

**Lessons Learned and the Way Forward: Gender Analysis of the
Kosovo Programme for the
Implementation of the Stabilization and Association Agreement
2019-2023**

Policy Report:

Lessons Learned and the Way Forward: Gender Analysis of the Kosovo Programme for the Implementation of the Stabilization and Association Agreement

2019-2023

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Acronyms

AGE	Agency for Gender Equality
ERA	European Reform Agenda
EU	European Union
GRB	Gender Responsive Budgeting
KCSF	Kosovo Foundation for Civil Society
KIPRED	Kosovo Institute for Policy, Research and Development
KPGE	Kosovo Programme for Gender Equality
MoF	Ministry of Finance
NPISAA	National Programme for the Implementation of the SAA
OGG	Office for Good Governance
SAA	Stabilization and Association Agreement
TEFU	Treaty on the Functioning of the European Union
TEU	Treaty of the European Union

Executive Summary

Gender Equality is an inherent principle in all activities and actions of the European Union, including enlargement processes. While previously only implied, the emphasis on gender equality within neighborhood and enlargement processes was specifically stated proceeding the drafting of the “Joint Staff Working Document: Gender Equality and Women's Empowerment: Transforming the lives of Girls and Women through EU External Relations 2016-2020” also known as the EU Gender Action Plan II (EU GAP II). The results of the NPISAA Gender Analysis 2017 and 2018, conducted by KIPRED indicated that gender equality, women’s participation, and the empowerment of women are not being paid sufficient attention by relevant institutions. Gender was not sufficiently mainstreamed in either document and the implementation of those few gendered indicators lagged behind. This analysis replicates the methodology used in the previous report.¹ It utilizes several methodological approaches, including desk analysis, legal analysis and semi-structured key-informant interviews with key stakeholders involved and responsible to oversee monitoring and implementation of gender-related requirements of NPISAA 2019-2023.

The report finds that the NPISAA 2019-2023 has to some extent integrated a gender perspective throughout its narrative section, albeit weaker than the years prior. However, there is evident discrepancy monitored and lack of focus on gender equality in the narrative section not reflected in the Logical Framework of the document. Only 5 indicators in the Logical Framework reference issues pertaining to gender equality, out of which four are under the responsibilities of the Agency for Gender Equality (AGE) and one under the Office for Good Governance (OGG). These indicators show that the commitments made within the narrative section of the NPISAA 2019-2023, were not translated into concrete actions and reflected in the Logical Framework. The analysis further tracks the implementation of those 5 indicators, identifying additional challenges in its implementation.

The report ends with several specific and general recommendations in order to improve the gender perspective in future versions of the NPISAA, both in its content as well as implementation processes as well as increase the attention of the new Kosovo government and the EU Office in Kosovo in fulfilling the gender related requirements when updating the NPISAA 2019-2023.

¹ The report, titled “Gender Analysis of the National Program for the Implementation of the Stabilization and Association Agreement 2017-2021 and 2018-2022” was launched on the 30th of October 2019. It can be found at: http://www.kipred.org/repository/docs/Gender_Analysis_NPISAA_721635.pdf

Introduction

The Kosovo Institute for Policy, Research, and Development (KIPRED) is currently implementing the project “Increasing accountability and capacities of the Kosovo institutions for implementing the SAA related EU requirements on gender equality”. The project is funded via the “Civil Society Programme”, a three-year programme funded by the Royal Norwegian Embassy in Prishtina and implemented through the Kosovo Civil Society Foundation (KCSF). Through this project, KIPRED has been conducting an in-depth gender analysis of several versions of the National Programme for the Implementation of the Stabilization and Association Agreement (NPISAA). In 2019, KIPRED conducted an analysis of NPISAA 2017-2021 and NPISAA 2018-2022. The results of the monitoring pointed out to several levels of deficiencies, indicating that issues related to gender equality, equal participation and the empowerment of women were not paid sufficient attention by relevant institutions.

Mainstreaming a gender perspective in all policies, laws, programs, and strategies in Kosovo, including the NPISAA, is a legal obligation for all institutions of the Republic of Kosovo.² Before the 2019 analysis, no in-depth research in whether gender has been successfully mainstreamed in NPISAA had taken place, further highlighting the necessity of the analyses conducted under this monitoring. Another reason for the analysis includes persisting gender inequalities in Kosovo, amounting to one of the most pertinent developmental challenges for Kosovo. Gender inequalities persist across different sectors, despite a strong existing legal framework. Considering the gravity of gender inequality, a gender perspective in strategic planning, including in the NPISAA is of crucial importance.

²Assembly of the Republic of Kosovo, Law No.05/L-020 on Gender Equality, 2015, at: www.assembly-kosova.org/common/docs/ligjet/05-L-020%20a.pdf

NPISAA 2017-2021 and NPISAA 2018-2022

The results of the NPISAA Gender Analysis 2017 and 2018 indicate that gender equality, women's participation and the empowerment of women are not being taken seriously by relevant institutions. Gender was not sufficiently mainstreamed in either document, and the implementation of those few gendered indicators lagged behind. The analysis showed that the first NPISAA covering the period from 2017-2021 reflected a gender analysis in its content and provided for specific gender-related indicators. The following NPISAA covering the period 2018-2022, shows further deficiencies, remaining gender blind in its content, illustrating that once again gender equality requirements by Kosovo decision-makers continue to be neglected. The first monitoring report also found that this neglect has persisted despite the requirements of the Kosovo Law on Gender Equality requiring and making it mandatory for policies and strategies to mainstream gender equality principles. The analysis also noted many differences in between NPISAA 2017-2021 and NPISAA 2018-2022 content wise. While NPISAA 2017 has a gender perspective mainstreamed throughout its narrative section as well as its Logical Framework, NPISAA 2018-2022 largely lacks this perspective. The analysis indicated that these differences came as a result of external expertise having been consulted in 2017 and failure to utilize this expertise during the 2018 drafting process. Nevertheless, the results of the analysis also show that while a gender perspective was included in NPISAA 2017-2021, it did not automatically translate into being implemented. In fact, none of the legislative acts related to gender equality that were foreseen to be implemented in 2017 have been implemented. This includes the Kosovo Program on Gender Equality, the Kosovo Index for Gender Equality, as well as the required drafting of a by-law governing Gender Responsive Budgeting. In fact, these requirements were moved to 2018 and failed to be implemented again. Overall, the report indicated that equal gender representation required by NPISAA action plans and also the Law on Gender Equality were frequently ignored by many relevant institutions. The research further shows persisting problems in capacities and basic knowledge regarding gender equality requirements across institutions. Additionally, the implementation of gender sensitive indicators of the NPISAA has not been sufficiently monitored by the EU, a similar finding of this monitoring report as well.

Methodology

The analysis below uses a similar methodology used in the previous report. It utilizes several methodological approaches, including desk analysis, legal analysis and semi-structured key-informant interviews. Firstly, an initial analysis of identifying gender-related requirements under NPISAA 2019-2023 was conducted. A desk-analysis of all necessary documents was undertaken, including the NPISAA 2019-2023, relevant NPISAA implementation reports, as well as other relevant local and international reports were used to conduct the desk research. Upon finalizing the desk and legal analysis, semi-structured interviews were conducted with relevant institutions, in order to confirm whether certain gendered indicators were implemented. Ultimately, specific and general recommendations were devised in order to improve the implementation of future updates of the NPISAA, both in content and implementation.

The Importance of Gender Equality in the EU accession process

Kosovo SAA, Article 106:

Cooperation shall seek to promote social dialogue as well as gradual legal approximation of Kosovo legislation on labour, health, safety at work and equal opportunities for women and men, for persons with disabilities and for persons belonging to minorities and other vulnerable groups to the EU acquis, taking as a reference the level of protection existing in the EU. This may also include Kosovo's alignment with the EU acquis in the field of labour law and regarding women's working conditions. Cooperation shall also promote the adoption of comprehensive social inclusion and anti-discrimination policies in Kosovo. Cooperation shall also include establishing a social protection system in Kosovo able to support employment and inclusive growth.

Gender Equality is an inherent principle in all activities and actions of the European Union, including enlargement processes. While previously only implied, the emphasis on gender equality within neighborhood and enlargement processes was specifically stated proceeding the drafting of the “Joint Staff Working Document: Gender Equality and Women's Empowerment: Transforming the lives of Girls and Women through EU External Relations 2016-2020” also known as the EU Gender Action

Plan II (EU GAP II).³ The objective of the EU GAP II is to engender all EU activities in all sectors including enlargement processes. It provides concrete objectives, activities and indicators. In contrary

to its forerunner GAP II is not only applicable to EU Members states but also neighborhood and enlargement countries including Kosovo. The Stabilization and Association Agreement (SAA), marked the first signed contractual agreement between the EU and Kosovo, and included gender equality within its scope.⁴

No gender analysis of the implementation of the first European Reform Agenda has been conducted.

Several other documents also contain a gender perspective, including the European Reform Agenda (ERA). ERA is a process of high dialogue, which envisages a series of short-term priorities in different sectors, including rule of law, education, employment, competitiveness and good governance.⁵ The overall goal of ERA is to support the implementation of the SAA through short-term priorities. According to ERA itself, its implementation will be conducted in alignment with the Kosovo Law No. 05/L-020 on Gender Equality.⁶ However, while ERA 1 has expired, another version of the document has not been finalized yet. Moreover, no analysis of whether ERA 1 was implemented in alignment with the Law on Gender Equality has been conducted either. Evidently, another important document is the NPISAA itself. The central objective of NPISAA is to provide concrete medium-term priorities for

Gender equality is deeply enshrined in the *EU Acquis*, with several directives focusing on gender equality, women's empowerment, and anti-discrimination.

³ European Commission, Joint Staff Working Document: Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020, 2015, at: https://ec.europa.eu/europeaid/sites/devco/files/staff-working-document-gender-2016-2020-20150922_en.pdf

⁴ Council of Europe, Stabilization and Association agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo*, 2015, at: data.consilium.europa.eu/doc/document/ST-10728-2015-REV-1/en/pdf

⁵ Government of the Republic of Kosovo. "European Reform Agenda", 2016, at: mei-ks.net/repository/docs/20170929090420_erafinalsq.pdf

⁶ Ibid. Footnote 1

the implementation of the SAA. The NPISAA can rightfully be understood as a strategy and action plan for the implementation of the SAA. It is a four-year planning document, drafted in 2016 initially and annually ever since. Since 2016 the NPISAA has contained several gendered indicators and gender related objectives and activities for many institutions of Kosovo.

Furthermore, as a potential candidate country for EU membership, Kosovo is obliged to align national legislation with *EU Acquis*. Gender equality is deeply enshrined in the *EU acquis*, with several directives focusing on gender equality, women's empowerment and anti-discrimination. Among others, this includes the Recast Directive, on equal opportunities and treatment of men and women in employment and hiring,⁷ the Pregnancy Directive,⁸ the Parental Leave Directive,⁹ etc. Unfortunately, prior research suggests that these directives are not being implemented in Kosovo, despite correct transposition in national legislation.¹⁰

Lastly, it should be added that the EU has an obligation to consider gender equality processes throughout its activities, including enlargement processes. The Treaty on the Functioning of the European Union (TFEU), as well as the Treaty on the European Union (TEU) highlights gender equality as an important issue in all activities, external and internal of the EU.¹¹ Specifically, in Article

Only 5 indicators in the Logical Framework of NPISAA 2019-2023 reference Gender Equality. A sharp decrease from 2017 (20 indicators), and even 2018 (6 indicators)

8, TFEU states that *"In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women."*

⁷European Parliament, Directive 2006/54/EC of the European Parliament and of the Council, July 2006, accessed on January 10 on the Official Journal of the European Union, at: <https://eur-lex.europa.eu/eli/dir/2006/54/oj>

⁸ European Parliament, Directive 92/85/EEC on Pregnant Workers, Accessed at European Agency for Safety and Health at Work, at: <https://osha.europa.eu/en/legislation/directives/10>

⁹Council of the European Union, Directive 2010/18/EU, on Parental Leave, 2010, at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32010L0018>

¹⁰Divellec and Miller for the Kosovo Women's Network, "Kosovo's Progress in Aligning its Laws with the European Union Gender Equality Acquis" 2017, at: <https://womensnetwork.org/wp-content/uploads/2018/10/20171108105226438.pdf>

¹¹ See Articles, 2, 3 and 21 of TEU at: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF and Article 8, 153.i, 157.3&4 of TFEU at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12012E/TXT:EN:PDF>

Gender Analysis of NPISAA 2019-2023

The NPISAA 2019-2023 has to some extent integrated the gender perspective throughout its narrative section, albeit weaker than the year prior. Nevertheless “gender equality” was enlisted 46 times throughout the document, highlighting the importance it had during the drafting of the narrative section in the document. However, this focus on gender equality in the narrative section is not reflected in the Logical Framework of the document whatsoever. Only 5 indicators in the Logical Framework reference issues pertaining to gender equality, four of which are under the responsibilities of the Agency for Gender Equality (AGE) and one under the Office for Good Governance (OGG). These indicators show that the commitments made within the narrative section of the NPISAA 2019-2023, were not translated into concrete actions and reflected in the Logical Framework. For instance, the narrative section clearly highlights that a reform of the electoral system, aligning Law on General Election Nr. 03/L-073 and Law on Local Elections Nr. 03/L072 with Law on Gender Equality Nr. 05/L-020. This statement, as many others, is not reflected in the Logical Framework. This lack of alignment between the declarative statement and actual action measures indicates that gender equality remains unnoticed and no further attention is being paid by relevant institutions.

Monitoring data base on NPISAA 2019-2023					
Chapter	Requirement	Implementing Institution	Supporting Institution	Deadline according to NPISAA 2017-2021	Status
Fundamental Rights	A by-law governing the implementation of the gender-responsive budgeting in the institutions of the RK	AGE	N/A	4 th Quarter of 2019	Not implemented
Fundamental Rights	Gender Index for Kosovo, Drafted	AGE	KAS	3 rd Quarter of 2019	Not implemented
Fundamental Rights	Kosovo Programme for Gender Equality, Adopted	AGE	N/A	2 nd Quarter of 2019	Finalized by AGE, but pending Assembly approval
Fundamental Rights	Number of Initiatives supported by AGE targeted at empowering women through subsidies.	AGE	N/A	4 th Quarter of 2019	20 Initiatives supported in 2019 worth, EUR 40.000. This included 7 CSO's and 13 individuals.
Fundamental Rights	Strategy and Action Plan on Human Rights, Adopted	OGG	N/A	2 nd Quarter of 2019	Not implemented

Gender Responsive Budgeting

Gender Responsive Budgeting (GRB) has become a buzz-word in Kosovo. It is a term frequently used by Civil Society Organizations (CSO), international donors and government officials. As of 2015 GRB has also become a legal obligation for all public institutions of the Republic of Kosovo. However, while GRB is a legal obligation expected to be implemented by public institutions, its implementation rates remain low. Experience shows that few officials

“Gender Responsive Budgeting is the implementation of gender mainstreaming in the budgetary process. It requires the valorization of budgets from the viewpoint of gender, in which case the gender perspective is taken into account at all levels of the budgetary process, as well as restructuring incomes and expenditures with the aim of promoting the equality of men and women”

understand what GRB entails and how to institutionalize it.¹² Gender Responsive Budgeting is the mainstreaming of a gender perspective throughout the budget cycle, including during the planning, drafting, implementation and evaluation of different budget lines.¹³ As of 2015, GRB has become a legal obligation for all public institutions of Kosovo according to the requirements of the Law No.05/L-020 on Gender Equality.¹⁴ Moreover, the Law on Gender Equality directly obliges all institutions of the Republic of Kosovo to implement GRB.¹⁵ Additionally, the Ministry of Finance (MoF) has since 2015 regularly been including GRB requirements in their annual Budget Circulars. For instance, Budget Circular 2019/01, emphasizes the importance of including GRB in all sectors and all phases of the budget process. It recognizes GRB as a necessary tool to increase equality, effectiveness and budget transparency. This and previous circulars require ministries and municipalities to implement GRB in all sectors.¹⁶ The budget circulars have further provided very specific table formats to be filled out by all institutions. This includes gender disaggregated data on staff and salaries as well as gender disaggregated data on subsidy recipients.¹⁷ What the budget circulars however do not provide, is a specific step-by-step guide on how to implement GRB at the local level.

¹² See for example Kosovo Women's Network, Kosovo Gender Analysis, 2018, at: <https://womensnetwork.org/wp-content/uploads/2018/10/womens-network.pdf>

¹³ Assembly of the Republic of Kosovo, Law No.05/L-020 on Gender Equality, 2015, at: www.assembly-kosova.org/common/docs/ligjet/05-L-020%20a.pdf

¹⁴ Ibid, Article 1.17

¹⁵ Ibid. Article 5.1.5

¹⁶ Ministry of Finance, Budget Circular 2019/01, Released in June 2019, at: <https://mf.rks-gov.net/desk/inc/media/9B16C33B-8181-4A1D-A4A9-6625E1C1E9DA.pdf>

¹⁷ Ibid. Annex.

For 2017, the main implementing institution enlisted under NPISAA 2017-2021 was the Agency for Gender Equality and the Ministry of Finance (MoF) considered a supporting institution to implement this specific requirement. The by-law was supposed to be finalized by the fourth quarter of 2017. After not having been implemented in 2017, it was re-included in NPISAA 2018-2022 with a deadline set in the fourth quarter of 2018. Again, this requirement was not implemented during 2018. The requirement was, once again, included in NPISAA 2019-2023. In 2019, several steps towards its implementation did occur. First and foremost, the Agency for Gender Equality has finalized the Concept Document, which is a prerequisite for all legal acts.¹⁸ The Concept Document is to be in the first quarter of 2020.¹⁹ The Working Group is composed of AGE and MoF, and its purpose will be to evaluate the Concept Document one last time. One major change was that while drafting the Concept Document AGE saw that a by-law will not suffice, and that it has been recommended by the working group tasked with drafting of the Concept Note to become a law on gender budgeting.

Ultimately, the finalization of a by-law on GRB was included in NPISAA 2019-2023 for the 3rd year in a row, without it being finalized. Nevertheless, 2019 finally saw some concrete steps being taken towards its finalization.

Gender Index for Kosovo

The fourth and most updated edition of the EU Gender Equality Index was published by the European Institute for Gender Equality (EIGE) in 2019. The publication highlighted that many gender inequalities continue to exist in the EU and that the EU as a whole was moving at a very slow pace towards tackling these inequalities. The Index is a composite indicator that concretely measures the concept of gender equality and it moreover assists in monitoring gender equality progress throughout the EU as well as across time.²⁰ The EU Gender Equality Index is an analysis tool of gender gaps between women and men throughout the European Union. The Index is based on a vision of a gender equal European Union, where social welfare, growth and development is equal for both men and women.²¹ The Index is composed of six main domains, as well as two “satellite” cross-cutting domains. The six main domains include money, work, time, knowledge, health and power. The

¹⁸ KIPRED Interview with Agency for Gender Equality, February 2020.

¹⁹ Ibid

²⁰ Ibid.

²¹ European Institute for Gender Equality, Gender Equality Index 2017: Measuring gender equality in the European Union 2005-2017

two cross-cutting domains include violence and intersecting inequalities.²² Each domain is composed of several indicators, amounting to a total of 31 indicators used to measure inequality across these domains.²³ The development of a Gender Equality Index for Kosovo has been part of the Kosovo NPISAA since 2016, with no concrete results so far monitored in its implementation. The same requirement was copied and pasted from one NPISAA version to the other. However, the NPISAA 2019-2023 made a slight, but very important change to the phrasing of the requirement. The document now states that the “partial NPISAA 2019” version will be finalized in 2019. This means that the goal is to create a partial Gender Index, focusing only on certain indicators and domains. Certain data and statistics regularly collected for the gender index are not available in Kosovo.²⁴ For instance, with the available statistics in Kosovo, the domains of “Money” and “Power” can be finalized within one year, since the measuring indicators can be found at the Kosovo Agency of Statistics, the Labour Force Survey and other gender disaggregated statistics in different institutions.

Despite having been included in the NPISAA for the third year in a row, the Gender Index has not been finalized in 2019 either. The unavailability of gender disaggregated statistics across different institutions was cited as the main reason for this delay.²⁵ According to AGE, concrete steps towards finalizing the gender index have been taken in 2019. AGE has liaised gender experts with relevant institutions, who have already held three workshops on the gender index.²⁶ A partial gender index will be published in the first Quarter of 2020, most likely including gender disaggregated data and information on Education and Health, due to their availability in Kosovo.²⁷ Only partial steps have been undertaken to fulfill this indicator, evident in the NPISAA requirements since 2016.

²²Ibid

²³ European Institute for Gender Equality, Gender Equality Index 2019: Still far from the finish line, 2019, at: <https://eige.europa.eu/news/gender-equality-index-2019-still-far-finish-line>

²⁴ Kosovo Women's Network, Establishing the Gender Equality Index in Kosovo, 2016, at: <https://womensnetwork.org/wp-content/uploads/2018/10/20170131101550373.pdf>

²⁵ KIPRED Interview with Agency for Gender Equality, February 2020

²⁶ Ibid.

²⁷ Ibid.

Kosovo Programme for Gender Equality

The Kosovo Programme for Gender Equality is a policy documents to be drafted and adopted by the Government of Kosovo that includes various pillars of intervention to achieve gender equality in Kosovo foreseen also in the Kosovo Law on Gender Equality. The first Programme adopted covered the period from 2008 and ended in 2013 and no new programme has been adopted since. According to the Kosovo Law on Gender Equality, the Agency for Gender Equality is responsible for coordinating and preparing the Kosovo Programme on Gender Equality, monitor its implementation and annually report to the Government on its implementation.²⁸ The Government of Kosovo committed towards finalizing the Kosovo Programme for Gender Equality in the fourth quarter of 2017. After having missed this deadline, it was pushed for the fourth quarter of 2018. The Programme was also not finalized in 2018. In fact, the Kosovo EU Country Report in 2019 has highlighted the fact that the Kosovo Programme for Gender Equality has not been adopted yet.²⁹ Finally, a draft of the Programme was finalized and opened up for public consultations in the 3rd quarter of 2019. Currently, the Programme is planned to be send out to the new Government of Kosovo for voting.

Initiatives supporting women's empowerment through subsidies

In NPISAA 2019-2023 AGE had one additional requirement that was not previously foreseen. This included supporting initiatives targeted at empowering women through subsidies. In 2019, AGE offered several subsidies targeted at women's empowerment. This included 20 initiatives supported throughout the year, in the amount of EUR 40.000.³⁰ From all initiatives supported, 13 were initiatives organized by CSO's, while 7 included individual initiatives supported by the AGE.³¹ While this NPISAA requirement was implemented, it still points out to some general shortcomings of NPISAA in general. Due to the lack

²⁸Assembly of the Republic of Kosovo, Law 05/L-020 on Gender Equality, Article 11, 2015, at: <http://www.assembly-kosova.org/common/docs/ligjet/05-L-020%20a.pdf>

²⁹European Commission, Communication, 2019 Communication on EU enlargement Policy, page 28, 2019, at: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf>

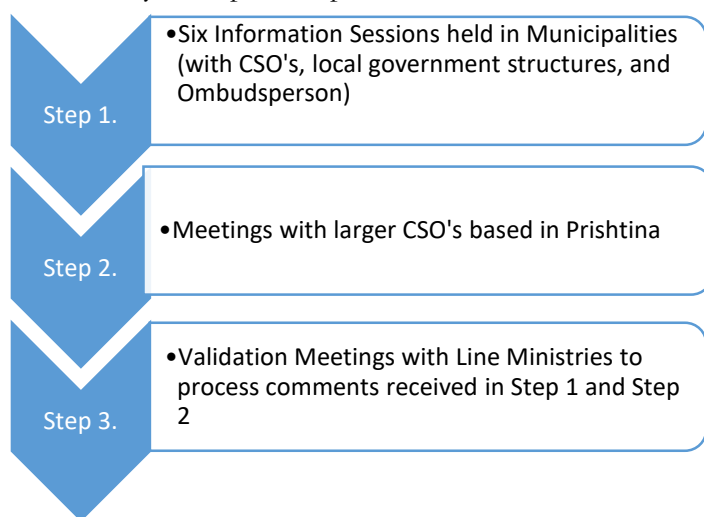
³⁰ Data submitted by the Agency for Gender Equality, February 2020

³¹ Ibid.

of concrete baselines and targets in NPISAA, it remains difficult to say whether this initiative was implemented as planned. It remains unknown whether AGE had planned all along to support 20 initiatives, or whether they exceeded or failed to achieve their planned targets.

Strategy and Action Plan on Human Rights

Finalizing the Kosovo Strategy and Action Plan on Human Rights has been included in the NPISAA for the past three years repeatedly, with no concrete action taken towards it. This repetitious inclusion of the same requirements over and over again indicates bad planning during the NPISAA drafting process. The Office of Good Governance (OGG) admittedly said that the work towards planning and drafting the strategy had somewhat stopped until the end of 2018, only to be picked up in 2019.³² The main factor that contributed to this was the fact that numerous other sectorial strategies were being drafted and the OGG was awaiting approval so that they could be included in the Strategy as to avoid duplication.³³ Through OSCE support, six information sessions were organized in different municipalities, to discuss their priorities and needs, and the components that are necessary to be included in the Strategy.³⁴



Meetings were attended by civil society, local authorities and regional structures of the Ombudsperson Institution. Afterwards, central level meetings were organized with larger CSO's in Prishtina as well as validation meetings with relevant line Ministries.

Ultimately, while several important steps towards drafting the strategy were taken in 2019, it still failed to be adopted despite it having been included in NPISAA 2019-2023.

³² KIPRED Interview with OGG, February 2020.

³³ Ibid

³⁴ Ibid

Main Findings and Recommendations

Specific Findings and Recommendations:

Identified Issues from Monitoring: A noticeable absence of gender sensitive indicators has been noticed in the Logical Framework. In fact, the number of gender-sensitive indicators has continuously decreased since 2016.

Recommendation: A clear discrepancy between commitments to gender equality in the narrative NPISAA and actual action plans in the Logical Framework was identified. This problem was repeatedly identified in NPISAA 2017, 2018 and 2019-2023. While the narrative sections of NPISAA include information on gender equality and refer to gender disaggregated statistics, this is not reflected in the Logical Framework. All indicators should be disaggregated by gender and consistently reported as per requirements of the Law on Gender Equality that foresees strict requirements regarding the disaggregation of data by gender.

Identified Issues from Monitoring: The Kosovo Programme for Gender Equality has not been adopted yet. The Kosovo Programme for Gender Equality is a policy document to be drafted and adopted by the Government of Kosovo that includes various pillars of intervention to achieve gender equality in Kosovo foreseen also in the Kosovo Law on Gender Equality. The first Programme adopted covered the period from 2008 and ended in 2013, and no new programme has been adopted since. According to the Kosovo Law on Gender Equality, the Agency for Gender Equality is responsible for coordinating and preparing the drafting of the Kosovo Programme on Gender Equality, monitor its implementation and annually report to the Government on its implementation.

Recommendations: The Agency for Gender Equality and the Government of Kosovo should prioritize finalizing and adopting the new Kosovo Programme for Gender Equality and send further for adoption by the Kosovo Assembly as a matter of urgency.

Identified Problem: The finalization of the “Gender Equality Index” has been included repeatedly in NPISAA since 2016, but has not been finalized. Finalizing a “partial” Index was also foreseen for 2019, which has also not been implemented.

Recommendations: In the context of Kosovo it can be very difficult to finalize the Gender Equality Index, especially because of the lack of gender-disaggregated data and since Eurostat, Eurofund and the European Working Conditions Survey do not collect data on Kosovo. In NPISAA 2019-2023 the requirement was rightfully rephrased to “Establishing the partial Gender Equality Index”. We recommend that it should be further specified exactly what part of the gender equality index Kosovo will be aiming to collect. For instance, during 2020 the domains of “Power” and “Money” could have been finalized, considering that the data for finalizing these domains is available in Kosovo. AGE and ASK have already begun working closely with the European Institute for Gender Equality (EIGE) towards establishing the Index.

Also the Kosovo Agency for Statistics should amend the regular Labour Force Survey (LFS) to include some of the questions from the “European Working Conditions Survey”. Through this way, the domain of “Money” could be included in NPISAA 2021, after finalizing “Power” and “Money” in 2020.

Additionally the last Kosovo-wide survey on gender-based violence was conducted in 2015 and its data is outdated. Currently this makes it impossible to include the finalization of the intersecting inequality domain “Violence” in NPISAA 2020. However, the Agency for Gender Equality will finalize the new Kosovo Gender Profile in 2020. This will enable us to include the domain of “Violence” in NPISAA 2021. Results from the Kosovo Gender Profile should be included in the upcoming partial Gender Index

Identified Issue during Monitoring: Reports on the implementation of NPISAA do not analyze the implementation of gender disaggregated indicators.

Recommendations: The Ministry of European Integration should request and analyze gender disaggregated data and present it accordingly in the regular NPISAA implementation reports.

Identified Issue during Monitoring: Line Ministries submit gender-blind indicators as a final product to the MEI, who only consolidates the entire document. There are no requirements or guidelines for line Ministries to include gender disaggregated indicators in their foreseen measures.

Recommendation: The Agency for Gender Equality, in close collaboration with the Ministry of European Integration should draft guidelines on how line ministries should mainstream a gender

perspective in their NPISAA measures, before submitting them to MEI. These guidelines could be in the form of a short, simple and targeted check-list.

Recommendation: CSO's, particularly those working on gender equality should support institutions towards monitoring the implementation of gendered indicators throughout the year. This initiative could be spearheaded by AGE and supported by MEI.

General Recommendations:

For the Government of the Republic of Kosovo:

- Exert pressure through seeking regular reports and coordinate appropriately with line ministries on implementing gender-related requirements of the NPISAA and the requirements of the Law on Gender Equality related to collection of gender-desegregated data.
- Generate an improved monitoring system and develop a questionnaire in assessing the level of implementation of gender-related NPISAA requirements.
- Ensure that all line ministries and other responsible institutions are aware that gender mainstreaming in the NPISAA is not only a requirement of CSO's, but an obligatory requirement under existing legislation in Kosovo.
- Ensure a better system of coordination between line ministries and other institutions when drafting future versions of the NPISAA.
- Hold line ministries and other relevant institutions accountable on the implementation/failure to implement gender related NPISAA requirements.

For the Ministry of European Integration

- Enhance coordination between line ministries and other responsible institutions when drafting gender-related requirements of the NPISAA.
- Provide basic training for European Integration Officials on gender equality, gender analysis and gender mainstreaming.
- Provide capacity building for European Integration Officers on drafting, implementing, and monitoring gender sensitive objectives, activities and indicators.

- Ensure that external gender experts, including women's CSO's are consulted during the drafting of the NPISAA as it was done for the NPISAA 2017-2021. This has been a proven best practice for improving gender sensitivity within the program.

For the Agency for Gender Equality:

- While the next NPISAA is being drafted, ensure that the planning of by-laws and other legal measures within it are realistic and provide sufficient time to be planned, drafted, consulted upon and finalized.
- Devise a concrete plan for drafting and finalizing the legislation foreseen related to Gender Responsive Budgeting. Meet regularly with officials from the Ministry of Finance and increase their awareness related to their responsibilities stemming from NPISAA 2017-2021 and 2018-2022 on GRB.
- Ensure that concrete measures towards finalizing the Gender Equality Index are taken. If collecting all data for the index is challenging, collect urgently some data to finalize certain indicators.
- Seek external support in enhancing the capacities of the Kosovo Agency for Statistics for the purposes of finalizing the Gender Equality Index.

For the European Union

- Play an active role in exerting pressure towards the implementation of SAA gender-related requirements reflected in NPISAA.
- Exert pressure on Kosovo institutions towards consulting gender experts and women's CSO's when drafting NPISAA and monitoring NPISAA implementation.
- As per requirements for the EU according to the EU Gender Action Plan II, carefully monitor whether a gender perspective has been mainstreamed throughout NPISAA drafts, including in the narrative section as well as the Logical Framework.
- Ensure that EU GAP II objectives and indicators have been included in the NPISAA, under relevant chapters.

Assembly committee for European integration³⁵

- Regularly acknowledge the importance of gender related NPISAA requirements and their implementation.
- Regularly inquire about the status of gender equality/gender related requirements within the NPISAA;
- Hold line ministries and other relevant institutions accountable on the implementation/failure to implement gender related NPISAA requirements.

³⁵ Kosovo has just come out of Parliamentary Elections on 6th of October 2019. Following the voting of the new Assembly Members and its MP's voting in, Commissions are currently being set up. KIPRED intends to share its recommendations with the respective Commission addressing issues related to European Integration.

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Serbia, even though not an EU member state, became the first non-EU member state to establish the Gender Index in 2016. For more see: <https://eige.europa.eu/news/serbia-first-eu-candidate-country-produce-gender-equality-index?lang=en>

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