

Republic of Kosovo
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Qeveria -Vlada- Government

Zyra e Kryeministrit-Ured Premijera-Office of the Prime Minister

Zyra për Qeverisje të Mirë/Kancelarija za Dobro Upravljanje/Office of Good Governance

Report on the Implementation of the Action Plan (2021-2023) on the
Program for the Protection and Promotion of Human Rights and
Fundamental Freedoms (2021-2025)

Evaluation Period (2023)

May, 2024

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List of abbreviations and acronyms;

AGE	Agency for Gender Equality
AJ	Academy of Justice
AFLA	Agency for Free Legal Aid
EU	European Union
MED	Municipal Education Directorate
ECtHR	European Court of Human Rights
OI	Ombudsperson Institution
KIPA	Kosovo Institute for Public Administration
KNIPH	Kosovo Institute for Public Administration
CoE	Council of Europe
EC	European Commission
ECHR	European Convention on Human Rights
KJC	Kosovo Judicial Council
ICESCR	International Covenant on Economic, Social and Cultural Rights
KPC	Kosovo Prosecutorial Council
LGBT	Lesbian, gay, bisexual and transgender
MLGA	Ministry of Local Government Administration
MESTI	Ministry of Education, Science, Technology and Innovation
MAFRD	Ministry of Agriculture, Forestry and Rural Development
MJ	Ministry of Justice
ME	Ministry of Economy
MFLT	Ministry of Finance, Labour and Transfers
MCR	Ministry of Communities and Returns
NPM	National Mechanism for Prevention of Torture
MCYS	Ministry of Culture, Youth and Sports
MESPI	Ministry of Environment, Spatial Planning and Infrastructure
MIAAP	Ministry of Internal Affairs and Public Administration
MH	Ministry of Health
UHR	Unit for Human Rights
MUHR	Municipal Unit for Human Rights
OHCHR	Office of the High Commissioner for Human Rights
UN	United Nations
OSCE	Organization for Security and Cooperation in Europe
KP	Kosovo Police
NPISAA	National Plan for Implementation of Stabilisation and Association Agreement
KRCT	Kosovo Rehabilitation Center for Torture Victims
KCS	Kosovo Correctional Service
UNHCR	United Nations High Commissioner for Refugees
OPM/OGG	Office of the Prime Minister/Office of Good Governance
LO/OPM	Legal Office/Office of the Prime Minister

1. EXECUTIVE SUMMARY

It is the third consecutive year of implementing the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms and the three-year Action Plan (2021-2023) for its implementation.

Based on reports from institutions, there is an increased commitment to carrying out activities and achieving the strategic and specific objectives outlined in the Action Plan (2021-2023). We thank all central and local government institutions, non-executive institutions, agencies, the Ombudsperson Institution for their contribution and cooperation during the drafting process of this Report.

The focus has been on strengthening inter-institutional cooperation and coordination for the implementation of activities outlined in the three-year Action Plan (2021-2023) for the execution of the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025)

On October 27, 2021, the Government of Kosovo approved the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025). The Program for the Protection and Promotion of Human Rights and Fundamental Freedoms and the three-year Action Plan (2021-2023) for its implementation aims to produce a comprehensive plan that will have broad support from stakeholders and will serve as a consensual guide for implementing international and regional human rights standards, laws, programs, and strategic policies in the field of human rights, with the goal of improving quality of life, respecting the rights of each individual, and providing equal opportunities and equal treatment in education, health, justice in social life, and public services in general.

There are two main mechanisms responsible for monitoring the implementation of the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025), including the Interinstitutional Coordination Group for Human Rights led by Mrs. Emilija Redzepi, Deputy Prime Minister of the Republic of Kosovo (Chair) as well as the Office of Good Governance within the Office of the Prime Minister. On: June 8, 2023, the regular meeting of the Interinstitutional Coordination Group for Human Rights took place, where the Progress Report (2021-2022) on the implementation of the Action Plan (2021-2023) for the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025) was presented for review and discussion.

The Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025) has four strategic objectives:

- 1. Improve governance, transparency, institutional coordination and accountability within public institutions to further enforce human rights;**
- 2. Protect and promote human rights;**
- 3. Ensure healthy lives and promote well-being for all;**
- 4. Facilitate Access to the Justice System.**

These strategic objectives are divided into 16- sixteenth other specific objectives on which the Action Plan (2021-2023) is based. The progress report evaluates the situation regarding the implementation of planned activities within the Action Plan (2021-2023) for the implementation of the Program for the

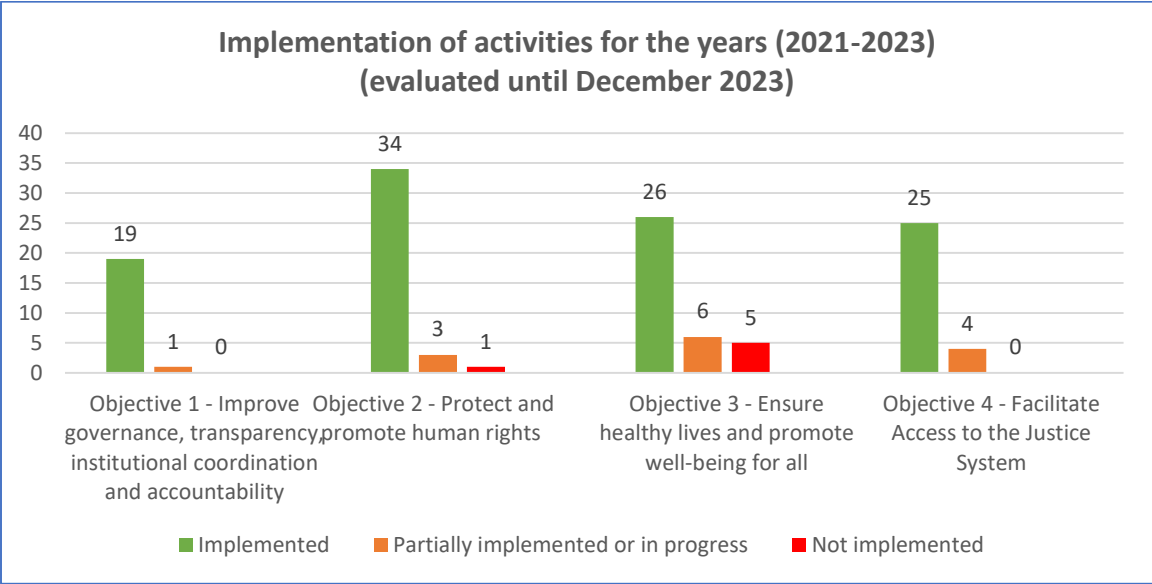
Protection and Promotion of Fundamental Human Rights and Freedoms (2021-2025), during the period (January 2023-December 2023).

In total, in the Action Plan for the year (2021-2023), a total of 124 activities are set for the implementing institutions. 9 activities were planned in 2021, 37 activities were planned in 2021-2022, and 78 activities which will be implemented during the period (2021-2023) on an ongoing basis. The evaluation of activity implementation is divided into three categories:

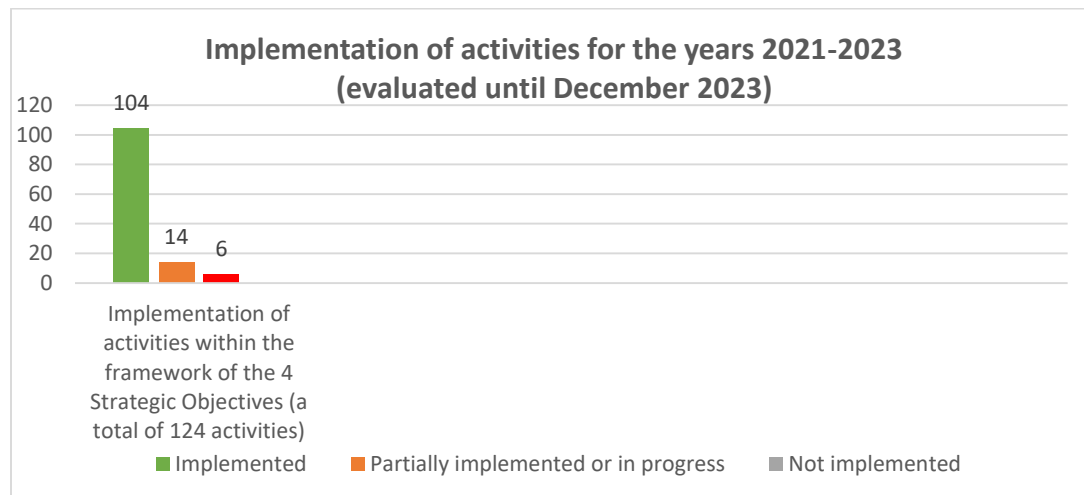
- 1) fully implemented;
- 2) partially implemented or in progress;
- 3) not implemented.

As of December 2022, out of the 124 planned activities: 74 have been fully implemented or 59.67%, 34 partially implemented or are in progress or 27.41%, and 16 have not been implemented with no significant progress on them or 12.90%, until December 2023, out of 124 planned activities: 104 have been fully implemented or 83.87%, 14 partially implemented or are in progress or 11.29%, and 6 have not been implemented with no significant progress on them or 4.83%.

Fig;1 The overall evaluation of the implementation of activities within each Strategic Objective is as follows: The numbers indicate the number of activities implemented



Fig;2 The overall evaluation of the implementation of activities within each 4 (four Strategic Objectives is as follows:



The numbers in Fig. indicate the number of activities implemented, partially implemented or in progress and those not implemented.

The green color indicates the full implementation of an activity

The orange color indicates partial implementation or that an activity is in progress

The red color indicates that the activity has not been implemented and there is no progress related to it

This report has been prepared based on Administrative Instruction (GRK) No. 07/2018 on the Planning and Drafting of Strategic Documents and Action Plans as well as its implementation manual.

PROGRESS IN IMPLEMENTATION OF PROGRAM OBJECTIVES

The Republic of Kosovo, through its constitutional, legal, and institutional framework, remains committed to implementing the universal principles and standards of human rights for all its citizens without discrimination. Good governance, rule of law, and equality of all citizens before the law are our main goal and aim. The strategic objective of the Government of the Republic of Kosovo remains the effective drafting and implementation of legislation and policies that improve and fulfill the rights and services of citizens in the country, with a focus on the most marginalized groups in society, including children, women, persons with disabilities, missing persons (disappeared), victims of sexual violence, the elderly, minority communities, the (LGBTI) community, returnees, displaced persons, during wartime, etc.

The drafting of the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025) was an obligation arising from the Law No. 05/L -021 on Protection from Discrimination, namely Article 10 which obliges the Office of Good Governance to draft policies, strategies and action plans on issues related to protection from discrimination. This Program is built on the principles and standards that clearly define that human rights are natural, indivisible, inalienable, and universal. The Constitution of the Republic of Kosovo proclaims and guarantees the

principle of creating a state of equal citizens, which will ensure the rights of each citizen, civic freedoms, and equality of all before the law. Based on these principles, the Program for the Protection and Promotion of Human Rights aims to achieve:

- ✚ Equality before the law, inviolability of human rights by state institutions, and protection against the violation of human rights by others;
- ✚ Establishment of a sustainable institutional system that will enable individuals to realize and exercise their rights in practice;
- ✚ Providing adequate information to the population about their rights guaranteed by the Constitution, laws, and international instruments.

The Program for the Protection and Promotion of Human Rights and Fundamental Freedoms provides for the following strategic objectives:

- ✚ **Improve governance, transparency, institutional coordination and accountability within public institutions to further enforce human rights;**
- ✚ **Protect and promote human rights;**
- ✚ **Ensure healthy lives and promote well-being for all;**
- ✚ **Facilitate Access to the Justice System.**

During the reporting period, there have been positive developments in the drafting and implementation of legislation and policies in the field of human rights. The Government of the Republic of Kosovo has prioritized the advancement, cooperation, and interinstitutional coordination for human rights. The main focus has been on ensuring access to justice for everyone and establishing institutions guided by the principles of good governance, which are effective, accountable, transparent, inclusive at all levels of governance.

The Government of Kosovo aims to promote and implement a human rights-based approach, enhance capacities, and establish an institutional administrative culture in all government sectors, where respecting, protecting, promoting, and implementing human rights becomes part of the general work culture of every official exercising public functions and providing public services to the citizen.

All in all, during this period for the Government of Kosovo, the priority has been the implementation of recommendations addressed by international and regional human rights mechanisms, special rapporteurs of the United Nations, organizations as well as local mechanisms; implementation of the Ombudsperson's recommendations, strengthening the national system for the protection and promotion of human rights (NSPPHR), providing equal opportunities and equal treatment, prevention and protection from discrimination through creating the possibility for the Administration to create public policies aimed at improving and advancing the situation and position of marginalized communities through the implementation of affirmative measures, creating and strengthening and updating the human rights training system, education campaigns and awareness-raising for human rights.

The Office of the Prime Minister - Good Governance Office, is the body responsible for monitoring, coordinating in collaboration with other institutions, and coordinating the implementation process, as well as monitoring and reporting periodically on the implementation of the Program for the Protection and Promotion of Human Rights. Moreover, the Good Governance Office is responsible for monitoring the implementation of the measures defined in the Action Plan (2021-2023) for the implementation of the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms). In addition to its active coordinating, monitoring, and reporting role, the Good Governance Office has been a key player in undertaking numerous actions and initiatives in implementing the Program and Action Plan for the Human Rights and Fundamental Freedoms (2021-2023).

The Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025) is being implemented in line with the Action Plan (2021-2023).

The Program has: **4 strategic objectives, 16 specific objectives, 37 indicators, and 124 different actions.** Proceeding with this report, the progress of implementing the Program and Action Plan for the year (2021-2023) has been outlined. All available data from the Office of Good Governance/Office of the Prime Minister, agencies, ministries, municipalities, and other relevant institutions, collected through direct email communications, have been used. Not all institutions have provided complete information on which a more realistic evaluation of the implementation of activities outlined in the Action Plan (2021-2023) could be made.

While reporting, the implementation level of activities is as follows:

Strategic Objective No.1

- 1. Improve governance, transparency, institutional coordination and accountability within public institutions to further enforce human rights;**

According to the Action Plan on the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms, two main achievements are expected under this strategic objective:

- Human rights are placed on the Government's priority agenda
- Inter-institutional Coordination Group on Human Rights operationalised

The target indicator for the first outcome:

- Number of human rights policies approved as a result of the recommendation of the Inter-institutional Coordination Group on Human Rights.

The second indicator at this level is related to:

- The number of meetings held during a year of the Inter-Institutional Coordination Group on Human Rights, with 4 meetings intended to be held by the end of 2023

Undoubtedly, good governance, transparency, and institutional accountability are key factors for the effective and efficient protection of human rights and the implementation of human rights laws and

policies. Human rights cannot be fully realized without the effective implementation of legislation, policies, international and regional standards for human rights, without full inter-institutional coordination, without effective, transparent, and accountable governance mechanisms. During the reporting period, there have been additional commitments to advance and implement the legal framework and policies in the field of human rights.

From the summary and general analysis of the reports of public institutions in Kosovo, we have noticed that numerous actions have been taken by both central and local government institutions regarding the implementation of activities outlined within this strategic objective and specific objectives. It has been impossible to present all the activities undertaken by them to achieve this strategic objective, however, we have presented some that have been very relevant and have had a substantial impact on improving and advancing the rights of vulnerable groups in society.

The Office of Good Governance within the Office of the Prime Minister, as the main coordinating and intermediary mechanism between the Office of the Prime Minister, ministries, and municipalities, is continuously working with institutions at the central and local levels of governance to enhance transparency, accountability, and to properly implement the legal framework and policies in the field of human rights (children's rights, rights of members of the Roma, Ashkali, and Egyptian communities, rights of persons with disabilities, rights of members of the (LGBTI community), as guaranteed by the constitutional and legislative framework of Kosovo as well as the directly applicable international and regional instruments for Human Rights.

In order to advance and strengthen interinstitutional coordination for the implementation of laws and policies on human rights, fulfilling its role as the Secretariat of the Interinstitutional Coordination Group for Human Rights - Good Governance Office has taken all necessary actions to operationalize and complete the work of this mechanism. At the regular Group meeting held in June 2023, the following items were presented for consideration and discussion:

- ✚ Progress Report (2021-2022) on the implementation of the Action Plan (2021-2023) for the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025)
- ✚ The situation regarding the implementation of the recommendations addressed to institutions by the Ombudsman Institution (progress and challenges).
- ✚ “For the first time within this mechanism, the Presentation and addressing of Recommendations from the Civil Society Report on Human Rights in Kosovo in 2022 have been made”.

There have been positive developments in terms of capacity building for monitoring and reporting in accordance with the Indicators Framework on monitoring the implementation of the Law on Protection from Discrimination. The framework contains 42 performance indicators, and based on them, the Annual Report 2023 on monitoring the implementation of the Law on Protection from Discrimination has been drafted. There have been numerous activities in promoting the package of laws on human rights, the Law against Domestic Violence, the Law on Child Protection.

Even the European Commission's 2023 Kosovo Report highlights that the capacity of authorities to monitor the implementation of policies and legislation on fundamental rights has improved, and the level of implementation of the Ombudsperson's recommendations has increased, also noting progress in drafting and implementing the Framework of Indicators for monitoring the implementation of the Law on Protection from Discrimination. Three annual reports (2021-2022-2023) have been drawn up on the basis of this framework of indicators.

For the first time in the country, a Framework of Indicators for Human Rights has been drafted. In order for the indicators to be as understandable and comprehensive as possible, their drafting methodology consisted of preparing indicators for each mandatory right defined in the Constitution of the Republic of Kosovo and in the mandatory international acts in the Republic of Kosovo. The Framework of Indicators for Human Rights in the Republic of Kosovo was approved at the next meeting of the Government of Kosovo on 13.12.2023, by Decision No.20/178. The Reporting Format on Monitoring the Implementation of the Human Rights Indicators Framework in the Republic of Kosovo has been drafted, and in 2024 the implementation of this human rights indicators framework will be tested for the first time.

OGG, under the support of the "Human Capacity Development Fund (HCDF)" project, technical assistance in the context of European integration has organized trainings aimed at further capacitating officials on human rights and anti-discrimination by institutions of the Government of Kosovo and other independent public institutions of Kosovo to be able to draft and monitor the implementation of public policies on human rights, with a focus on Human Rights Indicators and their practical use, during the process of drafting, monitoring, and reporting on the implementation of policies.

The matter that must be addressed and pertains to transparency and institutional accountability is the continuously rising number of requests for access to public documents year by year.

Throughout the reporting procedure to public institutions adjacent to the IPA, a total of 4465 requests for access to public documents have been completely registered for the year 2023, whereas in 2022, this number was 4481 requests for access to public documents for all reporting public institutions.

The Information and Privacy Agency (IPA) has found that public institutions, to a higher extent, respect the criteria of Article 5 of Law No.06/L-081 on Access to Public Documents, related to the publication of documents on their official websites. Following the appointment of the Commissioner for Information and Privacy and the operationalization of the Agency for Information and Privacy, the number of complaints submitted to the AIP has significantly decreased.

In 2023, the Ombudsperson received 11 complaints regarding access to public documents, with 8 of them being declared inadmissible, while the remaining 3 are under investigation. The investigations concerning the 3 complaints have been finalized, establishing that the parties did not avail themselves of the legal resources at their disposal and did not comply with the legal deadlines stipulated in Law No. 06/L-081 on Access to Public Documents.

The Ministry of Health has received 83 requests for access to public documents, where only two requests were granted partial access. While for 81 requests, full access was provided within the legal deadline.

For the period January - December 2023, the Ministry of Justice has accepted 41 access requests, with 38 receiving complete responses, 1 partial response, and 2 being rejected. Partial and rejected requests are in accordance with the Law on Access to Public Documents "right to privacy..." and "case under investigation".

This demonstrates a high level of transparency in public institutions, at the same time the increased number of requests for access to these institutions represents an increased awareness of citizens to exercise their right regarding access to public documents, and this comes as a result of organizing campaigns, meetings, debates, and various forums with and for citizens. Undoubtedly, this situation reflects, among other things, the continuous commitment of the Information and Privacy Agency to increase the capacities of officials responsible for granting access to official documents, as well as to raise awareness and consciousness of citizens to be part of institutional decision-making, on one hand, and on the other hand, to increase institutional responsibility for enhancing transparency in their work and providing accountability to citizens.

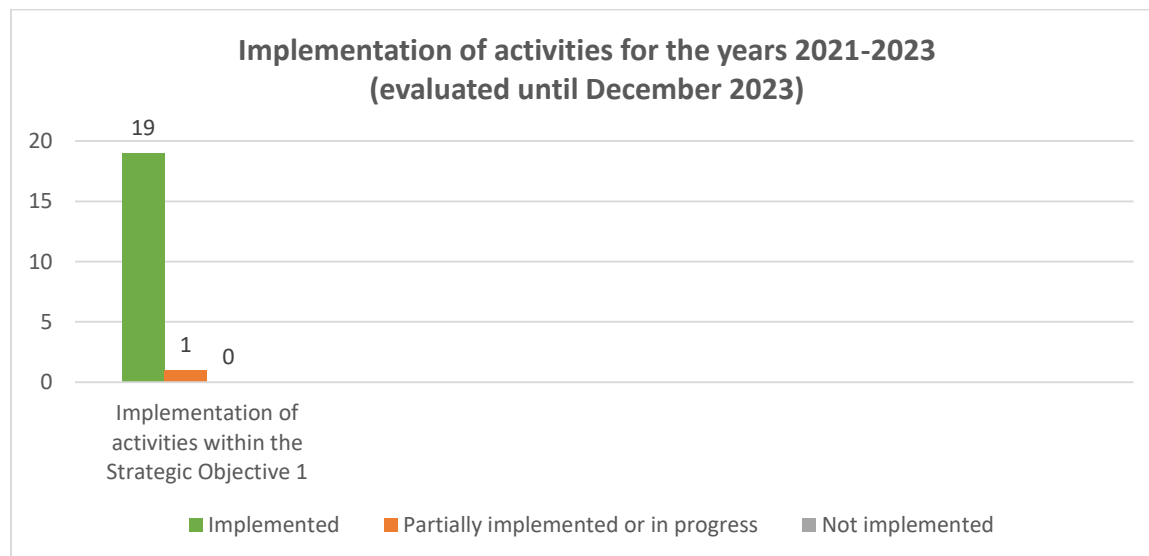
In a detailed and descriptive matrix, the status of the implementation of planned activities within Strategic Objective I is presented;

Within the framework of Strategic Objective I - 4 Strategic Sub-objectives with a total of 20 activities are foreseen. The implementation status of activities is as follows:

Fully implemented: 19 (nineteen)

Partially implemented or in progress: 1 (one)

The activity has not been implemented and there has been no progress related to it; 0



Besides the great progress achieved in this strategic objective, there are some challenges that need to be addressed in the future:

- Ensure the regular and effective meetings of the Interinstitutional Coordination Group for Human Rights are held.
- Operationalize the Central Translation and Legislation Harmonization Unit towards a multilingual harmonized legislation.
- Optimize and empower mechanisms for protection from discrimination in government and municipalities in accordance with Regulation No. 03/2017 on Institutional Mechanisms for Protection from Discrimination in Government and Municipalities and [Law No. 05/I-021 on Protection from Discrimination](#), which is undergoing a process of supplementing the amendment(s) or changes and innovations that will bring about the amendment of the Law on Protection from Discrimination, which is in progress.
- Monitor and report on the implementation of the Human Rights Indicator Framework in the Republic of Kosovo.

Strategic Objective #2:

2. Protect and promote human rights;

According to the Action Plan on the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms, two main achievements are expected under this strategic objective:

- Complying with and implementing human rights in accordance with international standards and applicable legislation;
- The institutions have increased the level of implementation of recommendations addressed by the Ombudsperson Institution (OI).

The target indicator for the first outcome:

- Implementation of recommendations addressed by international human rights mechanisms, organizations, and local mechanisms

The second indicator at this level is related to:

- Setting priorities and the rate of implementation of the Recommendations of the Ombudsperson's Institution (OI) by the end of 2023 to reach the implementation rate of 85%

One of the fundamental criteria for the development of a functional rule of law system is the respect and implementation of human rights standards by state institutions. Every public employee, in accordance with the Constitution and applicable legislation, is obliged to adhere to, implement and

promote international standards on human rights while exercising public functions. Such standards are relevant both for the quality of laws and policies, as well as for their implementation. The Government of Kosovo, through this objective, is promoting and implementing a human rights-based approach during the analysis, planning, and drafting of legislation and policies, establishing an institutional administrative culture at all levels of governance, where respecting, protecting, promoting, and implementing human rights becomes part of the general work culture of every official exercising public functions and providing public services to the citizen.

To achieve this objective, the Government of Kosovo is giving priority to implementing recommendations from international and regional human rights mechanisms, organizations, and local mechanisms, implementing the Ombudsperson's recommendations, strengthening the national system for the protection and promotion of human rights (NSPPHR), providing equal opportunities and treatment, preventing and protecting from discrimination by enabling the Administration to develop public policies, initiate, and implement affirmative measures aimed at improving the situation of marginalized communities.

The Prime Minister's Decision No. 6/81 of 01.06.2022 established the Interinstitutional Team for Promoting and Enhancing Employment Opportunities for the Roma, Ashkali, and Egyptian communities. It should be emphasized that the establishment of the Team **is a temporary affirmative action** for the promotion, advancement, and fulfillment of the employment quota of members of the Roma, Ashkali, and Egyptian communities in the Republic of Kosovo, as stipulated in the Constitution, Law No. 06/L - 114 on Public Officials, and relevant legislation in force in the Republic of Kosovo

The Agency for Gender Equality (AGE), has initiated the drafting of an affirmative action to increase women's participation in decision-making positions in the public administration, AGE has postponed this activity for the year 2024 so that the affirmative action is supported by a finalized legal framework. Additionally, AGE has backed the formation of the women's association in decision-making positions within public administration to encourage, support, and promote women's decision-making as an empowering initiative for women in civil service to pursue decision-making roles.

In order to increase the enjoyment of women's property rights - AGE has proposed to the Government the continuation of the affirmative action for registering property in the name of both spouses free of charge. Administrative Instruction (GRK) No. 01/2023 amending and supplementing Administrative Instruction (GRK) No. 03/2016 on Special Measures for the Registration of Joint Immovable Property on Behalf of Both Spouses, approved at the Government meeting on 12.04.2023, by Decision No. 07/138. This Administrative Instruction applies for a period of eight (8) years from the effective date.”

While in 2016 we had only 105 couples who registered joint property throughout Kosovo, in 2022 there are 4375 couples who have done so. This affirmative measure has helped increase women's access to property, and for the first time we have increased the ownership rate by women at the national level to 19.22%

In order to prioritize the implementation process of the Ombudsperson's recommendations, the Prime Minister of the Republic of Kosovo, Mr. Albin Kurti, addressed an official letter to line ministries requesting that each recommendation currently addressed and those to be addressed by the

Ombudsperson's Institution be given priority, aiming to enhance the level of implementation of the recommendations and to meet the legal deadline of 30 days to provide all responses requested by the Ombudsperson. During the regular meetings of the General Secretaries of the ministries, the implementation process of the Ombudsperson's recommendations is regularly on the agenda. A institutional culture has been established to respect the constitutional obligations to respond to the Ombudsperson's requests and to submit all requested documents and information within the legal deadline in accordance with the law. There has been a continuous increase in the implementation of recommendations, so that the level of implementation of recommendations has reached 28%, which is significantly higher than in previous years. However, more institutional commitment and dedication are required to increase implementation until reaching the level where all recommendations are applied. The Office of Good Governance continuously monitors and draws up reports on the state of implementation of the Ombudsperson Institution's recommendations given to Ministries and Municipalities.

Additionally, efforts have been made to establish and enhance the human rights training system, educational campaigns, and awareness-raising for human rights.

Multiple activities (trainings, roundtables, debates) have been organized by institutions at central and local government levels related to promoting and implementing the package of laws on human rights, with a focus on the Law on Protection from Discrimination, the Law on Gender Equality, the Law against Domestic Violence, the Law on the Protection of Children's Rights. Self-awareness activities have been carried out with the purpose of raising awareness, consciousness, and educating the public on the importance of reporting cases of discrimination, how to properly present a complaint on the grounds of discrimination, and how to report discrimination adequately.

As of 2022, the National Platform for Protection from Discrimination for the Roma, Ashkali, and Egyptian Communities is operational. The aim of the National Platform for Protection from Discrimination (<https://reportdiscrimination.org>) is to contribute to the prevention and combating of discrimination against the Roma, Ashkali, and Egyptian communities by providing easier access for citizens to report cases of discrimination against these communities and refer them to the relevant institutions, in order to build an inclusive society.

Based on the cases reported on the platform, a total of 39 until 15.11.2023 and 41 until 01.12.2023, it is observed that especially in the last six months of 2023, there has been an intensive increase in case reporting. In total, 14 cases reported on the platform were recorded in the period 1 July-1 December 2023. This figure represents 35% of all reported cases for 17 months of platform activity.

Moreover, the significant rise in case reporting during the July-December 2023 period indicates a growing confidence in the platform's work and dedication, attributed to the successful outcomes of the cases.

Ministry of Health: has held 8 discussion tables with health professionals at the MFMC, for the implementation of the Law on Protection from Discrimination and the complaint line for citizens,

MH, with the aim of improving the quality of healthcare services and providing citizens with the opportunity to express their satisfaction during the receipt of healthcare services, the complaints line has been established since 2013. The goal of this line has been and continues to be to further enhance the quality of healthcare services without discrimination.

As part of awareness-raising activities, the Agency for Gender Equality (AGE): has produced two video spots. Total value is 2900.00 Euro:

Prevention of sexual harassment in children

<https://www.youtube.com/watch?v=EqCHdzoEQmY>

Prevention of violence in teenage couples

<https://www.youtube.com/watch?v=8RQ7lcjh7OM>

AGE presented the Law on Gender Equality at the Correctional Service Center of Kosovo for women prisoners in this center.

In order to improve capabilities for preventing and addressing cases of sexual harassment in the workplace, AGE, in collaboration with the Kosovo Institute of Public Administration (KIPA) and with the technical assistance of UN Women, has carried out 16 trainings on Preventing and Addressing cases of sexual harassment in the workplace. 36 Gender Equality Officers (AGE) have been certified in Ministries and Municipalities. In the Ministry of Justice and the Ministry of Environment and Spatial Planning, 112 officials at the leadership and managerial level have been certified.

Furthermore, training has been carried out at the local level in 11 Municipalities: Drenas, Viti, Lipjan, Klina, Deçan, Obiliq, Dragash, Kamenica, Skenderaj, Istog, Prizren, where 227 officials at the leadership and managerial level have been certified.

MESTI developed and carried out the one-month campaign against violence in schools with the motto "Together for a friendly school", according to the campaign program (with promotional videos, TV shows, sessions with quality coordinators, lectures from UP, student sessions, etc.);

The National Forum Conference for Child-Friendly Schools was successfully held, where the Ministry of Education promoted all the developed documents in the field of children's rights and protection (Child Protection Policy, Package of 12 Thematic Modules, Handbook for Preventing Trafficking, Guide to the Istanbul Convention; Child Protection Law in Child-friendly Version)

Activities have been carried out with schools to prevent discrimination in the school context (prevention of hate speech, violence, and school dropout).

Ministry of Defense: The package of human rights law was introduced in all KSF barracks (7 barracks) in order to promote the legislation on protection from discrimination.

In order to increase the capacities for the prevention and treatment of cases of domestic violence and violence against women, the Agency for Gender Equality (AGE) continued with the cycle of training session on "Standard Operating Procedures for Protection Against Domestic Violence". AGE has held 4 workshops at the local level for Coordination Mechanisms against Domestic Violence, where the Standard Operating Procedures for Protection from Domestic Violence, the responsibilities of the local level in accordance with the Istanbul Convention, and the Law on Gender Equality have been presented. The workshop was held in the following municipalities: Fushë Kosova, Deçan, Vushtrri, Lipjan and 72 people participated, of which 46 are women and 26 are men. Total budget amount is: 1,326.00 Euro

AGE has carried out 6 two-day training courses on Standard Operating Procedures for Protection from Domestic Violence, as well as the Strategy for Protection from Domestic Violence and Violence against Women (2022-2026), where during this training the police are informed, guided on institutional responsibilities in line with Standard Operating Procedures and new obligations arising from the Istanbul Convention on the treatment of victims of domestic violence and gender-based violence.

From January to December 2023, a total of 119 police officers were certified, comprising 85 men and 34 women in these Municipalities: Peja, Prishtina, Gjakova, Mitrovica and Gjilan. Total value of these trainings is 6,853.60 Euro.

The number of trainings held during 2023 is 82. The number of trained police officers for 2023 is 922.

Also, the Municipalities have continued their activities in the field of protection and promotion of human rights. The Municipality of Prishtina - With the children's assembly, who are the voice of all the schools' children in the capital, have organized various activities regarding the prevention of discrimination and 2 activities where, through cooperation agreements with NGOs, such campaigns were held in all schools of the capital.

Activities have been carried out in the Municipality of Kamenica to prevent discrimination in the school context (prevention of hate speech, violence, and school dropout). MUHR has organized a week against school dropout where the Coordinator of MUHR has prepared and distributed brochures with information to citizens of different age groups, especially to students, engaging in conversations with them. More detailed information related to the activities of the municipalities has been presented in the Reporting Matrix-Form, which document is part of this report.

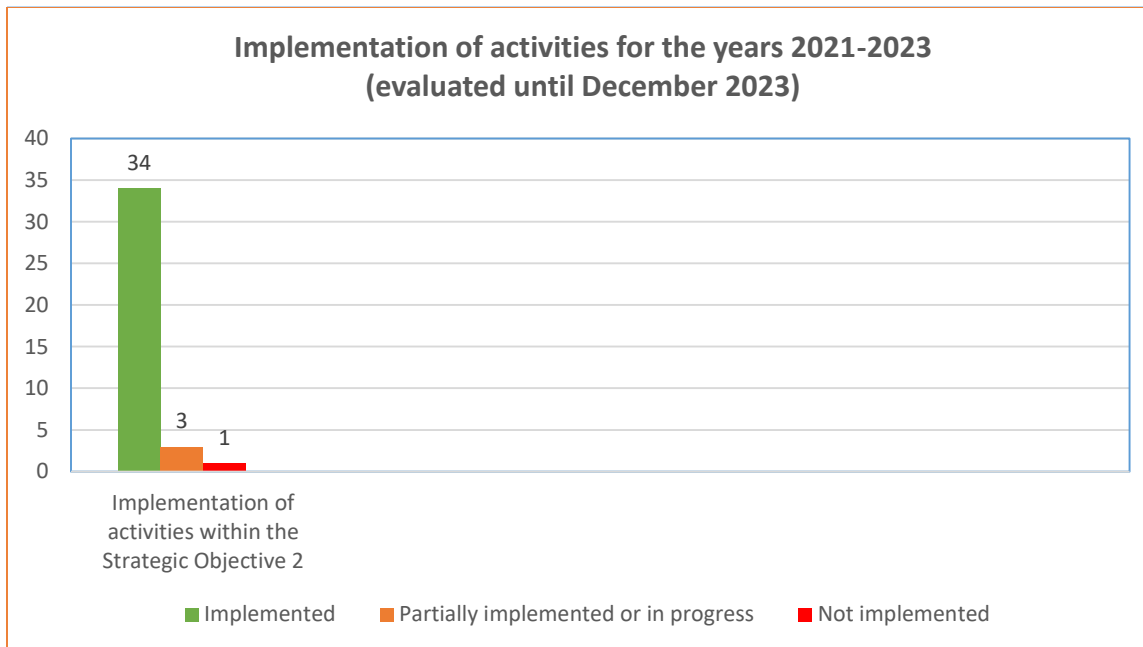
In Annex 1 - In the matrix, in a detailed and descriptive manner, the status of the implementation of the planned activities within Strategic Objective 2 is presented;

3 strategic sub-objectives with a total of 38 activities have been foreseen within the Strategic Objective 2. The status of the activities is as follows:

Fully implemented: 34 (thirty-four)

Partially implemented or in progress: 3 (three)

The activity has not been implemented and there has been no progress related to it; 1 (one)



Besides the great progress and success achieved in this strategic objective, there are some challenges that need to be addressed in the future:

- Implementation of the package of human rights laws, with a focus on the Law on Protection from Discrimination.
- To improve institutional cooperation and interaction between central and local levels of governance in terms of drafting and implementing public policies.
- The institutions give priority to the implementation of the Ombudsperson Institution's recommendations, the provision of responses within the legal term of 30 days, as well as the recommendations addressed to the Government by international mechanisms on human rights and civil society.
- Supervise the implementation of the human rights legal package (Law on Protection from Discrimination, Law on Gender Equality and the Law on Ombudsperson).
- Organise systematic training programs on the Istanbul protocol for all health professionals, lawyers, prosecutors and judges.
- The labour inspectorate gives priority to the investigation and handling of complaints related to alleged cases of discrimination caused in the public and private sector.
- The Government should increase the number of inspectors.
- Promote the policy against sexual harassment in public administration bodies.

Strategic Objective #3:

Ensure healthy lives and promote well-being for all

According to the Action Plan on the Programme for the Protection and Promotion of Human Rights and Fundamental Freedoms, two main achievements are expected under this Strategic Objective:

- Advancing and implementing the legal framework and policies in the area of health, social and family services and the pension scheme;
- Improving living conditions for poor families and reducing the number of poor families - beneficiaries of the social assistance scheme

The target indicator for the first outcome:

Qualitative health and social services to all categories of society

The second indicator at this level is related to:

Coverage rate of poor families by Social Assistance Schemes

Global efforts to build an equal society have become a key priority of the United Nations agenda, within which a dedicated goal to reduce inequalities (SDGs 10) has been set¹. This objective will serve for improving social, family and health services, which aim to strengthen the social protection system and provide access to social and family services through the completion of reforms in the social assistance scheme; harmonization and advancement of the legal framework in the area of social services and health services through the definition of a sustainable system for financing social services and alleviating poverty; establishing the health insurance fund, providing services and programs for major populations addicted to alcohol and drugs, people with HIV-AIDS, people affected by Tuberculosis (TB), etc., as well as protecting the environment and guaranteeing food safety. This objective will also have a special impact on the guarantee and implementation of employees' rights in accordance with the applicable legislation and international standards.

Although there is an improvement in the implementation of activities during the year 2023, **Objective III** remains one of the objectives with the least progress in implementation. This is as a result of the fact that all activities are related to starting with the drafting and amendment of the legal basis which is still in the initial stage of drafting and alignment with international standards as well as EU requirements and *acquis communautaire*

Although the Health Insurance Fund was established with the Fund's Statute approved in 2016, the full operationalization of the Health Insurance Fund will follow after the amendment and supplementation of Law on Health Insurance which is in the process of being drafted. The activities foreseen in the Plan will begin to be implemented after amending and supplementing the Law on Health Insurance which is in the process. Despite efforts to expand bed capacity at the Psychiatric Clinic for drug-dependent individuals, a Rehabilitation Center for substance-dependent individuals has not yet been built. A request has been initiated by the Department of Health Services/Mental Health Division and signed by the former Minister of Health, but the process has not progressed further.

Within the framework of this objective, activities have been undertaken in the field of raising awareness and informing the public opinion regarding *health protection, environment protection, and*

¹ UN.2015. Sustainable Development Goals (SDGs) – Agenda 2030.

prevention of negative phenomena in society such as protection from infectious diseases and prevention of negative phenomena, such as drug abuse, prevention of human trafficking, domestic violence etc. NIPHK has organized 8 (eight) campaigns to mark World Health Days: Tuberculosis, Health, Tobacco, Narcotic Substances, Heart, Hypertension, Diabetes, and HIV/AIDS. 694 health education activities have been organized and held in the community, including lectures on non-communicable chronic diseases, vaccination, negative phenomena, risk factors and healthy lifestyle, physical activity and healthy eating, health and sports, prevention of communication accidents, including Roma, Ashkali, Egyptian communities and persons with disabilities.

There is still a lot of work to be done regarding legislative aspect. Regarding the activity of the Ministry of Labour and Social Welfare, the present MFLT, to create the legal basis for the insurance of employees from accidents (emergencies) at work and occupational diseases, no initiative has been reported at all. The Working Group on drafting the Draft Law of the Social Assistance Scheme was established, the process related to the preparation of this draft law is planned within the framework of the ratification of the Agreement with the World Bank on the Social Assistance Scheme Reform Project, which agreement has not yet been endorsed by the Assembly of Kosovo. The Working Group has finalized the Draft-Law on SAS, in August/2023 and has submitted it to the Ministry's management for review, before proceeding to preliminary and public consultations. After amendments in the 2023 Legislative Plan and the MFLT plans to initially implement the Social Assistance Scheme Pilot, this draft law is scheduled for approval in the second half of 2024.

There is no specific grant established for social and family services. The Working Group on the preparation of the Social Services Funding formula is expected to be established, as this process will also depend on the approval process of the Law on Local Finance, which was part of the legislative plan for 2022.

The process of drafting the comprehensive Law on Persons with Disabilities has not yet been finalized, and the specific grant for social and family services has not yet been established.

As part of the implementation of licensed non-governmental sector support programs in providing social and family services for the years 2021, 2022, and 2023, the data is as follows:

MFLT	2021	900,000.00 Euro
MFLT	2022	1,000,000.00 Euro
MJ	2023	1,500,000.00 Euro
2021	39 NGO	beneficiaries
2022	44 NGO	beneficiaries
2023	45 NGO	beneficiaries

In 2023, the Ministry of Economy initiated a Public Call to assist residential consumers in purchasing energy-efficient heating equipment; Efficient household appliances, Heat pump, Air conditioner, Efficient climate (high-efficiency inverter air-to-air heat pump), Biomass boiler (wood, pellets, briquettes); Individual biomass stoves, and to support small and medium-sized enterprises (SMEs) in investing in efficient heating equipment.

A particular caution under this Strategic Objective is paid to environmental protection. MESPI -In the framework of the Environmental Information System development process, an Air Quality portal has been developed (Air Quality Kosovo<https://airqualitykosova.rks-gov.net/en/about-air-quality-portal/>). The Waste Reporting Information System has also been developed, and the chemicals and hazardous waste register is in the process of being operationalised.

For public information purposes, the website of the Kosovo Environmental Protection Agency is also available (www.ammk-rks.net) and the website of the Kosovo Hydro-meteorological Institute (<https://ihmk-rks.net/>). Both of these websites provide information on the state of the environment and specifically on the state of air, water, soil, waste and biodiversity.

In 2023, the Government of Kosovo established an inter-institutional body that would coordinate the processes related to the implementation of the "Green Agenda". This inter-institutional body has been established and operates within the framework of the EU4Green project and is led by the Office of the Prime Minister. The Green Agenda for the Western Balkans reflects the EU's Green Deal and is based on five main pillars: decarbonization, pollution, biodiversity, circular economy, and sustainable agriculture and food systems.

EU4Green provides a significant boost to make the Green Agenda for the Western Balkans current and effective. The Green Agenda will simultaneously support the goal of a sustainable and fair transition of the continent, as well as the process of Western Balkan economies' integration into the EU.”

Regarding the local government level, the municipalities remain committed to the environmental preservation and protection as well as the waste management system. In order to implement the Law on Environmental Protection, so far 27 municipalities have drafted the plan for municipal waste management while 11 municipalities (Gjilan, Vushtrri, Malisheva, Ranillug, Zubin Potok, Gračanica, Leposaviq, North Mitrovica, Partesh, Zvečan, Klinë) have not yet drafted this plan. Municipalities continuously face challenges in implementing the Law on Environmental Protection and the Municipal Waste Management Plan due to insufficient funds, lack of citizen awareness, citizen non-payment, low number of inspections, lack of enterprises, inadequate staff for the respective field, lack of sufficient technical equipment for the waste management company, etc. Consequently, drafting an action plan for air quality remains a significant challenge for municipalities, where only 3 of them have drafted this plan.

In order to promote and protect the environment, in 2023 MESPI held dozens of awareness-raising activities and advocacy campaigns for young people related to environmental protection within the framework of environmental events marking in the environmental calendar for 2023. MESTI has also suggested schools/ municipalities to organize awareness-raising activities for the planet in general, topics that are part of curricula and extracurricular activities. Schools have carried out quality and various activities. Environmental dates have also been marked in cooperation with MESPI, where

MESTI also participates. This concerns World Water Day, Earth Day, Environment Day, Biodiversity Day, and so on.

The Municipality of Prishtina - The Children's Assembly of the capital city held a campaign on Earth Day, and during the holiday season, they decorated with reusable materials to raise awareness among our youth about environmental protection.

The Municipality of Kamenica - Local Youth Action Council has organized activities aimed at raising awareness and consciousness of young people on environmental issues. Moreover, MED, namely schools continuously organize awareness campaigns on environmental protection through civic education teachers, psychologists, and school educators.

Also, within the framework of this Strategic Objective, ensuring food safety and protecting public health and the Consumer has been a priority. The Food and Veterinary Agency during the year 2023 has carried out for the protection of public health:

81,476 official inspections of food business operators both during import and locally.

These controls are performed by veterinary, phytosanitary, and sanitary inspectors, based on the relevant inspection areas and the characteristics of the products.

3,592 samples have undergone testing in laboratories within and outside the country as part of these controls!

Products that were not in compliance with health regulations have been disposed of as follows:

374,770 kg of meat products;

74,522 kg of dairy products; 4,842 kg of honey; 125 kg of fish; 155,491 kg of phytosanitary products; 950,565 kg of mixed sanitary products;

345 goats; 29 cows and bulls; 1082 pigs and 171 beehives were destroyed by contagious animal diseases.

48 cargoes were refused import into the Republic of Kosovo

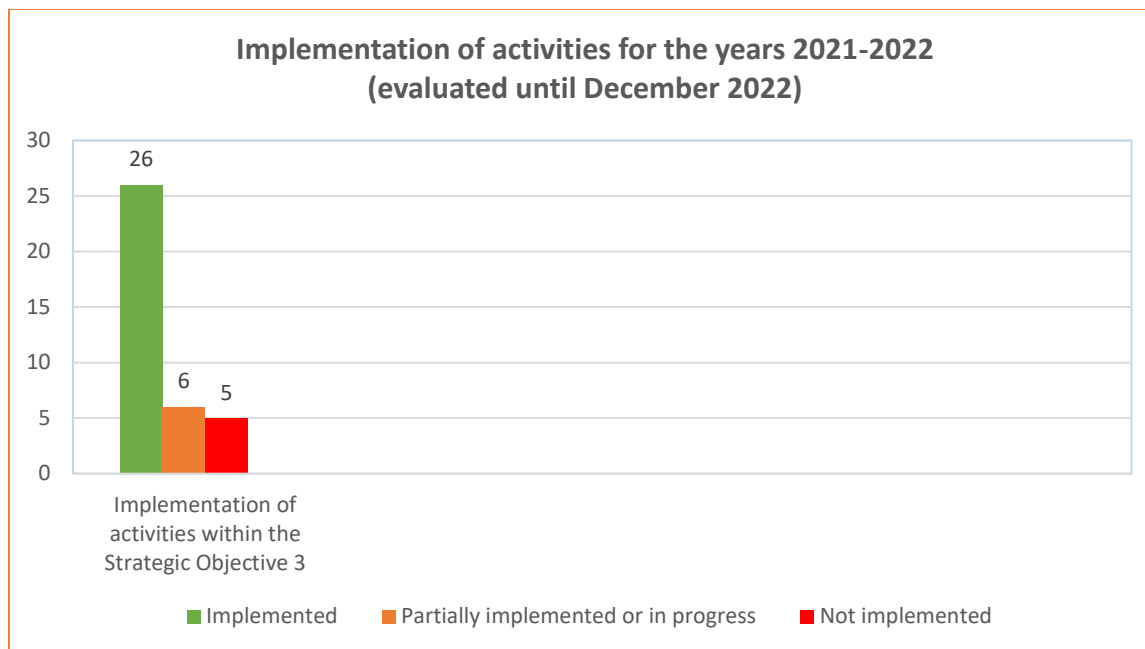
In Annex 1 - In the matrix, in a detailed and descriptive manner, the status of the implementation of the planned activities within Strategic Objective 3 is presented;

4 strategic sub-objectives with a total of 37 activities have been foreseen within the Strategic Objective 3. The status of the activities is as follows:

Fully implemented: 26 (twenty six)

Partially implemented or in progress: 6 (six)

The activity has not been implemented and there has been no progress related to it; 5 (five)



Besides the great progress and success achieved in this strategic objective, there are some challenges that need to be addressed in the future:

- Draft and approve the Law on Health Insurance.
- Operationalise the Health Insurance Fund.
- Build a rehabilitation center for people addicted to narcotic substances.
- Draft and implement plans on the protection of the environment and air at the local government level.
- Improve cooperation and institutional interaction between the central and local government levels in terms of drafting and executing public policies.
- Public and private sector institutions prioritize the implementation of labor rights in accordance with current legislation and international standards.
- Supervise the implementation of the policy against sexual harassment in public administration bodies.
- Organize systematic training programs for labour inspectors in the area of protection from discrimination and sexual harassment.
- The labour inspectorate should give priority to the investigation and handling of complaints related to alleged cases of discrimination in the public and private sector;
- The Government should increase the number of inspectors, especially increase the number of female inspectors.
- Establish the specific grant for social and family services.
- There is still a lot of work to be done regarding legislative aspect. Regarding the activity of the Ministry of Labour and Social Welfare, the present MFLT, to create the legal basis for the insurance of employees from accidents (emergencies) at work and occupational diseases, no initiative has been reported at all.

- Draft and approve the Law on the Social Assistance Scheme.
- Approve the comprehensive Law on Persons with Disabilities.

Strategic Objective #4: Facilitate Access to the Justice System

According to the Action Plan on the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms, two main achievements are expected under this strategic objective:

- Fair and effective access to the justice system for all and without discrimination;
- Greater access to justice as well as more efficient rule of law through extrajudicial instruments

The target indicator for the first outcome:

Fair and equal treatment before judicial bodies and all other justice administering bodies;

The second indicator at this level is related to:

% of cases are resolved through extrajudicial instruments

The Government of Kosovo aligns itself with the aspirations of all parties within the framework of the UN, which is also the 16th goal of sustainable development objectives, to mobilize for the promotion of peaceful and inclusive societies, to ensure access to justice for all, and to build effective, accountable and inclusive institutions at all levels of governance. All the steps planned within the framework of this Strategic Objective are in line with the approved Rule of Law Strategy (2021-2026).

In accordance with Strategic Objective, Kosovo Judicial Council (KJC) has continuously promoted the use of Mediation as an alternative method for resolving legal disputes. Also, KJC has continuously taken actions on backlog reduction, increasing the number of new judges by recruiting 49 judges and increasing the number of support staff KGJK has also approved the Strategic Plan for improving access to justice (2022-2025), efficiency and prioritization of cases within the judicial system, where priority will be given to cases that are close to the statutory limitation. KJC continuously examines petitions for the initiation of disciplinary procedures submitted from the Competent Authorities pursuant to Law No. 06/L-057 on the Disciplinary Liability of Judges and Prosecutors. KJC has created facilities for the use of languages, licensed court translators and interpreters, a process which was also supervised by international partners.

Reduce and resolve backlog cases through the inclusion of free legal professions, including mediation (mediators), notaries and private enforcement agents. Although mediation has started to be applied relatively late, statistics show that there is a gradual increase in the cases referred to the mediation procedure. Up to now, approximately 11,530 cases (excluding the year 2016, in three regions) have been referred to mediation proceedings, resulting in the resolution of non-agreement in about 9,320 cases. What can be observed from these statistics are the results of successful settlement agreements. All the more reason to consider mediation as an alternative for resolving disputes.

The Ministry of Justice will regularly publish data on cases referred to mediation procedure

All the more reason to consider mediation as an alternative to dispute resolution is the results of successful settlement agreements. The Ministry of Justice will regularly publish the data of the cases referred to the mediation procedure.

The first mediators were licensed in 2011 and currently there are approximately 180 mediators licensed by the Ministry of Justice throughout Kosovo, of various profiles, ready to provide mediation services in dispute resolution.

There are currently a total of 50 (fifty-five) Notaries;

- In 2023, a total of 644,866 certifications/acts were compiled/drafted, of which 484,039 notarial certificates and 160,827 notarial acts, these data are according to the annual report for 2023 of the Chamber of Notaries.

There are currently a total of 42 (thirty-nine) Private Enforcement Agents;

In 2023, according to the reports of the Private Enforcement Agents, the total is as follows:

- Number of cases received is 26,090

- Number of resolved is 7,482

Kosovo Judicial Council has continuously promoted the use of Mediation as an alternative method for resolving court disputes.

More detailed information is available via https://www.jjyqesori-rks.org/wp-content/uploads/reports/40736_KGJK_RAPORTI_VJETOR_2023.pdf

The Ministry of Justice has drafted the Concept Document on Realization of Civil Rights, including the Right of Parties to Trial within a Reasonable Time Period, holding two workshops with the support of the Justice Program - EUKOJUST, and engaging two local experts. On 29.6.2023, the Concept Document on Realization of Civil Rights, including the Right of Parties to Trial within a Reasonable Time Period, was approved.

On 14.1.2023, Administrative Instruction (GRK) No. 01/2021 on Protection and Treatment of Children as Offenders of Criminal Offences Under the Age of Criminal Responsibility was approved. This Instruction foresees Mediation between peers in order to give the possibility of returning to normal relationships between peers and rehabilitating the child and re-integrating him into society.

Improved implementation of the right to free legal aid continued. Among legal amendments made during 2022 is the facilitation of access to justice for certain categories of citizens, through Law No. 08/L-035 Amending and Supplementing Law No. 04/L-017 on Free Legal Aid, which defines specific categories eligible for free legal aid where regardless of the criteria required in Articles 8 and 9 of the Basic Law (in other words, without even looking at the criteria) free legal aid is provided:

- 1.1. sexually abused persons during the war in Kosovo in 1998-1999;
- 1.2. victims of domestic violence;

- 1.3. victims who witnessed violence, who are dependent on victims of domestic violence;
- 1.4. victims of gender-based violence;
- 1.5. victims of any type of sexual violence, including sexual harassment;
- 1.6. victims of human trafficking;
- 1.7. minor victims;
- 1.8. children living in social care institutions;
- 1.9. to children under guardianship seeking to initiate proceedings without the consent of their legal guardian or against their legal guardian;
- 1.10. persons whose right has been violated through an action or inaction that constitutes discrimination, based on the decision of the competent body according to the Law in force on Protection from Discrimination;
- 1.11. Journalists, independent journalists, photojournalists, cameramen and editors who work in/for media licensed by the Independent Media Commission (IMC) and/or member media in the Press Council of Kosovo (PCK). The Agency for Free Legal Aid (AFLA), for the purpose of information and awareness, organizes and becomes part of these awareness campaigns: Free Legal Aid Week with the motto 'Protect your right,' conferences and informative meetings with various municipal actors were held, and citizens were informed through the distribution of 5,000 brochures in 4 languages: Albanian, Serbian, English, and Turkish, as well as in Braille, 80 posters, 3 TV spots, publications on websites and social networks, 5 media appearances, lectures in institutions, and with groups of public interest; with non-majority communities. As a result of such campaigns, a greater number of beneficiaries of free legal aid have been registered, but the goal has not yet been achieved.

In 2023, free legal aid was offered to 2,883 women and 3,187 men. According to their ethnicity, 5,214 Albanians, 164 Serbs, 73 Bosnians, 54 Turks, 213 Ashkali, 156 Egyptians, 137 Roma, 54 Gorani and 5 others benefited from free legal aid.

Compared to 2021, we have seen an increase of 31.95% in the number of beneficiaries of free legal aid, while compared to 2022, we have seen an increase of 3.56% in the number of beneficiaries of free legal aid.

In the reporting period for 2023, 584 (five hundred and eighty-four) lawyers were engaged, of them 539 (five hundred and thirty-nine) in civil proceedings, 14 (fourteen) in administrative proceedings and 31 (thirty-one) in criminal proceedings. Compared to the previous year, we have seen a 4.84% increase in lawyer engagement.

AFLA, with all its achievements in providing legal services to citizens, has also faced various challenges. The challenges faced by AFLA resulted from the insufficient budget for achieving full objectives.

The amendment and supplementation of the Law on Free Legal Aid have increased the range of beneficiaries of free legal aid, which simultaneously increases the need for additional budget. Given

that the current budget allocated to AFLA is low, with the expansion of the range of beneficiaries of free legal aid, we will have difficulties in implementing the Law on Free Legal Aid in case no budgetary support is provided.

In order to achieve the fulfilment of the legal obligation continuously through budget requests, it was urged to provide the necessary budget for the opening of Mobile Offices, however, no budget was allocated under the Law on Budget Appropriations for 2022 to ensure the extension of free legal aid throughout the territory of the Republic of Kosovo. In June 2023, the Ministry of Justice signed Regulation MJ - NO. 05/2023, for determining the criteria for the provision of free legal aid by NGOs that entered into partnership with the Agency for Free Legal Aid. Hence, based on the regulations, all necessary actions have been completed; a public call has been opened for NGOs to apply for entry into partnership, the Commission for the evaluation of criteria has been formed and based on the evaluations of the Commission, six NGOs have met the criteria set out in the regulations.

To ensure access to justice, AFLA has continuously made efforts to ensure access to justice for citizens who do not have sufficient funds, especially for victims of gender-based violence, sexual violence, non-majority communities and displaced persons. In order to reach information to non-majority communities during 2023, the following were held: 6 Legal informative sessions with the Roma community on Access to Justice together with EUKOJUST in various regions of Kosovo.

AFLA faced significant challenges in achieving its objectives as a result of the lack of a budget for the extension of Legal Aid throughout the territory of the Republic of Kosovo in accordance with Article 22 of the Law on Free Legal Aid, which provides for the establishment of the Regional Offices and Mobile Offices for Free Legal Aid to cover the entire territory of the Republic of Kosovo, so that citizens who do not have sufficient funds to ensure efficient access to the justice system can benefit from the provision of Free Legal Aid services.

Currently, Free Legal Aid is provided through 7 (seven) regional offices for free legal aid which operate in: ROFLA in Prishtina, Mitrovica, Peja, Prizren, Gjilan, Gjakova and Ferizaj and through 14 (fourteen) mobile offices operating in the following municipalities: Fushe Kosova, Drenas, Deçan, Istog, Suhareka, Dragash, North Mitrovica, Zveçan, Leposaviq, Zubin Potok, Malisheva, Graçanica, Skënderaj and Kamenica. These offices are funded from the budget of the Republic of Kosovo.

Free legal aid is also provided through 6 mobile offices financially supported by GIZ which operate in the municipalities of: Podujeva, Klina, Lipjan, Shtime, Kaçanik and Hani i Elezit, enabling the employment of 4 officers who will provide free legal aid. Free legal aid is also provided through the Mobile Rotation Clinic financially supported by UNDP, which operates in municipalities where there is no regional office and mobile office for free legal aid and in the most remote regions of the Republic of Kosovo.

The budget request of the AFLA to open Mobile Offices in 6 municipalities has received support from the Ministry of Justice. For the latest 2024 budget quarter, 4 (four) official legal positions for GIZ-supported mobile offices have been secured, and also 1 (one) official legal position has been allowed for opening a mobile office in another Municipality.

Likewise, the AFLA budget for goods and services has been raised by €40,000.00 for the 2024 fiscal year.

Functioning of mediation system: KJC, in cooperation with USAID, is promoting mediation through briefing tools, social networks and brochures.

Two Administrative Instructions on mediation were approved in 2021,

- Administrative Instruction MoJ-No. 05/2021 on the Determining the Mediation Procedure of the Self-initiation of Cases and Cases Referred to by the Administrative Body,

- Administrative Instruction MoJ-No. 4/2021 Mediators Fee of in the Republic of Kosovo.

Statistics of cases in the mediation procedure for 2021 referred by the courts and basic prosecutions. Cases referred by the courts; There were a total of 2232 criminal cases, of which 1830 were resolved, 383 were not resolved, 19 under proceedings. There were 887 civil cases in total, of which 642 were resolved, 222 were not resolved, 23 under proceedings. Total 3119.

The cases referred by the prosecution offices in 2021 were 2,315, of which 1,765 cases were resolved, 308 cases were not resolved and 240 cases were pending.

Mitigating obstacles to the protection of victims of crime, in particular for survivors of gender-based violence, including domestic violence continued;

In the period January-December 2023, 129 (one hundred twenty-nine) victims have benefited from the compensation program. The total amount of the crime victim compensation tax in 2023 was €228,978.00.

129 requests were received in 2023 for compensation.

- **24 requests have been rejected**
- **98 have been approved**
- **7 ongoing.**

The total value of the compensation is €228,978.00.	
Domestic violence	39 cases
Rape	11 cases
Sexual abuse of children	8 cases
Sexual harassment	9 cases
War Crimes	12 cases
Trafficking in human beings	3 cases
Murder	13 cases
Attempted murder	9 cases
Serious physical injury	13 cases
Minor physical injury	10 cases
Robbery	1 case

The Division for Victim Support, together with its partners, has conducted training sessions with Judges, Prosecutors, Victim Advocates, Social Workers, Kosovo Police, Human Trafficking Units, various NGOs who have been informed about victims' right to compensation.

An informative campaign has been implemented on the rights of victims in compensation through banners or informational posters, leaflets, brochures that have been placed and distributed in relevant institutions and various NGOs.

The information in the MJ website link has been updated. Link -<https://md.rks-gov.net/page.aspx?id=1,103>

Security institutions (Kosovo Police) use a victim card where the victim is informed with several information from the moment the case is opened and for family violence victims, and other victims entitled to compensation under the current legislation are informed by police officers each time. In the electronic card, there is also a section for notifying the victim of the crime of the right to compensation under the law.

Whenever they come into contact with victims, the Kosovo Police informs them about their rights as derived from the current legislation. In 2023, the Kosovo Police introduced the brochure STOP DOMESTIC VIOLENCE, which includes the rights of domestic violence victims.

Ensuring implementation of women's property and inheritance rights, and of property rights of communities and IDPs continues. Regarding the implementation of property rights of communities and IDPs through the Implementation of fully effective decisions established by the KPCVA, the number of fully effective decisions implemented is 324.

The number of eviction orders implemented in the reporting period is 5. There are 65 eviction orders pending, where 90% of these properties are located in the northern part of the country.

The Kosovo Police has assisted the Property Agency in 51 cases.

According to the Regulation on the Return of Displaced Persons and Durable Solutions 01/2008, the Government of Kosovo with Decision No.13/116 dated 28.12.2022. has established the Central Complaints Commission. It has been implemented.

While, the implementation of the Affirmative Measure for the Registration of Joint Property on Behalf of Both Spouses, free of charge has continued with positive effects. AGE proposed to the Government to adopt the continuation of the affirmative measures under "Administrative Instruction on Registration of Joint Immovable Property on Behalf of Both Spouses Free of Charge." The AI was extended for another year, April 2023-April 2024. From this affirmative measure, for the period January-December 2023, 5050 (five thousand and fifty) properties were registered in the name of both spouses. AGE, with the aim of sensitizing women's property rights and benefits through the application of the affirmative measure, has made a television video spot for the Administrative Instruction on Registration of Joint Property on Behalf of Both Spouses - free of charge

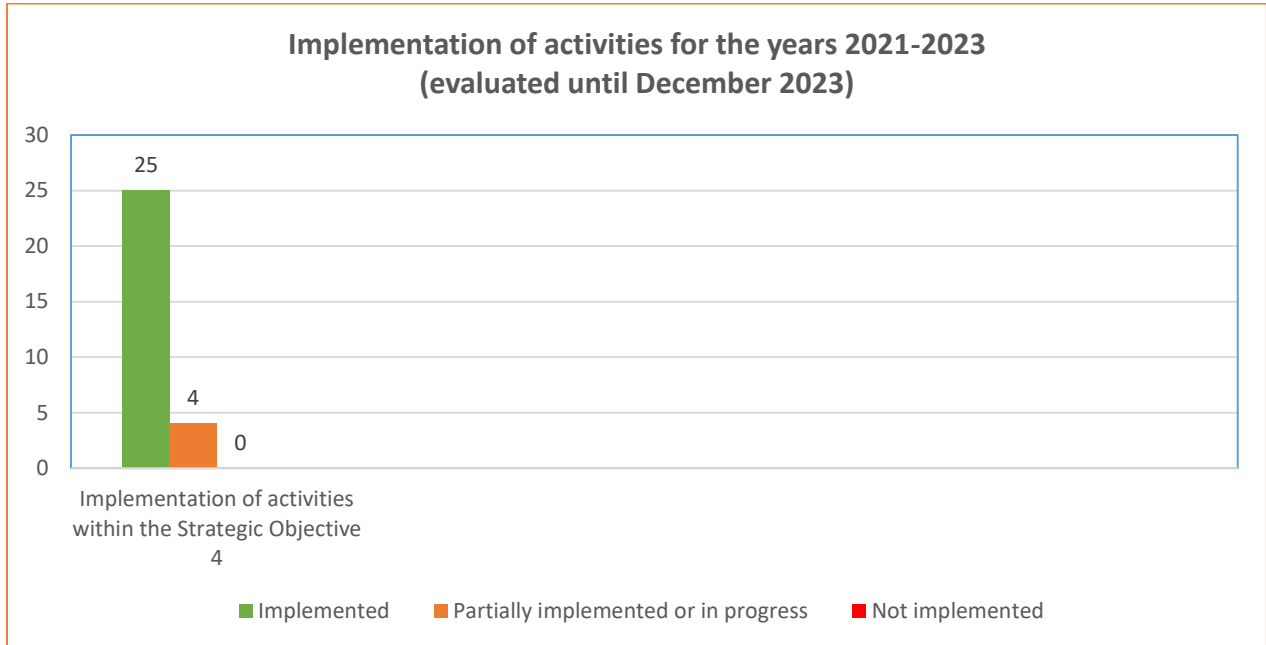
In Annex 1 - In the matrix, in a detailed and descriptive manner, the status of the implementation of the planned activities within Strategic Objective 4 is presented;

5 strategic sub-objectives with a total of 29 activities have been foreseen within the Strategic Objective 4. The status of the activities is as follows:

Fully implemented: 25 (twenty-five)

Partially implemented or in progress: 4 (four)

The activity has not been implemented and there has been no progress related to it (0)



Besides the great progress achieved in this strategic objective, there are some challenges that need to be addressed in the future:

- The Government must finalize and approve the Law on the Right of Parties to Trial within a Reasonable Time Period.
- The amendment and supplementation of the Law on Free Legal Aid have increased the range of beneficiaries of free legal aid, which simultaneously increases the need for additional budget.
- Continue with awareness-raising campaigns related to informing citizens about their rights to access the justice system, mediation, free legal aid, etc.
- It is necessary to continue with the implementation of women's property and inheritance rights, community property rights, and IDPs.
- Provide an adequate budget for the compensation of crime victims.
- Organize systematic training programs for law enforcement officers.

1.1 Risks/challenges and mitigating measures

This report also consequently emphasizes the need for the improvement of legal, institutional and political capacities in the area of human rights. Inter-institutional coordination in terms of drafting and executing public policies should receive more care and attention, especially from decision makers.

Ministries and municipalities must be more proactive in carrying out the activities provided for in the Action Plan (2021-2023) for the implementation of the Programme for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025), which are of vital importance to the citizens of the country.

Challenges that persist as exceptional are:

- Implementation of the package of human rights laws, with a focus on the Law on Protection from Discrimination remains a challenge.
- Implementation of Law No. 03/L-019 on Training, Professional Rehabilitation and Employment of Persons with Disabilities,
- The process of drafting the comprehensive Law on Persons with Disabilities has not yet been finalized.
- Empowering and optimizing institutional mechanisms for protection from discrimination in Ministries and Municipalities in line with the supplementation/amendments being made to the Law on Protection from Discrimination.
- The Law on Health Insurance has not yet been finalised.
- The citizens of the Republic still do not enjoy health insurance.
- AFLA's budget request to open Mobile Offices in 6 municipalities has not yet been supported.
- The formula for the specific grant for social and family services has not yet been determined.
- The long-term commitment of the Government to guarantee the implementation of the measures foreseen within the Programme for the Protection of Human Rights and Fundamental Freedoms.

Prevention and elimination of obstacles to non-implementation of the Programme on Human Rights and Fundamental Freedoms should focus on:

- The Inter-Institutional Coordination Group on Human Rights demonstrates a more proactive role in monitoring the implementation of this Programme and the Action Plan on its implementation, demanding institutional accountability regarding the progress and challenges to its implementation.
- A separate line of the budget or additional budget should be provided to the Agency for Free Legal Aid, in order to extend and cover free legal aid countrywide.
- Operationalize the Central Translation and Legislation Harmonization Unit towards a multilingual harmonized legislation.
- Approve the Law on Health Insurance, which would follow with other steps to ensure the conditions for the provision of health insurance to the citizens of the country.
- Build a rehabilitation center for people addicted to narcotic substances.

- The Government should increase the number of inspectors, especially increase the number of female inspectors.
- Establish the specific grant for social and family services.
- Finalize and approve the comprehensive Law on Persons with Disabilities.
- Draft and implement plans on the protection of the environment and air quality at the local government level.
- Improve cooperation and institutional interaction between the central and local government levels in terms of drafting and executing public
- The institutions give priority to the implementation of employees' rights in the public and private sector in accordance with the current legislation and international standards.
- The Government and all responsible institutions should share financial resources to carry out the activities which they are responsible for.

1.2 Conclusions

The Programme for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025) was approved in October 2021, with a detailed Action Plan for the period (2021-2023). This is a document that confirms the commitment of the Government of Kosovo to the socio-economic development of the country based on the removal of obstacles to the fulfillment of fundamental rights and freedoms, including economic ones, that will help citizens to work, consume, and live with dignity and in peace. The great responsibility of the Republic lies in ensuring the respect for fundamental rights and freedoms of individuals, by adhering to the standards enshrined in international conventions and those within the practice of the European Court of Human Rights. Through the Program, the Government of Kosovo will fulfill the positive obligations arising from the recognition of every universal human right, equally and without discrimination. Within this framework, all individuals have the chance to experience their rights, provided that their enjoyment does not violate the rights of others. In protecting human rights, the recommendations of the Ombudsperson Institution as an independent mechanism for the protection and promotion of human rights, the European Commission, local NGOs and international and regional human rights mechanisms will be taken into account, and the same will be implemented by competent institutions in accordance with the Constitution and applicable legislation.

The four strategic objectives within the Program for the Protection and Promotion of Human Rights and Fundamental Freedoms (2021-2025) reflect the priorities for an inclusive, equal, and non-discriminatory society, which are aimed to be achieved through the following objectives:

They include:

- ✚ **Improve governance, transparency, institutional coordination and accountability within public institutions to further enforce human rights;**
- ✚ **Protect and promote human rights;**
- ✚ **Ensure healthy lives and promote well-being for all;**

Facilitate Access to the Justice System.

It is important to note that the Office of Good Governance is the main coordinating mechanism for monitoring the implementation of the Program for Protection and Promotion of Human Rights and Fundamental Freedoms.

The program is performing well, with some minor delays, however, there is room for further improvement and development of the process. In addition to the coordinating and motivating role, OGG/OPM has been engaged to the maximum in the implementation of some activities foreseen within the Action Plan. In total, 124 activities are planned within the Program. Of these, 104 activities have been implemented, 14 partially implemented or in progress, and 6 have not been implemented.

Also, it should be noted that there have been activities conducted and that have exceeded the planning measures, beyond what was planned in the document, i.e. the inter-institutional team for encouraging and promoting employment for the Roma, Ashkali and Egyptian communities in the Republic of Kosovo has been established, the National Platform for reporting discrimination cases for the Roma, Ashkali and Egyptian communities in the Republic of Kosovo has been launched and operationalised, the calendar of activities for the 2022 - Year of persons with disabilities, etc.

The main progress has been achieved under the **Strategic Objective 1 and Strategic Objective 2**. The focus of the institutions' commitments at the central and local government level should be oriented towards Strategic Objective 3 and Strategic Objective 4. The Office of Good Governance/Office of the Prime Minister in cooperation with other relevant institutions finalized this report which includes the evaluation period (2023), presenting the progress as well as the challenges during the implementation of the Action Plan (2021-2023) on the Program for the Protection and Promotion of human Rights and Fundamental Freedoms.

1.3 Some of the most important achievements during the reporting period are as follows:

- The Inter-Institutional Coordination Group on Human Rights was established and operationalised
- The Council for the Rights of Persons with Disabilities has been re-operationalised. The Council acts as an advisory and guiding body for setting priorities and policies in the area of disability (these two mechanisms are chaired by Ms. Emilija Rexhepi - Deputy Prime Minister for Minority Affairs and Human Rights).
- The Inter-Ministerial Committee on Child Rights, chaired by the Prime Minister of the Republic of Kosovo, Albin Kurti has been operationalised.
- The State Report on the implementation of the International Convention on Children's Rights has been drawn up.
- The inter-institutional team for encouraging and promoting employment for the Roma, Ashkali and Egyptian communities in the Republic of Kosovo is established,
- The National Platform for reporting cases of discrimination for the Roma, Ashkali and Egyptian communities in the Republic of Kosovo has been launched and operationalised.

- The Annual Report for 2023 regarding the implementation of the Law on Protection from Discrimination based on the cases reported on the National Platform for Protection from Discrimination for the Roma, Ashkali and Egyptian communities" has been drawn up in four languages; in Albanian, Serbian, English and Romani.
- The National Indicator Framework for Human Rights has been approved.
- The Indicators Framework for monitoring the implementation of the Law on Protection from Discrimination has been drafted.
- An Instruction Manual for Enforcing the Policy against Sexual Harassment in Public Administration Bodies and enhancing capacities for its implementation has been drafted.
- The Report on Implementation of the Law on Protection from Discrimination 2023 has been drafted.

Annex

The Program for the Protection and Promotion of Human Rights and Fundamental Freedoms is being applied in line with the Action Plan. Specifically, the Program has: four strategic objectives, 16 specific objectives, 33 indicators, and 124 different actions. The progress of the implementation of the Programme and Action Plan (2021-2023) is presented further in this report.

All available data from the Office of Good Governance/Office of the Prime Minister, ministries, municipalities and other institutions collected through websites and direct e-mail communications were used.

STRATEGIC OBJECTIVES are IV

- 16 SPECIFIC OBJECTIVES
- 124 ACTIVITIES/
- 33 INDICATORS

1. STRATEGIC OBJECTIVE I

- 04 Specific Objectives
- 20 Activities

2. STRATEGIC OBJECTIVE II

- 03 Specific Objectives
- 38 Activities

3. STRATEGIC OBJECTIVE III

- 04 Specific Objectives
- 37 Activities

4. STRATEGIC OBJECTIVE IV

- 05 Specific Objectives
- 29 Activities

- 09 Activities - have been planned for 2021
- 37 Activities - have been planned for 2021-2022
- 78 Activities - have been continuously planned for 2021-2023

The summary of the implementation level of activities for the years (2021-2023) is as follows:

Strategic objectives	Actions planned for 2021-2022	Status of implementation of actions in 2021-2022
1. Improve governance, transparency, institutional coordination and accountability within public institutions to further enforce human rights;	20 activities planned	implemented (19 implemented), in progress (1 in progress) not implemented (0 not implemented)
2. Protect and promote human rights;	38 activities planned	implemented (33 implemented) in progress (3 in progress) not implemented (1 not implemented)
3. Ensure healthy lives and promote well-being for all;	37 activities planned	implemented (26 implemented) in progress (6 in progress) not implemented (5 not implemented)
4. Facilitate Access to the Justice System.	29 activities	implemented (25 implemented.) in progress (4 in progress) not implemented (0 not implemented)

Total	124 activities have been planned in total	- implemented (104 implemented) - in progress (14 in progress) - not implemented (6 not implemented)
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