



COMMENTARY

A GENDER READING OF THE EUROPEAN COMMISSION'S KOSOVO 2024 REPORT



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INTRODUCTION

Annually, the European Commission (EC) presents its assessment of Kosovo's progress towards joining the European Union (EU) in a report (hereafter, "the Report"). Ideally, in accordance with EU commitments, all chapters of the Report should be gender mainstreamed. Each year the Kosovo Women's Network (KWN) produces a Commentary on the extent to which the Report has attended to gender equality-related issues.¹ This Commentary discusses the EC's Kosovo 2024 Report from a gender perspective,² examining attention to women, men, girls, boys, and gender equality; and the extent to which recommendations provided by women's rights civil society organisations (WCOSOs) were included.³ It observes where gender was mainstreamed in the report and recommends how the EC could have better mainstreamed gender with regard to various chapters and sections. Annex I contains a Traffick Light analysis of the extent to which each chapter mainstreamed gender.

SUMMARY: GENDER MAINSTREAMING THE REPORT

Generally, the Report mentions women, men, gender equality, and gender significantly less than in prior years, totalling 84 times, compared to 150 in 2023 and 120 in 2022. The 2024 Report mainstreamed gender in one chapter (3%), partially in nine (24%), and not at all in 27 chapters (73%).⁴ It integrated approximately 43% of KWN and its members' recommendations, a significant decrease compared to last year's Report, which addressed approximately 70% of KWN's recommendations. Other key findings include:

Term	2022	2023	2024
Women	57	57	29
Men	3	8	2
Girl	4	5	5
Boy	0	0	0
Female	12	18	6
Male	6	13	6
Gender	38	49	36
Total	120	150	84

- **Five of 114 recommendations (4%) relate directly to furthering gender equality.** Regarding these, the EC tended to state that recommendations from last year were partially implemented and remain largely valid. Gender-equality relevant recommendations included:
 - 1) For the **judiciary** to "ensure solid criminal investigations, improve the quality of indictments and ensure effective criminal procedures, including cases of gender-based violence".
 - 2) Under **fundamental rights**, "to strengthen implementation of the Law on gender equality and the Strategy on gender-based violence; appoint a new head of the Agency for Gender Equality; and enhance gender mainstreaming of legislation, regulations and policies".
 - 3) In the **fight against organized crime**, to "strengthen efforts to prevent and combat migrant smuggling and trafficking in human beings" though the fact that women and girls tend to comprise the majority of persons trafficked was not mentioned.
 - 4) Under **social policy and employment**, to "adopt the Law on employment and amendments to the Law on labour to align its legal framework with the recent EU *acquis*, notably in relation to non-discrimination in employment and parental leave", though this could have more explicitly referenced maternity, paternity, and carers' leave as well. Other recommendations in this section relate to women's rights and gender equality, but this is not explicitly stated in the recommendations.
 - 5) Under **science and research**, to "devise and implement a gender strategy for research at national level, as well as for full integration and promotion of women and girls in research and in science, technology, engineering and mathematics".

Opportunities existed for additional recommendations to refer to gender equality, as elaborated in later

¹ [KWN](#) is a multiethnic, diverse network of 143 member organisations throughout Kosovo. Nicole Farnsworth and Eleta Shala wrote this brief for KWN with input from the Kosovar Gender Studies Centre (KGSC).

² EC, [Kosovo 2024 Report](#). This year the EC changed the Report's format slightly. In the 6-point scale assessing progress, or the lack thereof, the difference between limited and some progress is not entirely clear (p. 4). The key findings and recommendations are presented initially in the "Main findings of the report". Afterwards, the Report provides further analysis.

³ KWN consulted with its member organisations and provided input for this year's Report in April 2024. KWN members contributing included: KGSC and Mitrovica Women Association for Human Rights.

⁴ See Annex I.

sections of this Commentary.

- **Fewer chapters are gender-mainstreamed:** This year's report did not include attention to gender related to many important issues, as elaborated below. Perhaps the new Report format with the reduced length affected the quality and quantity of gender analysis; however, in several sections, one to three words could have been added, making the Report more gender responsive.
- **Insufficient inclusion of sex-disaggregated data** in several chapters.
- **Inadequate intersectional approach:** Related to rural inhabitants, children, minorities (particularly Serbs, Roma, Ashkali, and Egyptians), persons with disabilities, and lesbian, gay, bisexual, trans+, queer, intersex, and other identifying (LGBTQI+) persons, the Report does not disaggregate by gender or sex. Attention to boys remained minimal.
- **Overall regression:** While the 2023 Report demonstrated several improvements in gender mainstreaming, the 2024 Report has regressed in this regard.

CHAPTERS ATTENDING TO GENDER EQUALITY

This year's Report refers to gender in the following sections, presented in order by section.

MAIN FINDINGS OF THE REPORT

References to gender equality within the main findings section of the Report are important because they encourage government authorities, among others, to prioritise furthering gender equality. The following sections of the main findings attended to gender equality:

- Related to the **fundamentals of the accession process**, under **democracy** and **governance**, the EC observed “tangible progress in improving gender equality at central and local level”.
- Under **Chapter 23: Judiciary and fundamental rights**:
 - Related to **functioning of the judiciary**, the Report noted that “Work continued on handling gender-based violence cases, but faster progress is needed.”
 - A **recommendation** included to “ensure solid criminal investigations, improve the quality of indictments and ensure effective criminal procedures, including cases of gender-based violence”.
 - Related to **fundamental rights**, it observed that Kosovo “appointed a national coordinator and set up a central secretariat for combating gender-based violence”.
 - The Report noted the key issue that “Adoption of the Civil Code remains pending”, which relates to several gender equality issues though these were not mentioned explicitly.
 - A **recommendation** called for the Government to “strengthen implementation of the Law on gender equality and the Strategy on gender-based violence; appoint a new head of the Agency for Gender Equality; and enhance gender mainstreaming of legislation, regulations and policies”.
- Under **Chapter 24: Justice, freedom and security**, related to the **fight against organised crime**, progress in combating trafficking in human beings is observed, and a **recommendation** includes to “strengthen efforts to prevent and combat migrant smuggling and trafficking in human beings.”
- Under **Cluster 3: Competitiveness and Inclusive Growth**:
 - **Chapter 19 – Social policy and employment recommends** to “adopt the Law on employment and amendments to the Law on labour to align its legal framework with the recent EU *acquis*, notably in relation to non-discrimination in employment and parental leave”, though it does not refer explicitly to maternity, paternity, carers' leave or other aspects of the laws affecting gender equality.
 - **Chapter 25 – Science and research recommends** to “devise and implement a gender strategy for research at national level, as well as for full integration and promotion of women and girls in research and in science, technology, engineering and mathematics”.

2. THE FUNDAMENTALS OF THE ACCESSION PROCESS

2.1. FUNCTIONING OF DEMOCRATIC INSTITUTIONS AND PUBLIC ADMINISTRATION REFORM

2.1.1 Democracy

- On **elections**, the Report states: “While still under-represented, women play an increasing role in decision-making. The electoral legal framework mandates a gender quota of at least 30% for the Assembly, while the equal representation rule of the Law on gender equality provides for a 50% quota. The Ombudsperson sent the new election law to the Constitutional Court to clarify this discrepancy.” The section also contains a graph on women’s participation in politics.
- On **governance**, it states: “Kosovo made progress in improving gender equality at local level, as 16 municipalities developed sector-specific gender analyses and operationalised a gender-inclusive mid-term budget framework and 16 action plans”. However, the meaning of “operationalised” is unclear; KWN’s monitoring suggests that several municipalities still are not adequately implementing gender-responsive budgeting, including in their annual budgeting.
- On **civil society**, the Report observes that “greater consultation with CSOs advocating for women’s rights would be beneficial.”

2.1.2 Public administration reform

- On **policy development and coordination**, it states: “There was no progress on incorporating gender considerations into all policies, or inclusive and evidence-based policy and legislative development.”
- On **public finance management**, the Report notes: “Gender-responsive budgeting rules required by budget-related circular letters are not incorporated into legislation and are not publicly available”
- On the **civil service**, it states: “the number of women in senior positions are unsatisfactory”.

2.2. RULE OF LAW AND FUNDAMENTAL RIGHTS

2.2.1 Chapter 23: Judiciary and fundamental rights

- Under **functioning of the judiciary**, regarding management bodies, the Report observes that “KPC and the KJC appointed new Deputy Chairpersons, both women”.
 - On domestic handling of war crime cases and missing persons, progress in investigating and prosecuting sexual violence cases is observed.
- Under **fundamental rights**, related to prevention of torture and ill treatment, the Report states that “action is needed to safeguard the rights of prisoners, especially women, girls, non-majority community members and mentally ill prisoners”.
- Under **freedom of expression**:
 - The section on protection of journalists observes that “women journalists are more often targeted by attacks than male journalists”.
 - Under public service broadcaster, RTK, the EC observes that “Three complaints were lodged against the management for gender discrimination”.
 - The section on freedom of assembly and association notes that the “June 2024, the LGBTIQ Pride Parade held in Pristina encountered no recorded incidents”.
 - Under property rights, the Report states: “The government continued affirmative measures for registration of joint property ownership by spouses in the property rights registry, aiming to increase the number of women property owners. However, the proportion of women property owners remains quite low (19.82% of registered properties).”
 - The section on gender equality addresses several relevant issues, including related to governance, capacities, programming, gender mainstreaming laws/policies, the need for a new Action Plan on Women, Peace and Security (WPS), early marriage within some ethnic groups, and gender-based violence.
 - On persons with disabilities, the EC states that “Health services for persons with disabilities need to improve in general and in particular for women and girls”.

- A section on LGBTIQ persons outlines several key issues, including the Civil Code, Law on civil status, and continued discrimination.
- On procedural rights and victims' rights, the EC observes “Despite the extension of free legal aid to all women victims of gender-based violence, very few are represented in court proceedings”.

2.3. ECONOMIC DEVELOPMENT AND COMPETITIVENESS

- The initial table includes sex-disaggregated data on activity and unemployment rates.

2.3.1. The existence of a functioning market economy

- The functioning of the labour market section observes that “the gender employment gap (rates are 53.4% for men and 19.8% for women) widened”.

2.4. PUBLIC PROCUREMENT, STATISTICS, FINANCIAL CONTROL

Chapter 18 – Statistics

- States that “KAS should improve the collection and compilation of data disaggregated by sex. Kosovo does not have a Gender Equality Index.”

5. EUROPEAN STANDARDS

CLUSTER 3: COMPETITIVENESS AND INCLUSIVE GROWTH

Chapter 19 – Social policy and employment

- The Report states that “efforts to address **discrimination against women in employment and social policy**, particularly during hiring procedures, promotion and pay are limited”. It further states that “The lack of childcare and elderly care facilities, unequal share of responsibilities in the maternity, paternity and parental leave hinder women’s employment. The termination of a probationary period due to pregnancy is not treated as direct discrimination. Labour inspectors and judges lack the knowledge to better address the issue of gender-based discrimination.” It contains sex-disaggregated data on economic activity and unemployment rates.

Chapter 20 – Enterprise and industrial policy

- Kosovo Credit Guarantee Fund loans to women-owned businesses are mentioned.

Chapter 25 – Science and research

- The Report observes: “Although there is no clear plan to adopt a gender strategy, the Ministry of Education, Science, Technology, and Innovation continues supporting female students wishing to study science, technology, engineering and mathematics with a scholarship programme.” Perhaps data could have been provided.

Chapter 26 – Education and culture

- Only the paragraph on vocational education and training (VET) briefly references improving the “employability of young boys and girls”.

SHORTCOMINGS IN AND RECOMMENDATIONS FOR GENDER MAINSTREAMING THE REPORT

This section suggests where gender could have been further mainstreamed within the Report, presented in order by sections and chapters of the report.

MAIN FINDINGS OF THE REPORT

- Under the **Fundamentals of the Accession Process**:
 - Regarding the *Assembly*, in its recommendation for improving the legislative process the EC could have encouraged requiring gender impact assessments.
- On **public administration reform**, the EC could have encouraged affirmative measures towards gender equality as part of merit-based recruitment. EC recommendations on digitalising civil services could have included encouraging inclusive [gender-responsive digitalisation](#). The recommendation to “revise the legislation on public financial management” should have called for including gender-responsive budgeting and publishing gender budget statement as part of budget documentation, both in line with the Public Expenditure and Financial Accountability ([PEFA](#)) [Gender Framework](#) and Sustainable Development Goal ([SDG](#)) [5.c.1](#).
- In **Chapter 23: Judiciary and Fundamental rights**:
 - Under *fundamental rights*, the recommendation to improve protections for “the rights of persons with disabilities” is welcome and further could have mentioned the need to attend to fair pay for personal assistants at minimum wage, including pension contributions, an [issue that affects women](#) in particular.
 - On *freedom of expression*, the EC could have observed that the new Law on the Independent Media Commission (IMC) should have included a gender balance as per the Law on Gender Equality (LGE). The EC also could have acknowledged recommendations from local civil society, in addition to those from international actors.
- Under **Chapter 24: Justice, freedom and security**:
 - The EC could have included in its recommendation that the implementation of migration policy must be gender- and age-responsive.
 - Under the *fight against organised crime*, while the EC recommends an ethnic balance in the police, it could have suggested gender balance as well.
- Under **existence of a functioning market economy**, labour market progress was observed but not women’s continued underrepresentation. [Taxes](#), public investment management, labour market outcomes, and [informality](#) could better attend to gender differences and the need for gender-responsive budgeting.
- Related to the **capacity to cope with competitive pressure and market forces in the EU**:
 - References to the weak education system and the affiliated recommendation could have included the need for gender-transformative education, towards transforming [occupational stereotypes and segregation](#), preparing diverse women and men to engage in different sectors.
 - Attention to digitalising the economy could have called for [gender-responsive digitalisation](#).
 - Observations of challenges faced by small and micro-firms in competing could have explicitly noted women’s tendency to have small firms that [struggle to compete](#).
- **Chapter 5 – Public procurement** could have referenced briefly failures to employ gender-responsive procurement, using legally foreseen affirmative measures. The recommendation should have included integrating gender-responsive budgeting into the new law on public procurement.
- **Chapter 18 – Statistics** could have referenced the lack of gender-disaggregated statistics, recommending great availability of such administrative data, progress on establishing the Gender Equality Index, and improved capacities in gender analysis at the Kosovo Agency of Statistics (KAS).
- **Chapter 32 – Financial control** could have noted the need for improved parliamentary oversight of gender-responsive budgeting, integrating gender-responsive budgeting in the new law on public

finance management, and ensuring parliament and budget managers, respectively, have sufficient capacities for reviewing implementation of gender-responsive budgeting obligations.

- Under **Cluster 2: Internal Market**, the **Chapter 8 – Competition policy** discussion on state aid could have observed the need for a gender-responsive approach.
- **Chapter 28 – Consumer and health protection** could have referenced the need for a gender-responsive approach to consumer protection, universal health coverage including for persons performing unpaid work at home (primarily women) in line with the LGE, and improved health services. Generally, the EC's emphasis on health protection merely in the context of protecting human capital to "ensure future economic growth", rather than as a human [rights](#) issue, is concerning.
- Under **Cluster 3: Competitiveness and Inclusive Growth**, **Chapter 10: Digital transformation and media**, could have observed the need for more gender-responsive [e-governance](#) and cybersecurity strategies.
- **Chapter 16 – Taxation** could have included in recommendations the need for gender-responsive [tax](#) policy, efforts to address the [informal economy](#), and for the Tax Administration of Kosovo (TAK) to have gender-balanced recruitment using affirmative measures, gender-responsive performance evaluation and promotion, and to further capacities for gender-responsive inspections.
- **Chapter 17 – Economic and monetary policy** could have mentioned gender-responsive budgeting related to macroeconomic forecasting in the budgetary process.
- **Chapter 19 – Social policy and employment** importantly recommends the need to amend the *labour law* to attend to non-discrimination and parental leave in employment, but it could have mentioned paternity and carers' leave as well. While calling for improved *labour inspections* in "high risk" sectors, it does not explicitly mention a gender-responsive approach. It does not call for a gender-responsive *employment law and strategy*, considering women's significant underrepresentation in the labour force, or a gender-responsive *law on health and safety at work*. *Social assistance and services reforms* are recommended to be pro-poor but not gender-responsive. *Services* for children and persons with disabilities are mentioned, but not for [gender-based violence](#) survivors. Ensuring [personal assistants](#) of persons with disabilities with adequate capacities and pay in line with minimum wage is not mentioned. Nor is the need for gender-responsive budgeting by municipalities for social *budget planning* and execution.
- **Chapter 20 – Enterprise and industrial policy** could have included the recommendation for a gender-responsive strategy and small and medium enterprises (SME) support.
- **Chapter 26 – Education and culture** could have mentioned briefly the need for gender-responsive education, particularly early education, curricula, and teacher training towards transforming norms and furthering gender equality.
- Under **Cluster 4: the Green Agenda and Sustainable Connectivity**, **Chapter 14 – Transport policy** could have referred to the need for a gender-responsive, inclusive mobility strategy and action plan; and gender-responsive law on roads, inspections, crash data, action plan on intelligent transport, and passenger rights.
- **Chapter 15 – Energy** could have recommended gender-responsive laws, strategies, and energy efficiency investments.
- **Chapter 21 – Trans-European Networks** could have called for gender-responsive infrastructure projects.
- **Chapter 27 – Environment and climate change** could have recommended gender-responsive laws, strategies, and human resource capacities.
- Under **Cluster 5: Resources, Agriculture and Cohesion**, **Chapter 11 – Agriculture** could have recommended gender-responsive laws and included gender expertise related to capacities.
- **Chapter 12 – Food safety, veterinary and phytosanitary policy** could have referenced gender balance among staff and gender expertise among them.
- **Chapter 22 – Regional policy and coordination of structural instruments** could have recommended gender-responsive programming, management, monitoring and evaluation of EU funds; gender-

responsive public investments; and donor coordination, including in financing towards gender equality.

2. THE FUNDAMENTALS OF THE ACCESSION PROCESS

2.1. FUNCTIONING OF DEMOCRATIC INSTITUTIONS AND PUBLIC ADMINISTRATION REFORM

2.1.1 Democracy

- **Parliament** does not refer to the need to ensure gender impact analyses are conducted by the Government as part of the legislative process; or for gender-responsive oversight.
- The **public funding for civil society** could have referred to the gender-responsiveness of allocated funds in line with gender-responsive budgeting.

2.1.2 Public administration reform

- On **policy development and coordination**, while observing “no progress on incorporating gender considerations into all policies”, this could have been explicitly linked to planning, monitoring, reporting, *ex-ante* impact assessments, and public finance management.
- On **public financial management**, the need to publish gender budget statements and impact assessments could have been clearer, as per PEFA Gender Framework and SDG 5.c.1.
- On the **civil service**, while the Report notes women’s underrepresentation in decision-making positions, it does not address the need for civil servants to better understand how to apply both merit-based recruitment and affirmative measures as per the LGE.
- On **capacity and professional development**, the Report observes shortcomings but does not explicitly reference insufficient budget allocations and the need to oblige attendance of basic gender equality training using the existing Kosovo Institute of Public Administration (KIPA) curricula.
- Related to **service delivery**, the Report could have encouraged a gender-responsive, inclusive approach to the digital transition.

2.2. RULE OF LAW AND FUNDAMENTAL RIGHTS

2.2.1 Chapter 23: Judiciary and fundamental rights

- Under **functioning of the judiciary**:
 - The Report observes that the “**Case Management Information System (CMIS)** enables the random assignment of cases to judges and prosecutors”. This does not include how this can negatively impact the treatment of gender-based violence cases when untrained judges and prosecutors are randomly assigned to such cases. The CMIS needs to include criteria for minimum qualifications of judges and prosecutors when randomly assigning cases that require specialised knowledge and training by justice providers.
 - Under quality of justice, the table on justice professionals should include gender-disaggregated data. The section refers to merit-based recruitment and challenges recruiting minorities but not to affirmative measures towards ensuring a gender balance.
 - Under efficiency, the Report mentions the need for improved interoperability among CMIS and the National Centralised Criminal Records System but does not mention the need for interoperability with the case management system for domestic violence and its expansion to include gender-based violence. Nor do the graphs on the efficiency of courts include sex-disaggregated data, such as on victims or perpetrators.
 - Related to domestic handling of war crime cases and missing persons, civil society engagement is observed but not explicitly related to the WPS Agenda or WCSO engagement.
- Under **fight against corruption**, the graphs and analysis could have included sex-disaggregated data.
- Under **fundamental rights**:
 - Related to promotion and enforcement of human rights, the Report does not mention any issues

related to women's rights as human rights. Nor is the graph on cases treated by human rights bodies disaggregated by sex. The Report could have stated the need to further empower an equality body to address discrimination, including based on gender and intersecting factors.

- As part of the [execution of criminal sanctions](#), the need for corrections that transform gendered power relations towards preventing recidivism is not mentioned.
- On [protection of personal data](#), no sex-disaggregated data is provided in the graph; nor is the need for [gender-responsive data](#) protection and awareness-raising mentioned.
- Under **freedom of expression**, again, the EC could have observed that the new Law on the IMC should have required a gender balance as per the LGE and could have acknowledged recommendations from local civil society.
- Related to [non-discrimination](#), the Report mentions "hate speech based on sexual orientation" but does not address sufficiently gender-based discrimination, provide sex-disaggregated data on cases, or mention gender-based discrimination in social media posts.
- Related to [gender equality](#), the discussion on gender-based violence legislation, including for perpetrators' rehabilitation, would be better treated as a rule of law and justice issue. The EC's suggestions for adequate funding and staffing should not be solely in reference to the Secretariat, but rather for all gender-based violence commitments, including protection, rehabilitation, and reintegration of victims/survivors. Judges and prosecutors' poor handling of cases should have been treated under functioning of the judiciary, rather than in this section. Specific challenges faced by women in northern Kosovo in accessing justice could have been mentioned.
- The sections on the [rights of the child](#), [persons with disabilities](#), [protection of minorities](#), [Roma, Ashkali and Egyptians](#), and [cultural rights](#) all lack adequate gender analysis. The Report does not adequately address pervasive discrimination against Roma, Ashkali, and Egyptian women, who face unique challenges due to the intersection of race, gender, and class, despite KGSC's detailed input. The section on [persons with disabilities](#) should have included the need for secondary legislation outlining the minimum qualifications for [personal assistants](#) and ensuring they receive at least minimum wage, fair working hours, and pension contributions. The section on minorities also lacks attention to various ethnic groups, such as Gorani, Turks, and Bosnians.

2.2.2 Chapter 24: Justice, freedom and security

- While the section on the **fight against organised crime** mentions trafficking in human beings and includes sex-disaggregated data on police, it could contain additional attention to gender differences such as in the ownership of small arms (and how this impacts gender-based violence), the gendered nature of trafficking, gender balance in the prosecution, and the need for [gender-responsive attention](#) to cybercrime and digitalisation. The section and graphs could provide sex-disaggregated data on perpetrators of organised crime, police inspectorate cases, **criminal assets confiscated**, and **drugs cases**.
- The section on **trafficking in human beings** lacks attention to gender differences.
- **Cooperation in the field of drugs** and **fight against terrorism** lack gender analysis related to preventing crime, violent extremism, and radicalisation, as well as sex-disaggregated data on inmates. Nor are gendered impacts of ethnonational and far-right movements discussed in the context of anti-gender movements. The report could mention the need for gender-responsive preventive, rehabilitation, and reintegration measures.
- The **legal and irregular migration, asylum**, and **visa policy** sections do not call for a gender-responsive approach to legislation, programs, and their implementation. No sex-disaggregated data is provided. The need for upgraded IT to ensure that [AI does not include racial or gender bias](#) that contributes to discrimination could have been mentioned.

2.3. ECONOMIC DEVELOPMENT AND COMPETITIVENESS

- The initial table could have included sex-disaggregated data on employment of the population aged 15-64.

2.3.1. The existence of a functioning market economy

- Most subsections lack attention to gender. Economic governance lacks attention to gender, such as related to policies (tax) and programs (Economic Reform Programme). Macroeconomic stability does not contain any gender analysis, such as related to remittances, energy subsidies, or state budgets. Generally, Gross Domestic Product (GDP) is a poor indicator of inclusive, gender-responsive development because it obscures inequalities among people, including women and men.
- Functioning of the labour market could have included sex-disaggregated data related to young people (aged 15-24) not in employment, education or training (NEET). The need for gender-responsiveness in the pilot means-tested social assistance scheme is not mentioned.

2.3.2. The capacity to cope with competitive pressure and market forces in the EU

- As stated, on education and innovation, the Report does not refer explicitly to the need for quality education that transforms gender norms via improved curricula (undermining occupational stereotypes and norms that contribute to violence), teacher training, and ensuring a gender balance of teachers at all levels.
- Physical capital and quality of infrastructure could have referred to gender-responsive security in transport, energy, and digital transformation.
- Sectoral and enterprise structure does not mention that women tend to primarily run SMEs or discuss their gender-specific challenges in accessing finance.

2.4. PUBLIC PROCUREMENT, STATISTICS, FINANCIAL CONTROL

Chapter 5 – Public procurement

- On institutional set-up and legal alignment, the EC could have noted the need for the law on public procurement to incorporate better definitions and guidance on implementing gender-responsive budgeting in procurement. The law should require a gender-balance in procurement bodies.
- Related to implementation and enforcement capacity, the EC could address poor knowledge in applying public procurement inclusive of affirmative measures towards furthering gender equality, as foreseen by the LGE.

Chapter 18 – Statistics

- As noted, the chapter could have referenced the lack of capacities in gender analysis at KAS, poor availability of sex-disaggregated statistics, including administrative data, and insufficient disaggregation of data by sex *and* other social and demographic categories (e.g., ethnicity, age, rural location).

Chapter 32 – Financial control

- Under public financial internal control, the Report should have stated that the Law on Public Financial Management (PFM) and related policy framework on public internal financial control need to incorporate gender-responsive budgeting in line with the PEFA Gender Framework and SDG 5.c.1; capacities for implementing these must be furthered.
- It could have stated that while gender-responsive budgeting in external audit has improved, further progress is needed.

3. GOOD NEIGHBOURLY RELATIONS AND REGIONAL COOPERATION

- While the chapter mentions the issue of missing persons, which is of great importance to many women, it does not attend to gender per say. It could have been mentioned related to the Berlin Process and Kosovo-Serbia Dialogue.

4. NORMALISATION OF RELATIONS BETWEEN KOSOVO AND SERBIA

- The chapter does not mention the WPS Agenda, women's insufficient participation in the Dialogue, or contain any gender-responsive conflict analysis. The EC could have encouraged government engagement of more, diverse women in Track 1 and 2 Dialogue. The Report ignores the key role of WCSOs in contributing to peace; it does not emphasise the urgent need for their involvement in peace-making and reconciliation processes, as per the UN Security Council Resolution (UNSCR) 1325 on WPS, despite EU commitments to this. The Report fails to address how women's needs and priorities have been excluded from the Dialogue; nor does it state insufficient government consultations with diverse women and men.⁵

5. EUROPEAN STANDARDS

CLUSTER 2: INTERNAL MARKET

Chapter 1 – Free movement of goods

- The EC's call for sufficient staffing could have mentioned a gender balance.

Chapter 2 – Freedom of movement for workers

- **Access to the labour market** could have included sex-disaggregated data on work permits.

Chapter 8 – Competition policy

- On state aid, the EC could have mentioned that legislation should be based on gender analysis and gender responsive.

Chapter 9 – Financial services

- On **digital and sustainable finance**, the EC could have included sex-disaggregated data on guarantees and loans for energy efficiency and sustainable agriculture.

Chapter 28 – Consumer and health protection

- Under consumer protection, insufficient gender-responsiveness of consumer rights outreach and data management related to digital reporting could have been mentioned.
- Public health could have contained sex-disaggregated data on expenditures in line with gender-responsive budgeting, health outcomes, life expectancy, child mortality, and health inequalities. It could have noted the need for publishing regularly sex-disaggregated data from the digital health information system and cancer registry. The section lacked gender analysis on how health inequalities and high out-of-pocket expenses disproportionately affect diverse women and men.

CLUSTER 3: COMPETITIVENESS AND INCLUSIVE GROWTH

Chapter 10 – Digital transformation and media

- On **digital services, digital trust, and cybersecurity**, the EC could have mentioned the need for gender-responsiveness. While the need to develop a safer online environment for children, including responding to online child sexual abuse is mentioned, differential impact on girls and boys is not.
- On **media**, the EC's reference to the IMC did not mention the new law's removal of requirements for a gender-balance, as part of the need for effective human resources.

Chapter 16 – Taxation

- The EC could have included the need for tax policy reforms to be gender-responsive and that the new strategy for combating the informal economy could have been more gender-responsive, ensuring a "do no harm" approach for the most vulnerable.

⁵ KWN, [A Seat at the Table: Women's contributions to and expectations from peacebuilding processes in Kosovo](#), 2021.

Chapter 17 – Economic and monetary policy

- On **economic policy**, the EC could have noted the need to make the budget and medium-term budgetary framework more gender-responsive in line with gender-responsive budgeting commitments.

Chapter 19 – Social policy and employment

- The EC observes that “Kosovo has yet to approve the amendments to the legislation on **labour** and on **health and safety at work**, and to further align with the EU *acquis*, including the EU Directive on work life balance”. However, the gender implications of this are not stated. The Report states that “The government has allocated funds to compensate young mothers on maternity leave”, but the context could have been clarified to avoid confusion (i.e., seemingly the extension of the measure introduced amid COVID-19 measures).
- The Labour Inspectorate could have been encouraged to improve investigations related to discrimination based on gender and other factors, as well as to address the informal economy using a [gender-responsive approach](#).
- On **employment policy**, the EC could have mentioned the importance of gender-responsive implementation of the new law on employment, employment and labour market strategy for 2024-2028 and in finalising the new draft regulation on active labour market measures.
- On **social inclusion and protection**, the need for proxy means testing to include gender-responsive criteria, among other sociodemographic indicators, could have been observed.
- The **quality of the social services** section lacks gender analysis, including related to the need for gender-responsive budgeting by municipalities, to allocate social workers for treating sexual violence cases as per the new [State Protocol for treatment of sexual violence cases](#), and to ensure adequate capacities among social workers for proper case management of gender-based violence cases in line with new legislation, using a gender-responsive, victim-centred approach as per the Istanbul Convention.
- Data pertaining to child labour could have been disaggregated by sex.
- On persons with disabilities, the need to pay [personal assistants](#) (primarily women) minimum wage, ensure their labour rights, contribute to their pensions, and improve their qualifications for caretaking could have been mentioned.

Chapter 20 – Enterprise and industrial policy

- Ensuring gender-responsive implementation of **enterprise and industrial policy** could have been stated.
- Under **policy instruments**, Kosovo Investment and Export Support Agency (KIESA) grants to non-majority businesses is mentioned but not the percentage of grants to women-led businesses. None of the data in the section is disaggregated by sex. Gender-responsive [digitalisation](#) of e-government services could have been mentioned.
- The EC could have included gender analysis pertaining to barriers women face in accessing finance, and the percentage of Kosovo Credit Guarantee Fund loans provided to women-owned businesses.

Chapter 26 – Education and culture

- Related to enrolment rates, the EC could have provided data disaggregated by sex as well as ethnicity and rural/urban location.
- **Early childhood education and care** could have referred to the need for gender-transformative curricula and expansion of availability of early education and care.
- Regarding **quality of education**, the EC could have included sex-disaggregated data on Programme for International Student Assessment test results and called for [gender-responsive digitalisation](#).
- On staff recruitment, the EC could have mentioned the need for a gender balance among teachers at all levels, certification in pedagogy that challenges gender norms and stereotypes, and gender-responsive performance evaluation that attends to this.

- Gender differences related to **inclusion** in education are not mentioned.
- Nor is the need for improving publicly available data on attendance and completion, disaggregated sex *and* ethnicity, rural/urban area, and educational level.

CLUSTER 4: THE GREEN AGENDA AND SUSTAINABLE CONNECTIVITY

Chapter 14 – Transport policy

- On **transport matters**, the EC could have referred to the need for strategies and programs that “improve transport climate resilience” and for sustainable urban mobility plans to be inclusive and gender-responsive.
- **Road transport** could have referred briefly to the need for gender-responsive security and safety measures.

Chapter 15 – Energy

- On **internal energy market**, the EC could have noted the need for the register of vulnerable consumers, as well as objectives and targets for supporting “energy poor households and vulnerable consumers” to include gender considerations and sex-disaggregated data.
- On **energy efficiency**, the EC could have noted the need for a gender-responsive approach and Kosovo’s efforts in this regard.

Chapter 21 – Trans-European Networks

- Planning for the trans-European **Transport** Network could have noted the need for gender-responsive environmental impact assessments.

Chapter 27 – Environment and climate change

- The EC could have included the need for gender-responsive strategies and plans related to environmental protection, **air quality**, **waste management**, **water management**, **civil protection** from disasters, and climate change adaptation and mitigation; as well as for gender-responsive Environmental Impact Assessments.

CLUSTER 5: RESOURCES, AGRICULTURE AND COHESION

Chapter 11 – Agriculture

- The EC could have referenced the need for gender-responsive policy and sex-disaggregated data.

Chapter 22 – Regional policy and coordination of structural instruments

- The EC could have noted the need for improved coordination between the National Instrument for Pre-accession Assistance (IPA) Coordinator, ministry officials responsible for IPA programming, the Agency for Gender Equality, and ministerial gender equality officers towards planning, implementing, monitoring, and evaluating more gender-responsive IPA programming.

CLUSTER 6: EXTERNAL RELATIONS

Chapter 30 – External relations

- The EC could have encouraged Kosovo’s **trade**, **development policy**, and **humanitarian aid** to be based on gender analysis and in line with the WPS Agenda.

ANNEX I – RELATIONS BETWEEN THE EU AND KOSOVO

- The EC could have observed in this Annex that the National Programme for European Integration for 2024-2028 has included a gender perspective, though opportunities exist for further improvement.

- The EC could have included information on EU financing for civil society, disaggregated by gender, to facilitate monitoring and reporting on the EU Gender Action Plan III.

ANNEX II - STATISTICAL DATA

- The table could provide sex-disaggregated data on population, active enterprises, enterprise births, enterprise deaths, people employed, population (natural growth rate), infant mortality, employment rate for persons aged 55–64, employment by main sectors, youth unemployment rate, long-term unemployment rate, average nominal monthly wages and salaries, poverty, passenger cars, and mobile phone subscriptions.

MAIN RECOMMENDATIONS TO THE EC

- *Continue* seeking to mainstream gender in all relevant chapters.
- *Treat* gender-based violence in Rule of Law and social policy sections with concrete recommendations for institutions responsible for implementing new legislation.
- *Ensure* sex-disaggregated data is included throughout the Report.
- *Pressure* the government to ensure all institutions submit data to KAS in a timely manner and that KAS publishes this and other sex-disaggregated statistical data regularly, facilitating gender analysis.
- *Continue* encouraging the Government to institutionalise gender-responsive budgeting as part of ongoing public administration and public finance reforms, including by reflecting government responsibilities for gender-responsive budgeting at all levels clearly in forthcoming amendments to the laws on public finance, public procurement, and local government finance. Encourage the government to make publicly available in a timely manner information pertaining to gender-responsive budgeting in line with SDG 5, indicator 5.c.1. and PEFA Gender Framework.
- *Ensure* that officials consider the LGE and its foreseen affirmative measures during recruitment at all levels and in all sectors as part of merit-based hiring.
- *Encourage* the Government to ensure a gender-responsive approach to the digital transition, as well as to address gender-based cyberviolence, based on WCSOs' [recommendations](#).
- *Ensure* that sections reporting on security, report on security threats experienced at the local level, by WCSOs, and by diverse women and men in Kosovo and Serbia. Consult and draw from the expertise of grassroots and other WCSOs that can provide relevant input.
- *Ensure* an inclusive, intersectional approach in the Report that attends to gender/sex *and* ethnicity, age, rural/urban location, disability, and other socio-demographic factors. Ensure data on minorities and persons with disabilities, among others, are always disaggregated by sex.
- *Continue* consulting CSOs, particularly WCSOs, to gather timely evidence to inform future reports, including on key issues related to gender equality.

ANNEX 1. TRAFFIC LIGHT ASSESSMENT

The table in this annex uses the “traffic light” approach to assessing the extent to which each section and chapter of the Report have been gender mainstreamed. Green indicates gender-mainstreaming, orange partial gender-mainstreaming, and red the absence of attention to gender.

Chapter	Section	Gender Mainstreamed	Partially	Not
Main Findings				
Fundamentals of the Accession Process	Democracy	Governance		Elections; Assembly; EU integration; civil society
	Public administration reform			Civil service recruitment; digitalisation of services; public financial management
	Ch. 23 Judiciary and fundamental rights	Functioning of the judiciary	Fundamental rights: gender-based violence; civil code; LGE	Fight against corruption; freedom of expression; persons with disabilities; minorities
	Chapter 24: Justice, freedom and security		Fight against organised crime: trafficking	Cybercrime; police
Economic Development and Competitiveness	The existence of a functioning market economy			Tax; public investment management; labour market outcomes; informality
	The capacity to cope with competitive pressure and market forces in the EU			Education; digitalisation; small firms
	Chapter 5 – Public procurement			
	Chapter 18 – Statistics			
	Chapter 32 – Financial control			
CLUSTER 2: INTERNAL MARKET	Chapter 1 – Free movement of goods			Product safety; inspections
	Chapter 2 – Freedom of movement for workers			
	Chapter 3 – Right of establishment and freedom to provide services			
	Chapter 4 – Free movement of capital			
	Chapter 6 – Company law			
	Chapter 7 – Intellectual property law			
	Chapter 8 – Competition policy			State aid
	Chapter 9 – Financial services			
	Chapter 28 – Consumer and health protection			Consumer protection; universal health coverage and services
CLUSTER 3: COMPETITIVENESS AND	Chapter 10: Digital transformation and media			E-governance; cybersecurity
	Chapter 16 – Taxation			Tax policy; informal economy; TAK recruitment, performance; promotion

Chapter	Section	Gender Mainstreamed	Partially	Not
INCLUSIVE GROWTH				and capacities
	Chapter 17 – Economic and monetary policy			Macroeconomic forecasting in the budgetary process
	Chapter 19 – Social policy and employment		Labour law - non-discrimination and parental leave in employment; inspections in “high risk” sectors	No attention to paternity and carers’ leave; law on health and safety at work; social services for gender-based violence; personal assistants for persons with disabilities
	Chapter 20 – Enterprise and industrial policy			Strategy; SME support
	Chapter 25 – Science and research	Gender strategy for research		
	Chapter 26 – Education and culture			Early childhood education, quality, curricula, teacher training
	Chapter 29 – Customs union			Jobs, performance evaluation, merit-based promotion
CLUSTER 4: THE GREEN AGENDA AND SUSTAINABLE CONNECTIVITY	Chapter 14 – Transport policy			Mobility strategy and action plan; law on roads; inspections; crash data; action plan on intelligent transport; passenger rights
	Chapter 15 – Energy			Laws, strategies, and investments
	Chapter 21 – Trans-European Networks			Infrastructure projects
	Chapter 27 – Environment and climate change			Laws, strategies, capacities
CLUSTER 5: RESOURCES, AGRICULTURE AND COHESION	Chapter 11 – Agriculture			Laws, capacities
	Chapter 12 – Food safety, veterinary and phytosanitary policy			Number, expertise of staff
	Chapter 13 – Fisheries and aquaculture			Number, expertise of staff
	Chapter 22 – Regional policy and coordination of structural instruments			Programming, management, monitoring and evaluation of EU funds; public investments; donor coordination
CLUSTER 6: EXTERNAL RELATIONS	Chapter 30 – External relations			Action plan and development and humanitarian aid policy
2. THE FUNDAMENTALS OF THE ACCESSION PROCESS				
2.1. FUNCTIONING OF DEMOCR	2.1.1 Democracy	Elections: electoral law alignment with LGE;	Polycymaking	Hate speech in the Assembly; Parliament ; EU integration ; public funding of civil society

Chapter	Section	Gender Mainstreamed	Partially	Not
ATIC INSTITUTIONS AND PUBLIC ADMINISTRATION REFORM		Governance; civil society		
	2.1.2 Public administration reform	Public financial management; women in senior position	Policy development and coordination; civil service	Capacity, professional development; service delivery: e-government
2.2. RULE OF LAW AND FUNDAMENTAL RIGHTS	2.2.1 Chapter 23: Judiciary and fundamental rights	Management bodies; sexual violence crimes; <u>prevention of torture and ill treatment</u> ; Freedom of expression; public service provider; freedom of assembly and association; property rights; gender equality; LGBTIQ persons	Civil Code and Civil Procedure Code; <u>non-discrimination; rights of the child; persons with disabilities; Roma, Ashkali and Egyptians</u>	CMIS, quality of justice table on justice professionals, recruitment; interoperability with case management system for gender-based violence, efficiency of courts; civil society engagement in transitional justice; fight against corruption ; <u>promotion and enforcement of human rights; execution of criminal sanctions; protection of personal data; legislative environment; protection of minorities; cultural rights</u>
	2.2.2 Chapter 24: Justice, freedom and security		Fight against organised crime; trafficking in human beings	Criminal asset confiscation; cooperation in the field of drugs; fight against terrorism; legal and irregular migration; asylum; visa policy; Schengen and external borders
2.3. ECONOMIC DEVELOPMENT AND COMPETITIVENESS	2.3.1. The existence of a functioning market economy	Gender employment gap	Initial data	Economic governance policies, including on taxes; macroeconomic stability, functioning of product markets – informality; NEET
	2.3.2. The capacity to cope with competitive pressure and market forces in the EU			Education and innovation; <u>physical capital and quality of infrastructure; sectoral and enterprise structure</u>
2.4. PUBLIC PROCUREMENT, STATISTICS, FINANCIAL CONTROL	Chapter 5 – Public procurement			<u>Institutional set-up and legal alignment; implementation and enforcement capacity</u>
	Chapter 18 – Statistics	Sex-disaggregated data; Gender Equality Index		Disaggregation by gender and other social and demographic factors; capacities
	Chapter 32 – Financial control			Public internal financial control; External audit
3. GOOD NEIGHBOURLY RELATIONS AND REGIONAL COOPERATION				
			Missing persons	Berlin Process
4. NORMALISATION OF RELATIONS BETWEEN KOSOVO AND SERBIA				
				WPS Agenda, Dialogue,

Chapter	Section	Gender Mainstreamed	Partially	Not
				gender security analysis
5. EUROPEAN STANDARDS				
CLUSTER 2: INTERNATIONAL MARKET	Chapter 1 – Free movement of goods			Harmonised area: sectoral legislation
	Chapter 2 – Freedom of movement for workers			Access to the labour market
	Chapter 3 – Right of establishment and freedom to provide services			
	Chapter 4 – Free movement of capital			
	Chapter 6 – Company law			
	Chapter 7 – Intellectual property law			
	Chapter 8 – Competition policy			State aid
	Chapter 9 – Financial services			Digital and sustainable finance
CLUSTER 3: COMPETITIVENESS AND INCLUSIVE GROWTH	Chapter 28 – Consumer and health protection			Consumer protection, public health
	Chapter 10 – Digital transformation and media			Digital services; digital trust and cybersecurity; media
	Chapter 16 – Taxation			Tax policy; new strategy for combating the informal economy
	Chapter 17 – Economic and monetary policy			Economic policy
	Chapter 19 – Social policy and employment		Legislation on labour and on health and safety at work	Labour Inspectorate; employment policy; social inclusion and protection; quality of social services; child labour; persons with disabilities
	Chapter 20 – Enterprise and industrial policy		Kosovo Credit Guarantee Fund loans to women-owned businesses	Enterprise and industrial policy; policy instruments; data; digitalisation
	Chapter 25 – Science and research	MESTI support to female students		
	Chapter 26 – Education and culture	VET		Enrolment rate; early childhood education and care; quality of education; inclusion; data on children in schools; sports; culture
CLUSTER 4: THE GREEN AGENDA AND SUSTAINABLE	Chapter 29 – Customs union			Officers
	Chapter 14 – Transport policy			Transport matters; road safety; rail transport
	Chapter 15 – Energy			Internal energy market; energy efficiency
	Chapter 21 – Trans-European Networks			Transport Network
	Chapter 27 – Environment			Environment; horizontal

Chapter	Section	Gender Mainstreamed	Partially	Not
CONNECTIVITY	and climate change			issues; air quality; waste management; water management; civil protection; climate change
CLUSTER 5: RESOURCES, AGRICULTURE AND COHESION	Chapter 11 – Agriculture			Horizontal issues
	Chapter 12 – Food safety, veterinary and phytosanitary policy			Inspectors
	Chapter 13 – Fisheries and aquaculture			Inspection
	Chapter 22 – Regional policy and coordination of structural instruments			Financial management; administrative capacity; monitoring and evaluation
CLUSTER 6: EXTERNAL RELATIONS	Chapter 30 – External relations			Staffing; trade; development policy and humanitarian aid.
ANNEX I – RELATIONS BETWEEN THE EU AND KOSOVO				National Programme for European Integration for 2024-2028; EU financing for civil society
ANNEX II - STATISTICAL DATA		Employment rates aged 20-64, unemployment rate		Population, active enterprises, enterprise births, enterprise deaths, people employed, population (natural growth rate), infant mortality, employment rate for persons aged 55–64, employment by main sectors, youth unemployment rate, long-term unemployment rate, average nominal monthly wages and salaries, poverty, passenger cars, mobile phone subscriptions