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Ex-Post Evaluation Report on Law No. 06/L-084 on Child Protection[1]

[1]Ex-Post Evaluation Report on Law No. 06/L-084 on Child Protection, it was approved at the 8th meeting of the Government of the Republic of Kosovo, by Decision No. 06/08, dated 28 October 2026.

Ex-Post Evaluation Report on Law No. 06/L-084 on Child Protection

Proposing Institution	Legal Office within the Office of the Prime Minister – Government of the Republic of Kosovo
Title of the *Ex-Post* Evaluation Report	*Ex-Post* Evaluation Report on Law No. 06/L-084 on Child Protection
Contact Person	Mentor Borovci – Director of the Legal Office within the Office of the Prime Minister – Government of the Republic of Kosovo
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Date	23.10.2026

EXECUTIVE SUMMARY

1. The Constitution of the Republic of Kosovo establishes the normative basis for the protection of the fundamental rights of the child, stipulating that: The constitutional order of the Republic of Kosovo is founded on the principles of liberty, peace, democracy, equality, respect for human rights and freedoms and the rule of law, non-discrimination, property rights, environmental protection, social justice, pluralism, the separation of state powers, and a market economy. [2] This foundation ensures that the institutional and legal protection of children is integrated within the constitutional system and aligned with international principles.

2. The provisions of the Constitution that specifically address the rights of the child are found in Article 50[3], which includes the right to necessary protection and care, protection from violence and exploitation, the right to maintain contact with parents, as well as the principle of the best interest of the child as a fundamental constitutional standard.

3. The Constitution also recognizes the direct applicability of the European Convention on Human Rights and its protocols, which take precedence over the provisions of laws and other acts of public institutions in case of conflict.[4] This guarantees that children's rights are protected in accordance with the most advanced European and international standards.

4. The Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989[5] and entered into force on 2 September 1990, represents a comprehensive treaty that guarantees a wide range of rights to children. Under Article 22 of the Constitution, the direct applicability of the Convention on the Rights of the Child in Kosovo[6] is also established, making it one of the most important international instruments in the field of children's rights. The Convention is an integral part of Kosovo's legal order and, as such, enjoys normative primacy over domestic legislation in the event of a conflict. This means that every court, administrative authority, or public institution in Kosovo is obliged to directly apply

[2] *See* Article 7 [Values] of the Constitution of the Republic of Kosovo, accessed at https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702 on 31 March 2025
[3] *Ibid*., Article 50.
[4] *Ibid*., Article 22. [Direct Applicability of International Agreements and Instruments], para. 2
[5] *See* the Convention on the Rights of the Child, accessed at https://gzk.rks-gov.net/ActDetail.aspx?ActID=73755 on 01 April 2025.
[6] *Ibid*., Article 22 para. 7.

the provisions of this Convention in cases concerning the protection and rights of the child.

5. The principle of the best interest of the child, enshrined in Article 3 of the Convention on the Rights of the Child, constitutes a universal and essential guideline in every action undertaken by public or private institutions dealing with children. The Convention recognizes and guarantees a range of fundamental rights for children, beginning with the right to life and full development (Article 6), the right to freely express their views in all matters affecting them and to have those views given due weight according to the child's age and maturity (Article 12), the right to protection from all forms of violence, abuse or neglect by parents or legal guardians, as well as by any other person responsible for their care (Article 19), the right to the highest attainable standard of health and to healthcare services (Article 24), the right to live in an environment that supports the child's physical, mental, spiritual, moral, and social development (Article 27), the right to quality and accessible education for all children (Article 28), and protection from economic exploitation and employment that harms their well-being or development (Article 32). These rights and principles are binding at all levels of governance and must be integrated into legislation and administrative practices to ensure a comprehensive and effective approach to child protection.

6. In implementation of the aforementioned provisions of the Constitution of the Republic of Kosovo and the Convention on the Rights of the Child, Law No. 06/L-084 on Child Protection was adopted, published in the Official Gazette of the Republic of Kosovo on 17 July 2019 and, pursuant to Article 66, entered into force one year after its publication.

7. Considering the importance of Law No. 06/L-084 on Child Protection in safeguarding children by completing the legal and institutional framework, the Office of the Prime Minister of the Republic of Kosovo has assessed the need for an *Ex-Post* evaluation of Law No. 06/L-084 on Child Protection.

8. The purpose of this evaluation is to identify the challenges in the implementation of this law, particularly to determine the steps that must be taken to ensure its enforcement. More specifically, this *Ex-Post* evaluation aims to assess whether, nearly five years after the entry into force of Law No. 06/L-084 on Child Protection, sufficient resources have been available to support its implementation, whether the institutions or mechanisms responsible for its implementation have acted in accordance with their responsibilities, and whether the law is aligned with the broader legal framework. At the same time, the aim of this evaluation is to assess

performance, to the extent the law has been implemented, by identifying the effects generated by its implementation.

9. For this purpose, the Office of the Prime Minister has established a Working Group authorized to carry out the *Ex-Post* evaluation of Law No. 06/L-084 on Child Protection. This working group is led by the Legal Office in cooperation with the Office for Good Governance, within the Office of the Prime Minister, and includes representatives of other competent institutions in the field of child protection.

10. During the drafting of this *Ex-Post* evaluation report, the working group decided to conduct a questionnaire for the municipalities of the Republic of Kosovo, in order to assess the level of implementation of this law at the local level, as well as concrete challenges and difficulties. For this purpose, the Working Group, through its member from the MLGA, analyzed 26 municipalities of the Republic of Kosovo. The results of the analysis of these questionnaires are presented in the relevant sections of this Report.

11. In the *Ex-Post* evaluation of Law No. 06/L-084 on Child Protection, the working group focused on the **"Evaluation of implementation and compliance,"** and by identifying the degree of implementation of this law, it also aimed to highlight the effects achieved as a result of its implementation, thus, to the extent possible, conducting also a **"Performance Evaluation"** as two of the three types of *Ex-Post* evaluation.

12. Regarding the scope of the evaluation, it does not cover the entire law, but only the articles regulating: the purpose of the law, definitions, institutional mechanisms for child protection, as well as articles regulating the separation of the child from the family, the protection of children without parental care, the protection of children during foster care placement, children's shelters, the monitoring of protection measures, the right to a name, nationality, to know one's parents and preserve one's identity, the telephone helpline, punitive provisions, and other articles related to these aspects.

13. Based on data collected from the questionnaires completed by municipalities and the data gathered by members of the working group representing the relevant institutions, it has been found that Law No. 06/L-084 on Child Protection has been implemented through the establishment and operationalization of the institutional mechanisms provided for in this law. Therefore, this report also highlights the level of implementation of Law No. 06/L-084 on Child Protection, the challenges encountered, and the effects achieved as a result of the implementation of this law,

which consist in behavioral changes and performance improvements, both in relation to citizens and public institutions.

14. In this context, the evaluation has revealed several significant gaps in the practical implementation of the law. In most municipalities, mechanisms provided for by the law, such as multidisciplinary case management tables and records for the Prevention and Prohibition of Hazardous Forms of Child Labor in Kosovo, have been partially implemented or not functional at all. Children's Protection Houses in Kosovo, as well as the role of the Council for the Rights of the Child, have also been only partially implemented or entirely non-operational. Municipalities report a lack of clear guidelines, unclear division of competencies between central and local levels, lack of a dedicated budget, lack of training, and insufficient professional staff for effective implementation of the law's provisions.

15. The Report also recommends that certain definitions currently in the law, but not reflected in the substantive legal provisions—or that contradict other laws such as the Juvenile Justice Code—should be removed, and that new definitions, not currently present, should be added, such as the definition of a "child in street situation." It recommends eliminating provisions duplicated from other laws and removing certain expressions and paragraphs related to the organizational structure of the respective mechanisms and other provisions.

16. Additionally, inconsistencies are observed between Law No. 06/L-084 on Child Protection and other sectoral laws, including the Convention on the Rights of the Child, Law No. 2004/32 on the Family as amended by Law No. 06/L-077, Code No. 06/L-006 on Juvenile Justice, Law No. 08/L-255 on Social and Family Services, Law No. 04/L-032 on Pre-University Education, Penal Code No. 06/L-074 of the Republic of Kosovo, Law No. 05/L-087 on Minor Offenses, Law No. 03/L-040 on Local Self-Government, and Law No. 08/L-109 on Compensation of Crime Victims as amended by Law No. 08/L-262.

17. Based on this analysis, the report recommends amending key provisions of this law, specifically Articles: 1, 3, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 30, 33, 37, 52, 53, 57, and 62, in order to harmonize them with the provisions of other laws, and to eliminate non-normative provisions by converting them into imperative ones with the intention to further strengthen the institutional mechanisms responsible for implementing the law, eliminate ambiguities, and avoid divergent interpretations, ultimately aiming to strengthen the legal and institutional framework for child protection.

18. The report also recommends that, upon amending Law No. 06/L-084 on Child Protection, Articles 23, 27, 28, 29, 31, 34, and 36 should be repealed, since they are already specifically regulated in the Law on the Family and the Law on Social and Family Services, which comprehensively detail all forms of child protection.

I. INTRODUCTION

I.1 Evaluation Context

19. During the process of monitoring and previous reporting, it has been observed that the institutions responsible for the implementation of Law No. 06/L-084 on Child Protection, despite some successes achieved in the implementation of this law and the effects created, are nonetheless facing certain difficulties in legal, institutional, and functional aspects, as well as a lack of financial capacities and the human resources necessary to achieve the final purpose of the law, namely, the attainment of the expected impact this law was intended to have on better child protection.

20. Also, data from various reports and the questionnaires completed by the municipalities of the Republic of Kosovo show that despite the mandate of the ministries, municipalities, and other institutions for child protection, the human and financial resources in all institutions to provide quality services in child protection continue to be limited and insufficient to ensure efficient and effective implementation of Law No. 06/L-084 on Child Protection.

21. Therefore, based on the above-mentioned aspects, the Office of the Prime Minister has decided to conduct the *Ex-Post* evaluation of Law No. 06/L-084 on Child Protection.

22. Thus, the selection of this law for *Ex-Post* evaluation was made, among other things, taking into account the extraordinary importance this law holds in establishing the legal and institutional infrastructure for the purpose of child protection. Likewise, other reasons include the challenges highlighted in various reports over the years prepared by different public institutions, international organizations, and NGOs working in the field of child protection, regarding the insufficient level of implementation of Law No. 06/L-084 on Child Protection. At the same time, this report highlights, to the extent possible, the need for performance evaluation of this law, that is, to determine whether, insofar as it has been implemented, the law has managed to produce effects, and what those effects and results are in strengthening

child protection, and whether such effects can be attributed to the implementation of the law itself or whether they have been achieved as a result of other factors.

I.2 Purpose and Scope of the Evaluation

23. The purpose of this *Ex-Post* Evaluation Report is to highlight the main challenges in the field of child protection and the challenges faced by bodies and institutions in legal, institutional, and functional aspects, with particular emphasis on conducting an analysis regarding the implementation and harmonization of this law with other legislation in force, as well as the results achieved from the implementation of this law. As also noted in the European Commission Report on Kosovo for the year 2024, Kosovo's legal framework for children's rights is largely aligned with EU and international standards, but implementation remains limited. An integrated child protection system is lacking, and the capacities for alternative care are insufficient. Children with disabilities face discrimination in education and have low participation. Early marriages persist, especially within the Roma, Ashkali, and Egyptian communities. Meanwhile, persons with disabilities face obstacles in accessing basic services, and there is a lack of harmonization of laws with EU standards. The law on their rights has not yet been adopted, and the implementation of the UN Convention remains a challenge.[7] The report also emphasizes that over 88% of children with disabilities remain outside the education system, while those who do attend school lack appropriate conditions and services, and institutions for the care of children with disabilities are lacking.[8]

24. Meanwhile, in the research titled "Study on Children in Street Situations in Kosovo," published by UNICEF on 10 November 2023 and supported by the European Union, it was found that a total of 130 children in street situations were identified across eight regions of Kosovo, primarily in Pristina, Ferizaj and Gjakova. Most were boys aged 10–14, and the majority belonged to the Roma, Ashkali, and Egyptian communities. About half were accompanied by parents, while the others were with siblings, friends, or alone. Poverty was identified as the main reason for being on the streets (88–92%), while few children mentioned family problems. The study did not find clear evidence of trafficking, although this may be related to fear of reporting such cases.[9]

[7] *See* the European Commission Report on Kosovo for the year 2024, p. 36, accessible at https://enlargement.ec.europa.eu/document/doëënload/c790738e-4cf6-4a43-a8a9-43c1b6f01e10_en?filename=Kosovo%20Report%202024.pdf on 1 April 2025

[8] Ibid, p. 37.

[9] *See* Study on Children in Street Situations in Kosovo, supported by UNICEF and the European Union, accessible at the link: https://www.unicef.org/kosovoprogramme/media/4551/file/Albanian.pdf

25. It is also worth noting that the Ombudsperson's Report for the year 2024 states that during 2024, a total of 76 cases concerning violations of children's rights in Kosovo were reviewed.[10]

26. In this context, this evaluation aims to identify the gaps and propose the relevant recommendations for a proper review and restructuring of the legal framework and to offer concrete proposals for each of these institutions within the framework of the upcoming reform processes.

27. The Ex-Post Evaluation of Law No. 06/L-084 on Child Protection is considered a highly necessary instrument for identifying the level of implementation, the challenges encountered during implementation, as well as the measures that must be undertaken in order to strengthen the implementation of this law, and thereby, to ensure the practical enforcement of the constitutional obligation for the protection of children in the Republic of Kosovo. At the same time, this evaluation highlights the effects achieved through the implementation of this law and the measures that must be undertaken to achieve the law's impact, which is the provision of child protection.

28. Therefore, the working group has decided that, in terms of defining the scope of this evaluation, this Ex-Post evaluation should focus on the "Evaluation of implementation and compliance" and, to the extent possible, the "Performance Evaluation". This type of evaluation has been used to identify the degree of implementation of this law as well as the effects achieved by its implementation. Therefore, the evaluation aims to determine whether this law has been fully implemented, partially implemented, not implemented, or implemented improperly, and what effects have been achieved by its implementation and whether those effects can be attributed to the implementation of the law, or whether they have resulted from other factors.

29. The Ex-Post Evaluation is conducted on Law No. 06/L-084 on Child Protection for the period from its entry into force until the present. Regarding the scope of the evaluation, it does not cover the law in its entirety, but only certain articles thereof, described below in this report in Part II.

[10] *See* Annual Report of the Institution of the Ombudsperson for 2024, p. 91, accessible at: https://docs.google.com/viewerng/viewer?url=https://oik-rks.org/wp-content/uploads/2025/03/Raporti-Vjetor-2024web_3_compressed.pdf&hl=en e accessed on 02 April 2025.

30. The parties actively involved in the implementation process of Law No. 06/L-084 on Child Protection are: The Legal Office in the OPM, the Office for Good Governance in the OPM (OGG-OPM), the Office for the Publication of the Official Gazette in the OPM (OGOG-OPM), the Ministry of Justice (MoJ), the Ministry of Internal Affairs (MIA), the Ministry of Education, Science, Technology and Innovation (MESTI), the Ministry of Local Government Administration (MLGA), the Ministry of Health (MoH), the Kosovo Police, the Institution of the Ombudsperson (IO), the Kosovo Judicial Council (KJC), the Independent Media Commission (IMC), civil society organizations such as: KOMF, TDH, UNICEF, Save the Children, Syri Vizion, as well as other officials in central and local level institutions and experts in this field.

II. DESCRIPTION OF THE LAW TO BE EVALUATED AND THE METHODOLOGY APPLIED

II.1 Description of the law or subordinate legislation to be assessed

31. As defined in Article 1 of Law No. 06/L-084 on Child Protection, this law aims to complement the legal and institutional infrastructure in the field of child protection, to protect the child from all forms of violence, to raise the level of responsibility of parents, the family, and state bodies in the best interest of the child, to define the basic principles for child protection, effective mechanisms and the competencies of the central and local levels, to guarantee the child's well-being, and to take measures for the gradual development of the child's abilities based on their best interest.[11]

32. For the purposes of this *Ex-Post* evaluation, Articles: 1, 3, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 30, 33, 37, 52, 53, 57, and 62 are the subject of evaluation in order to harmonize them with the provisions of other laws, and to eliminate non-normative provisions by converting them into imperative ones with the intention to further strengthen the institutional mechanisms responsible for implementing the law, eliminate ambiguities, and avoid divergent interpretations, ultimately aiming to strengthen the legal and institutional framework for child protection.

33. From the analysis of these legal provisions, a lack of harmonization is observed between the Convention on the Rights of the Child, Law No. 2004/32 on the Family as amended by Law No. 06/L-077, Code No. 06/L-006 on Juvenile Justice, Law No. 08/L-255 on Social and Family Services, Law No. 04/L-032 on Pre-University Education, Penal Code No. 06/L-074 of the Republic of Kosovo, Law No. 05/L-087

[11] *See* Article 1 of Law No. 06/L-084 on Child Protection for more, at the link: https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=20844, accessed recentlz on 5 April 2025.

on Minor Offenses, Law No. 03/L-040 on Local Self-Government, Law No. 08/L-109 on Compensation of Crime Victims as amended by Law No. 08/L-262.

34. Furthermore, there is no concept document adopted in relation to this law. As a result, this *Ex-Post* evaluation report will not be able to analyze the connection between the policy analysis that would be defined in a concept document and their reflection in this *Ex-Post* evaluation. This is, in fact, the first official and concrete document that highlights the effects achieved and the challenges in the implementation of this law, and as such, constitutes an important step in initiating the process of amending Law No. 06/L-084 on Child Protection as well as the harmonization of other specific laws relating to child protection.

II.2 Results Chain

35. The results chain for the Ex-Post evaluation of Law No. 06/L-084 on Child Protection has been constructed in accordance with the intervention logic set out in the Manual for the Ex-Post Evaluation of Legal Acts of the Government of Kosovo, linking the resources made available, the activities undertaken, the outputs achieved, the medium-term results, and the expected long-term impact.

36. The resources (Inputs) include the mobilization of institutional and financial capacities at the central and local levels, including the establishment of permanent and functional structures for child protection, the allocation of a dedicated budget for implementation, as well as the provision of trained and specialized human resources in this field.

37. Based on these resources, a number of activities are undertaken, which include: drafting and adoption of bylaws and implementation guidelines; establishment of institutional mechanisms for identifying and addressing cases; training of professionals working with children (social workers, teachers, psychologists, police officers); development of awareness campaigns for the general public; and the construction of intersectoral procedures for managing cases of violations of children's rights.

38. The products (Outputs) resulting from these activities include: the establishment and operationalization of children’s protection houses, the establishment and operationalization of multidisciplinary tables to assist in case management, the increase in the number of professionals trained in the field of child protection, the

operationalization of mechanisms for reporting cases of violence, and the raising of public awareness on children's rights.

39. In the subsequent phase, the results (Outcomes) include the increased efficiency of institutional responses to cases of violations of children's rights, the improvement of municipalities' capacities to provide integrated and coordinated services, and the advancement of institutional and societal culture regarding the respect of children's rights.

40. At the end of this logical chain, the Impact is intended to manifest through the creation of a safe, protective, and inclusive environment for children in Kosovo, in which the fundamental rights of the child are guaranteed and respected, in accordance with international standards. Furthermore, the long-term impact also includes the law's contribution to building a sustainable child protection system that is responsive, preventive, and focused on the well-being of the child.

41. **Table: Results Chain for Law No. 06/L-084 on Protection. of Children**

Phase	**Issue to be Evaluated**	**Indicator**	**Data source**	**Baseline value**	**Current Value**
Inputs	Human and financial resources at central and local levels	Number of appointed officials; amount of allocated budget	Reports from municipalities; government platforms; KOMF-TDH	No new hires at central level; most municipalities without designated officials	At the local level: 18 municipalities with officers; 9 without; 3 no response. At the central level: 2 active positions at MoJ
Inputs	Number of child protection officers and budget allocation	Number of municipalities with appointed officers and specific budget	Administrative data, reports from MoJ, OGG	Only 3 municipalities with specific budgets; majority without	Specific reports from 3 municipalities: 12,000€, 2,000€, 200€
Activities	Issuance of sub-legal acts and implementation guidelines	Number of adopted sub-legal acts	Official Gazette, administrative guidelines	No acts adopted before 2022	18 sub-legal acts were adopted during the 2022–2024 period

Activities	Operationalization of institutional mechanisms and awareness-raising activities	Number of mechanisms established; number of trainings; number of brochures distributed	Municipal reports, training participation, data from OGG	No local mechanisms operationalized in all municipalities	34 CDFs; 28 MCRT; 34 trainings; over 7,000 brochures; 27 municipal visits
Output	Trainings and public awareness raising	Number of professionals trained; number of municipalities participating in trainings	Child rights platform; data from NGOs	No standardized or recurring trainings	162 officials trained; 18 municipalities participated in sessions
Outcome (Behavior)	Improved institutional efficiency and municipal capacities	Number of reported cases; institutional professionalism	Critical analysis and secondary sources	Lack of systematic data; lack of unified reporting	Pending updates; lack of official data
Impact	Development of the child protection system and creation of a safe environment for children	Establishment of a comprehensive and sustainable child protection system	Reports from OGG, MoJ, institutional assessments	Lack of an integrated and effective child protection system	Partial progress; proposal for 4 protection houses by 2026
Activities	Establishment and operationalization of the Interministerial Committee and the Council for the Rights of the Child	Number of meetings held and strategic documents drafted	Reports from OGG/OPM; official documents of the Committee and the Council	Committee and Council established but not active before 2022	Regular meetings; inter-institutional agenda, protection policy, and the finalized state report on the CRC
Output	Development of the digital platform for children's rights	Functionality and usage of the platform https://tedrejtatefemijeve.rks-gov.net/	OGG/OPM and government platform	Platform non-existent before 2022	Active platform with digital reporting and annual visualization
Output	Establishment of the Child	Number of municipalities with	Reports from	Only a few municipalit	34 CDFs established; 15

	Rights Team across municipalities	CDF; number of adopted action plans	MLGA and OGG	ies with CDF; lack of action plans	with action plans; 26 municipalities with two-day workshops
Output	Manual for non-formal activities on children's rights	Finalization and distribution of the manual	Office for Good Governance; MESTI	Manual in draft stage	Manual finalized and submitted for printing
Outcome (Behavior)	Trainings for children under the age of criminal responsibility	Number of trainings and school participation	Reports from schools and OGG	Lack of specific trainings	12 two-day trainings in 6 schools for case management
Outcome (Behavior)	Public Awareness Programme on the Law	Number of campaigns and community involvement	Official documents, reports from OGG, KOMF	No approved programme	Final draft of the programme submitted for comments
Impact	Campaign "Violence Has No Justification" and public awareness	Number of cities, meetings, and brochures distributed	Reports from OGG, Syri i Vizionit, Save the Children	Campaign not previously organized in a coordinated manner	Two-week campaign in 7 cities; dialogues with citizens; over 7,000 brochures distributed
Impact	Collaborative meetings for intersectoral coordination and law implementation	Number of sessions and participation of municipal professionals	Reports from OGG, KOMF, UNICEF	Intersectoral coordination fragmented and informal	20 two-day sessions; over 600 service providers from 34 municipalities
Impact	International Conference on the Rights of the Child	Number of participants, topics and content discussed	OGG/OPM, CRCS, SOS Children's Villages	Lack of international forums for children	Two-day conference on child health, well-being, and education
Activities	Drafting and publication of handbooks and guides on	Number of approved and distributed handbooks and guides	MESTI; official website of the Ministry	Handbooks and guides were not standardized	Children's rights handbook; internet safety manuals;

	children's rights				guides for MEDs and inspectors
Output	Conferences and campaigns on children's rights in education	Number of conferences, campaigns, and participants	MESTI; event reports	Not regularly organized	4 international conferences; campaign against school violence; Dropout Prevention Week
Outcome (Behavior)	Implementation of policies and trainings for child protection in education	Number of modules and trainings conducted	MESTI; official documentation	Policies and trainings not fully implemented	2 training programs developed; Child Protection Policy drafted and adopted; AI on education
Outcome (Behavior)	Development of the SCREAM package and its inclusion in schools	Number of schools involved and activities carried out	MESTI; online platform	The package was not unified or distributed	Full set of guides uploaded on official website; creative awareness activities at the national level
Impact	Strengthening of cooperation between educational institutions and the community on children's rights	Number of roundtables with the Student and Parent Councils	MESTI; municipal reports	Coordination fragmented and unstructured	Sessions held in all municipalities; roundtables with the Parent and Student Councils at national level

Phase in the results chain	Issue to be evaluated	Indicator	Source/Method of data collection	Baseline value	Current Value

Inputs	Human and financial resources at central and local levels	Number of appointed officials; amount of allocated budget	Reports from municipalities; government platforms; KOMF-TDH	No new hires at central level; most municipalities without designated officials	At the local level: 18 municipalities with officers; 9 without; 3 no response. At the central level: 2 active positions at MoJ
Inputs	Number of child protection officers and budget allocation	Number of municipalities with appointed officers and specific budget	Administrative data, reports from MoJ, OGG	Only 3 municipalities with specific budgets; majority without	Specific reports from 3 municipalities: 12,000€, 2,000€, 200€
Activities	Issuance of sub-legal acts and implementation guidelines	Number of adopted sub-legal acts	Official Gazette, administrative guidelines	No acts adopted before 2022	18 sub-legal acts were adopted during the 2022–2024 period
Activities	Operationalization of institutional mechanisms and awareness-raising activities	Number of mechanisms established; number of trainings; number of brochures distributed	Municipal reports, training participation, data from OGG	No local mechanisms operationalized in all municipalities	34 CDFs; 28 MCRT; 34 trainings; over 7,000 brochures; 27 municipal visits
Output	Trainings and public	Number of professionals trained; number of	Child rights platform; data from NGOs	No standardized or	162 officials trained;

	awareness raising	municipalities participating in trainings		recurring trainings	18 municipalities participated in sessions
Outcome (Behavior)	Improved institutional efficiency and municipal capacities	Number of reported cases; institutional professionalism	Critical analysis and secondary sources	Lack of systematic data; lack of unified reporting	Pending updates; lack of official data
Impact	Development of the child protection system and creation of a safe environment for children	Establishment of a comprehensive and sustainable child protection system	Reports from OGG, MoJ, institutional assessments	Lack of an integrated and effective child protection system	Partial progress; proposal for 4 protection houses by 2026

II.3 Methodology

42. The Office of the Prime Minister has established the Working Group with the purpose of conducting the Ex-Post evaluation of Law No. 06/L-084 on Child Protection. This working group is led by the Legal Office in the Office of the Prime Minister, in cooperation with the Office for Good Governance in the OPM, as well as with participants from other competent institutions in the field of child protection.

43. The Terre des hommes Foundation (TDH) has provided the necessary technical and professional support, engaging legal experts (Assoc. **Prof**. **Asoc. Dr. Bedri Bahtiri)** in order to support the work of the Working Group in preparing the Ex-Post evaluation of this law. The project has also provided other necessary support through organizing and funding the working group's workshops for carrying out this evaluation process.

44. The methodology in the preparation of the Ex-Post Evaluation Report of Law No. 06/L-084 on Child Protection consists of the use of the qualitative method and analytical method. The data were obtained through questionnaires sent by the working group to local government institutions, then through data collection from

the respective institutions represented within the working group, and through analysis of other data collected from various sources.

45. With regard to primary sources, the provisions of the Constitution of the Republic of Kosovo, the Convention on the Rights of the Child and other international instruments applicable under Article 22 of the Constitution, the relevant provisions of Law No. 06/L-084 on Child Protection, Law No. 2004/32 on the Family as amended by Law No. 06/L-077, Code No. 06/L-006 on Juvenile Justice, Law No. 08/L-255 on Social and Family Services, Law No. 04/L-032 on Pre-University Education, Penal Code No. 06/L-074 of the Republic of Kosovo, Law No. 05/L-087 on Minor Offenses, Law No. 03/L-040 on Local Self-Government, Law No. 08/L-109 on Compensation of Crime Victims as amended by Law No. 08/L-262, and other sub-legal acts and relevant reports related to Law No. 06/L-084 on Child Protection were analyzed.

46. Within the scope of secondary sources, data collection was carried out through questionnaires sent to 26 municipalities of the Republic of Kosovo, data gathered from the competent institutions responsible for implementing Law No. 06/L-084 on Child Protection, which were represented within the working group, data from international reports including the European Commission Report on Kosovo for the year 2024, the 2024 Annual Report of the Institution of the Ombudsperson, the study conducted by KOMF on children in street situations, as well as other relevant documents.

47. Additionally, through the analysis of relevant reports and earlier empirical studies conducted by the respective institutions on the state of child protection, procedures and institutional capacities for providing such protection have served as a solid basis for drafting this Ex-Post evaluation.

48. Lastly, one of the challenges in conducting this Ex-Post evaluation was the lack of data that would show what the situation was regarding child protection prior to the adoption of Law No. 06/L-084 on Child Protection, since no concept document was adopted for this law, which would have enabled a comparative analysis of the situation before and after the law's adoption. It is worth noting that this situation was also affected by the delay in adopting sub-legal acts, as their issuance was delayed beyond the deadlines set by Law No. 06/L-084 on Child Protection, with some of them only being adopted in 2024. Likewise, a challenge was the lack of data regarding the effect achieved from the implementation of Law No. 06/L-084 on Child Protection.

49. Findings from the meetings held with the relevant institutions in the field of child protection were presented to the working group by the engaged expert and were discussed and reflected in this report. The Legal Office in the OPM, as the coordinator of this process, reviewed the prepared draft and ensured that the report contains the content in accordance with the requirements of the Manual for the Ex-Post Evaluation of Legal Acts. At the same time, the Ex-Post Evaluation Report was reviewed and approved by the Council of Directors of Legal Departments in its meeting held on 26.02.2026 and subsequently reviewed and approved in the Meeting of the Government of the Republic of Kosovo on 28.10.2026 by Decision number 06/08.

III. EVALUATION RESULTS

Subchapter I – Enforceability

General Information

50. From the meetings held with the competent institutions, it results that the challenges in the implementation of Law No. 06/L-084 on Child Protection have involved various aspects, starting from the imprecise formulation of legal norms, the issue of harmonizing these norms with the provisions of other laws, the issue of the lack of human and financial resources in the institutions responsible for the implementation of this law, all of which have contributed to the insufficient implementation of Law No. 06/L-084 on Child Protection.

Purpose of the Law

51. In Article 1 of Law No. 06/L-084 on Child Protection, paragraph 1 contains 10 subparagraphs, excessively broadening the purpose of this law. The purpose of the law should be shorter and focused on child protection and on avoiding repetition of provisions already present in other laws.

Definitions

52. In Article 3 of Law No. 06/L-084 on Child Protection, this law defines 46 terms, most of which are entirely unnecessary since they are already defined in other laws, such as: case manager, center for social work, guardianship authority, social

services officer, etc. It is also necessary to include a new definition for children in street situations.

Establishment of Institutional Mechanisms for Child Protection

53. In Chapter III of Law No. 06/L-084 on Child Protection, the institutional mechanisms for children's rights are defined, starting from independent constitutional institutions to institutions at the central and local levels. In Article 9, paragraph 1 of this law, the following are defined as central level institutions: Institution of the Ombudsperson, relevant line ministries, the relevant unit for good governance in the OPM, the Inter-Ministerial Committee for the Rights of the Child, and the Council for the Rights of the Child. For some of these mechanisms, the competencies and responsibilities are defined in the respective laws and sub-legal acts. However, for the purposes of this Ex-Post evaluation, the Inter-Ministerial Committee for the Rights of the Child and the Council for the Rights of the Child will be analyzed, as mechanisms established by this law and which have the exclusive mission of protecting children's rights.

54. As for structures and institutional mechanisms at the local level, Article 9, paragraph 2 of this law defines: the municipalities, the relevant department for social services, the center for social work, and the child rights team. For the purposes of this Ex-Post evaluation, only the direct role of municipalities in child protection and the establishment of the municipal mechanisms provided for in Law No. 06/L-084 on Child Protection will be analyzed. Other municipal mechanisms have their responsibilities defined in other laws.

Definition of Specific Competencies for Municipalities in the Field of Child Protection

55. In accordance with Article 14 of Law No. 06/L-084 on Child Protection, the following responsibilities are defined for municipalities:

- Identification of the need for child protection within their municipal territory;
- Drafting and implementation of the annual plan for child protection;
- Appointment of a child protection officer;
- Inter-institutional consultation with relevant ministries and civil society;
- Operationalization of foster families;
- Inter-municipal cooperation agreements for joint services.

56. From the comparative analysis of the questionnaires completed by the municipalities of the Republic of Kosovo, the results are as follows:

Local Mechanism	**Municipalities that have operationalized**	**Municipalities that have not operationalized**
Annual plan for child protection	Peja, Prizren, Gjakova, Hani i Elezit	Skenderaj, Rahovec, Podujeva, Viti (ongoing)
Appointed child protection officer	Peja, Prizren, Vushtrri, Gjakova, Obiliq	Viti, Rahovec, Mamusha, Skenderaj
Consultations with ministries/NGOs	Peja, Gjakova, Gjilan, Prizren, Ferizaj	Hani i Elezit, Mamusha, Skenderaj
3 foster families for children without parental care	Prizren (4), Gjilan (2), Obiliq (2), Viti (1)	Most municipalities
Inter-municipal cooperation agreement	Peja, Prizren, Viti	Most municipalities

Article 15 provides that the CSW must appoint a responsible and specialized child rights officer to coordinate measures and interventions in accordance with the legislation in force for child protection.

Establishment of the Inter-Ministerial Committee for the Rights of the Child

57. In accordance with Articles 16 and 17 of Law No. 06/L-084 on Child Protection, the Inter-Ministerial Committee for the Rights of the Child was established, chaired by the Prime Minister and represented by line ministries at the ministerial level.[12] It is common practice for this Committee to hold its regular meetings on 1 June, the Children's Rights Day, and on 20 November, the day of the adoption of the Convention on the Rights of the Child.

Establishment of the Council for the Rights of the Child

58. In accordance with Articles 18 and 19 of Law No. 06/L-084 on Child Protection, the Council for the Rights of the Child was established, chaired by the Director of the Office for Good Governance in the OPM and composed of 21 members from various institutions. Additionally, this composition includes two external advisors from UNICEF, and as observer members, 5 more individuals are added: one from the Ombudsperson Institution, one administrative representative from the Parliamentary Committee for Human Rights, Gender Equality and Petitions, the Director of the Office for Strategic Planning, a representative of the Coalition for the Protection of Victims (a mechanism which does not exist), and the Director of TDH. In total, the Council for

the Rights of the Child has 28 members. Since the entry into force of Law No. 06/L-084 on Child Protection, the Council for the Rights of the Child has held regular meetings, 4 per year, and, as needed and assessed by Council members, additional meetings and multi-day workshops have been held for the development of relevant policies and programs.

Establishment of the Child Rights Team

59. In accordance with Article 20 of Law No. 06/L-084 on Child Protection, the establishment of the Child Rights Team is mandated to function in every municipality. Based on the analysis of the questionnaires completed by municipalities, it appears that the implementation of Article 20 of Law No. 06/L-084 on Child Protection, which relates to the establishment and operationalization of the Child Rights Team, is uneven and fragmented at the local level.

60. Municipalities that have established and operationalized the Child Rights Team:

- Prizren – The team is functional and holds consultative meetings on cases;
- Drenas/Gllogoc – The team has been established, has a plan approved by the Municipal Assembly, and holds 6 meetings per year;
- Hani i Elezit – Has established and operationalized the team, which drafts an action plan and reports to the Municipal Assembly;
- Viti – Has established the team and adopted the Regulation on the Children's Assembly, with institutionally defined functions.

61. Municipality with partial or unclear mention:
- Skenderaj – Mentions member replacement by decision, but provides no clear explanation on the team's operationalization;

62. Municipalities that did not mention or have not established the team:

- Most other municipalities do not report the existence or functioning of the Child Rights Team, which indicates a significant gap in the implementation of this article.

Establishment of Multidisciplinary Tables for Case Management Support

63. In accordance with Article 21 of Law No. 06/L-084 on Child Protection, the establishment of Multidisciplinary Tables for Case Management Support is mandated.

[12] See Articles 16 and 17 of Law No. 06/L-084 on Child Protection.

Article 21 of Law No. 06/L-084 on Child Protection foresees the establishment of multidisciplinary tables at the municipal level for managing cases of children at risk. This mechanism aims to enable a coordinated approach among relevant institutions, but its implementation in practice has proven difficult and inconsistent. Based on the data from the questionnaires completed by municipalities, it results that:

Only 28 municipalities[13] have operationalized the Multidisciplinary Tables for Case Management Support (MTCMS) as provided in Article 21 of the Law. However, in many cases they are not yet fully operational and function only on an ad-hoc basis. MTCMSs are established in the following municipalities: Prishtina, Dragash/Sharr, Gjilan, Kamenica, Viti, Lipjan, Hani i Elezit, Suhareka/Theranda, Shtime, Fushë Kosova, Skenderaj, Malisheva, Gjakova, Drenas, Obiliq/Kastriot, Prizren, Podujeva, Peja, Klina, Kaçanik. Ferizaj, Junik, Deçan, Mamusha, Rahovec, Artana, Mitrovica, Istog.

64. There is confusion at the municipal level regarding the composition and leadership of the tables, especially around the role of the case manager and the assignment of inter-institutional responsibilities.

65. In the absence of detailed guidelines, municipalities consider the level of formality and the frequency of the table meetings unclear, as well as the institutional reporting that should follow.

66. Multidisciplinary tables are not included in the municipalities' annual plans and are not tied to dedicated budgets, which affects their sustainable operationalization.

67. Representation of schools, health services, police, and the non-governmental sector is often incomplete and inactive in most municipalities.

68. A challenge in itself is the lack of monitoring and accountability regarding the holding of multidisciplinary tables and the inclusion or exclusion of all relevant actors in these meetings, as well as the fulfillment of their professional role in case management.

Establishment of the Child Protection Helpline

[13] This data was provided by the TDH representative in the Working Group at the meeting held on 28 April 2025, based on the decisions of the Municipal Mayors for the establishment of Multidisciplinary Tables for Case Management Support.

69. Article 22, paragraphs 4 and 5, of Law No. 06/L-084 on Child Protection provides for the operationalization of the helpline within the relevant Unit for Good Governance in the OPM.

70. The helpline has not yet been established in accordance with the obligations arising from Article 22 of the Law on Child Protection, due to the lack of budget allocation. However, the GGU/OPM, in line with its mandate, has drafted the Guide for the Operationalization of the Helpline for Children in the Republic of Kosovo, which serves to inform the functionalization of the Child Helpline in Kosovo. The purpose of the guide is to determine and specify the actions to be undertaken by the Government for the implementation of Article 22 of the Law on Child Protection.

71. Meanwhile, paragraphs 1, 2, and 3 of Article 22 are assessed as declarative and lacking normative content, and they are not related to the issue of the helpline. Therefore, upon amendment of Law No. 06/L-084 on Child Protection, these paragraphs should be fully reformulated or deleted.

Article 23 as a Duplicated Provision

72. Article 23 of Law No. 06/L-084 on Child Protection defines the role of natural and legal persons in the provision of social services, emphasizing that they must be licensed, however, this field is already regulated in detail by the Law on Social and Family Services and the sub-legal act implementing that law. Therefore, this article in Chapter III should be removed, as it constitutes a duplicated legal provision.

Children's Protection Shelters

73. Article 30 of Law No. 06/L-084 on Child Protection provides for the establishment of Children's Protection Shelters, but paragraph 1 causes confusion by stipulating that these shelters are established by the ministry under the Law on Local Self-Government near the CSW. However, under Article 17 of the Law on Local Self-Government, social services are an exclusive competence of the Municipality. Another confusion is created by paragraph 3 of Article 30, which states that the Children's Protection Shelters provide emergency protection services for no longer than three days. This paragraph has been interpreted in various ways and has created challenges in the operationalization of Children's Protection Shelters, which to this day remain unimplemented.

The Right to a Name, Nationality, to Know One's Parents and Preserve Identity

74. The Right to a Name, Nationality, to Know One's Parents and Preserve Identity In Article 33, paragraph 6, of Law No. 06/L-084 on Child Protection, the procedure in cases of abandonment of a child by biological parents is defined, stating that the Center for Social Work must be notified within 24 hours. However, the provision does not include the obligation for immediate reporting, nor the obligation to notify the police, even though child abandonment is also a criminal offense under the Criminal Code of the Republic of Kosovo.

Education and Schooling

75. Article 37 of Law No. 06/L-084 on Child Protection establishes the right of children to education and schooling. Based on the assessment by the representative of MESTI in the working group[14], regarding this article it is necessary to maintain focus solely on the protective function of education and not treat education as a right because this right is guaranteed by basic legislation. Currently, roles are conflated and confused, causing problems in referral and case handling (e.g. many cases needing protection are sent directly to the ministry rather than the municipality, where the duty and competence for action lie). The generalisation of roles is also creating the possibility for responsible instances to evade accountability.

Child Health Protection

76. Article 42 of Law No. 06/L-084 on Child Protection guarantees the right to free health care. Paragraph 4 of this article establishes mandatory regular home visits for pregnant women and children up to the age of 3. These visits are carried out consistently according to their standards in nearly all municipalities in Kosovo. The purpose of the visits is to protect the health of the mother and child, including counselling and prevention of disease, avoidance of child abandonment, abuse, exploitation, neglect, or any other form of violence against the child. According to statistical data presented by the representative of the Ministry of Health[15], the following home visits for mothers and children aged 0–3 were conducted in 34 municipalities of Kosovo:

In 2022, 37,335 home visits were conducted
In 2023, 42,004 home visits were conducted

[14] This information was provided by the MESTI representative in the working group meeting held on 22 January 2025.
[15] The representative of the Ministry of Health provided this data to the working group on 28 April 2025.

In 2024, 39,554 home visits were conducted

The allocated budget for each year was €2,133,390.00

Protection of Children from Pornography

77. Articles 52 and 53 of Law No. 06/L-084 on Child Protection establish the protection of children from pornography and websites with pornographic content, and these articles are considered to require reformulation and connection with specific references to the Criminal Code of the Republic of Kosovo.

78. A challenge identified by the representative of the Kosovo Police is the absence of a specific provision in the Law on Child Protection authorising the police, in all cases of endangerment or violation of children's rights, to intervene and request the removal of videos, photographs, or other degrading materials involving children from all domestic or international online publishers.

79. Article 57 paragraph 10 of Law No. 06/L-084 on Child Protection establishes the creation of a specific fund for the Municipal Directorates for the protection and enhancement of emergency services and sets out the adoption of a sub-legal act regulating standards in this regard. The article should be reformulated by removing the phrase “creation of a specific fund” as well as the obligation to issue a sub-legal act, since this area is already regulated by the applicable legislation on public finance management and local governance, as well as Law No. 03/L-040 on Local Self-Government.

Punitive Provisions

80. Article 62 of Law No. 06/L-084 on Child Protection establishes punitive provisions in cases of violation of this law. An assessment of these provisions shows that there are few provisions that define misdemeanours, because in the substantive legal provisions, the specific violations for which a person would be punished under the punitive provisions are not defined.

Lack of inter-institutional coordination

81. Due to insufficient coordination concerning the field of child protection and the failure to adopt sub-legal acts in time, there is a lack of sufficient results for improving the existing situation.

Subchapter II – Relevance:

82. From the process of this Ex-Post evaluation, it results that Articles 1, 3, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 30, 33, 37, 52, 53, 57, and 62 of Law No. 06/L-084 on Child Protection are important for ensuring the necessary procedural framework for the implementation of this law, whose primary purpose is the protection of the child. However, in some cases, certain provisions lack clarity or are mostly declarative in nature, or the issues regulated by such provisions are also regulated by other laws, as noted in this Report. On the contrary, Law No. 06/L-084 on Child Protection should have been specific and avoided repetition of provisions from the applicable legislation.

Subchapter III – Harmonisation:
Harmonisation with international standards

83. Based on the findings of the European Commission in the Country Report for 2024, Kosovo's legal framework for children's rights is largely aligned with EU and international standards. However, it is necessary to revise Law No. 06/L-084 on Child Protection so that it addresses issues not covered by the existing legislation for child protection, avoids the duplication of issues regulated by both Law No. 06/L-084 on Child Protection and other relevant laws. At the same time, it is necessary to revise Law No. 06/L-084 on Child Protection in order to harmonise it with other specific laws, as elaborated in this Report above.

Lack of legal coherence

84. During the evaluation, it was identified that Law No. 06/L-084 on Child Protection, in some provisions, lacks coherence even among its own provisions, as is the case with Article 30 which refers to child protection shelters, as a result of which incoherence, such shelters have not been established to this day, due to the legal ambiguities created by the internal collision of the paragraphs of Article 30. In this context, on one hand, paragraph 3 of Article 30 states that child protection shelters provide emergency services for no longer than 3 days, while on the other hand, paragraph 4 of the same article states that such shelters also serve as centers for the development of procedures for all cases of violence, including cases of criminal offenses against sexual integrity,

child victims and/or witnesses. From this it can be seen that the 3-day period does not correspond to the cases mentioned in the provision of paragraph 4 of Article 30, because the three-day period in the cases of serious criminal offenses mentioned above is only a reflection period and no action can be undertaken for the treatment of children who are victims of these offenses.

Lack of harmonisation with Law No. 03/L-040 on Local Self-Government

85. Furthermore, paragraph 1 of Article 30 refers to the establishment of child protection shelters by the relevant Ministry of Labour and Social Welfare based on the Law on Local Self-Government near the Centers for Social Work. This provision is unclear in itself and conflicts with the Law on Local Self-Government, as it raises the question of whether these shelters are established by the central level or by the local level. In Article 17, point (k), of Law No. 03/L-040 on Local Self-Government, the provision of these services for children is an exclusive competence of the municipalities and not of the central government.

Lack of harmonisation with Law No. 08/L-255 on Social and Family Services

86. Law No. 08/L-255 on Social and Family Services entered into force in 2024 and has comprehensively reformed the field of social and family services, including child protection, whereby some of the provisions such as Article 23 of Law No. 06/L-084 on Child Protection are outdated and generalised, and as such are difficult to implement.

Lack of harmonisation with Criminal Code No. 06/L-074 of the Republic of Kosovo

87. Articles 52 and 53 of Law No. 06/L-084 on Child Protection, which provide for the protection of children from pornography and websites with pornographic content, should be reviewed in order to link them with the Criminal Code of the Republic of Kosovo, since Articles 231 and 232 of the Criminal Code of the Republic of Kosovo define these as specific criminal offenses.

Lack of harmonisation with Law No. 05/L-087 on Minor Offences

88. Law No. 06/L-084 on Child Protection in Article 62 provides for penal provisions, but there are shortcomings since the respective substantive legal provisions do not expressly define which violations constitute minor offences, so that sanctions for minor offences may be imposed. There are also cases where minor offences are defined for provisions that do not at all define the violation, and likewise, there are provisions which should have been sanctioned under Article 62, but this has not been done, as is the case with non-attendance at school. Therefore, upon amendment of Law No. 06/L-084 on Child Protection, it must be harmonised with Law No. 05/L-087 on Minor Offences.

Subchapter IV – Efficiency:

89. Considering the scope and type of this Ex-Post evaluation, the working group shall assess whether the efficiency in the implementation of Law No. 06/L-084 on Child Protection can be evidenced through concrete data. If not, it shall not be applied at all in this Report.

IV. CONCLUSIONS AND RECOMMENDATIONS

IV.1 Conclusions

A. CONCLUSIONS ON IMPLEMENTATION

From the analysis of Law No. 06/L-084 on Child Protection and other legislation in force in the Republic of Kosovo in the field of child protection, as well as international legal instruments, and also based on the data from the questionnaires of municipalities and central institutions, it appears that the implementation of the law has been inconsistent and fragmented in most cases, therefore it results that this field needs to be reformed and advanced. As can be seen from the analysis conducted, in addition to legal collisions, there are also challenges in the exercise of competences by the institutions responsible for implementing this law. Below are presented some specific summarised conclusions, as follows:

a. The analysis shows that there are municipalities that still have not appointed child protection officers as defined in Article 14, paragraph 4 of the Law on Child Protection. Only 15 municipalities have developed a costed Work Plan of the Team for the Rights of the Child. Meanwhile, 12 municipalities have not developed such a plan, 2 are in the process of drafting, and 1 municipality did not provide a response. With regard to the approval of these plans by the Municipal Assembly, only 14 municipalities reported that the plan has been approved by the Assembly, while 13 municipalities have not approved it. Many municipalities face similar challenges, including the lack of dedicated staff and

budgetary support. Good practices identified in the municipalities of Peja, Prizren, and Gjakova may serve as models for other municipalities as well.[16]

b. From the data collected, only a limited number of municipalities (such as Peja, Gjakova, Dragash, Gjilan, Kaçanik, Istog, Klina, Lipjan, Prizren, Drenas, Hani i Elezit, and Viti) have established and operationalised the Team for the Rights of the Child in accordance with Article 20 of the Law on Child Protection, while the rest of the municipalities have not applied this in practice or have not provided data. This is due to the lack of legal clarity, institutional structure, or support for the establishment of this mechanism.

c. The multidisciplinary tables foreseen in Article 21 of the Law on Child Protection have not been operationalised in most municipalities, and there is a lack of a functional system for monitoring and accountability.

d. There is a marked lack of implementation of sub-legal acts, which have been issued with considerable delay, and there is insufficient inter-institutional coordination, as foreseen in Articles 16–19 regarding the Inter-Ministerial Committee and the Council for the Rights of the Child, which have not functioned at full capacity and have lacked tangible results. Since the sub-legal acts are recent, time must pass before their implementation and effects can be evaluated.

e. The absence of trained staff, dedicated budgets, and technical capacities for implementation is evident at all institutional levels, both central and local.

f. From the situation analysis, also stated through the questionnaires, it results that there is a marked lack of understanding on how to approach the field of child protection.

B. CONCLUSIONS ON RELEVANCE

The current state of the field of child protection is regulated by several laws, but the main one in this report is Law No. 06/L-084 on Child Protection, which contains the key provisions for the protection of children, but the absence of mandatory normative provisions and duplications with other laws make its content more declarative than implementable in practice. Legal gaps and legal collisions have also been identified, which shows that there is significant room for improvement. Law No. 06/L-084 on Child Protection remains an important instrument for creating the legal and institutional basis for the protection of children in Kosovo.

C. CONCLUSIONS ON HARMONISATION

[16] These data were collected from the Report submitted by the representative of the MPA in the working group on 28 April 2025.

Based on the findings provided above, it results that Law No. 06/L-084 on Child Protection needs to be harmonised with the Constitution of the Republic of Kosovo, the Convention on the Rights of the Child, and other laws including Law No. 06/L-084 on Child Protection, Law No. 2004/32 on Family as amended and supplemented by Law No. 06/L-077, Code No. 06/L-006 on Juvenile Justice, Law No. 08/L-255 on Social and Family Services, Law No. 04/L-032 on Pre-University Education, Criminal Code No. 06/L-074 of the Republic of Kosovo, Law No. 05/L-087 on Minor Offences, Law No. 03/L-040 on Local Self-Government, Law No. 08/L-109 on Compensation of Crime Victims as amended and supplemented by Law No. 08/L-262.

IV.2 Recommendations

A. RECOMMENDATIONS FOR IMPLEMENTATION:

A1 Upon amending Law No. 06/L-084 on Child Protection, Article 1 should be revised to make the purpose of the law shorter and more concise, and the definitions that are duplicated in specific laws should also be removed, while the definition for children in street situations should be added (Article 3);

A2 Separate dedicated budgetary funds should be allocated for the central level, ensuring the appointment of child protection officers;

A3 The ministries should allocate sufficient financial resources for securing specialised units/officers in the field of child protection as stipulated in Article 15, paragraph 1.4;

A4 Sufficient budgetary resources should be allocated to municipalities, ensuring the appointment of child protection officers and the drafting of municipal plans (Article 14);

A5 Child Rights Teams should be operationalised in all municipalities, ensuring proper planning and budget allocation (Article 20);

A6 It is necessary to organise and develop specialised and continuous training for all entities involved in law enforcement and across all sectors (employees of the Centres for Social Work, police, educational and health staff for managing cases of children at risk);

A7 Multidisciplinary Teams (Article 21) should be operationalised in all municipalities and:

i.The teams should be institutionalised through municipal action plans and link their activities to the municipal budget lines. It is also essential to establish relevant provisions

concerning monitoring and accountability with regard to holding multidisciplinary meetings and ensuring the involvement of all necessary stakeholders in these meetings.

ii. Inter-institutional training should be developed for the members of the multidisciplinary teams regarding the multidisciplinary approach and coordination mechanisms in cases of children at risk;

iii. Indicators should be included for measuring the performance of the teams, and reporting should be conducted at the central level on their functionality on an annual basis.

A8 Article 22 on the helpline should be reformulated, and the institutional operation and linkage with the OGG should be clarified, as well as the need to issue a sub-legal act that would regulate the operation of the child helpline. In redesigning the helpline, the possibility of integrating it into a single line should be considered.

A9 The role of the case manager should be clarified and institutionalised as part of the structure of the CSW, and not as a mechanism outside the official structure, in order to avoid ambiguity in management;

A10 Digital databases should be developed for the reporting and registration of cases of violence and risk against children, with inter-institutional access;

A11 A foster care network should be established with financial support and training;

A12 Inter-municipal agreements should be formalised, especially for small municipalities without full capacities;

A13 Good practices and standardised manuals should be distributed for local child protection mechanisms.

B. RECOMMENDATIONS FOR HARMONISATION

In the process of amending Law No. 06/L-084 on Child Protection as a *lex specialis*, harmonisation with other laws is also required, and in particular, the amendments should cover many issues, of which the most important can be summarised as follows:

B1. The following articles should be reviewed and amended: 1, 3, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30, 33, 37, 52, 53, 57 and 62, by turning the declarative provisions into mandatory and operational provisions, and aligning them with other laws.

B2. Articles 23, 27, 29, 31, 34 and 36 should be deleted due to duplication with the Law on Family and the Law on Social and Family Services.

B3. Article 30 of Law No. 06/L-084 on Child Protection should be reviewed and harmonised with the Law on Local Self-Government, and the responsibility for establishing and financing child protection shelters should be clearly defined. Moreover, it is recommended that this article be entirely amended to provide for the establishment of Child Protection Shelters in different regions of Kosovo, but which do not deal with identical cases of children, rather with specific cases, since there is no need for every region to have shelters that provide the same social and family services, as this also entails budgetary costs and such services are unnecessary in that form. Therefore, it is recommended that dedicated shelters be established for child protection with integrated and specialised social services, such as: shelters for children under the age of criminal responsibility, shelters for children with mental health issues, shelters for children who use psychoactive substances, as well as shelters for children at risk, in street situations and engaged in begging. It is also worth evaluating the second option of establishing a single shelter with its centre in Prishtina, to handle all cases by allocating separate spaces within this shelter for distinct categories of children and by offering all integrated services within this facility. At the same time, the competence must be clearly defined regarding who finances the establishment of these shelters (central or local level) and budget allocations should be made to meet the structural and functional standards of these shelters.

B4. Article 33, paragraph 6 should be reformulated to require immediate reporting of child abandonment to the Centre for Social Work and to the police.

B5. The role of the education sector in the law (Article 37) should be specified, focusing solely on child protection and avoiding overlap and duplication with the Law on Pre-University Education. It is recommended that this article be revised to be concise and clear. This article should clarify the protective role of educational institutions according to the hierarchy, Ministry, municipality, educational institutions, and in inter-sectoral relations, so as to specify who must do what under this law for child protection.

B6. Articles 52 and 53 of Law No. 06/L-084 on Child Protection should be harmonised with the Criminal Code (Articles 231 and 232) regarding the protection of children from pornography. Moreover, a concrete provision should be added to the Law on Child Protection authorising the police to immediately take preventive actions and to request all online platforms, domestic or international, that display videos or images undermining children's rights, to immediately restrict the display of such degrading material—without requiring permission or decision from any other authority.

B7. Article 57 should be reviewed to harmonise with the Law on Local Self-Government, the Law on Public Financial Management and Accountability, and the Law on Local Government Finance, and should be reformulated to remove the special emergency fund

as well as the legal basis for issuing a separate sub-legal act, which is considered unnecessary. It is sufficient to retain the obligation of the Municipality to allocate budgetary resources for addressing emergency cases of children in need.

B8. It is necessary to precisely define the legal violation, namely the misdemeanour, in the substantive legal provisions of Law No. 06/L-084 on Child Protection, then define the sanctions for each misdemeanour by reviewing Article 62, and clearly designate the authorities responsible for imposing them. All of this aims to harmonise Law No. 06/L-084 on Child Protection with the Law on Misdemeanours and to ensure enforcement of the Law on Child Protection in its penal provisions.

B9. A monitoring system should be established for the implementation of the recommendations of the Inter-Ministerial Committee and the Council for the Rights of the Child, including annual reporting.

B10. Law No. 06/L-084 on Child Protection should be reviewed and the implementation and harmonisation recommendations resulting from this Assessment Report should be addressed.

B11. The Office for Good Governance in the Office of the Prime Minister is obliged to operationalise the telephone helpline for child assistance and coordinate inter-institutional implementation of the existing Guideline.

B12. The Legal Office of the Prime Minister's Office is obliged to include the Draft Law amending and supplementing Law No. 06/L-084 on Child Protection in the upcoming Draft Law Programme.

TECHNICAL ANNEXES

The Annexes included as part of this manual are as follows:

Annex 1: Decision No. 088/2024 dated 2 July 2024 on the establishment of the Working Group for the Ex-Post Evaluation of the Law on Child Protection, and Decision No. 011/2025 dated 3 February 2025 on the amendment and supplementation of Decision No. 088/2024 dated 2 July 2024 on the establishment of the Working Group for the Ex-Post Evaluation of the Law on Child Protection.

REPUBLIKA E KOSOVËS - REPUBLIKA KOSOVA - REPUBLIC OF KOSOVA
QEVERIA E KOSOVËS - VLADA KOSOVA - GOVERNMENT OF KOSOVA
ZYRA E KRYEMINISTRIT - URED PREMIJERA - OFFICE OF THE PRIME MINISTER
SEKTORI I ARKIVËS - SEKTOR ARHIVE - ARCHIVE SECTOR
Njesia Org. Org.Jedinica Org.Unit 02
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Republika e Kosovës
Republika Kosova - Republic of Kosovo
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Zyra e Kryeministrit - Ured Premijera - Office of the Prime Minister
Sekretari i Përgjithshëm – Generalni Sekretar – Secretary General

Datë: 02.07.2024
Ref: 088/2024

Sekretari i Përgjithshëm i Zyrës së Kryeministrit, në mbështetje të nenit 20 paragrafi 5 nënparagrafi 5.3 të Ligjit Nr.08/L-117 për Qeverinë e Republikës së Kosovës, si dhe duke u bazuar në Vendimin e Qeverisë së Republikës së Kosovës Nr. 07/145 të datës 07.06.2023 për aprovimin e Manualit për Vlerësimin *Ex-Post* të Akteve Juridike në Republikën e Kosovës, nxjerr:

V E N D I M

1. Themelohet Grupi Punues për hartimin e Raportit të vlerësimit *Ex-Post* për Ligji Nr. 06/L-084 për Mbrojtjen e Fëmijës, në këtë përbërje:

   1.1. Mentor Borovci, ZL/ZKM, Kryesues;
   1.2. Habit Hajredini, ZQM/ZKM, Zv.Kryesues;
   1.3. Naser Canolli, Gazeta Zyrtare/ZKM, Anëtar;
   1.4. Feride Podvorica, DL/MPB, Antare;
   1.5. Naim Shala, DL/MPB, Anëtar;
   1.6. Alberita Hyseni, ZL/ZKM, Anëtare;
   1.7. Ervina Gashi, ZL/ZKM, Anëtare;
   1.8. Qëndresa Ibra Zariqi, ZQM/ZKM, Anëtare;
   1.9. Merita Jonuzi, MASHTI, Anëtare;
   1.10. Merita Vuthaj, MSh, Anëtare;
   1.11. Adile Shaqiri, MD, Anëtare;
   1.12. Luljeta Ibishi, MAPL, Anëtare;
   1.10. Nelgyn Kosova, PK, Anëtare.

2. Në takimet e grupit punues ftohen të marrin pjesë edhe:

   2.1. Donjeta Kelmendi, KOMF;
   2.2. Pajtim Zeqiri, TDH;
   2.3. Dren Rexha, UNICEF;
   2.4. Dritan Bernjashi, KGJK, Anëtarë.
   2.5. Baki Gimolli, Institucioni i Avokatit të Popullit.

3. Sipas nevojës dhe me qëllim të realizimit të obligimeve të parapara me këtë vendim, Kryesuesi i grupit punues mund të ftojë edhe ekspert dhe përfaqësues nga institucionet tjera.

4. Grupi punues obligohet që të hartoj edhe finalizojë Raportin për Vlerësimin *Ex-Post* për Ligji Nr.06/L-084 për Mbrojtjen e Fëmijës, konform rregullave dhe procedurave të përcaktuara në Manualin për Vlerësimin *Ex-Post*.

5. Ky vendim hyn në fuqi ditën e nënshkrimit.

Arben KRASNIQI

U.d. Sekretar i Përgjithshëm

Vendimi iu dërgohet:

- *Kryesuesit të Grupit Punues;*
- *Anëtarëve të Grupit Punues;*
- *Arkivit të Qeverisë.*

REPUBLIKA E KOSOVËS - REPUBLIKA KOSOVA - REPUBLIC OF KOSOVA
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Nr. i faqeve / Br. stranica / No. pages: -1-
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Prishtinë/a

Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada – Government
Zyra e Kryeministrit - Ured Premijera - Office of the Prime Minister
Sekretari i Përgjithshëm – Generalni Sekretar – Secretary General

Datë: 03.02.2025
Ref: 011/2025

Sekretari i Përgjithshëm i Zyrës së Kryeministrit, në mbështetje të nenit 20 paragrafi 5 nën paragrafi 5.3 të Ligjit Nr.08/L-117 për Qeverinë e Republikës së Kosovës, si dhe duke u bazuar në Vendimin e Qeverisë së Republikës së Kosovës Nr. 07/145 të datës 07.06.2023 për aprovimin e Manualit për Vlerësimin *Ex-Post* të Akteve Juridike në Republikën e Kosovës, nxjerr:

V E N D I M
Për ndryshimin dhe plotësimin e Vendimit të Sekretarit të Përgjithshëm të ZKM-së Nr. 846, të datës 02.07.2024

1. Ndryshohet dhe plotësohet Vendimi i Sekretarit të Përgjithshëm të ZKM-së, me Nr. 846, të datës 02.07.2024, pas pikës 1.10, shtohen pikat si në vijim:

1.11. Liridona Hoti	ZL/ZKM	Anëtare
1.12. Azem Reqica	MFPT	Anëtar;
1.13. Magbule Koci	MD	Anëtare;
1.14. Fitore Rexhaj	MD	Anëtare;
1.15. Fadil Abdyli	PK	Anëtar.

2. Ky vendim hyn në fuqi ditën e nënshkrimit.

Arben KRASNIQI
Sekretar i Përgjithshëm në ZKM

Vendimi iu dërgohet:
- *Kryesuesit të Grupit Punues;*
- *Anëtarëve të Grupit Punues;*
- *Arkivit të Qeverisë.*