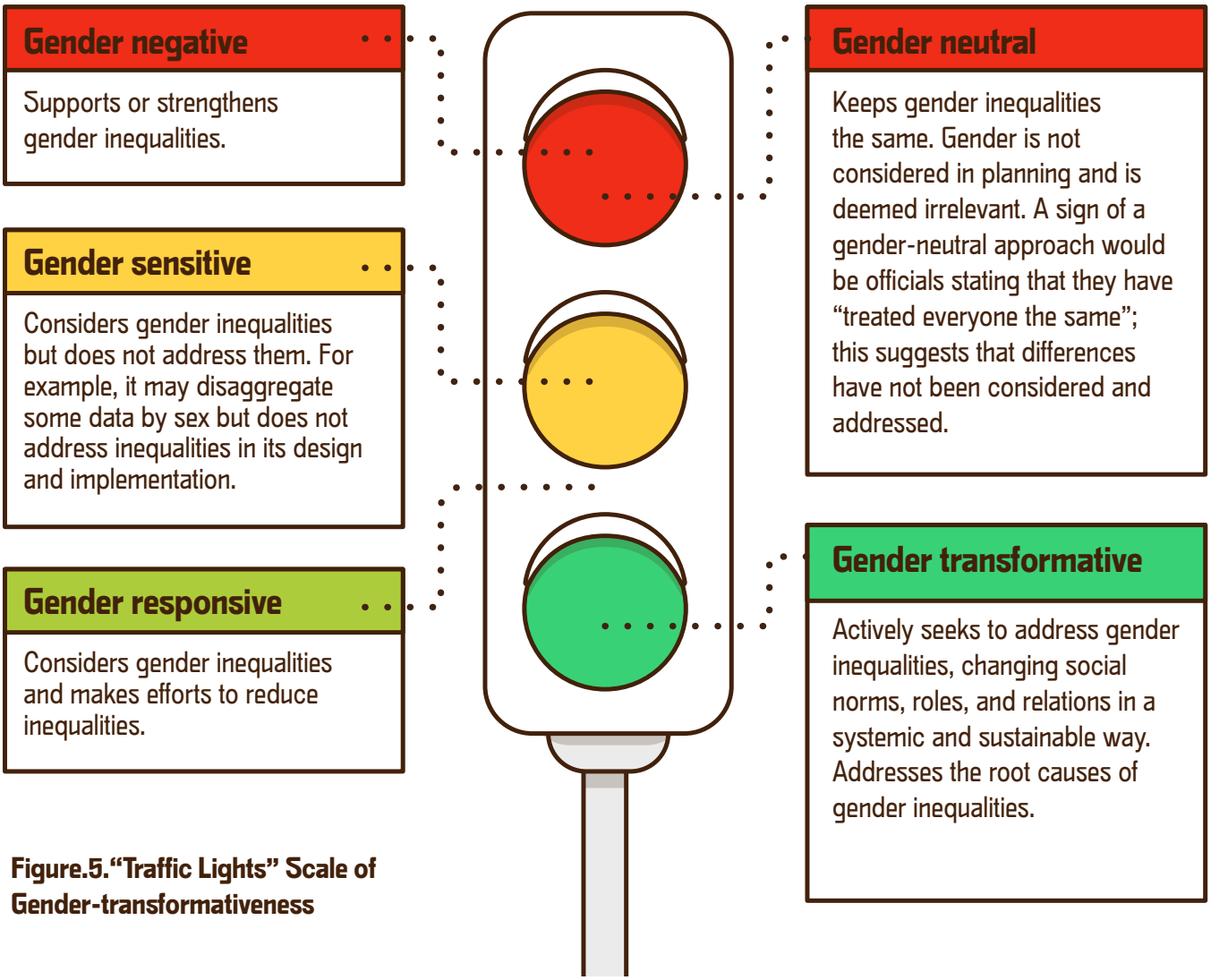

Figure.5."Traffic Lights" Scale of Gender-transformativeness

[1] "Traffic light: gender sensitivity scale", adapted by KWN from Sanja Nikolin's methodology used by the Gender Budget Watchdog Network, 2021.

Laws and Policies	Chapter	Gender-responsiveness:	
		Overall	Related to Digitalisation
Constitution of the Republic of Kosovo	1, 2, 9	GENDER NEUTRAL	GENDER NEUTRAL
Criminal Code of the Republic of Kosovo	1,2	GENDER SENSITIVE	GENDER NEUTRAL
Criminal Procedure Code	1, 2	GENDER SENSITIVE	GENDER NEUTRAL
Law on Prevention and Fight of Cybercrime	1, 2	GENDER NEUTRAL	GENDER NEUTRAL
Law on Protection of Personal Data	1, 2, 4	GENDER NEUTRAL	GENDER NEUTRAL
Law on Information Society Government Bodies	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on Child Protection	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on General Administrative Procedure	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on Gender Equality	1	GENDER RESPONSIVE	GENDER RESPONSIVE
Law on Official Statistics	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on Public Financial Management and Accountability	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on Local Government Finance	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on Procurement	1	GENDER RESPONSIVE	GENDER NEUTRAL
Regulation on Rules of Procedure of the Assembly of the Republic of Kosovo	1	GENDER NEUTRAL	GENDER NEUTRAL
Regulation on Disciplinary Procedures in the Civil Service	1	GENDER NEUTRAL	GENDER NEUTRAL
Administrative Instruction on the Use and Management of Internet in Institutions of the Republic of Kosovo	1	GENDER NEUTRAL	GENDER NEUTRAL
Better Regulation Strategy 2.0 for Kosovo 2017-2021	1	GENDER RESPONSIVE	GENDER RESPONSIVE
National Development Strategy 2016-2021	1, 4, 5, 6, 7	GENDER SENSITIVE	GENDER NEUTRAL
Government Program 2021-2025	1	GENDER SENSITIVE	GENDER NEUTRAL
Kosovo Program on Gender Equality 2020-2024	1	GENDER TRANSFORMATIVE	GENDER TRANSFORMATIVE
European Reform Agenda II	1, 4, 5, 6, 7, 9	GENDER RESPONSIVE	GENDER NEUTRAL
Kosovo IT Strategy	1	GENDER NEUTRAL	GENDER NEUTRAL
Communication and Information Strategy 2018-2021	1	GENDER NEUTRAL	GENDER NEUTRAL
Electronic Communication Sector Policy – Digital Agenda for Kosovo 2013-2020	1	GENDER NEUTRAL	GENDER NEUTRAL
Digital Agenda of Kosovo 2030	1	GENDER NEUTRAL	GENDER NEUTRAL
E-Government Strategy Kosovo 2023-2027	1	GENDER NEUTRAL	GENDER NEUTRAL
Public Finance Management Reform Strategy of Kosovo	1	GENDER NEUTRAL	GENDER NEUTRAL
Strategy for Improving Policy Planning and Coordination in Kosovo (Integrated Planning System) 2017-2021	1	GENDER NEUTRAL	GENDER NEUTRAL
Strategy for Modernisation of Public Administration 2015-2020	1	GENDER NEUTRAL	GENDER NEUTRAL
Public Administration Reform Strategy 2022-2027	1	GENDER NEUTRAL	GENDER NEUTRAL

Laws and Policies	Chapter	Gender-responsiveness:	
		Overall	Related to Digitalisation
Programme of Official Statistics 2018-2022	1	GENDER RESPONSIVE	GENDER NEUTRAL
National Programme for the Implementation of the Stabilisation Association Agreement 2022-2026	1, 3, 5, 6, 9, 10	GENDER RESPONSIVE	GENDER NEUTRAL
Economic Reform Programme 2023-2025	1, 4, 5, 6, 7, 9	GENDER SENSITIVE	GENDER SENSITIVE
Local Self-Government Strategy 2016-2026	1	GENDER NEUTRAL	GENDER NEUTRAL
Strategy for Youth 2019-2023	1, 4	GENDER NEGATIVE	GENDER NEUTRAL
Action Plan for Open Assembly 2023-2026	1	GENDER NEUTRAL	GENDER NEUTRAL
Kosovo Sector Reform Contract for Public Administration Reform	1	GENDER NEUTRAL	GENDER NEUTRAL
Law on the Agency for Prevention of Corruption	2	GENDER NEGATIVE	GENDER NEUTRAL
Law on Protection of Whistleblowers	2	GENDER NEUTRAL	GENDER NEUTRAL
Law on Cyber Security	2	GENDER NEUTRAL	GENDER NEUTRAL
Law on the Electronic Supervision of Persons Whose Movement Is Limited by the Decision of the Court	2	GENDER NEUTRAL	GENDER NEUTRAL
Law on Prevention and Protection from Domestic Violence, Violence against Women, and Gender-Based Violence	2	GENDER RESPONSIVE	GENDER NEUTRAL
National Strategy on Protection against Domestic Violence and Violence against Women 2022-2026	2	GENDER TRANSFORMATIVE	GENDER TRANSFORMATIVE
Rule of Law Strategy 2021-2026	2	GENDER RESPONSIVE	GENDER RESPONSIVE
State Protocol for the Treatment of Sexual Violence Cases	2	GENDER RESPONSIVE	GENDER RESPONSIVE
Standard Operating Procedures for Protection from Domestic Violence in Kosovo (2013)	2	GENDER RESPONSIVE	GENDER NEUTRAL
Kosovo Security Strategy 2022-2027	2	GENDER NEUTRAL	GENDER NEUTRAL
Kosovo Cyber Security Strategy 2023-2027	2	GENDER RESPONSIVE	GENDER RESPONSIVE
Law on Social and Family Services (of 2012)	3	GENDER NEGATIVE	GENDER NEUTRAL
Law on Social Assistance Scheme	3	GENDER NEUTRAL	GENDER NEUTRAL
Law on Housing Financing Specific Programs	3	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Pensions	3	GENDER NEUTRAL	GENDER NEUTRAL
Law on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosova Liberation Army, Civilian Victims of War and Their Families	3	GENDER RESPONSIVE	GENDER NEUTRAL
Economic Reform Program 2022-2024	3, 4, 6, 7, 8, 9	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Child Protection	4	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Pre-University Education	4	GENDER SENSITIVE	GENDER NEUTRAL
Law on Scientific Research Activities	4	GENDER SENSITIVE	GENDER NEUTRAL
Law for Vocational Education and Training	4	GENDER NEUTRAL	GENDER NEUTRAL

Laws and Policies	Chapter	Gender-responsiveness:	
		Overall	Related to Digitalisation
Law on Adult Education and Training in the Republic of Kosovo	4	GENDER NEUTRAL	GENDER NEUTRAL
Law on Accreditation Agency	4	GENDER SENSITIVE	GENDER NEUTRAL
Regulation for Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education	4	GENDER NEUTRAL	GENDER NEUTRAL
Regulation for Internal Organization and Systematization of Working Places at the Ministry of Education, Science and Technology	4	GENDER NEUTRAL	GENDER NEUTRAL
Administrative Instruction for Creation of an Incentive Structure to Support Students' Education in Deficient Directions and for Women in Technical Directions in Vocational Education and Training Institutions	4	GENDER TRANSFORMATIVE	GENDER TRANSFORMATIVE
Administrative Instruction on Children/Student Online Protection at the Pre-University Education Institutions	4	GENDER NEUTRAL	GENDER NEUTRAL
Administrative Instruction on Prohibition of Mobile Phones in the Pre-University Education Institutions	4	GENDER NEUTRAL	GENDER NEUTRAL
Protocol for the Prevention and Reference of Violence in Institutions of Pre-University Education	4	GENDER NEUTRAL	GENDER NEUTRAL
Kosovo Education Strategic Plan 2017-2021	4	GENDER TRANSFORMATIVE	GENDER TRANSFORMATIVE
Education Strategy 2022-2026	4	GENDER TRANSFORMATIVE	GENDER TRANSFORMATIVE
Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021	4	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Labour	5	GENDER NEGATIVE	GENDER NEUTRAL
Law on Labour Inspectorate	5	GENDER NEUTRAL	GENDER NEUTRAL
Law on Safety and Health at Work	5	GENDER NEUTRAL	GENDER NEUTRAL
Law on the Employment Agency of the Republic of Kosovo	5	GENDER NEUTRAL	GENDER NEUTRAL
Law on Vocational Ability, Rehabilitation, and Employment of People with Disabilities	5	GENDER SENSITIVE	GENDER NEUTRAL
Development Strategy of the Labour Inspectorate 2023-2027	5	GENDER NEUTRAL	GENDER NEUTRAL
Sectoral Strategy 2018-2022	5	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Business Organizations	6	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Value Added Tax	6	GENDER NEUTRAL	GENDER NEUTRAL
Law on Consumer Protection	6	GENDER NEUTRAL	GENDER NEUTRAL
Law on Agricultural Census	7	GENDER SENSITIVE	GENDER NEUTRAL
Law on Agriculture and Rural Development	7	GENDER NEUTRAL	GENDER NEUTRAL
Programme for Rural Development 2020-2021	7	GENDER NEUTRAL	GENDER NEUTRALL
Strategy for Agriculture and Rural Development 2022-2028	7	GENDER RESPONSIVE	GENDER NEUTRAL
Law on Environmental Impact Assessment	8	GENDER NEGATIVE	GENDER NEUTRAL

Laws and Policies	Chapter	Gender-responsiveness:	
		Overall	Related to Digitalisation
Law and Draft Law on Strategic Environmental Assessment	8	GENDER NEGATIVE	GENDER NEUTRAL
Law on Environmental Protection	8	GENDER NEUTRAL	GENDER NEUTRAL
Law on Nature Protection	8	GENDER NEUTRAL	GENDER NEUTRAL
Law for Protection Against Natural and Other Disasters	8	GENDER SENSITIVE	GENDER NEUTRAL
Law on the Inspectorate of Environment, Waters, Nature, Spatial Planning, and Construction	8	GENDER NEGATIVE	GENDER NEUTRAL
Strategy and Action Plan for Biodiversity 2011-2020	8	GENDER NEUTRAL	GENDER NEUTRAL
Climate Change Strategy 2014-2024	8	GENDER NEUTRAL	GENDER NEUTRAL
Climate Change Strategy 2019-2028 and Action Plan for Climate Change 2019-2021	8	GENDER SENSITIVE	GENDER NEUTRAL
Energy Strategy of the Republic of Kosovo 2022-2031	8	GENDER RESPONSIVE	GENDER RESPONSIVE
Draft National Energy and Climate Plan of the Republic of Kosovo 2025-2030	8	GENDER NEUTRAL	GENDER NEUTRAL
Law on Health	9	GENDER NEUTRAL	GENDER NEUTRAL
Law on Health Inspectorate	9	GENDER NEUTRAL	GENDER NEUTRAL
Law on the Rights and Responsibilities of Kosovo Residents to Health Care	9	GENDER NEGATIVE	GENDER NEGATIVE
Health Sector Strategy 2017-2021	9	GENDER NEUTRAL	GENDER NEUTRAL
Health Insurance Communication Plan 2017-2021	9	GENDER NEUTRAL	GENDER NEUTRAL
Mental Health Action Plan after the COVID-19 Pandemic	9	GENDER NEUTRAL	GENDER NEUTRAL
Law on Electronic Communications	10	GENDER NEUTRAL	GENDER NEUTRAL
Law on the Independent Media Commission	10	GENDER NEUTRAL	GENDER NEUTRAL
Law on Digitalisation of Terrestrial Broadcasting Transmissions	10	GENDER NEUTRAL	GENDER NEUTRAL
Law on Information Society Services	10	GENDER NEUTRAL	GENDER NEUTRAL
Regulation on the Protection of Children and Minors in Audiovisual Media Services	10	GENDER NEUTRAL	GENDER NEUTRAL

Annex 2. Kosovo's Progress on UN SDG Targets Related to Digitalisation

This annex summarises UN SDG targets, indicators, and Kosovo's progress towards these as of December 2023, based on the data available. It only includes SDGs and targets relevant to Kosovo and to digitalisation. Targets' relationship to digitalisation is indicated in bold type with the emphasis added by KWN. Also in bold type, KWN has commented on the indicators and their gender-responsiveness. Notably, most SDG targets and indicators are not clearly gender-disaggregated, hindering the extent to which gender-disaggregated data may be collected and reported.

SDG	Target	Indicator	Situation in 2023
1. No Poverty	**1.4.** By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, **appropriate new technology** and financial services, including microfinance	**1.4.1.** Proportion of population living in households with access to basic services **1.4.2.** Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure **Target 1.4 has no indicators for new technology.**	As no indicators exist for measuring equal rights and access to "appropriate new technology", status could not be assessed based on UN SDG indicators. Generally, women and men have equal rights to new technology. Access differs slightly, as this gender analysis has detailed.
2. Zero Hunger	**2.a.** Increase investment, including through enhanced international cooperation, in rural **infrastructure**, agricultural research and extension services, **technology development** and plant and livestock gene banks in order to enhance agricultural productive capacity [...]	**2.a.1.** The agriculture orientation index for government expenditures **2.a.2.** Total official flows to the agriculture sector **Target 2.a has no indicators for technology development. Nor are the indicators gender responsive.**	Status could not be assessed without indicators specific to infrastructure or technology development. Generally, international cooperation has supported developments in rural digital infrastructure, as detailed in this gender analysis.
4. Quality Education	**4.4.** By 2030, substantially increase the number of youth and adults who have relevant skills, including **technical** and vocational skills, for employment, decent jobs and entrepreneurship	4.4.1. Proportion of youth and adults with **ICT skills**, by type of skills **The indicator does not request gender-disaggregated data.**	In 19 ICT skills, slightly more women than men lack knowledge. For detailed information, see the UNDP Digital Household Survey.
	4.b. By 2020, substantially expand globally the number of scholarships available to developing countries [...] for enrolment in higher education, including vocational training and **information and communications technology**, technical, engineering, and scientific programmes, in developed countries and other developing countries.	**4.b.1.** Volume of official development assistance flows for scholarships by sector and type of study The indicator does not measure the extent to which diverse women and men benefit from scholarships, including specifically related to ICT.	This is a macro-level indicator, and consolidated Kosovo-specific data relating to ICT scholarships was inadequate.
5. Gender Equality	**5.b.** Enhance the use of enabling **technology,** in particular **information** and communications **technology**, to promote the empowerment of women	**5.b.1.** Proportion of individuals who own a mobile telephone, by sex	Overall, 98.8% of women and 98.7% of men.[2]
6. Clean Water and Sanitation	**6.a.** By 2030, expand international cooperation and capacity-building support to developing countries in water and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse **technologies**	**6.a.1.** Amount of water- and sanitation-related official development assistance that is part of a government-coordinated spending plan **No indicator refers specifically to technology. Nor does it measure how such funding benefits diverse women and men.**	No data was available online pertaining to this indicator.

2 UNDP, Digital Household Survey, 2022, accessed 12 December 2023.

SDG	Target	Indicator	Situation in 2023
7. Affordable and Clean Energy	**7.a.** By 2030, enhance international cooperation to facilitate access to clean energy research and technology, including renewable energy, energy efficiency and advanced and cleaner fossil-fuel **technology**, and promote investment in energy infrastructure and **clean energy technology**	**7.a.1.** International financial flows to developing countries in support of clean energy research and development and renewable energy production, including in hybrid systems **The indicator does not measure the extent to which diverse women and men benefit from these financial flows, including related to technology.**	No data is publicly available on such funding to Kosovo or its gender-responsiveness.
	7.b. By 2030, expand infrastructure and upgrade **technology** for supplying modern and sustainable energy services for all in developing countries, in particular least developed countries, small island developing States and landlocked developing countries, in accordance with their respective programmes of support	**7.b.1.** Installed renewable energy-generating capacity in developing countries (in watts per capita)	No publicly available information exists.
	7.1: By 2030, ensure universal access to affordable, reliable and modern energy services	**7.1.2.** Proportion of population with primary reliance on clean fuels and technology	20% of Albanians and 1.5% of Roma, Ashkali, and Egyptians rely on clean fuels and technology.[3]
8. Decent Work and Economic Growth	**8.2.** Achieve higher levels of economic productivity through diversification, **technological upgrading and innovation**, including through a focus on high-value-added and labour-intensive sectors.	**8.2.1.** Annual growth rate of real GDP per employed person **The indicator does not require gender-disaggregated data or refer explicitly to technology.**	Given that no specific indicator refers to technological upgrading and innovation, KWN could not measure and report on the status of technological development, including gender-disaggregated data.

3 UNICEF, Luxemburg Aid & Development, United Nations Kosovo Team, UNFPA, UN Women, Multiple Indicator Cluster Survey and Roma, Ashkali and Egyptian Communities in Kosovo 2019-2020, 2020.

SDG	Target	Indicator	Situation in 2023
9. Industry, Innovation, and Infrastructure	**9.4.** By 2030, upgrade **infrastructure** and retrofit industries to make them sustainable, with increased resource-use efficiency and greater adoption of clean and environmentally sound **technologies** and industrial processes, with all countries taking action in accordance with their respective capabilities	**9.4.1.** CO2 emission per unit of value added **The indicator does not measure changes in technology infrastructure.**	Given that no specific indicator refers to infrastructural upgrades and adoption of technology, KWN could not measure and report on progress.
	9.5. Enhance scientific research, upgrade the **technological** capabilities of industrial sectors in all countries, in particular developing countries, including, by 2030, encouraging innovation and substantially increasing the number of research and development workers per 1 million people and public and private research and development spending	**9.5.1.** Research and development expenditure as a proportion of GDP **9.5.2.** Researchers (in full-time equivalent) per million inhabitants **Neither indicator refers explicitly to technological capacities or requires gender-disaggregated data.**	As indicators do not refer to technological capabilities, KWN could not measure and report on the status, including gender-disaggregated data. Generally, Kosovo has made limited progress in enhancing its research, development, and innovation, with public research spending at 0.01% of GDP despite a 0.7% target mandated by law.4 KWN could not find gender-disaggregated data for indicator 9.5.2.
	9.a. Facilitate sustainable and resilient infrastructure development in developing countries through enhanced financial, **technological** and technical support to African countries, least developed countries, landlocked developing countries and small island developing States.	**9.a.1.** Total official international support (official development assistance plus other official flows) to infrastructure **The indicator does not require specific data on technology or any gender-disaggregated data.**	Given that no indicator refers to technological development, KWN could not measure and report on the status, including gender-disaggregated data. KWN could not find data related to this indicator.
	9.b. Support domestic **technology development**, research and innovation in developing countries, including by ensuring a conducive policy environment for, inter alia, industrial diversification and value addition to commodities.	9.b.1. Proportion of medium and high-tech industry value added in total value added	KWN could not find any data related to this indicator.
	9.c. Significantly increase access to **information and communications technology** and strive to provide universal and affordable **access to the internet** in least developed countries by 2020.	**9.c.1.** Proportion of population covered by a mobile network, by technology	Notably, Kosovo is not among the least developed countries, so this indicator may not be relevant. While KWN could not find data on mobile networks, internet use generally is high with 99% of Kosovars using the internet, including 99.3% of women and 98.6% of men.5
12. Responsible Production and Consumption	**12.a.** Support developing countries to strengthen their scientific and **technological** capacity to move towards more sustainable patterns of consumption and production	**12.a.1.** Installed renewable energy-generating capacity in developing countries (in watts per capita)	KWN could not find any data available online.

4 EC, Kosovo 2022 Report, 2022.

5 UNDP, Digital Household Survey, 2022, accessed 12 December 2023.

SDG	Target	Indicator	Situation in 2023
17. Partnerships for the Goals	**17.6:** Enhance North-South, South-South and triangular regional and international cooperation on and access to science, **technology and innovation** and enhance knowledge sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism	**17.6.1.** Fixed Internet broadband subscriptions per 100 inhabitants, by speed **Notably, the indicator is not disaggregated by gender.**	No data is available.
	17.7. Promote the development, transfer, dissemination and diffusion of environmentally sound **technologies** to developing countries on favourable terms [...]	**17.7.1.** Total amount of funding for developing countries to promote the development, transfer, dissemination and diffusion of environmentally sound technologies	No data is available for Kosovo.
	17.8. Fully operationalize the technology bank and science, technology and innovation capacity-building mechanism for least-developed countries by 2017 and enhance the use of **enabling technology**, in particular **information and communications technology**.	**17.8.1.** Proportion of individuals using the Internet **The indicator does not request gender-disaggregated data.**	In Kosovo, 98.6% of men, and 99.2% of women use the internet.6
	17.16. Enhance the Global Partnership for Sustainable Development, complemented by multi-stakeholder partnerships that mobilize and share knowledge, expertise, **technology** and financial resources, to support the achievement of the Sustainable Development Goals in all countries, in particular developing countries	**17.16.1.** Number of countries reporting progress in multi-stakeholder development effectiveness monitoring frameworks that support the achievement of the Sustainable Development Goals **The indicator does not refer specifically to technology.**	Given that the indicator does not refer specifically to technology, KWN could not assess the status. No data was available regarding Kosovo's progress on multi-stakeholder development effectiveness related to technology, let alone from a gender perspective.

6 UNDP, Digital Household Survey, 2022, Usage.

Annex 3. Research Participants

This annex enlists in alphabetical order by institution or organisation and then by the research participant, as applicable, for all actors who contributed to the research, including by phone, email, or face-to-face.

Name	Position	Institution/Organisation
Kujtim Dobruna	Director	ACCESS
Arsim Aziri	Program Manager	ADA
Edi Gusia	Chief Executive Officer	AGE
	Communication Office	Agency for Free Legal Aid
Krenare Sogojeva Drëmaku	Commissioner for Information and Privacy	AIP
Arbian Arifi	Inspection Officer	AIP - Data Protection
Mirvete Aliu	Inspection Officer	AIP - Data Protection
Burim Balaj	Head, Directorate for Rationalisation of Administrative Processes	AIS
Efka Heder	Team Leader	ALLED^2
Skender Boshtrakaj	Acting Team Leader	ALLED^2
Qendresa Berisha	Head, Investigation and Analysis Division	Anti-Corruption Agency
	Communication Office	Basic Court
Ibadete Mustafa	Assistant to the Executive Director	Centre for Protection and Rehabilitation of Women and Children "Liria"
Zana Asllani	Executive Director	Centre for Protection of Women and Children
Bajramshahe Jetullahu	Executive Director	Committee of Blind Women of Kosovo
	Communication Office	Division of the Court of Appeals in Mitrovicë/ Mitrovica
Fisnik Lakna	Head of Division	EARK
Reyes Charle Cuellar	Gender Advisor	EEAS
Anne-Sophie Houee	Team Leader, Social Development	EUO in Kosovo
Burbuqe Kelmendi	Project Manager	EUO in Kosovo
Daniela Huhmann	Programme Manager, Economic Development	EUO in Kosovo
Dario di Benedetto	Team Leader, Social Development	EUO in Kosovo
Erëza Pula	Gender Focal Point	EUO in Kosovo
Gazmend Selimi	Programme Manager	EUO in Kosovo
Lumnije Azemi	Rule of Law Expert	EUO in Kosovo
Mikaela Gronqvist	Team Leader, Public Administration Reform	EUO in Kosovo
Stergios Tragoudas	Programme Manager, Education and Research	EUO in Kosovo
Merkur Beqiri	Senior Digitalisation Expert	FAO
Rinor Ahmeti	Junior Consultant	FAO
Mehreme Lluminca	Director	HANDIKOS
		ICK
Jeton Mehmeti	Chairperson	IMC
Luljeta Demolli	Executive Director	KGSC
Fatmir Rexhepi	Head, ICT Office	KJC
	Communication Office	KJC
Arben Gashi	Senior Specialist / General Inspector	Kosovo Agency of Forensics

Name	Position	Institution/Organisation
Mentor Vrajolli	Director	Kosovo Centre for Security Studies
Gzime Hashani	Legal Advisor	Kosovo Democratic Institute
Igballe Rogova	Executive Director	KWN
Ilir Musliu	IT Officer	MAFRD
Merita Ramaxhiku	GEO	MAFRD
Avni Mazreku	External Advisor	MESPI
Shpresa Sheremeti	GEO	MESPI
Azize Sekiraqa-Heta	Gender Equality Officer	MESTI
Bora Shpuza	Chief of the Minister's Cabinet	MESTI
Fatos Osmani	Political Adviser in the Cabinet of the Minister	MESTI
Laura Lutfiu	Adviser to the Minister	MESTI
Merita Jonuzi	Human Rights Coordinator	MESTI
Gerta Ymeri	Administrative Assistant to the Deputy Minister	MESTI
Mentor Morina	Director, Department of Social Assistance Schemes	MFLT
Nexhmije Shala	GEO	MIET
Njazi Shala	Consumer Protection Department	MIET
Nol Buzhala	Director, Private Sector Development Directorate	MIET
Gent Berisha	Senior Information Technology Officer	MIET - KIESA
Hafize Bajrami	Head, Cybersecurity Sector	Ministry of Defense
Major Besnik Thaqi	Official in the Department of Human Resources	Ministry of Defense - Kosovo Security Force
Fahrije Qorraj	GEO	Ministry of Economy
Agim Kukaj	Director of the Department of Post, Telecommunications, Information and Communication Technology	Ministry of Economy - KODE Project
Hasnije Bardhi	GEO	Ministry of Finance
Nazmije Kajtazi Maxhuni	GEO	Ministry of Health
		Ministry of Health
Adile Shaqiri	Deputy Director of the Department of Social Services and Child Protection	Ministry of Justice
Nazlie Bala	Political Adviser in the Cabinet of the Minister	Ministry of Justice
Ruzhdi Osmani	Head, Division for European Integration	Ministry of Justice
Zyrafete Murati	GEO	Ministry of Public Administration
Nita Bicurri	Senior Program Manager	NDI
Pranvera Lipovica	Program Director	NDI
Dafina Olluri	Deputy Director	ODK
Petrit Çollaku	Media Communication Officer	Ombudsperson Institution
Lulëzon Jagxhiu	Adviser to the Prime Minister on IT	OPM
Durim Gashi	Project Manager	Save the Children
Vjollca Cavolli	Executive Director	STIKK
Lundrim Aliu	External Affairs Officer	The World Bank
Alban Kryeziu	Project Manager	UNDP Kosovo
Marta K. Gazideda	Governance and Peacebuilding Portfolio Manager/ Deputy Programme Coordinator	UNDP Kosovo
Vesa Rezniqi Pallaska	Gender Programme Officer	UNDP Kosovo
Kozeta Imami	Head of Office in Kosovo	UNICEF
Drita Hyseni	Sexual Harassment Officer	University of Prishtina
Armend Latifi	Victim Advocate	Victim Protection and Assistance Office
Hajrije Morina	Director	Water Services Regulatory Authority

Name	Position	Institution/Organisation
Adelina Tershani	Feminist activist	