

HUMAN

RIGHTS

HUMAN

**CIVIL SOCIETY  
REPORT ON HUMAN  
RIGHTS**

IN KOSOVO IN 2024

HUMAN

RIGHTS

MAY 2025

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# LIST OF TERMS AND ABBREVIATIONS

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<b>Ahtisaari Plan (2007)</b>	The Comprehensive Proposal for the Kosovo Status Settlement
<b>AJK</b>	Association of Journalists of Kosovo
<b>AoK</b>	Assembly of Kosovo
<b>CoE</b>	Council of Europe
<b>CPT</b>	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
<b>CRC</b>	Convention on the Rights of the Child
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CSO(s)</b>	Civil society organization(s)
<b>ECHR</b>	European Convention on Human Rights
<b>ECtHR</b>	European Court of Human Rights
<b>EU</b>	European Union
<b>FLAA</b>	Free Legal Aid Agency
<b>GoK</b>	Government of Kosovo
<b>HRN</b>	Human Rights Network Kosovo
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>IDP(s)</b>	Internally Displaced Person(s)
<b>IMC</b>	Independent Media Commission
<b>IPA</b>	Information and Privacy Agency of Kosovo
<b>KAS</b>	Kosovo Agency of Statistics
<b>KCS</b>	Kosovo Correctional Service
<b>KJC</b>	Kosovo Judicial Council
<b>KPC</b>	Kosovo Prosecutorial Council
<b>KPCVA</b>	Kosovo Property Comparison and Verification Agency
<b>KPGE</b>	Kosovo Program for Gender Equality
<b>K-Albanian</b>	Kosovo Albanian
<b>K-Ashkali</b>	Kosovo Ashkali
<b>K-Egyptian</b>	Kosovo Egyptian
<b>K-Roma</b>	Kosovo Roma
<b>K-Serb</b>	Kosovo Serb
<b>LGBTIQ+</b>	Lesbian, Gay, Bisexual, Transsexual, Queer and Intersex
<b>MCYS</b>	Ministry of Culture, Youth, and Sports

<b>MESTI</b>	Ministry of Education, Science, Technology and Innovation
<b>MFLT</b>	Ministry of Finance, Labor and Transfers
<b>MoH</b>	Ministry of Health
<b>MoJ</b>	Ministry of Justice
<b>NGO(s)</b>	Non-governmental organization(s)
<b>OGG</b>	The Office of Good Governance, Human Rights, Equal Opportunities, and Non-Discrimination
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>OIK</b>	Ombudsperson Institution of Kosovo
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>PIK</b>	Police Inspectorate of Kosovo
<b>PISA</b>	Program for International Student Assessment
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>UNESCO</b>	United Nations Educational, Scientific, and Cultural Organization
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>Venice Commission</b>	European Commission for Democracy Through Law
<b>WHO</b>	World Health Organization

# 1. INTRODUCTION

**1.** The Civil Society Report<sup>1</sup> on Human Rights in Kosovo provides an overview of the human rights situation in Kosovo in 2024. It includes main issues/developments, human rights violations and challenges to the effective realization of human rights in practice. The Report is produced jointly by civil society organizations (CSOs) working in a diverse number of areas relevant to human rights. This Report aims to serve as an independent tool to assess the overall human rights situation in Kosovo, thus filling an existing gap in joint reporting on human rights in Kosovo at the local and international levels, in addition to enhancing cooperation and coordination between CSOs.

**2.** The Report is structured into four main sections: **Section A** examines civil and political rights, including the right to prohibition of torture, cruel, inhuman or degrading treatment, the right to liberty and security of person, the right to a fair trial and access to justice, the freedom of expression, opinion, information and the right to privacy, the freedom of peaceful assembly, the freedom of association, and freedom of belief, religion and conscience. **Section B** covers economic, social and cultural rights, such as the right to education, the right to health, labor rights, and the right to property and concludes with an overview of cultural rights. **Section C** examines the rights of persons in vulnerable positions, such as rights of children, youth, persons with disabilities, non-majority communities, LGBTIQ+, and people on the move. **Section D** is the last section, which elaborates on a number of cross-cutting and specific human rights issues such as, transitional justice and human rights, corruption and human rights, the impact of environmental issues in relation to human rights, and the right to equality and non-discrimination.

# 2. METHODOLOGICAL FRAMEWORK

**3.** The joint CSO Report on Human Rights 2024 serves as a comprehensive overview of the human rights situation in Kosovo in 2024. The document reflects areas critical to an in-depth understanding of the development of human rights in Kosovo in the context of its ongoing development as a democratic state with universal values of human rights and freedoms. The methodology is underpinned by the necessity for a broad-spectrum perspective that intersects aspects of policy, practice and experience. As such, the joint CSO report differs from other overviews on human rights in Kosovo. Even though the report is comprehensive, it is acknowledged that there are limitations to what has been covered.

**4.** By drawing on the methodology developed by the United Nations High Commissioner's Office for Human Rights (OHCHR), which concerns the development of human rights indicators, a revised methodology that allows for making time-scaled comparisons has been used since 2022. On the basis of lists of indicators developed for each human rights section, the data gathered reflect not just a qualitative effort to understand the context. They are also the result of a quantitative endeavour to measure the human rights situation.

<sup>1</sup> Latest Civil Society Reports on Human Rights situation in Kosovo for [2023](#). This report is delivered with the financial support of the Human Rights Component of the United Nations Mission Interim Administration in Kosovo (UNMIK) and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

5. The drafting process of the report was led by the principle of full participation and ownership by key CSOs that work in the human rights field at the local and national level. The data collection for compiling the joint CSO report consisted of several approaches. First, the report is the result of the respective contributions of 40 CSOs working on particular human rights issues. In addition to this, for the first time in the process of the drafting of the CSO Report on Human Rights, interviews were held with respective CSOs in order to discuss specific human rights issues and cross-check certain data from their respective areas of expertise. This allowed for grouping the report into four sections referred to above, namely Section A, B, C and D. Finally, this report relied on extensive desk research. For each of the underlying sections, data was amassed from a variety of reliable resources. In addition, the report was reviewed at three successive phases of the drafting process. By means of three consultative meetings organized by Human Rights Network<sup>2</sup> (HRN, November 2024, February 2025 and March 2025), the contributing CSOs were able to discuss the findings and provide suggestions subsequently incorporated into the joint CSO report. Furthermore, the consultative procedures were enabled by means of email correspondence between the NGO YIHR KS and contracted researchers.

6. The following 40 NGOs contributed to this report: Activism Roots, Advancing Together (AT), Advocacy Training & Resource Center (ATRC), Advocacy Center for Democracy Culture (ACDC), AKTIV, Association of Journalists of Kosovo (AJK), Association of Paraplegics and Paralyzed Children of Kosovo (HANDIKOS), Balkan Green Foundation (BGF), Balkan Investigative Reporting Network Kosovo (BIRN Kosovo), Center for Affirmative Social Actions (CASA), Center for Equality and Liberty (CEL), Center for Information and Social Enhancement (QIPS), Civil Rights Program Kosovo (CRP/K), Durmish Aslano, Forum Civil Peace Service (ZFD), GAP Institute, Group for Legal and Political Studies (GLPS), Humanitarian Law Center Kosovo (HLCK), Institute for Advocacy of Corrective Policies (IAPK), Kosovo Gender Studies Center (KGSC), Kosovo Law Institute (KLI), Kosovo Young Lawyers (KYL), Kosovo Women for Women (KW4W), Kosovo Women's Network (KWN), Lëvizja FOL, Medica Gjakova, Missing Persons Resource Center (MPRC), New Social Initiative (NSI), NGO Pishtaret, The Network of Roma, Ashkali and Egyptian Women's Organizations in Kosovo (RROGRAEK), Qendra për Informim, Kritikë dhe Aksion (QIKA), Save the Children Kosova/o, Syri i Vizionit, Terre des Hommes (TDH), The Ideas Partnership, The Kosova Rehabilitation Center for Torture Victims (KRCT), TOKA, Voice of Roma, Ashkali and Egyptians in Kosovo (VoRAE), Vullnetaret e Qytetit (VEQ), Youth Initiative for Human Rights Kosovo (YIHR KS).

### 3. KOSOVO'S GENERAL HUMAN RIGHTS FRAMEWORK

7. Kosovo's commitment to human rights and fundamental freedoms is robustly enshrined in its Constitution and legislation, adopting a comprehensive threefold approach. Primarily, the Constitution incorporates numerous provisions dedicated to upholding fundamental freedoms and human rights. Article 3 of the Constitution explicitly obliges public authorities in Kosovo to ensure

2 Human Rights Network (HRN) (2024). The HRN is a network of seven organizations that work together on further advancing human rights for all in Kosovo. Members of the HRN are: Youth Initiative for Human Rights – Kosovo (YIHR KS), Association of Paraplegics and Paralyzed Children of Kosovo (HANDIKOS), Center for Equality and Liberty (CEL), Kosovo Law Institute (KLI), Kosovar Gender Studies Center (KGSC), New Social Initiative (NSI), Voice of Roma, Ashkali and Egyptians (VoRAE). YIHR KS is the founder and the Secretariat of the HRN.

equal treatment under the law and unwavering respect for internationally recognized fundamental human rights and freedoms. Furthermore, Article 7 of the Constitution establishes the foundational principles of Kosovo's constitutional order, emphasizing values such as equality, respect for human rights and freedoms, and non-discrimination, with a specific acknowledgment of gender equality as a fundamental tenet. Chapter II of the Constitution delineates meticulous provisions safeguarding civil and political rights, encompassing fair trial rights, privacy, and freedoms of opinion, expression, peaceful assembly, association, and movement. It also extends protections to economic, social, and cultural rights, including the right to education and freedom of profession. Noteworthy is Article 53, which mandates that any interpretation of human rights and fundamental freedoms, as guaranteed by Kosovo's Constitution, aligns with the established jurisprudence of the European Court of Human Rights.

**8.** Secondly, Kosovo incorporates several international human rights instruments into its domestic legal framework. Such entrenchment is based on Article 22 of the Constitution, which stipulates that nine United Nations (UN) and regional human rights instruments are directly applicable in Kosovo, providing an additional legal basis for protecting and promoting human rights and freedoms in Kosovo. In September 2020, the Assembly of Kosovo amended Article 22 to include the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) among the directly applicable human rights instruments, marking a significant advancement for women's rights. All of these directly applicable human rights instruments take precedence over Kosovo's legislation or other acts of public institutions in cases of conflict, a legal stance confirmed by the case-law of the Constitutional Court of Kosovo as well.<sup>3</sup> Although the International Covenant on Economic, Social, and Cultural Rights (ICESCR) is not among the international human rights instruments directly applicable in Kosovo, the Assembly of Kosovo adopted the 2030 Agenda and its 17 Sustainable Development Goals in a unanimous resolution on January 24, 2018, providing a meaningful entry point for promoting and protecting economic, social, and cultural rights in Kosovo.

**9.** Notably, the year 2024 marked the 76th anniversary of the Council of Europe (CoE). In this special year, Kosovo successfully managed to secure a positive membership recommendation from the Parliamentary Assembly of the Council of Europe (PACE).<sup>4</sup> In its Opinion No. 302(2024) of 16 April 2024, the PACE confirmed that "Kosovo's aspirations to join the Council of Europe should be met with a positive response" and that membership to this organisation would lead to the strengthening of human rights standards by finally ensuring access to the European Court of Human Rights to all those falling under the Kosovo's jurisdiction.<sup>5</sup> Although PACE acknowledged the progress made by Kosovo institutions in the area of human rights, democracy and the rule of law, there were many areas where improvements and further efforts were considered necessary.<sup>6</sup> Kosovo's accession to this organisation is now awaiting the final voting phase before the Committee of Ministers.<sup>7</sup> Accession to this organisation will help to close the monitoring gap that current-

<sup>3</sup> Constitutional Court of Kosovo, case no. [K1207/19](#), paragraphs 105-111.

<sup>4</sup> See the [Recommendation of the PACE](#) that Kosovo becomes a member of the Council of Europe.

<sup>5</sup> Parliamentary Assembly of the Council of Europe (2024), [Opinion no. 302\(2024\)](#), 16 April 2024.

<sup>6</sup> Parliamentary Assembly of the Council of Europe (2024), [Opinion no. 302\(2024\)](#), 16 April 2024, paragraphs 13-15.

<sup>7</sup> For more details on the accession steps towards the Council of Europe, see, Balkans Policy Research Group (2023), [Kosovo and the Council of Europe: The Accession Roadmap](#).



ly exists with several Council of Europe conventions which are directly applicable in Kosovo in line with Article 22 of the Constitution.

**10.** Thirdly, Chapter III of the Constitution provides exclusive guarantees and special protection to the non-majority communities in Kosovo. These guarantees are considered as “specific rights” in addition to other rights provided by Chapter II of the Constitution, which apply exclusively to inhabitants belonging to the same national or ethnic or religious group traditionally present in Kosovo.<sup>8</sup> Among some other more standard protection clauses, this Chapter includes several provisions which ensure affirmative measures in political-economic and social protection of non-majority communities in Kosovo.<sup>9</sup>

**11.** Kosovo has established dedicated bodies and mechanisms to promote and protect human rights, such as the Ombudsperson Institution, the Office of Good Governance, Human Rights, Equal Opportunities, and Non-Discrimination (OGG), the Presidential Council for Democracy, the Inter-Ministerial Coordinating Group on Human Rights, the Office of the Language Commissioner, the Agency for Gender Equality, the Free Legal Aid Agency, the Agency for Information and Privacy, and the AoK Committee on Human Rights to name but a few key institutions.

**12.** CSOs in Kosovo also play a very important role in monitoring the implementation of the general framework on human rights and reporting yearly on the achievements, progress, drawbacks and failures that can be noted. The annual report published jointly by the CSOs in Kosovo since 2018 is a key instrument in methodically tracking and reporting on the human rights situation in Kosovo. In so doing, the report holds public institutions accountable for the human rights conditions in Kosovo and examines in depth the systematic challenges experienced by marginalized groups in their engagement with different segments of society. More specifically, the CSOs ensure accountability by formulating recommendations that explicitly identify the relevant stakeholders. Once the report is published, the HRN not only disseminates the report, but also sends the specific recommendations to the respective institutions via email, and through requests for dialogue. In this way, the HRN submitted the more than 200 recommendations issued in the 2023 report to the appropriate institutions via e-mail. Subsequently, the implementation of these recommendations was discussed during a meeting of the Committee for Dialogue between CSOs and public institutions on 30 January 2025. This meeting affirmed the heightened credibility and impact of the CSO report as a vital resource of the human rights situation in Kosovo. The dialogue not only drew the attendance of numerous public institutions compared to the years prior, it also showed the commitment of institutions in implementing the recommendations. Indeed, it was clarified during this meeting that a considerable number of recommendations are in process of being addressed or already addressed fully. This is an encouraging development which motivates further the CSOs in Kosovo to continue their monitoring and propose creative solutions for solving different human rights issues in Kosovo and thus assisting public institutions achieve the goals that would benefit the society in general and marginalised groups in particular. However, a number of institutions neither responded to the email nor participated in the CSOs and institutions meeting, which continues to reflect a disregard for their responsibilities.

<sup>8</sup> Article 57 of the Constitution.

<sup>9</sup> See for example, Articles 59, 60, 61 and 62 of the Constitution.



## 4. EXECUTIVE SUMMARY

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**13.** In 2024, Kosovo experienced notable developments in human rights, yet persistent challenges remain in ensuring full protection and implementation of civil, political, economic, social, and cultural rights. This report, compiled by CSOs, provides a comprehensive overview of human rights in Kosovo, assessing progress, setbacks, and recommendations for improvement.

**14.** Kosovo continued to face concerns regarding civil and political rights, including the right to life, humane treatment, and the prohibition of torture. While legislative frameworks are in place, enforcement remains inconsistent, particularly concerning cases of police misconduct and gender-based violence. Despite legislative amendments, issues such as excessive use of force by law enforcement, prolonged judicial proceedings, and challenges in access to justice persisted. Femicide remained a pressing issue, with a significant public outcry urging authorities to take more decisive action in preventing gender-based violence.

**15.** In the realm of economic, social, and cultural rights the report identifies both progress and setbacks. Investments in healthcare and education continued, but systemic issues such as inadequate medical infrastructure, labor rights violations, and discrimination in access to services persisted. Furthermore, labor law enforcement remains weak, impacting workers' rights and economic stability.

**16.** Despite efforts to strengthen legal protections, women, children, LGBTIQ+ individuals, non-majority communities, persons with disabilities, and people on the move continue to face discrimination and limited institutional support. Report highlights challenges in combating domestic violence, addressing hate crimes, and ensuring social inclusion for marginalized groups. Although legislative improvements were made, the implementation gap remains a significant obstacle to achieving meaningful protection and equality.

**17.** With regards to cross-cutting human rights issues, transitional justice, corruption, and environmental rights remained key issues in 2024. Kosovo's progress toward EU integration and Council of Europe membership was noted, yet institutional transparency and political accountability continue to be areas of concern. The fight against corruption remains a challenge, with allegations of political interference in judicial processes undermining public trust. Environmental concerns, particularly regarding air and water pollution, gained attention, but enforcement of environmental protection laws remained inadequate.

## 5. SECTION A: CIVIL AND POLITICAL RIGHTS

### 5.1 The right to life

**18.** The right to life, which is defined as an absolute right, enjoys wide protection by the international human rights law. The right to life is recognized by Article 3 of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and Article 2 of the European Convention on Human Rights (ECHR), including other international conventions. In compliance with the definition of article 6 of the ICCPR, the right to life is “the inherent right of every person to life,” and the right to not be “arbitrarily deprived of life.”<sup>10</sup> It is important to underscore that no derogation of this right is allowed including during times of humanitarian crises or war. In 2024, the jurisprudence of the European Court of Human Rights decided on several cases on the right to life concerning the positive obligations of the State to protect the life of its citizens.<sup>11</sup> At the level of the Kosovo Constitution, the right to life finds its legal basis in Article 25 and Article 22. Article 25 in particular forbids capital punishment in Kosovo, which is in line with the ECHR requirements for the prohibition of death in all circumstances. The obligation of the State with respect to the right to life has also the positive dimension, which requires from the State to take appropriate steps to safeguard the lives of those within their jurisdiction.

**19.** As in the previous CSO reports, the duty bearers and authorities have failed to adequately respond to the increased cases of femicide in Kosovo despite persistent calls for increased action in recognition of the problem of gender-based violence and death.<sup>12</sup> During the period of “16 Days of Activism Against Gender-Based Violence” campaign in 2024, several activities were organised by public institutions (MoJ) and CSO’s, with the aim of increasing awareness on gender-based violence. Compared to previous years, the Prosecution acted swiftly in preparing indictments for three femicide cases that occurred in April and August 2024, with one of the cases being closed following the acceptance of guilt of by Edmond Lajqi, former husband of the deceased Gjyljeta Ukellaj.<sup>13</sup> In a recent report (2023), Amnesty International underscores the failed commitments of the GoK to protect domestic violence survivors, criticizing numerous barriers faced by survivors to seek protection and justice. Despite increased incidents of femicide and a subsequent public outcry, the authorities are criticized for their narrow focus on criminal prosecution. The report also criticizes public information campaigns that primarily encourage survivors to report cases to the police while insufficiently challenging disrespectful treatment by law enforcement officers upon reporting.<sup>14</sup>

**20.** A tragic incident in Gjakovë/Đakovica happened in February 2024, where a young 4-year-old girl lost her life under circumstances that suggest a grievous lapse in medical care and potential discrimination. This incident has not only resulted in significant personal loss for the family, it also raised concerns about the standards of medical practice and the safeguarding of chil-

10 See [OHCHR](#).

11 European Court of Human Rights (2024), [Guide on Article 2 \(The Right to Life\) of the ECHR](#); see also, Council of Europe (2024), [Right to Life](#).

12 The definition of *femicide* borrows from [UN women](#), and can be formulated as follows: “intentional gender-related killing that may be motivated by stereotyped gender roles, discrimination against women and girls, unequal power relations between women and men, or harmful social norms.”

13 Nacionale (2024), [2024: Edhe një vit i përgjakshëm me vrasje të grave](#).

14 Amnesty International (2023), [Kosovo: Authorities are failing domestic violence victims](#)

dren's rights within Kosovo society. Several CSO's, namely organizations part of Human Rights Network issued a public statement on this tragic loss, calling upon local and national authorities to take immediate action to investigate this matter fully. It is crucial that this investigation is conducted transparently, holding any parties found negligent accountable for their actions. Furthermore, this incident must serve as a catalyst for systemic changes within our healthcare and social structures to ensure that every child receives its right to care and protection.<sup>15</sup>

**21.** Furthermore the CSOs are emphatic in their statement that the privacy and dignity of the family's victim should be safeguarded. According to them, the little girl was reportedly a member of an ethnically marginalized community who sustained injuries as the result of a violent assault, and therefore required immediate and careful medical attention. Yet, the allegations suggest that the medical response she received was grossly inadequate, prompting critical questions about the extent to which ethnic discrimination may have contributed to disparities in the level of care provided. Such incidents contribute to mistrust by individuals from diverse ethnic backgrounds vis-à-vis Kosovo's healthcare and the extent to which adequate professional care is provided to all Kosovo citizens. It is imperative that this tragic loss prompts a thorough and transparent investigation into the circumstances leading to this young girl's death, including an examination of the healthcare responses she received.<sup>16</sup>

**22.** Comparable to all previous reports, the life expectancy at birth has not improved and remains the lowest in the region, while the incidence of child mortality is the highest. Moreover, the direct financial burden on households remains substantial, with out-of-pocket expenses estimated to range between 30 and 40 percent.<sup>17</sup>

**23.** On April 2024, NGO QIPS and 15 other NGOs in Kosovo launched the petition for the Draft Law on Suicide Prevention. The petition requested the AoK to draft a law that regulates (i) clinical services for suicide prevention, (ii) Integration of suicide prevention into institutional objectives, (iii) mechanisms for increasing professionalism and media attention to reporting suicide cases; (iv) non-clinical social services and support, (v) mechanisms for reducing access to self-harm tools, (vi) specific programs for non-majority communities, and (vii) mechanisms for collecting suicide data.<sup>18</sup> In September 2024, the petition containing 13,361 signatures was submitted to the AoK. This petition marks the initiation of a legal process aimed at establishing, for the first time in Kosovo, a comprehensive policy framework to address suicide prevention.<sup>19</sup>

## 24. Recommendations

- The Ministry of Finance, Labour and Transfers should increase public investment in health services facilitating the Ministry of Health to introduce systematic reforms within the healthcare sector;

15 Human Rights Network (2024), [Public Statement on Tragic Loss of a Young Life in Gjakova Due to Alleged Medical Negligence](#).

16 Human Rights Network (2024), [Public Statement on Tragic Loss of a Young Life in Gjakova Due to Alleged Medical Negligence](#).

17 EU Commission (2024), Kosovo Report 2024, p. 69.

18 QIPS (2024), [Media Release on Facebook regarding the petition for the Draft-Law on Suicide Prevention](#)

19 QIPS (2024), [Media Release on Facebook regarding the submission of the petition to AoK](#).

- The Ministry of Health should establish a robust emergency response protocol that ensures equitable treatment irrespective of ethnicity or other identity;
- Local healthcare authorities and other agencies including investigative bodies and the media should develop procedural measures that respect the privacy and dignity of victims and their families.

## 5.2 The prohibition of torture, cruel, inhuman or degrading treatment

**25.** The prohibition of torture, cruel, inhuman or degrading treatment finds its international recognition in the Universal Declaration of Human Rights (UDHR, Art. 5), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Art. 1), the International Covenant on Civil and Political Rights (Art. 7) and the European Convention on Human Rights (Art. 3). On the domestic scale, the Kosovo Constitution (Art. 27) prohibits torture and any kind of cruel, inhuman or degrading treatment.

**26.** In accordance with Article 5 of the UDHR and Article 27 of the Constitution of Kosovo, the right to humane treatment and the prohibition of torture pertains, among others, to the physical and mental integrity of detained and imprisoned persons, the conditions of detention, the use of force by law enforcement officials towards civilians and individuals outside of detention and community and domestic violence. According to Article 3 of the ECHR, no one shall be subjected to torture or inhuman and degrading treatment or punishment. In 2024, the European Court of Human Rights decided several important cases on the prohibition of torture, and inhumane and degrading treatment with a particular focus on the state's positive obligations to ensure that this right is not violated by state authorities including police, prisons, courts and other state officials.<sup>20</sup>

**27.** While the legislative system fundamentally safeguards against ill-treatment and torture, further steps are required to ensure that they are effectively implemented in practice. Although the new legislation for the execution of criminal sanctions is generally in line with EU standards, there are two implementing legal acts which are still to be approved in order for the Law on the Kosovo Correctional Service and the Law on the Execution of Criminal Sanctions to be fully operational.<sup>21</sup> The prison system broadly complies with the UN Standard Minimum Rules, but further efforts are needed to ensure the rights of prisoners, especially women, girls, non-majority community members and mentally ill prisoners.<sup>22</sup> No cases of ill treatment of prisoners were identified.

**28.** When it comes to the K-police, Standard Operating Procedures (SOPs) in addition to other aspects of work outline the code of conduct for police officers in cases of investigations and the interrogation of arrested individuals, according to the NGO Institute for Advocacy of Corrective Policies (IAPK). The same applies to cases of human rights violations by police officers. Minor violations are managed by the Professional Standards Unit, whereas serious violations are addressed at the level of the Police Inspectorate of Kosovo (PIK). Furthermore, Standard Operating Procedures (SOPs) of the Detention Centres refer to the procedures related to keeping the arrested individuals

<sup>20</sup> European Court of Human Rights (2024), [Guide on Article 3 \(Prohibition of torture\) of the ECHR](#).

<sup>21</sup> EU Commission (2024), Kosovo Report 2024, p. 32.

<sup>22</sup> EU Commission (2024), Kosovo Report 2024, pp. 31-32.

in police custody cells for up to 48 hours thereby particularly regulating the safeguards against ill-treatment. Such SOPs have been revised and approved in 2019. In addition, the Administrative Instruction No. 04/2019 on Disciplinary Violations, Measures, and Procedures in the K-police outlines policies on discipline, violations, and related procedures. The Administrative Instruction No. 04/2019 defines the implementation of legal principles, institutional requirements, and human rights standards, promoting law enforcement and improved working conditions.<sup>23</sup>

**29.** While overcrowding in prisons is reported as an issue, the OIK has recommended improving the conditions in some correctional centers. An increased number of alternative measures and punishments supervised by the Kosovo Probation Service was recorded in 2024.<sup>24</sup>

**30.** The Police Inspectorate of Kosovo recommended the suspension of two police officers accused of beating up a K-Serb lawyer who was arrested in the North of Mitrovica.<sup>25</sup> Other allegations of ill-treatment were voiced against K-police by protesters following the arrest of four K-Serbs in September 2024.<sup>26</sup> In 2024, the Ombudsperson Institution in Kosovo received 95 complaints against Kosovo police.<sup>27</sup>

**31.** The National Preventive Mechanism against Torture (NPMT) reported about a special visit conducted at the Correctional Centre for Juveniles and the Correctional Education Centre for Juveniles in Lipjan/Lipljan, with the purpose to interview minors and monitor the respect for the rights of minors held in these correctional centres. The key findings of this unexpected visit included, among others, issues with: (i) high temperatures in minors' rooms during summer affecting their physical and mental health, causing dehydration and fatigue; (ii) poor-quality and insufficient nutrition for minors affecting their immune system and increasing the risk of disease; and (iii) lack of activities which affects negatively on their development, communication and cooperation skills.<sup>28</sup> Moreover, the Report also found that Kosovo lacks an appropriate institution where incarcerated juveniles with mental health problems can be treated accordingly, an issue which may constitute a violation of their rights as it leaves them in a disadvantageous position compared to adults.<sup>29</sup> The recommendations stipulated in the NPMT Report are of crucial importance to ensure that the rights of incarcerated minors are duly respected.

**32.** According to NGO Kosovo Rehabilitation Center for Torture Victims (KRCT), Kosovo has clear health policies for detention centres and prisons, as outlined in the Law No. 08/L-132 On the Execution of Criminal Sanctions. These policies ensure that convicted individuals have access to the same healthcare standards as the general community, free of charge, with the Ministry of Health (MoH) responsible for providing necessary medical services and alternative care when required. Further, the Administrative Instruction No. 05/2014 for Function of Prison Health Services outlines the organization and provision of health care for prisoners based on the Health Law No. (Article

23 IAPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

24 EU Commission (2024), Kosovo Report 2024.

25 Balkan Insight (2024), [Kosovo Police Accused of Beating Detainee Should be Suspended: Inspectorate](#).

26 Radio Evropa e Lire (2024), [Protest in North Mitrovica](#).

27 OIK (2025), [Annual Report no. 22](#), p 19.

28 NPMT (2024), [Report on the visit to the Correctional Centre for Juveniles in Lipjan](#).

29 NPMT (2024), [Report on the visit to the Correctional Centre for Juveniles in Lipjan](#).

35, paragraph 1, 2 and 3), Law No. 08/L-132 On the Execution of Criminal Sanctions, European Prison Rules, and WHO recommendations.<sup>30</sup> Although a legal framework exists, in practice, adequate services are not provided. Prisoners' complaints primarily concern access to and the quality of healthcare services. In 2024, NGO KRCT received 300 phone calls from incarcerated individuals, with approximately half of them related to healthcare issues.<sup>31</sup>

**33.** NGO KRCT noted that in 2024, Kosovo Correctional Services allocated 8 million EUR for capital investments, a significant increase from the 1 million EUR budget in 2023. The funds were intended for three key projects: (i) constructing a new correctional facility for women in Lipjan/Lipljan, (ii) building a new correctional facility in Prizren to house pre-detention centers for the Prizren and Pejë/Peć regions, and (iii) renovating the Forensic Institute of Psychiatry. However, NGO KRCT observes that despite these plans, no construction began in 2024, and there is no assurance regarding the budget's use in the coming year.<sup>32</sup>

**34.** The report of the visit by the NPMT at the Dubravë/Dubrava Correctional Center in July 2024 highlights that "[t]he accommodation conditions at the Dubravë/Dubrava Correctional Center are generally in compliance with the Law No. 08/L-132 On the Execution of Criminal Sanction and international standards for the rights of prisoners." However, it is noted that the accommodation conditions in the pavilion that houses prisoners subjected to disciplinary measures of solitary confinement require renovations due to moisture infiltration in the area.<sup>33</sup>

**35.** The NGO KRCT states that in 2023, 45 female correctional officers were recruited and began their duties. In 2024, an additional, 70 correctional officers are in the process of recruitment and are currently undergoing training at the Academy for Public Safety. With the increase in the number of correctional staff, the Correctional Service has improved the quality of services in correctional institutions.<sup>34</sup>

**36.** Correctional institutions in Kosovo have progressively improved their adherence to human rights standards within correctional facilities each year. Due to the absence of consistent monitoring, NGO KRCT received only two complaints regarding the use of force during its visit to Gjilan in May 2024. Similar concerns were also raised by juveniles held at the Lipjan Correctional Center.<sup>35</sup>

**37.** The NGO KRCT had not received prior notification from the prison management regarding the use of force in these cases, even when the use of force was deemed necessary. Only after the identification and treatment of these cases by the NGO KRCT monitoring team did the management respond that in the identified cases, the use of force was proportional and necessary, invoking legal provisions allowing proportional and necessary force to be used.<sup>36</sup>

**38.** During its visit to the Dubravë/Dubrava Correctional Center from April 23–25, 2024, the NPMT conducted extensive interviews with prisoners but received no reports of physical mistreatment, excessive use of force by correctional officers, or any conduct by prison authorities that could be construed as violating prisoners' dignity. The NPMT also visited prisoners who had been subject-

30 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

31 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

32 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

33 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

34 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

35 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

36 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



ed to disciplinary isolation. It interviewed two inmates and did not receive any claims of physical mistreatment, excessive use of force, or violations of other rights entitled to them, apart from complaints about the lack of hot water and the claim that the isolation measure was unjustly imposed. The Internal Regulation on the Treatment of Convicted Persons, Article 26 (Inmates' Stay in Solitary Confinement), paragraph 1, stipulates: "A convicted person subjected to the disciplinary measure of solitary confinement, during their stay in solitary confinement, enjoys the minimum rights provided by the applicable legal provisions."<sup>37</sup>

**39.** According to NGO KRCT, the rights of inmates with mental disorders in Kosovo remained largely unchanged in 2024, but the number of individuals with such disorders involved in crimes has increased. NGO KRCT highlights that, under the Criminal Code No. 06/L-074, individuals with mental disorders who commit crimes should be placed in specialized health institutions, as their actions stem from their mental health conditions. However, due to the absence of such institutions, they are instead held in detention centers or general prisons, which KRCT considers a serious human rights violation. These facilities lack continuous, specialized health services tailored to their needs. In some cases, the lack of appropriate treatment leads to violent or aggressive behavior towards correctional staff or fellow inmates. NGO KRCT stresses that this issue arises because such individuals should not be housed in detention centers but in specialized facilities equipped to provide adequate mental health care.<sup>38</sup>

**40.** Despite the rising number of prisoners with drug addictions linked to their criminal offenses, NGO KRCT observes that they are held alongside the general prison population. The Kosovo Correctional Service lacks a dedicated strategy or specialized rehabilitation program to address their treatment needs.<sup>39</sup>

**41.** According to NGO KRCT, the mission and mandate of Pavilion D at the Dubravë/Dubrava Correctional Centre has evolved since its inauguration in early 2023. Initially established as a facility for individuals with special needs, its operationalization was delayed for several months, and its capacity remained limited, accommodating prisoners from various categories. As of 2024, Pavilion D now functions with a revised mandate, exclusively housing sentenced individuals for specific rehabilitation periods. Its focus has shifted toward skill development and rehabilitation, with a multidisciplinary team providing structured programs. This transition marks a significant change from its initial purpose, reflecting ongoing adjustments in correctional policies.<sup>40</sup>

**42.** In 2024, NGO KRCT observed some improvements in imprisonment conditions in Kosovo's correctional facilities. However, cases of prison overcrowding persist, forcing some prisoners to sleep on the floor. During a visit to a detention center in Gjilan/Gnjilane in May 2024, KRCT found inmates sleeping on mattresses on the floor instead of beds. Additionally, KRCT received over 300 phone calls from prisoners throughout 2024, raising concerns about their treatment, sleeping conditions, and other issues related to imprisonment.<sup>41</sup>

37 NMPT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

38 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

39 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

40 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

41 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



**43.** From 2006 until June 2024, KRCT had access to monitor correctional facilities in Kosovo. However, in June 2024, the Ministry of Justice (Correctional Service) proposed a new monitoring agreement, which NGO KRCT rejected, citing violations of its mission and mandate. The agreement introduced new restrictions, requiring NGO KRCT to notify authorities in advance before conducting monitoring visits, obtain prior approval from detainees, and navigate additional bureaucratic obstacles to access official prisoner records. NGO KRCT warns that these restrictions severely undermine independent human rights monitoring, as only NPMT now has the authority to conduct such oversight, while NGOs are excluded. As a result, since June 2024, NGO KRCT has been unable to monitor human rights conditions in Kosovo's correctional facilities due to the lack of an agreement with the Ministry of Justice. It remains uncertain whether the next government will restore NGO KRCT's monitoring access.<sup>42</sup>

**44.** While the number of rehabilitation programs for prisoners has slightly increased during the reporting period, NGO KRCT highlights that Kosovo still lacks individualized rehabilitation programs tailored to prisoners' specific needs. The absence of such programs means that many inmates do not receive adequate rehabilitation, even after spending significant time in prison.<sup>43</sup>

**45.** NGO KRCT continues to raise concerns over the lack of effective institutional response to cases of sexual assault in correctional facilities. In 2023, NGO KRCT reported a case of sexual assault committed by one prisoner against another, urging authorities to ensure a professional investigation and the provision of necessary services to the victim. However, the Kosovo Correctional Services dismissed the allegations without conducting a thorough investigation. Following this, NGO KRCT filed a criminal complaint with the Prosecution Office in Pejë/Peć in October 2023, yet no action was taken throughout 2024, despite NGO KRCT submitting five formal requests for case updates. This persistent inaction underscores systemic failures in addressing sexual violence in detention facilities, discouraging detainees from reporting such cases due to the absence of effective complaint mechanisms. KRCT considers this a serious human rights violation and continues to advocate for structural reforms to ensure accountability and the protection of vulnerable inmates.<sup>44</sup>

**46.** Despite significant efforts of NGOs to provide institutions and personnel with adequate training in alignment with the Protocol on Sexual Assault and Violence in Kosovo, the NGO KRCT notes the absence of institutional commitment to implement key provisions of the Protocol in practice. One significant shortcoming is the lack of progress in establishing the Center for Referring Sexual Assault Cases, which was intended to be built within the Forensic Institute of Kosovo. This centralized facility was designed to provide a secure environment for interviewing victims of sexual violence, preventing them from being transferred between institutions to give testimony, as is currently the practice. Since the Center was never built, this crucial aspect of the Protocol remains unimplemented, leaving victims without the specialized support envisioned in the framework.<sup>45</sup>

**47.** NGO KRCT reports that state institutions fail to provide professional services to inform crime victims about legal proceedings. Due to this institutional gap, in 2024, NGO KRCT has provided legal and psychological support to 24 children who were victims of sexual violence.<sup>46</sup>

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42 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

43 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

44 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

45 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

46 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**48.** The critical state of mental health in Kosovo is compounded by the inadequacy of facilities and safety measures in psychiatric clinics as illustrated by a patient-initiated fire in the Prishtinë/Priştina psychiatric unit. The absence of fire extinguishers depicted the severe lack of preparedness by the medical facilities. Furthermore, the persistence of coercive methods to address mental health disorders contradicts WHO and the Human Rights Council (HRC) recommendations, causing substantial mental and physical harm to individuals. The absence of public services coupled with an absence of plans for new mental health centers exacerbates the crisis. In 2024, the MoH renovated the psychiatric clinic for children. While the renovation of these facilities is a positive development, NGO QIPS observes that this will further centralize the psychiatric services for children in the capital city posing challenges of accessibility for families from other municipalities. According to WHO recommendations, the treatment of children for mental health should occur in close proximity to the families to avoid risking a worsening of the situation through the separation with caregivers.<sup>47</sup>

**49.** Notably, NGO QIPS determined the one-month isolation of an individual in a psychiatric facility without contact with any other person except for doctors and medical staff. While an extreme case of involuntary treatment, NGO QIPS notes that this is a frequent occurrence in the context of Kosovo. Daily involuntary admission in psychiatric institutions in Kosovo continues to occur contrary to international treaties and standards.<sup>48</sup>

**50.** NGO NSI notes that on 14 April 2024, special operations units of the K-police stopped a K-Serb (V.S.) in Zubin Potok, during which the individual was reportedly subjected to physical force.<sup>49</sup> The officers also conducted an unauthorized search of his phone and coerced him into saying “Republic of Kosovo.”<sup>50</sup> While the K-police Inspectorate has initiated an investigation into the incident, no disciplinary measures have been taken to date.

**51.** NGO NSI states that on 16 June 2024, two Serbian minors were detained by K-police in Leposaviq/Leposavić for allegedly disturbing public order by singing songs at a birthday celebration. The individuals claimed that officers used tear gas during the arrest and coerced them into repeating the songs at the police station.<sup>51</sup>

**52.** Furthermore, on September 10, K-police arrested four young K-Serbs in North Mitrovica following an altercation with plainclothes officers. Allegations were raised regarding excessive use of force, mistreatment during detention, and denial of medical care. The individuals were held in police custody in South Mitrovica for 48 hours. Peaceful protests demanding their release were held outside the police station and court. On September 11, they were placed under house arrest for 30 days. Following a visit to the detainees, the Deputy Ombudsperson issued a statement highlighting “serious elements indicating human rights violations, including inhumane treatment by the police,” and noted that the detainees bore visible injuries that were not recorded in their medical reports.<sup>52</sup> Later, the young men were released from house arrest.<sup>53</sup>

47 QIPS (2025), input for the joint CSO report on Human Rights in Kosovo 2024. See also, World Health Organisation (2023), Mental Health, Human Rights and Legislation: Guidance and Practice.

48 QIPS (2025), input for the joint CSO report on Human Rights 2024.

49 UN Security Council (2024), [Kosovo report 2024](#).

50 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

51 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

52 UN Security Council (2024), [Kosovo report 2024](#).

53 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**53.** NGO NSI also notes that on October 26, a resident of North Mitrovica Miloš Subotić reported that he was detained by K-police near the main bridge over the Ibër/Ibar river. He alleged that during his detention, he was subjected to physical mistreatment while handcuffed in a room without cameras, and that officers attempted to force a breathalyser test upon him. Mr. Subotić also claimed that his rights to access to legal representation was violated as was his right to information about the reasons for his arrest.<sup>54</sup>

**54.** On the day of the attack on the Ibër-Lepenc/Ibar-Lepenac water canal, Dušan Milanović, owner of VIM Info and founder of the Kosovo Online media outlet, was detained and held in police custody on suspicion of committing the criminal offense of “terrorism” that their return would not impede the ongoing investigation. In response to EULEX’s perceived negligence and lack of action regarding this incident, a group of NGOs from North Kosovo announced the suspension of their cooperation with the mission.<sup>55</sup>

**55.** On November 6, an individual with an ethnic Gorani background Šaćir Lutvija was reportedly subjected to harassment by three Albanian prison guards in Podujevë/Podujevo in the presence of his family. After his family had left the guards allegedly physically assaulted him, delivering multiple blows to his head. Mr. Lutvija subsequently informed his lawyer and family about the incident.<sup>56</sup>

**56.** During the investigation into the attack on the Ibër Lepenc/Ibar-Lepenac water canal, several NGOs and individuals raised concerns regarding K-police professionalism throughout multiple operations. Notably, several NGOs from North Kosovo have issued a statement highlighting serious human rights violations particularly concerning the excessive use of force. According to the Vice President of the Roma Initiative Party Gzim Jahirović, he and his family were subjected to physical mistreatment and degrading treatment during a police raid in his home in Mikronaselj in North Mitrovicë/Mitrovica with his wife allegedly facing inappropriate behaviour by officers.<sup>57</sup>

**57.** Challenges persist in fighting terrorism and radicalization in 2024. While the legal framework needs further alignment to be considered fully compatible with EU and international standards, Kosovo is continuing to implement the bilateral implementing arrangement with the EU on counter terrorism. Currently, 11 inmates in Kosovo prisons are sentenced for terrorism-related crimes and continuous work is needed on implementing preventive, rehabilitation and reintegration measures. In addition, Kosovo needs to stay alert to new developments and threats and revise the existing programmes and strategic documents accordingly.<sup>58</sup>

**58.** The AoK ratified the international legal agreement to incarcerate prisoners from Denmark in Kosovo.<sup>59</sup> The prisoners concern non-Danish citizens with an expulsion order. Danish legislation on execution of criminal sanctions will apply for about 300 prisoners who are expected to be incarcerated in Kosovo.

54 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024. See also, Danas (2024), [Miloš Subotić: Kosovo – Prebijanje Kosovska Policija](#).

55 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

56 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

57 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

58 EU Commission (2024), Kosovo Report 2024, p. 43.

59 Balkan Insight (2024) [News Kosovo Ratifies Deal to Host 300 Prisoners From Denmark](#).

**59.** The sudden disappearance of Astrit Dehari's specimens was not resolved in 2024, and continues to raise concerns about the investigative process into Dehari's death. Notably, the MoJ interfered in the work of the prosecution by commenting that the disappearance of the specimens was a deliberate intent to thwart the inquiry into Dehari's death, and resultantly suspended four Forensic Medicine officials, although the perpetrator has yet to be identified.<sup>60</sup>

## 60. Recommendations

- The Police Inspectorate of Kosovo (PIK) should strengthen oversight mechanisms within the K-police by ensuring timely and transparent investigations into the use of force, increasing public accountability, and enforcing disciplinary measures against officers found guilty of misconduct;
- The MoJ and the KCS should restore independent monitoring access to correctional facilities by eliminating the restrictive conditions that undermine transparency and accountability in prison management;
- The MoH and the KCS should establish specialized health conditions for prisoners with mental health disorders so they receive appropriate treatment instead of their current housing in detention centres with the general populations;
- The AoK should expedite the adoption and implementation of the Draft-Law on Suicide Prevention and the Draft-Law on Mental Health, ensuring they include concrete mechanisms for prevention, intervention, and long-term mental health support;
- The MoJ and the KCS should develop rehabilitation programs tailored to the specific needs of individuals including drug-dependent inmates in order to reduce recidivism;
- The K-police should take a proactive stance in promoting ethical and professional behaviour when engaging with citizens of non-majority communities in manners that advance impartiality and respect;
- The PIK should strengthen oversight mechanisms by enhancing systematic monitoring of police conduct and undertaking *ex officio* investigations whenever publicly available information suggests instances of misconduct or violations of professional standards.

## 5.3 The right to liberty and security of person

**61.** The right to liberty and the security of a person finds its most overt international recognition in Articles 3, 4, and 9 of the UDHR, and in Article 5 of the European Convention of Human Rights. In its clearest definition, the right to liberty and security is a compound notion, meaning that security and liberty cannot be treated separately from one another. Article 29 of the Kosovo Constitution provides that "No one shall be deprived of liberty except in the cases foreseen by law and after a decision of a competent court" in the following situations: pursuant to a sentence of imprisonment for committing a criminal act; for reasonable suspicion of having committed a criminal

<sup>60</sup> Koha (2023), [Tomorrow protest for Astrit Dehari](#).

act, only when deprivation of liberty is reasonably considered necessary to prevent commission of another criminal act; for the purpose of educational supervision of a minor or for the purpose of bringing the minor before a competent institution in accordance with a lawful order; for the purpose of medical supervision of a person who because of disease represents a danger to society; for illegal entry into Kosovo or pursuant to a lawful order of expulsion or extradition. Lawful restrictions to a person's liberty are further stipulated in the Criminal Procedure Code of Kosovo and the Code of Juvenile Justice.

**62.** The Law No. 05/L-003 on Electronic Supervision of Persons whose movement is limited by court decision may start to be implemented soon, nine years after its entry into force in 2015. Following the allocation of 600,000 EUR in funding for the implementation of the electronic monitoring system aimed to enhance the protection and safety of violence survivors, in July 2024, the MoJ signed the contract for the purchase of electronic bracelets to activate the electronic monitoring system.<sup>61</sup> In December 2024, the project for the enforcement of the electronic bracelets was launched.<sup>62</sup> Electronic monitoring bracelets shall be securely fastened to either the wrist or ankle of the designated individual, including offenders, suspects, or recidivist offenders. In the event that the monitored individual approaches the victim within a restricted area, both local and central police authorities will be immediately alerted, triggering the activation of standard operating procedures to ensure a rapid intervention.<sup>63</sup> It remains to be determined whether the electronic monitoring system will work in practice as does its ability to achieve the intended objective of preventing perpetrators or suspects from committing offenses related to domestic violence.

**63.** Despite ongoing diplomatic efforts, progress in the Kosovo-Serbia dialogue remained limited in 2024. The agreement reached between the two parties included the initiation of negotiations on self-management for the Serb community in Kosovo and the endorsement of the Missing Persons Declaration. However, concrete advancements in implementation and mutual commitments remain uncertain. The implementation of the Ohrid Dialogue Agreement on the Path to Normalization has stalled due to fundamental disagreements over the interpretation of key provisions and escalating tensions in northern Kosovo. Disputes regarding the sequencing of implementation steps, coupled with continued instability, have further complicated efforts to advance the agreement's objectives.<sup>64</sup> Despite EU efforts, the Kosovo-Serbia dialogue deadlock remained in place throughout 2024.<sup>65</sup> Resultantly, imposed EU sanctions continued to be in force throughout 2024,<sup>66</sup> and despite calls being made from Kosovo authorities to levy the sanctions,<sup>67</sup> the EU is still not inclined to reconsider its decision.

**64.** Tensions in the north of Kosovo remained strenuous throughout 2024. The EU Commission report highlights that both Kosovo and Serbia played a role in escalating tensions. Kosovo undertook actions contrary to its obligations under the Dialogue, including police operations against Serbia-backed parallel institutions in the north, the enforcement of a ban on transactions in currencies other than the Euro, and the closure of Serbian Postal Bank and Serbian Post offices.<sup>68</sup>

61 Betimi për Drejtësi (2024), [Ministria e Drejtësisë njofton se është nënshkruar kontrata për blerjen e hallkave elektronike për monitorimin e dhunuesve](#).

62 Reporteri (2024), [Parandalimi i dhunës, prej sot vendosen hallkat elektronike te dhunuesit](#).

63 Reporteri (2024), [Parandalimi i dhunës, prej sot vendosen hallkat elektronike te dhunuesit](#).

64 Kosova Press (2024), [Deadlock in the dialogue, greater clarity is required if Serbia has withdrawn the letter from Brussels](#).

65 Prishtina Insight (2024), [EU Envoy in Prishtina attempts to break Kosovo-Serbia dialogue deadlock](#).

66 Group for Legal and Political Studies (2024), [The One Year Anniversary of EU Measures against Kosovo](#).

67 Prishtina Insight (2024), [Kosovo Calls for 'Immediate Removal' of Sanctions](#).

68 EU Commission (2024), Kosovo Report 2024, p. 60.



On the other hand, the EU Commission also confirmed that the normalisation process between the two countries continues to be negatively impacted by Serbia's insufficient steps to ensure accountability for the violent Banjë/Banjska attack executed by the armed Kosovo Serb assailants against K-police.<sup>69</sup>

**65.** NGO AKTIV reported that the Deputy Prime Minister Besnik Bislimi and Deputy Minister Arbër Vokri made accusations against NGO representatives during EU meetings, inciting hate speech online. These actions created fear among NGO workers and weakened trust in institutions, particularly for K-Serbs.<sup>70</sup>

**66.** In late January and early February 2024, K-police conducted operations targeting facilities used by Serbian non-majority communities in the Dragash/Dragaš, Pejë/Peć, Klina, and Istog/Istok municipalities, as well as a community center in Prishtinë/Priština. The K-police reported the confiscation of various documents, the sealing of buildings, and the temporary detention of staff in four municipalities, citing suspicions that these facilities were being used for illegal activities.<sup>71</sup> On 3 February 2024, K-police detained two postal workers in Goraždevac/Gorazdec and summoned the post office manager for questioning.<sup>72</sup>

**67.** On November 24, Jovana Radosavljević, Executive Director of NGO NSI was detained at the Bistricë/Bistrica checkpoint for alleged unauthorized recording.<sup>73</sup> On the same date, 3 Montenegrin citizens were arrested near the Visoki Dečani Monastery for displaying the slogan *Kosovo is Serbia* on their vehicle's license plate. They were initially detained for up to 48 hours, but continue to remain in custody during the reporting year of 2024.<sup>74</sup>

**68.** On 11 July 2024, K-Serb employees of the Serbian-financed institutions in Shtërpçë/Štrpce municipality in southern Kosovo received summonses to report to the K-police for questioning and were charged with "assault on the constitutional order".<sup>75</sup>

**69.** Amid heightened tensions in northern Kosovo and the increased presence of K-police operations, EULEX continued to monitor cases involving K-Serbs who were apprehended or questioned during the reporting period (March 15, 2024 – September 15, 2024). This included assessing, where relevant, the conditions of their pretrial detention. In several instances, K-police provided verbal notifications to prosecutors about planned operations at the last moment, undermining the provisions of the Criminal Procedure Code, which grants prosecutors a more substantial role in supervising and authorizing criminal investigations. Additionally, Kosovo Serb defense attorneys have reported delays in gaining timely access to case files concerning their clients, further complicating legal proceedings.<sup>76</sup>

69 EU Commission (2024), Kosovo Report 2024, p. 60.

70 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

71 UN Security Council (2025) [Kosovo report 2024](#).

72 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

73 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

74 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

75 UN Security Council (2025) [Kosovo report 2024](#).

76 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**70.** One year after the terrorist attack in the village of Banjë/Banjska, the Special Prosecution Office in Kosovo filed an indictment against Milan Radoičić and 44 other individuals accused for orchestrating and executing the terrorist attack which resulted in the death of K-police sergeant Afrim Bunjaku and the injury of other K-police officers.<sup>77</sup> Some of the accused are in pre-trial detention while many are fleeing justice and will be tried in absentia in case they cannot be arrested or extradited. The 45 accused were charged with the following criminal offences, i.e. committing a terrorist offence; serious offences against the constitutional order and security of Kosovo; facilitating and financing the commission of terrorism; and extortion of money.<sup>78</sup> Considering the complexity of the case, the large dossier of evidence and investigations and the high number of the accused, the trial is expected to last for several years.

**71.** In addition to the Banjë/Banjska terrorist attack, another grave attack happened on the infrastructure of the Ibër-Lepenc/Ibar-Lepenac water canal on 29 November 2024.<sup>79</sup> The heavy explosion led to serious water cuts and damaged critical infrastructure at a key canal which supplies two main power plants in Kosovo that generate most of the electricity throughout Kosovo. This canal is essential for supplying water to several municipalities and for cooling Kosovo's main coal-fired power plants, Kosova A and Kosova B. The attack disrupted water and electricity supplies in multiple cities.<sup>80</sup> Kosovo officials have called the incident a terrorist act instigated by Serbia, while the latter labelled such accusations as baseless.<sup>81</sup> Eight arrests were made following raids on ten locations in the north of Kosovo, where numerous military uniforms and heavy ammunition were found.<sup>82</sup> The attack has been condemned by the international community who called for the perpetrators to be brought to justice following further investigations on the matter.<sup>83</sup> Based on the proposal of the public prosecutors, the Basic Court in Prishtinë/Priština has ruled that the prime suspects for the attack Jovan Vićentijević and Dragiša Vićentijević must be held on detention on remand for at least one month pending further investigations on the case and on his involvement.<sup>84</sup>

**72.** Regarding the implementation status of all Dialogue agreements, numerous obligations from previous agreements remain unfulfilled by both Kosovo and Serbia including (i) the return of K-Serb officials to Kosovo institutions; (ii) the establishment of the Association of Serb municipalities in line with the European proposal presented to the negotiating parties on 21 October 2023; (iii) the opening of the Mitrovica bridge following a coordination with security partners; (iv) full implementation of all technical dialogue agreements; (v) full implementation of the freedom of movement agreements; (vi) the resumption of mutual legal assistance which was stopped by Serbia; (vii) advance on the issue of Missing Persons.<sup>85</sup> In other words, Kosovo and Serbia should demonstrate more serious and constructive commitment to advance the normalisation process and abstain from actions and rhetoric that undermines stability and is not conducive to reconciliation.<sup>86</sup>

77 Betimi për Drejtësi (2024), [Full Indictment in the Banjë/Banjska case](#).

78 Betimi për Drejtësi (2024), [Full Indictment in the Banjë/Banjska case](#).

79 YIHR KS (2025), [DEKLARATË / IZJAVA / STATEMENT](#).

80 Balkan Insight (2024), [Kosovo makes arrests after canal explosion hits water supplies](#).

81 Aljazeera (2024), [Kosovo police arrest eight people over canal explosion blamed on Serbia](#).

82 Balkan Insight (2024), [Kosovo continue to Probe 'Terror Attack' on Canal After Weekend Arrests](#).

83 Radio Evropa e Lirë (2024), [Sulm, faj, akuza : Thirrje për hetime të pavarura në Ibër-Lepenc](#).

84 Betimi për Drejtësi (2024), [Ekskluzivno – Dosije Tuzilastva: Braca Vicentijevic osumnjiceni za izversenje teroristickog dela koriscenjem eksploziva u kanalu Ibar-Lepenac](#).

85 EU Commission (2024), Kosovo Report 2024, pp. 60-62.

86 EU Commission (2024), Kosovo Report 2024, p. 62.



### 73. Recommendations

- The K-police and the SPO should intensify investigations and prosecution efforts related to the Banjë/Banjska attack and other acts of terrorism, ensuring that all perpetrators are held accountable and that judicial proceedings are conducted in line with international human rights and due process standards;
- PIK should provide oversight and transparency regarding police operations, particularly in northern Kosovo, by ensuring the strict adherence of K-police to legal procedures that guarantee unhindered access to legal representation for all detainees;
- PIK should address the use of unlawful or ethnically divisive symbols by police officers in its commitment to encouraging inclusivity and social cohesion.

### 5.4 The right to a fair trial and effective remedy

**74.** The right to a fair trial and effective remedy finds its international recognition as a fundamental human right in Article 10 of the UDHR which states that “everyone is entitled in full equality to a fair and public hearing [...]”.<sup>87</sup> Article 6 of the ECHR also includes the right to a fair trial and further stipulates that “everyone is entitled to a fair and public hearing within a reasonable time [...]”.<sup>88</sup> In Kosovo’s legislative framework, these international legal standards are mandatory; they are enshrined in the Constitution by means of Article 22. Furthermore, Article 30 stipulates the rights of the accused with Article 31 highlighting the provisions for a fair and impartial trial. Article 32 of the Constitution stipulates the right of everyone to pursue legal remedies “against judicial and administrative decisions which infringe on his/her rights or interests.”<sup>89</sup> In addition to the Constitution, other laws and regulations adopted by the GoK regulate the right to fair trial in the judicial proceedings in criminal, civil and administrative matters. These include the Code No. 08/L-032 on the Criminal Procedure Code, Code No. 06/L-074 Criminal Code, Law No. 03/L-006 on the Contested Procedure, and Law No. 05/L-031 on the General Administrative Procedure.

**75.** During 2024, the Constitutional Court of Kosovo published its first ever “Practical Guide on Admissibility Criteria” which is designed to inform the applicants, practitioners/lawyers, and the legal community regarding the admissibility criteria for individual referrals submitted to the Constitutional Court.<sup>90</sup> Among others, this Guide will help parties to properly utilise their right to a remedy before the Constitutional Court and avoid making procedural mistakes that will lead to their cases being rejected due to admissibility reasons. In addition to this, the Constitutional Court has also published three periodical bulletins for the year 2025 showcasing the most important jurisprudence related to, among others, fair trial and effective legal remedies.<sup>91</sup>

87 UDHR, [Article 10](#).

88 Council of Europe (2024), [Right to Fair Trial](#); European Court of Human Rights (2024), [Guide on Article 13 \(Right to Effective Remedies\) of the ECHR](#).

89 Kosovo Constitution (2008), Articles 30-31.

90 Constitutional Court of Kosovo (2024), [Practical Guide on Admissibility Criteria](#).

91 Constitutional Court of Kosovo (2024), [Periodical bulletins for 2024](#).

**76.** The Law No. 04/L-017 on Free Legal Aid was amended to extend free legal assistance to journalists, photo-reporters, and other individuals facing defamation and SLAPP lawsuits. It also placed the Free Legal Aid Agency (FLAA) under the Ministry of Justice (MoJ), a move widely criticized by legal experts and civil society for potential politicization. In June 2024, the MoJ published the Concept Document on Free Legal Aid for public consultation. A December 2024 analysis by the KLI found that (i) structural reform is unnecessary, but existing mechanisms need strengthening; (ii) unconstitutional politicization must be addressed; and (iii) the Concept Document should clearly differentiate free legal aid from free legal counsel to prevent FLAA interference in criminal proceedings.<sup>92</sup> Notwithstanding the criticism, the GoK approved the Concept Document in September 2024.<sup>93</sup>

**77.** Discrepancies between policy and practice persist in the judiciary system. While the EU Commission report 2024 noted progress on the clearance rate of cases, the ability of the judiciary and the prosecution service to manage cases in a timely fashion remains limited.<sup>94</sup> Trials continued to be delayed through the frequent adjournment of hearings, which was often due to inefficient case management and unjustified reasons. Even though the KJC and the Supreme Court introduced a mechanism to limit or minimise the number of retrials, this practice not only continued in 2024 but the number of retrials even increased in comparison to the previous reporting years.<sup>95</sup>

**78.** In 2024, the proposal to implement integrity checks for senior judicial and prosecutorial officials remained stalled in the Assembly of Kosovo. The Constitutional Court of Kosovo, in 2023, had approved with a majority of votes a proposed constitutional amendment that allows for temporary integrity checks on key justice system figures, such as members of the Judicial Council, Prosecutorial Council, court presidents, chief prosecutors, and candidates for these roles, by the Integrity Control Authority.<sup>96</sup> Simultaneously, two other proposed amendments addressing the criteria for the dismissal of judges and prosecutors due to serious non-compliance with duties, were deemed not to infringe upon fundamental rights. However, according to the NGO KLI, no progress has been made during 2024 to functionalize the vetting in Kosovo in line with the constitutional amendments that were cleared by the Constitutional Court.<sup>97</sup>

**79.** Even if the steady recruitment of new judges and prosecutors has the potential to increase the competence of the judiciary and the prosecution and the level of professionalism, the quality of judgments and indictments remains insufficient. The establishment of the specialised Commercial Court helped to reduce the number of referrals and the disposition time of cases including the quality of cases adjudicated. The AoK adopted the new Law on Administrative Disputes No. 08/L-182, which aims to improve the administrative justice framework and the protection of citizens' rights. However, swift adoption of the Civil Code and Civil Procedure Code are considered essential to improve the efficiency of civil justice in Kosovo.<sup>98</sup>

**80.** In 2024, the KJC adopted the IT Strategic Plan for 2024-2029 aiming to implement the European Commission for Efficiency of Justice (CEPEJ) digital justice tools,<sup>99</sup> which assists in increasing

92 KLI (2024), [Experiment on the Free Legal Aid](#).

93 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

94 EU Commission (2024), Kosovo Report, pp. 28-29.

95 EU Commission (2024), Kosovo Report, pp. 28-29.

96 Betimi për Drejtësi (2023), [Gjykata Kushtetuese i hap rrugë Vetingut në sistemin e drejtësisë](#)

97 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

98 EU Commission (2024), Kosovo Report 2024, p. 29.

99 EU Commission (2024), Kosovo Report 2024, pp. 26-29.

the efficiency of the justice system.<sup>100</sup> In 2024, the KPC also adopted its Communication Strategy 2024-2029.<sup>101</sup> However, the implementation of the strategic plans of the KJC and the KPC needs to improve further especially by setting up stronger monitoring mechanisms.<sup>102</sup>

**81.** The implementation of this Joint Commitment Statement made by the Minister of Justice and heads of key justice system institutions experienced serious obstacles and delays. The process of drafting the key reform laws did not ensure meaningful consultation of relevant national and international stakeholders and despite strong EU advice, the GoK did not consult the Venice Commission on the legislative reform package.<sup>103</sup>

**82.** Victims of crime are insufficiently informed about legal proceedings and rarely assisted by professional representatives. As per the data provided by NGO KLI, the budget allocated for legal aid remains inadequate despite a projected budgetary increase compared to the previous years (see table 1 below).<sup>104</sup>

**Table 1. Government budget allocated for legal aid**

	2024	2023	2022	2021	2020
Total budget allocated by the GoK for legal aid in EUR	537,831	444,170	443,995	439,298	422,699

**83.** The prolonged duration of legal proceedings in Kosovo, particularly the right to a trial within a reasonable time, remains a significant challenge to ensuring fair and impartial trials. This issue also undermines citizens' effective access to justice. The Ministry of Justice planned to adopt a new Law on the realization of the right to fair trial within reasonable time by 28 June 2024, according to the Legislative Programme for the year 2024.<sup>105</sup> This is yet to be approved and it remains to be observed whether length of proceedings will be considered a priority in the upcoming GoK following elections.

**84.** NGO KLI notes that the draft Law on the Right to a Fair Trial within a Reasonable Time sets strict case processing limits with three years at the first instance and two years at the appellate level. While its objective is legitimate, the law fails to account for case complexity and other factors outlined in ECtHR jurisprudence. Additionally, it does not address the judiciary's heavy caseload, which is the primary cause of delays, thereby risking further straining the judicial system.<sup>106</sup>

100 For more on CEPEJ tools on quality of justice, see CEPEJ reports [available on this link](#).

101 EU Commission (2024), Kosovo Report 2024, p. 26.

102 EU Commission (2024), Kosovo Report 2024, p. 26.

103 EU Commission (2024), Kosovo Report 2024, p. 26.

104 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

105 Office of the Prime Minister, [Legislative Programme for the year 2024](#).

106 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

**85.** Regarding juvenile justice, this area is regulated by Law No. 06/L-006 on Juvenile Justice. Court hearings in such cases are not public, which results in a lack of sufficient information regarding the regularity of judicial processes in this field. In relation to this matter, the Academy of Justice organizes training for judges and prosecutors on juvenile justice, aiming to enhance their understanding and handling of cases involving minors.<sup>107</sup>

**86.** In its 2024 Trial Monitoring Report on Domestic Violence cases in Kosovo, the OSCE found that regular courts in Kosovo impose overly lenient measures for domestic violence crimes, such as fines, suspended sentences or other alternative measures.<sup>108</sup> The average sentence for effective imprisonment was just over five months with the average of fines at 350 EUR. Furthermore, courts failed to assess properly mitigating and aggravating circumstances, thus violating international standards and departing from the sentencing guidelines framework provided by the Supreme Court.<sup>109</sup> In addition, the Report raised another serious concern regarding delays in processing petitions for protection orders which “left nearly a quarter of victims without a timely resolution, thereby potentially exposing them to further violence”.<sup>110</sup>

**87.** NGO KLI has identified instances where political actors violated the principle of the presumption of innocence until proven guilty through public statements. According to the ECtHR, this principle restricts public authorities from encouraging the public to believe that the accused is guilty or to prejudge the assessment of facts by the judicial authority.<sup>111</sup>

**88.** Judicial independence is a crucial factor affecting core aspects of the right to fair trial and effective remedy. According to the Constitution and the legislative framework in Kosovo, the judiciary is fully independent. However, NGO KLI notes that independence has been undermined by tendencies for political interference, including public criticisms from government actors towards the institutions of the justice system. Budgetary constraints on the judiciary are also among the obstacles placed on the system by other institutions. Government funding for legal services is essential to ensure access to justice for all citizens regardless of their socio-economic status. This funding is particularly important for individuals with low incomes, marginalized communities, and victims of discrimination because it empowers them to exercise their rights and seek justice.<sup>112</sup>

**89.** According to the 2024 survey published by UNDP, only 34.28 percent of citizens believe that the judiciary is independent.<sup>113</sup> This percentage, according to NGO KLI, reflects a lack of public trust in the independence of the justice system. Despite the measures taken, the justice system still requires further interventions to ensure its efficiency, improve effective legal remedies, and ensure the professional handling of cases in civil, criminal, administrative, and commercial matters. These interventions include actions and activities within the competencies and responsibilities of the Judicial and Prosecutorial Council to ensure case management, access to justice, promotion of the rights of parties in proceedings, strengthening the accountability of judges and prosecutors, gender equality in leadership positions, etc. Meanwhile, interventions outside the justice system

107 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

108 OSCE (2024) [Trial Monitoring Report on the Adjudication of Domestic Violence Cases in Kosovo](#)

109 OSCE (2024) [Trial Monitoring Report on the Adjudication of Domestic Violence Cases in Kosovo](#), p. 23.

110 OSCE (2024) [Trial Monitoring Report on the Adjudication of Domestic Violence Cases in Kosovo](#), p. 23.

111 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

112 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

113 UNDP (2024), [Summary of Public Sentiment](#).

include continuing reforms where political will should be expressed to fulfil the obligations arising from the Rule of Law Strategy, the adoption of laws stemming from joint commitments, the digitalization of judicial services, and the work of courts and prosecutions, halting political attacks on the judiciary and prosecutorial system, individual judges and prosecutors, as well as ensuring sufficient budgetary allocation for the functioning and operation of the justice system in Kosovo.

**90.** NGO KLI underscores the lack of political will from either the GoK or the AoK to undertake reforms in the judiciary to ensure an independent, impartial, and fair justice system. This failure includes not only the non-initiation of the vetting process but also the failure to adopt draft laws resulting from the joint commitments process.<sup>114</sup>

**91.** In 2024, the Ombudsperson Institution of Kosovo (OiK) received a total of 1,349 complaints, of which 171 complaints were related to the right to a fair and impartial trial, 175 complaints concerned the right to effective legal remedies, and 47 cases were related to complaints regarding the right to equality before the law.<sup>115</sup>

**92.** The efficiency of the justice system still requires improvement, notes NGO KLI. Although progress has been made in the processing rate of civil cases, the ability of the judiciary and the prosecutorial service to handle cases in a timely manner remains limited, particularly in high-level corruption cases. Courts continue to experience delays due to frequent adjournments, often for unjustified reasons, and poor case management. Despite the introduction of a mechanism by the Kosovo Judicial Council (KJC) and the Supreme Court to reduce the number of retrials, this practice has persisted, and the number of retrials has even increased. This has further increased the caseload and often prolonged pre-trial detention.<sup>116</sup>

**93.** NGO KLI observes that the violation of citizens' right to a fair trial within a reasonable time remains systematic. The number of unresolved cases has continuously increased over the years, reaching 125,805 unresolved cases in September 2024, compared to 44,213 cases in 2018. This rise in the number of cases is primarily influenced by the failure of public institutions to fulfil their obligations, including cases related to collective agreement obligations and double pension cases.<sup>117</sup>

**94.** While the Case Management Information System (CMIS) is operational and some judicial services have been digitized, further advancements are needed, according to NGO KLI. Expanding technology use such as virtual hearings, email summons, and automated communication would enhance efficiency, accessibility, and transparency within the judiciary.<sup>118</sup>

**95.** Judicial reasoning standards remain inconsistent with courts failing to adequately justify sentencing decisions including the application of mitigating and aggravating circumstances, accord-

114 KLI (2024), [Failure of the Justice Reform](#).

115 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024. See also, OiK (2024), [The Ombudsperson presented the 2024 report to the media](#).

116 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

117 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

118 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

ing to NGO KLI. The widespread use of template-based reasoning and the failure to adhere to the Supreme Court's Guidelines on Sentencing Policy further undermine sentencing consistency and judicial accountability.<sup>119</sup>

**96.** The number of published judgments in Serbian remains very low. With the support of UNMIK, NGO KLI assisted the judiciary in increasing the number of judgments published in Serbian. Furthermore, the commentaries on specific laws are provided in Albanian only and consistently lack translation in Serbian. The lack of judgments and commentaries in Serbian deprives Serbian citizens and their attorneys from equal access to information as citizens and attorneys speaking Albanian.<sup>120</sup>

## 97. Recommendations

- All institutions must uphold judicial independence by refraining from statements that undermine the integrity of the justice system and ensuring sufficient budget allocations for its effective functioning;
- The Kosovo Judicial Council should address the issue of lengthy legal procedures to identify and mitigate factors contributing to delays, including misadministration, judicial performance, and inadequate case management, and examine potential ethnic-based targeting in relation to these issues, particularly concerning detainees from non-majority communities;
- The reform of free legal aid should guarantee the independence of the Free Legal Aid Agency (FLAA) from the Ministry of Justice. Strengthening the existing legal aid system is essential, while any alternative models that may compromise its efficiency, sustainability, or functional independence should be avoided;
- The GoK must fulfil its legal obligations to citizens, particularly regarding collective agreements and double pensions, to prevent unnecessary litigation. Ensuring proper implementation of existing laws will reduce judicial backlog and mitigate financial strain on the state budget.

## 5.5 The freedom of expression and opinion, the right to information, and the right to privacy

**98.** The freedom of expression and opinion finds its universal recognition as a fundamental human right in Article 19 of the UDHR, which states that “everyone has the right to freedom of opinion and expression [...] and through any media.”<sup>121</sup> This universal right includes the right to impart, receive and convey information. These basic provisions are restated in Article 10 of the ECHR, which furthermore underscores that the freedom of expression and opinion may be subjected to certain formalities as stipulated by law for the protection of security, confidence, impartiality or the protection of the reputation or rights of others.<sup>122</sup> The legislative framework of Kosovo safeguards

119 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

120 KLI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

121 UDHR, [Article 19](#).

122 ECHR, [Article 10](#).



the freedom of expression, and the right to information in Articles 40 of the Constitution and a number of other laws. These include Law No. 04/L-046 on the Radio and Television of Kosovo, Law No. 04/L-44 on the Independent Media Commission, Law No. 06/L-085 on the Protection of Whistleblowers, Law No. 04/L-137 on the Protection of Journalism Sources, Law No. 03/L-118 on Public Gatherings, Law No. 02/L-37 on the Use of Languages, Law No. 02/L-65 Civil Law Against Defamation and Insult, Law No. 02/L-31 on Freedom of Religion in Kosovo, etc. In general, the freedom of expression legislation and media laws are in line with standards of the Council of Europe and the case law of the ECtHR.

**99.** The Kosovo Constitutional Court has not yet given any judgment stating a violation of the freedom of expression provided by Art. 40 of the Constitution of Kosovo. Since August 2024, there is now a high-profile pending case before the Constitutional Court filed by deputies of the AoK contesting the constitutionality of the new Law on Independent Media Commission, where it is argued that a violation of Article 40 has occurred. It remains to be seen whether the Constitutional Court will find a violation or not in this case. Conversely, there is one case where issues related to Article 40 of the Constitution and Article 10 of the ECHR have been analysed but in the end the Constitutional Court decided that no violations of this right had occurred.<sup>123</sup>

**100.** The inviolability of one's right to privacy is similarly addressed in the UDHR by means of Article 1, which expresses the following: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence."<sup>124</sup> The ECHR on the other hand explicitly includes the right to privacy in its framework in Article 8 in the Right to respect for private and family life.<sup>125</sup> The Constitution of Kosovo is particularly exhaustive when it comes to the protection of this right. In the right to privacy, as listed in Article 36, the protection of personal data (36.4) is included alongside the maintenance of secrecy of correspondence (6.3) and the inviolability of one's private, and family life. The protection of personal data is legally guaranteed through the Law on Protection of Personal Data No. 06/L- 082.

**101.** The Information and Privacy Agency of Kosovo (IPA) is responsible for promoting and protecting the right to access information and privacy in Kosovo. Its main role is to oversee the implementation of the Law on Access to Public Documents No. 06/L-081 and the Law on Protection of Personal Data No. 06/L-082, and to ensure that public institutions comply with these laws. The IPA also provides guidance and advice to individuals and organizations on matters related to access to information and personal data protection, and has the power to investigate and impose sanctions in cases of violations of these laws.<sup>126</sup> In this respect, it is worth noting the findings presented in the IPA Report for the months of January-November 2024.<sup>127</sup> During this period, IPA received a total of 810 complaints submitted by NGO-s, media, citizens and other interest groups, of which 707 complaints have been closed and 103 remain to be assessed.<sup>128</sup>

123 See for example [Judgment KI27/20 of the Constitutional Court](#) regarding an elections case where it was stated that no violation of Article 40 of the Constitution or Article 10 of the ECHR had occurred.

124 UDHR, [Article 12](#).

125 ECHR, [Article 8](#).

126 IPA (2024), see [list of publications and other information](#) on their official website.

127 IPA (2024), [Annual Report January-November 2024](#).

128 IPA (2024), [Annual Report January-November 2024](#).



**102.** The media in Kosovo is considered pluralistic but the media sector still lacks transparency and financial stability, according to the EU Commission report. Data on the audiovisual market remains insufficient, including on media ownership and financing.<sup>129</sup> According to NGO NSI, Serbian print newspapers were unavailable to vendors in Kosovo owing to the June 2023 restrictions on the import of Serbian goods, affecting the rights of K-Serbs to freedom of expression and information.<sup>130</sup>

**103.** There were several events noted during the reported period which affected Serbian journalists to conduct their professional work of reporting and media coverage of certain events. For example, as reported by news outlets and observed by the NGO NSI, on 3 January 2024, Kosovo authorities restricted Tanjug Agency journalist Anđelko Utješanović from entering Kosovo to cover Patriarch Porfirije's visit. On 2 February 2024, a team of journalists from Radio Goraždevac (Pejë/Peć), the only K-Serb media outlet in the area, was stopped by the K-police and their vehicle was searched, despite having presented valid press credentials. These events have undermined journalists' right to report freely and cover matters of public interest, potentially exacerbating issues and fostering continued mistrust if left unaddressed.

**104.** According to the Report of the Special Rapporteur on the promotion of the right to freedom of expression more sustained support to independent Serbian-language media is required in Kosovo.<sup>131</sup> Furthermore, the report raises practical concerns related to impunity for crimes against journalists, media pluralism and the use of minority languages.<sup>132</sup> Resulting the political tensions along ethnic lines, the environment in which human rights defenders and journalists operate is polarized "creat[ing] a concomitant need for the Kosovo authorities to investigate and act promptly on all instances of threats, attacks and hate speech against journalists and human rights defenders."<sup>133</sup>

**105.** Kosovo's position on the World Press Freedom index has deteriorated in 2024 compared to previous years. In 2024, Kosovo ranked 75<sup>th</sup> compared to the 56<sup>th</sup> position in 2023.<sup>134</sup> Despite the diversity of the media market, media freedom is threatened by "politicised regulation, gag suits, insufficient access to information and an increase in physical attacks."<sup>135</sup>

**106.** The Kosovo Press Council (KPC) and the Independent Media Commission (IMC) are the main bodies involved in ensuring the regulation of media in Kosovo. The long-awaited law on the IMC was adopted in July 2024. While it contributes to enhancing media regulation, the law triggered concerns over media freedom, especially the online media regulation.<sup>136</sup> The AoK failed to reflect most recommendations from the EU, Council of Europe and other international partners,<sup>137</sup> and until this Law is aligned with the EU's Audiovisual Media Services Directive, Kosovo cannot participate in the MEDIA strand of the Creative Europe programme.<sup>138</sup> The Association of Journalists

129 EU Commission (2024), Kosovo Report 2024, p.7.

130 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

131 United Nations, General Assembly, Human Rights Council (2024), Visit to Serbia and Kosovo: [Report of the Special Rapporteur on the promotion of the right to freedom of opinion and expression, Iren Khan](#).

132 UN Special Rapporteur (2024), [Report on the promotion of the right to freedom of opinion and expression in Kosovo](#)

133 UN Special Rapporteur (2024), [Report on the promotion of the right to freedom of opinion and expression in Kosovo](#)

134 Reporters Without Borders (2024) [Kosovo](#)

135 Reporters Without Borders (2024) [Kosovo](#)

136 EU Commission (2024), Kosovo Report 2024.

137 EU Commission (2024), Kosovo Report 2024.

138 EU Commission (2024), Kosovo Report 2024.

of Kosovo submitted comments to the Constitutional Court,<sup>139</sup> following the contestation of the constitutionality of this Law by several deputies of the AoK.<sup>140</sup> The case has been pending before the Constitutional Court since August 2024.

**107.** Disinformation remains a significant challenge in Kosovo, characterized by a lack of clear vision to combat the phenomenon. According to a 2024 Report published by the National Democratic Institute (NDI), traditional media outlets and online platforms such as TikTok, X, Facebook and Telegram have been weaponized to spread false narratives, intimidate individuals and manipulate public opinion.<sup>141</sup> For example, out of 4,859 articles and posts monitored, 996 of them were found to contain information disorders and those articles/posts had higher engagement and views, thus indicating the potential for higher impact that the information disorders can have. The report also observes the emerging threat posed by AI-generated content and deepfakes in propagating disinformation and the role of bots in amplifying political agendas and distort public perception on certain issues of interest. Dealing with the challenges faced by Kosovo in this regard require enhanced vigilance, critical media literacy, and robust responses to defend the media landscape and support information integrity.<sup>142</sup> From an economic standpoint to the media and their operations in Kosovo, financial sustainability is mostly dependent on commercial advertisements and financial donors, often from different political parties.<sup>143</sup> Particularly among private broadcasters, this situation has rendered a paradox whereby the viability of media outlets is contingent on outside financing but the maintenance of media integrity with objectivity and impartiality as crucial dimensions requires complete independence.

**108.** Four civil society organizations namely NGOs: FOL, YIHR KS, INPO, and KDI have called on the Ministry of Finance and the Information and Privacy Agency to disclose data on the Security Fund, arguing that its classification as confidential is no longer valid. They contend that the amount collected from the voluntary fund should be public, and claims that its disclosure could endanger Kosovo's security interests are unfounded. The CSOs highlight the inconsistency in transparency, noting that while the state budget for the Kosovo Security Force is publicly detailed, the voluntary Security Fund remains classified. They argue that this classification contradicts legal and international transparency standards, reflecting the government's lack of openness. They urge the Information and Privacy Agency to uphold citizens' right to access this data and demonstrate its institutional independence.<sup>144</sup>

**109.** In 2024, increased hostility towards activists and organizations working on human rights issues resulted in shrinking of civil space. Several activists were targeted with threats and hate speech, including attempts to discredit and intimidate them. Some politicians even incited lynch campaigns against activists adding to the atmosphere of fear and retaliation. Member organizations of the Human Rights Network (HRN) have condemned the language used by the Minister of

139 AJK (2024), [Agk Dorëzon në Gjykatën Kushtetuese Komete për Ligjin për Komisionin e Pavarur për Media](#).

140 Radio Evropa e Lirë (2024), [PDK dërgon në Kushtetuese ligjet për KPM-në dhe statutin për UP-në](#).

141 NDI (2024), [Information Disorders in Kosovo 2023 Report](#).

142 NDI (2024), [Information Disorders in Kosovo 2023 Report](#).

143 NDI (2022), [Information integrity in Kosovo. Assessment of the political economy of disinformation](#).

144 YIHR KS (2025), Input for the joint CSO report on Human Rights Kosovo 2024

Finance, Hekuran Murati, who in a parliamentary session in May 2024 stated that the U.S. Department of State report fell “victim to media disinformation, which is still part of the old guard, and even some civil society organizations that disguise themselves as such.”<sup>145</sup>

**110.** In an incident reported by NGO AKTIV, Đorđe Bojović, a consultant for Viola Von Cramon, faced online attacks accusing him of being an agent of Belgrade and Russia, and of denying the violence in Kosovo in 1999. These accusations stemmed from a video from 2015, which was edited to misrepresent Bojović’s statements. NGO YIHR KS defended him and emphasised the importance of safe spaces for discussing sensitive issues. These attacks, according to the NGO AKTIV, contribute to creating an atmosphere where people are afraid to express their opinions, limiting freedom of speech.<sup>146</sup>

**111.** In the past three years, according to the NGO AKTIV, a concerning trend has emerged on social networks, particularly on TikTok, where members of the K-police promote Albanian ethnonationalism. These acts conflict with the Constitution of Kosovo, which promotes civic neutrality and inclusion. In early November 2024, a cumulative search of hashtags related to the K-police revealed over 14,000 posts. For instance, the hashtag #njesiaspecialekosoves (special unit of Kosovo) alone had over 4,000 posts, generating more than 270 million views. The problematic posts often feature ethno-nationalist music, which portrays the security apparatus as promoting Albanian nationalist goals rather than enforcing the civic vision of Kosovo. Over 140 photographs were provided as evidence, showing more than 300 police officers using ethnic emblems, symbols, flags, or gestures that identify their ethnic affiliation. These acts emphasize their nationalist views and, in some cases, glorify extrajudicial “justice.” Despite the widespread nature of this trend in Kosovo, there has been little public recognition of its harmful effects, nor have any sanctions or condemnations been issued. The institutions responsible for addressing such issues, like the K-police Inspectorate and international missions such as EULEX, have failed to respond over the past three years as this trend has expanded.<sup>147</sup>

**112.** Following the suspension of the business certificate of the media outlet Klan Kosova in 2023,<sup>148</sup> the legal battle continued in 2024. In March 2024, the Commercial Court approved the lawsuit Klan Kosova filed against the Business Registration Agency (ARBK) thus confirming the business licence of the media outlet to freely operate.<sup>149</sup> Initially when the decision to close the media outlet was given, the Association of Journalists of Kosovo (AJK) with journalists, photo reporters, cameramen, and activists gathered in front of the government to denounce the suspension of the licence as a form of media censorship and a threat to freedom of speech.

**113.** Kosovo’s public broadcaster RTK faced instability during 2024 with a number of resignations among top management and board members.<sup>150</sup> There are serious concerns related to editorial independence and accountability which need to be swiftly addressed, according to the EU Report on Kosovo. The competition for the election of the new General Director of the RTK has been annulled in October 2024 and since then the public broadcaster is functioning with an Acting Director.<sup>151</sup>

145 YIHR KS (2025), [HRN condemns Minister Hekuran Murati’s attack on the media and CSOs](#).

146 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

147 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

148 Prishtina Insight (2023), [Suspension of Media Certificate Sparks Protests in Kosovo](#).

149 Klan Kosova (2024) [Klan Kosova fiton padinë ndaj ARBK-së](#).

150 EU Commission (2024), Kosovo Report, p. 7.

151 Koha (2024), [RTK-ja emëron ushtruesin e detyrës së drejtorit të përgjithshëm](#).

**114.** The Law No. 02/L-37 on the Use of Languages is another legal tool by which the freedom of expression and opinion and the right to information can be imposed. During the reporting period, there have been ongoing violations of the Law on the Use of Language, particularly concerning the Serbian language as an official language across Kosovo, which has had a detrimental impact on the right to access information. Courts struggle to comply with the requirement of the Law on languages to publish judgments in both official languages due to a lack of Serbian translators. The availability and quality of interpretation in court proceedings remain a challenge. Serbian-language media continue to face challenges in accessing information because public institutions fail to comply with the requirements of the Law on the use of languages.<sup>152</sup>

**115.** The Law No. 06/L-081 on Access to Public Documents and the Law No. 06/L-085 on Protection of Whistleblowers have been adopted, but not yet implemented at a satisfactory level. In 2024, NGO FOL published a Report titled: “Survey findings on understanding and perception of whistleblowing by private sector employees” which revealed that 75 percent of surveyed businesses have not created internal acts to regulate the whistleblowing procedure as foreseen by the Law on Protection of Whistleblowers.<sup>153</sup> The Report also reveals that (i) the majority of businesses expressed challenges in comprehending whistleblowing procedures; (ii) many consider the whistleblowing mechanism as not “very important”; and that (iii) only a small proportion of surveyed businesses had undergone inspections by the Labor Inspectorate regarding the appointment of whistleblowing officials – a fact which highlights inadequate supervision from the Labour Inspectorate.<sup>154</sup>

**116.** A recent report published by NGO FO: in December 2024 identifies several key issues regarding the compliance with obligations arising from the Law No. 06/L –082 on Protection of Personal Data. These include the failure of a significant number of public institutions to appoint responsible officers for personal data protection, the lack of privacy policies, insufficient training of officials, a low number of institutions that have developed protocols for managing sensitive data, and the absence of regulations on security measures for personal data protection, among others. Data collected from public institutions show that while some have made progress in this area, there remains a significant gap in the implementation of the required legal standards.<sup>155</sup>

## 117. Recommendations

- The Agency for Information and Privacy should maintain its oversight on access to public documents and the protection of personal data by ensuring compliance among public institutions and implementing sanctions for any violations;
- The GoK should strengthen protections for journalists and media workers by ensuring timely investigations into threats and attacks, improving transparency in media ownership, and addressing financial sustainability challenges in the sector;

152 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

153 FOL (2024), [Report: Survey findings on understanding and perception of whistleblowing by private sector employees.](#)

154 FOL (2024), [Report: Survey findings on understanding and perception of whistleblowing by private sector employees.](#)

155 FOL (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

- The Judicial and Prosecutorial Councils should improve compliance with the Law No. 02/L-37 on the Use of Languages by addressing the shortage of Serbian-language translators in courts and ensuring timely publication of judicial decisions in both official languages.

## 5.6 The freedom of peaceful assembly

**118.** The freedom of peaceful assembly as a fundamental human right corresponds on the international scale with Article 20 of the UDHR, and posits clearly that “everyone has the right to freedom of peaceful assembly and association” (see also section 5.7 of this report, for freedom of association). Article 11 of the ECHR similarly formulates the freedom of association as a core value. In the Kosovo Constitution, a synonymous formulation is adopted in Article 43 as the freedom of gathering rather than assembly. The Constitution states that “every person has the right to organize gatherings, protests and demonstrations and the right to participate in them.”<sup>156</sup> Other laws form the legislative backdrop of this right in Kosovo are Law No. 08/L-166 on Public Gatherings, Law No. 04/L-076 on Police, and Criminal Code No. 06/L-074.

**119.** During a visit of Prime Minister Albin Kurti in the north of Kosovo in September 2024, two K-Serb politicians (Aleksandar Arsenijević and Ivan Orlović) were arrested following their protest against the Government’s decision to construct a new police substation in Leško/Leshkë. The K-Serb politicians were arrested by K-police under the pretext that they disrupted public order and peace by whistling to the PM and his entourage during their visit in the north of Kosovo. The Human Rights Network (HRN) expressed serious concerns regarding their perceived illegal detention following their peaceful protest, calling on GoK and K-police to respect the rights guaranteed by the Constitution and initiate proceedings against those involved in the detention of these individuals.<sup>157</sup> They were released within a few hours.

**120.** According to NGO NSI, the right to peaceful protest was among the most threatened rights for the Serbian community in Kosovo during 2024. Politician Aleksandar Arsenijević was arrested seven times for participating in peaceful demonstrations, including four instances where his alleged offense was simply “blowing a whistle.” These actions were widely criticized by several NGOs and political actors, who condemned them as a blatant suppression of the right to peaceful protest. In one particularly concerning case, Arsenijević was charged with harassment against Visar Sylja, the chief of staff to the Mayor of North Mitrovica, Erden Atiq, for using a whistle as a form of protest. Other activists from Arsenijević’s political party also faced multiple detentions. Peaceful demonstrations and activist efforts were frequently monitored by heavy police presence, with some events secured by special police units. The deployment of large contingents of special unit officers, both in uniform and plainclothes, along with targeted actions against activists, appeared designed to stifle public expressions of dissent and discourage further protests.<sup>158</sup>

**121.** On 8 March 2024, a protest advocating for justice, equality and security for women was organised with calls to punish perpetrators of domestic violence with sentences that will discourage

156 The Kosovo Constitution (2008), Article 43.

157 YIHR KS (2025), [Human Rights Network Strongly Condemns the Arrest of Kosovo-Serb Citizens in North Mitrovica](#).

158 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



such crimes from recurring in Kosovo.<sup>159</sup> The activists, demanding change for women and girls in Kosovo, were met with excessive force by the K-police as they attempted to enter the GoK's open yard. The activists stayed committed to continue fighting for their rights, calling for accountability for the police's actions and reaffirming that "the streets are ours, not the government's."<sup>160</sup>

**122.** On 9 August 2024 a protest against femicide and violence against women was organised in front of the police station in Graçanicë/Gračanica. The protest was organised by the NGO Pravo na pravo which stated that femicide should be sentenced with life-time imprisonment and that domestic violence is not a private matter but an issue for which the Government and the society must do more.<sup>161</sup> The protest was organised following the murder of a woman in Graçanicë/Gračanica who died as a result of the injuries she suffered from the physical attack by her husband.<sup>162</sup>

**123.** In February 2024, thousands of K-Serbs gathered in the North of Mitrovica to protest against the Government's decision to make the Euro the only legal currency in Kosovo.<sup>163</sup> In August 2024, K-Serbs from northern Kosovo protested against the opening of the main bridge in North Mitrovica, following the revelation of Government plans to open the bridge to traffic – a GoK decision strongly opposed by NATO and the Quint nations.<sup>164</sup> In September 2024, dozens of K-Serbs protested against the shutting down of five Serbia-run parallel institutions in the north of Kosovo.<sup>165</sup> No incidents were reported during the protest which gathered around 80 citizens.

**124.** The right to freedom of expression for children is recognized and protected under Article 13 of the The United Nations Convention on the Rights of the Child (UNCRC). This article establishes several key principles regarding children's rights to freely express their views and access information. Article 13 states that "the child shall have the right to freedom of expression." This encompasses the ability to seek, receive, and impart information and ideas of all kinds, regardless of the medium used (spoken, written, or artistic expression). The right to access information is also integral to freedom of expression. Article 13 mandates that children should have access to a variety of media and materials that promote their understanding of social, political, and cultural issues, thus enabling them to be informed participants in society.<sup>166</sup>

**125.** In respect of the existing legislative framework, NGO Save the Children Kosova/o observes that the Law No. 08/L-166 on Public Gatherings may impose procedural requirements that complicate the ability of children and youth to organize or participate in public gatherings. For instance, stipulations for prior notification to authorities could disproportionately affect younger participants who may lack the resources or knowledge to navigate bureaucratic processes. This directly conflicts with Article 12 of the UNCRC, which states that children have the right to express their views freely in all matters affecting them, and their views should be given due weight. The

159 Radio Evropa e Lirë (2024), [Thirrje për drejtësi, barazi dhe siguri për gratë](#).

160 YIHR KS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

161 Radio Evropa e Lirë (2024), [Në Graçanicë protestohet kundër femicidit dhe dhunës ndaj grave](#).

162 Kallxo (2024), [Vdekja e gruas në Graçanicë, rasti kualifikohet nga dhuna në familje në vrasje të rëndë](#).

163 Reuters (2024), [Serbs in Kosovo rally against ban on Serbian dinar](#).

164 Radio Evropa e Lirë (2024), [Kosovo Serbs Protest in North Mitrovica Against Opening of Main Bridge](#).

165 Balkan Insight (2024), [Kosovo Serbs Protest Closure of Serbia-Run 'Parallel Institutions'](#).

166 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



law's primary focus on maintaining public order inadvertently prioritizes the state's interests over the participatory rights of children. While it is essential to ensure safety during public gatherings, excessive emphasis on restrictions undermines the spirit of democratic engagement. Article 29 of the UNCRC highlights the importance of education for the child's development, including respect for the rights of others, which encompasses learning about civic engagement and participation.<sup>167</sup>

**126.** In June 2024, the LGBTIQ+ Pride Parade was held in Prishtinë/Priština. According to the NGO CEL, the Pride Week and Pride Parade of 2024 may be considered as an event that proceeded smoothly and without any major incidents or obstacles. The Pride Parade of 2024 was supported by several influential individuals and organisations in Kosovo, including high-level politicians. The attendees were free to express themselves and enjoy the event.<sup>168</sup>

### 127. Recommendations

- The GoK and the K-police should ensure that the right to peaceful assembly is upheld and that arrests or detentions are not used as a means to suppress dissent, particularly in politically sensitive areas;
- The AoK should review and amend the Law on Public Gatherings to eliminate unnecessary procedural barriers for children and youth, ensuring their right to peaceful assembly in accordance with the UN Convention on the Rights of the Child;
- The MoJ should strengthen legal protections for freedom of expression, particularly for activists, non-majority communities, and journalists, ensuring that they can operate without fear of harassment or state intervention;
- The PIK and the OIK should monitor police conduct during public protests ensuring that law enforcement actions comply with human rights standards and that any violations are investigated.

## 5.7 The freedom of association

**128.** The freedom of association is an essential dimension of the human rights' framework and recognized alongside the freedom of assembly in Article 20 of the UDHR. An additional stipulation is formulated in Article 20.1, as the right of everyone to not be compelled to belong to an association.<sup>169</sup> The freedom of association and assembly is also guaranteed by Article 11 of the ECHR and the ECtHR has built a highly diverse jurisprudence relating to the form and type of assembly/association, positive obligations of the State in ensuring this right; restrictions on exercising this right; etc.<sup>170</sup> The Venice Commission has also been active in offering guidelines on freedom of association.<sup>171</sup> The freedom of association is also guaranteed through the Kosovo Constitution, and includes the right to "establish an organization without permission" (Art. 44.1) and the right to establish trade unions (Art. 44.2). In addition to these international and constitutional instruments, a

<sup>167</sup> Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

<sup>168</sup> CEL Kosova (2025), input for the joint CSO report on Human Rights Kosovo 2024.

<sup>169</sup> UDHR, [Article 20](#).

<sup>170</sup> European Court of Human Rights (2024), [Guide on Article 11 \(Freedom of assembly and association\) of the ECHR](#).

<sup>171</sup> Venice Commission, [Joint Guidelines on Freedom of Association](#).

set of other domestic laws and regulations complete the legislative framework applicable for this freedom.

**129.** The Law No. 06/L-043 on Freedom of Association in Non-Governmental Organizations further regulates the constitutional right to associate without obtaining permission. Known as the NGO Law, the legislation for NGOs provides an improved legal environment by removing limitations for foreign residents, and introducing new legal forms with shortened periods for registration.<sup>172</sup>

**130.** In 2024, some specific provisions of the basic law on freedom of association were amended through the Law No. 08/L-244 on the Amendment and Supplement of the Law No. 06/L-043 on the Freedom of Association in Non-Governmental Organizations.<sup>173</sup> The most important amendment concerns the right to appeal against any final decision which is reached based on this Law, which will be reviewed by an Appeals Commission that will be established by the Minister of Public Administration. According to the legal framework, the Complaints Commission will have 3 members and one of them must at all times be a representative from the NGO sector. The sub-legal act titled: "Regulation (MIA) No. 01/2024 on the Establishment, Composition, Mandate, Duties and Responsibilities of the Complaints Commission for Non-Governmental Organizations" was approved in September 2024 by the Ministry of Internal Affairs.<sup>174</sup> Accordingly, the EU Commission's report has confirmed that the legislation on freedom of association meets international human rights law standards but it cautioned that the new Complaints Commission must be independent from executive power.<sup>175</sup>

**131.** Furthermore, the Law No. 04/L-011 for the Organization of Trade Unions in Kosovo, and the Law No. 03/L-212 on Labor regulates one's right to form trade unions in the context of public and private employment sectors. The Law on Freedom of Association in Non-Governmental Organizations applies to all types of NGOs, including grassroots organizations. The Administrative Instruction No. 12/2022 on the Registration, Operation, and Deregistration of Non-Governmental Organizations, also defines the procedures for registration, operation, and deregistration of institutes as a new form of organization of NGOs recognized by the NGO Law.<sup>176</sup> The NGO public registry has to be updated and should ensure that Kosovo's electronic system of non-governmental organizations is fully reliable.

**132.** June 2024 marked the one year anniversary of EU measures against Kosovo, an EU response to the unilateral decision of the GoK to send to their public offices the mayors who were elected with insignificant participation of the electorate in the northern municipalities. This decision came without EU support.<sup>177</sup> Resultantly, projects amounting to around 300 million EUR were suspended, significantly affecting the CSOs in Kosovo and the potential for economic and social

172 European Center for Not-for-Profit Law (2019), [Kosovo Adopts new, Progressive Law on NGOs](#).

173 [Law No. 08/L-244 for the amendment of Law No. 06/L-043 on Freedom of Association in Non-Governmental Organisations](#).

174 Ministry of Internal Affairs (2024), [Regulation no. 01/2024 on the Establishment, Composition, Mandate, Duties and Responsibilities of the Complaints Commission for Non-Governmental Organisations](#) which was enacted based on Article 8.3. of the [Law No. 08/L-244 for the amendment of Law No. 06/L-043 on Freedom of Association in Non-Governmental Organisations](#).

175 EU Commission (2024), Kosovo Report 2024, p. 34.

176 Zyra për Qeverisje të mirë (2022), [Projektudhëzim administrativ nr. xx/2021](#).

177 GLPS (2024), The One Year Anniversary of EU Measures against Kosova.

development. Despite the fact that the EU's High Representative has recommended the removal of sanctions against Kosovo and that some CSOs considered the EU's restrictive measures as "counter-productive", "disbalanced" and "a blow for the country", the EU has not levied the sanctions against Kosovo. According to the latest reports, the EU aims to levy the sanctions in a partial and gradual manner and not all at once.<sup>178</sup>

**133.** In 2024, the Government of Kosovo (GoK) failed to approve the Government Strategy for Cooperation with Civil Society (2024-2029), despite ongoing efforts by the Office for Good Governance (OGG) and the CiviKos Platform to finalize its development. This delay, coupled with the inactivity of the Council for Cooperation of the Government with Civil Society throughout the year, raises concerns about the GoK's commitment to fostering meaningful engagement with civil society organizations in Kosovo. The absence of an updated strategy further underscores the stagnation in institutional cooperation, limiting the effectiveness of civil society participation in policymaking processes.<sup>179</sup>

**134.** According to Freedom House, the legislative framework in Kosovo enables NGOs to function freely and many engage in criticism towards the authorities and have been largely able to engage in advocacy work without interference. However, on certain occasions NGO's experience pressure to curtail criticism of the government.<sup>180</sup>

**135.** Civic Space Analysis conducted by NGO Save the Children Kosova/o in consultation with child-led groups identified certain restrictions on the freedom of association for children. One of the primary criticisms is that the law generally restricts the ability of individuals under 18 to form or lead non-governmental organizations independently. This creates barriers for youth engagement in civil society, preventing them from fully exercising their right to association. While minors can join organizations, their lack of legal autonomy limits their ability to influence decision-making processes significantly.<sup>181</sup>

**136.** According to the NGO Save the Children Kosova/o, the existing legal framework may not adequately ensure that the voices of children and youth are heard in the associations they join. This underrepresentation can lead to a lack of advocacy for issues specifically affecting young people, such as education, health, and participation in civic activities. Consequently, the interests and rights of minors may be overlooked in broader organizational agendas. While formal associations are regulated by law, informal youth groups, which can be vital for community engagement and social activism, may not be recognized or adequately supported. This can hinder young people's ability to mobilize for causes important to them, limiting their capacity to organize and advocate collectively. The existing laws and regulations could benefit from more explicit provisions that recognize and support the rights of children and young people to form their own associations. Inclusive frameworks should explicitly address the rights of young people to organize, participate, and lead within civil society, aligning with international conventions like the Convention on the Rights of the Child, which emphasizes the importance of children's participation in matters that affect them.<sup>182</sup>

178 Radio Evropa e Lirë (2024), [BE-ja pritet t'i heqë pjesërisht dhe gradualisht masat ndaj Kosovës](#).

179 Platforma CiviKos (2024), [The working group for the development of the Government Strategy for Cooperation with Civil Society 2024-2029 held another workshop](#).

180 Freedom House (2024), [Kosovo](#).

181 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

182 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

### 137. Recommendations

- The Ministry of Internal Affairs should ensure the full independence of the newly established Complaints Commission for Non-Governmental Organizations, preventing executive interference in its operations;
- The GoK should adopt the Government Strategy for Cooperation with Civil Society (2024-2029) without further delay and reactivate the Council for Cooperation with Civil Society to enhance institutional dialogue with NGOs;
- The Ministry of Internal Affairs should regularly update the Public Registry of NGOs and improve Kosovo's electronic system for NGO registration to enhance transparency, accessibility, and reliability.

## 5.8 The freedom of belief, conscience and religion

**138.** The freedom of thought, conscience and religion concerns the intrinsic right of individuals to manifest, worship and practice their beliefs alone or in a community with others. Its recognition as a universal human right is stipulated in Article 18 of the UDHR, and is equivalently stated in Article 9 of the ECHR. In the latter Convention, restrictions on the manifestations of belief or religion can be stipulated by law only in circumstances where they impinge on the interests and values of a democratic society and are necessary in the interests of public safety, for the protection of public order, public health, or for the protection of the rights and freedoms of others. The ECtHR has interpreted Article 9 of the ECHR in a number of important cases, where it has laid down the key principles related to the negative and positive obligations of the State in ensuring that this right is protected.<sup>183</sup>

**139.** In the domain of the Kosovo Constitution, this right is formulated in terms of freedom of belief, conscience and religion in Article 38. Moreover, the Kosovo Constitution (Rights of Communities) provides in its Article 59 (par. 1) that “members of communities shall have the right, individually or in community, to express, maintain and develop their culture and preserve the essential elements of their identity, namely their religion, language, traditions and culture”. The right to believe and manifest one's religion goes hand in hand in the Constitution with the right to change one's religion (Article 3) or not be compelled to join a religious community or make one's religious affiliations known. It should be noted, however, that Kosovo is a secular state and is neutral in matters of religious beliefs as provided by Article 8 of the Constitution. This was well confirmed in the Arjeta Halimi case, in which the Constitutional Court declared, inter alia, that public authorities are bound to observe Article 8 of the Constitution to uphold state neutrality on religious matters.<sup>184</sup>

**140.** The enactment of the Draft Law on Religious Freedom has been pending for several years now. It has not been included in the GoK's Legislative Agenda for 2024,<sup>185</sup> despite being approved

<sup>183</sup> European Court of Human Right (2024), [Guide on Article 9 \(Freedom of thought, conscience and religion\) of the ECHR](#).

<sup>184</sup> Case No. [Kl 36/11](#) Constitutional Review of alleged non execution of Judgment of the District Court in Gjilan/Gnjilane CN.nr.24/09 of 17 November 2009 and alleged violation of the Applicant's human rights.

<sup>185</sup> Government of Kosovo, [Legislative Agenda for 2024](#).

by the GoK one year earlier. The initial draft Law on Religious Freedom was first approved in 2006 and then in 2023, on both occasions with the purpose to update the legal framework for religious freedoms and increase compatibility with human rights and fundamental freedoms guaranteed by the Constitution.<sup>186</sup> It was expected that the changes in the legal status of the religious community will include the right to legal ownership of property, to rent property, to maintain an official bank account, to hire workers, and to establish institutions of a humanitarian and educational character. The changes were also expected to include the formation of a commission to deal with practical matters and determine the criteria for registering new religious communities in Kosovo.

**141.** Kosovo has 43 Special Protection Zones, which have been established by Law No. 03/I-039 on Special Protective Zones, with the purpose of safeguarding locations of religious and cultural significance. These zones are granted legal protection from any activities that could potentially cause harm or disturbance to the historical, cultural, or natural environment. A specialized police unit, composed of individuals from diverse ethnic backgrounds, provides round-the-clock surveillance to ensure the security of these zones. While no grave incidents have occurred at these sites in the recent years, acts of desecration against the Serbian Orthodox Church and attempts to misappropriate and undermine the identity of religious sites took place during the reporting period.<sup>187</sup>

**142.** On 13 March 2024, the Prime Minister Albin Kurti asked the Kosovo Cadastral Agency to fully implement the 2016 Constitutional Court Judgment on Visoki Dečani Monastery. The next day the decision was implemented by the Kosovo Cadastral Agency and the Minister of Foreign Affairs of Kosovo sent a verbal note to the Council of Europe informing them about the conclusion of this crucial matter,<sup>188</sup> which was set as a precondition to continue the accession process within the organisation. In a joint statement, the Quint states welcomed and commended the action of the GoK by highlighting that “enforcing the rule of law and respecting judicial independence are obligations for all democratically elected governments and necessary preconditions for Kosovo’s integration into European and Euro-Atlantic institutions.”<sup>189</sup> The decision of the GoK to implement the Visoki Dečani Monastery Judgment was decisive in obtaining a positive recommendation from the Parliamentary Assembly of the Council of Europe, which called the act of implementation “a major breakthrough”.<sup>190</sup> Furthermore, the implementation of the Visoki Dečani Monastery Judgment was considered as a tangible sign of Kosovo’s commitment to act in full accordance with the rule of law, irrespective of political considerations.<sup>191</sup>

**143.** In January 2024, the Archaeological Institute of Kosovo erected a fence around the special protective zone of Hvosno monastery in Istog/Istok. The Serbian Orthodox Church raised complaints about Prishtinë/Priština’s lack of communication concerning the fencing and restoration works. On the board placed on that occasion, the text was written exclusively in Albanian language, stating that it is a “basilica, not Serbian Orthodox Church’s monastery.” In early March, the erected fence was damaged.<sup>192</sup>

186 Nacionale (2023), [Qeveria miraton projektligjin për Liritë Fetare](#), AA (2023), [Qeveria e Kosovës miraton projektligjin për lirinë fetare](#).

187 EU Commission (2024), Kosovo Report 2024, p. 33.

188 Balkan Insight (2024), [Kosovo to Implement Court Ruling Awarding Serbian Monastery Disputed Land](#).

189 [Quint Statement](#) on the Implementation of the Registration of the Decani Monastery’s Land, March 14, 2024.

190 [Recommendation of the PACE on Kosovo’s request for membership to the Council of Europe](#) (2024).

191 [Recommendation of the PACE on Kosovo’s request for membership to the Council of Europe](#) (2024). For more on the importance of the Deçani Judgment in Kosovo’s path towards the Council of Europe, see also European Stability Initiative (2024), [A monastery, Kosovo courts and the road to the Council of Europe](#).

192 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



**144.** On 13 May 2024, the Kosovo authorities prevented Patriarch Porfirije and seven other hierarchs of the Serbian Orthodox Church from entering Kosovo to attend the Holy Assembly of Bishops of the Serbian Orthodox Church at the Peć Patriarchate in the Pejë/Peć municipality. The Quint and the European Union qualified the decision contrary to the Ahtisaari Plan. On 26 June, Mr. Petković was denied permission to travel to Kosovo for the Serbian national holiday of Vido-vdan.<sup>193</sup> According to the NGO AKTIV, this decision violated the existing agreements, the Ahtisaari Plan, and the UDHR, specifically concerning religious rights.<sup>194</sup>

**145.** There were several incidents affecting Serbian Orthodox and Catholic sites in non-majority community areas, according to observations submitted by the NGO NSI. These include break-ins or attempted break-ins at Serbian Orthodox churches in Shillovë/Šilovo, Krushevë e Madhe/Ve-liko Kruševo, in Talinoc i Muhaxherëve/Muhadžer Talinovac, and in Lipjan/Lipljan town. Additional cases involving religious sites of non-majority communities include the illegal dumping of waste at the Serbian Orthodox cemetery in Klinë town and at the special protective zone of the Binač monastery in Buzovik in March; incendiary graffiti sprayed inside the Serbian Orthodox Holy Trin-ity Church in Nakëll/Naklo; and damages to a cross in a Serbian Orthodox cemetery in Rahovec/Orahovac in May.<sup>195</sup> In addition, the NGO AKTIV reported that a church was robbed by individuals known to locals, with limited action taken by authorities despite repeated incidents. According to NGO AKTIV, this raises concerns about institutional neglect, contributing to fears of further prop-erty damage and escalating tensions between K-Serb and K-Albanian communities.<sup>196</sup>

**146.** Furthermore, NSI notes multiple incidents affecting special protective zones, including illegal logging by three K-Albanian suspects identified by K-police in the forest owned by the Serbian Orthodox Draganac Monastery in April 2024. In the same month, the authorities stopped a K-Al-banian man from cultivating fields owned by the Peć Patriarchate without authorization in Budis-alc/Budisavci village. NSI also notes that in August 2024, a road funded by Kosovo institutions was constructed inside the 50-metre perimeter of the Dolac Monastery. The construction had not been previously approved by the Serbian Orthodox Church, as required by the Law on Special Protec-tive Zones. In its first meeting since November 2020, the Implementation and Monitoring Council held an extraordinary meeting on 4 September, where the Serbian Orthodox Church agreed to the continuation of the road works.<sup>197</sup>

**147.** On 3 July 2024, the Serbian Orthodox Visoki Dečani Monastery received a draft municipal development plan from the municipality that classified the monastery and substantial parts of the special protective zone as an “urban area” and envisaged several infrastructure projects in the zone. The Monastery urged the municipal authority to adhere to the legal framework and called for consultations to explore alternative development strategies, but so far, no consultations have taken place.<sup>198</sup>

193 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

194 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

195 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

196 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

197 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

198 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



## 148. Recommendations

- The GoK should prioritize the adoption of the Draft Law on Religious Freedom to ensure legal clarity regarding the rights and responsibilities of religious communities, in line with international standards and constitutional obligations;
- K-police and the judiciary should strengthen protection measures for religious sites and take swift legal action against acts of desecration, vandalism, and religiously motivated violence to uphold the rule of law and foster interethnic and interreligious harmony;
- The Ministry of Culture, Youth, and Sports should ensure full compliance with the Law on Special Protective Zones by engaging in inclusive consultations with religious communities before approving development projects that may affect religious and cultural heritage sites;
- The Kosovo Cadastral Agency should maintain transparent and legally sound procedures regarding property rights of religious communities, ensuring that all relevant court rulings and legal provisions are fully implemented.

## 6. SECTION B: ECONOMIC, SOCIAL AND CULTURAL RIGHTS

### 6.1 Labor rights

**149.** Labour rights find their universal and international legal basis in Article 23 of the UDHR while the ECHR prohibits any form of forced labor in its Article 4 when stating that “no one shall be required to perform forced or compulsory labor.”<sup>199</sup> On a local level, labor rights are protected by the Kosovo Constitution. The Constitution guarantees the right to work and freely choose an occupation as stipulated in Article 49.1, “every person is free to choose his/her profession and occupation.” The freedom of association, the freedom to form trade unions, and the prohibition of forced labor is also protected through the Constitution. Other stipulations include basic social insurance related to unemployment in Article 51, as well as the equitable representation of communities and members in public employment in Article 61.<sup>200</sup> The legislative foundation is also formed by Law No. 03/L-212 on Labor, Law No. 04/L-161 on Safety and Health at Work, and Law No. 04/L-011 on Trade Union Organization, which regulates and determines the rights and freedoms of employees to establish trade unions in the public and private sector.

**150.** Despite having several labor laws in place, the enforcement of these laws remains weak. The lack of enforcement leads to violations of labor rights, including low wages, long working hours, and unsafe working conditions. A significant percentage of the workforce in Kosovo is employed in the informal sector. This type of employment is often associated with low wages, no job securi-

<sup>199</sup> ECHR, [Article 4](#).

<sup>200</sup> The Kosovo Constitution (2008).

ty, and limited access to social and health protection. A significant number of workers are not covered by social protection schemes, such as pensions, health insurance, and unemployment benefits. This lack of social protection makes workers more vulnerable to economic shocks and poverty. In particular, the informal economy is particularly damaging for women, whose unpaid care-work, engagement in family businesses and agricultural labour remain insufficiently addressed by the legal framework and fair pay regulations.<sup>201</sup>

**151.** While foreseen in the legislative program of the GoK for 2023, the bill to amend the existing Law No. 03/L-212 on Labor was not part of the legislative program for 2024.<sup>202</sup> The Women's Economic Forum protested in front of the Government of Kosovo, demanding the reinstatement of the Labor Law in the legislative agenda after it was removed by the government. Despite sending two urgent calls for action since February 15, 2024, the government has not taken any steps to address the issue.<sup>203</sup> According to the NGO KDI (2024), the continuous failure of the current government and of all past administrations to amend the Labor Law of 2012 has negatively impacted human rights and those of the workers, in addition to creating a climate of insecurity and stagnation in the labour market in Kosovo.<sup>204</sup> There is a pressing need for the GoK to include the Labor Law in the upcoming legislative agenda for 2025. Before and during the law-drafting process, there is also a pressing need to initiate a broad and meaningful consultation process with all relevant stakeholders and interest groups as a means of drafting a new law that is compatible with European standards and addresses the needs of the workers and labor market in Kosovo.

**152.** In 2024, the GoK approved the new Employment Strategy 2024-2028.<sup>205</sup> It is pertinent to note that the Strategy lacks a basic overview, i.e. objectives are not included in the document nor does it contain an introduction or conclusion. An Employment Action Plan for 2024-2025 is stated to be found at the end of the document as part of Annex 1 of the Strategy but it has not been published as such and it does not appear in the suggested document. The Strategy estimates that the financial resources for the implementation of this Strategy amount to 90,234,248 EUR, but it does not further explain how and where such amounts will be invested.

**153.** The Labor Inspectorate of Kosovo is the central monitoring body that oversees the implementation of the labor laws in practice. This includes the management of overall labor relations as well as health provisions at work. The latter accords with Law No. 04/L-161 on Safety and Health at Work. The activities of the Labour Inspectorate are also framed within the context of a specific set of other laws and regulations. These include the Law No. 04/L-156 on Tobacco Control, which has been amended in 2022,<sup>206</sup> the Law No. 04/L-219 on Foreigners, Law No. 03/L-019 on Vocational Ability, Rehabilitation and Employment of People with Disabilities and Law No. 02/L-81 on Infants' Breastfeeding Incitement and Protection. The GoK did not manage to meet its own deadline of June 2024 to conclude a new draft Law on Labour Inspectorate as foreseen by the legislative program for 2024.<sup>207</sup>

201 Kosovo Women's Network (2024), [In the Shadows: A Gender Analysis of Informal Work in Kosovo](#).

202 Government of Kosovo, [Legislative Program 2024](#).

203 Telegrafi (2024), [Protestohet para Qeverisë kundër heqjes së Ligjit për Punën nga Kalendari Legjislativ](#).

204 KDI (2024), [Ligji i Ri i Punës në mes të nevojës dhe kërkesave për ndryshim](#).

205 Government of Kosovo (2024), [Employment Strategy 2024-2028](#).

206 Official Gazette (2022), [Law on amending and supplementing Law No. 04/L-156 on tobacco](#).

207 Government of Kosovo (2024), [Legislative Program 2024](#).

**154.** The GoK announced a public sector salary increase in 2024, just ahead of the elections of February 2025. The salary increase is planned to take effect in two phases—January and July 2025. This measure follows previous salary adjustments, including the 2023 salary law, which structured public sector wages based on coefficients ranging from 1 to 20. While the government justifies this increase as a means of enhancing economic stability, trade unions, particularly in the education sector, have criticized it as insufficient, calling for a more substantial 30 percent raise. Opposition leaders have similarly dismissed the measure as inadequate. The timing of these wage adjustments, along with prior decisions to raise the minimum wage and pensions, has raised concerns regarding the use of public funds for electoral gain rather than sustainable public sector reform.<sup>208</sup>

**155.** The most recent data on unemployment according to the Kosovo Agency of Statistics (KAS) for the age categories 15-64 is 10.7 percent. Other important statistics of the labour market deriving from the latest results of the labour force questionnaire are as follows: (i) 42.3 percent is the labor force participation rate for the age categories 15-64; (ii) 57.7 percent is the rate of economically inactive population; (iii) 22.6 percent is the youth labour force rate (15-24 years old); 37.8 percent is the employment to population ratio (15-64 years); 18.3 percent is the youth employment to population ratio (15-24 years old); 19 percent is the youth unemployment rate.<sup>209</sup>

**156.** Significant concerns persist about inadequate workplace safety measures in the private sector with the construction sector as the field with the most injuries and mortality rates.<sup>210</sup> Trade unions have called for more urgent action and increased inspections to address the persistence of the issue. Security experts have concerningly noted that no progress has been made in the recent years despite the high number of accidents and they call upon the Labor Inspectorate to conduct more rigid monitoring throughout Kosovo.<sup>211</sup> While according to the Labor Inspectorate during 2024 (January to November) 8 workplace fatalities resulting in death have occurred, the Syndicate of the Private Sector claims that 23 persons have lost their life in their workplace during 2024.<sup>212</sup> This discrepancy raises concerns about clear reporting and interinstitutional coordination in occupational safety monitoring.

**157.** Young people in Kosovo express the most significant concern about the lack of job opportunities within Kosovo's labour market. Indeed, concerns about unemployment are most prevalent among 15 to 29 year olds.<sup>213</sup>

**158.** Experts have warned that poor employment conditions coupled with Kosovo's visa liberalization in January 2024 may trigger mass emigration. In particular, the Alliance of Kosovar Businesses urged the GoK to subsidize the private sector to prevent workers from leaving. According to Eurostat, the visa free regime has resulted in 1960 asylum applications in EU27 in the first four months of 2024, which presents a 68 percent increase compared to the same period in 2023.<sup>214</sup>

**159.** The exodus is particularly concerning in the health sector. In 2024, 109 doctors requested their respective ethics certificates, a document required for applying for employment abroad. Put

208 Prishtina Insight (2024), [Kosovo government announces pay hike ahead of 2025 elections](#).

209 Kosovo Agency of Statistics (2025), [Latest data on Labour Market](#).

210 Dukagjini (2024), [Siguria e punëtorëve në punë, ligji e garanton por s'gjen zbatim](#).

211 Dukagjini (2024), [Siguria e punëtorëve në punë, ligji e garanton por s'gjen zbatim](#).

212 Albinfo.ch (2024), [Kosovë: Siguria në punë, sfidë për punëtorët kosovarë](#).

213 Friedrich Ebert Stiftung (2024), [Independent but concerned: the voices of young people in Southeast Europe](#).

214 EU Commission (2024), Kosovo Report, pp 45-46.

into perspective, 167 certificates were requested in 2023.<sup>215</sup> As a result of the exodus, waiting periods have increased for certain services and modern medical apparatuses cannot be operated due to a lack of professional medical staff.<sup>216</sup>

**160.** The Law No. 03/L-019 on Vocational Ability, Rehabilitation and Employment of People with Disabilities continues to be disregarded in practice. Although the law obliges companies from both the public and private sectors to reserve every 50<sup>th</sup> place for a person with disabilities, employers disregard the professional qualifications of individuals with disabilities.<sup>217</sup> Resultantly, the Labor Inspectorate has increased fines in the private sector and increased its monitoring capacities. Furthermore, NGO Handikos states that even if the right to employment were to be respected, individuals with disabilities are deprived from adequate working conditions including access to respective enterprises, transport and other physical conditions. In addition, NGO Down Syndrome Kosova underscores that this situation is not only evident in the private sector, but that public institutions which should occupy an exemplary function for the workforce, fail in implementing the law.<sup>218</sup>

**161.** Women and girls in Kosovo face significant challenges in the workforce with unemployment rates that are highest, and significantly higher than men.<sup>219</sup> From a statistical perspective, only 20.9 percent of women (15-64 years old) are employed compared to 54.8 percent of men in the same age category. Conversely, 17.2 percent of women (15-64 years old) are unemployed compared to 7.9 percent of males in the same age category. Similarly, a high percentage of women (74.8 percent) are considered as inactive (15-64 years old) compared to 40.5 percent of inactive males in the same age category. Among youth, 33.6 percent of women (15-24 years old) are not employed or engaged in education or training, compared to 31.7 percent of males in the same age category.<sup>220</sup>

## 162. Recommendations

- The GoK should prioritize the amendment of the Labor Law by reinstating it in the 2025 legislative agenda and ensuring broad consultations with stakeholders to align it with European standards and labor market needs;
- The MoF should improve transparency and accountability in employment policies by clearly outlining the budgetary allocation and objectives of the Employment Strategy 2024-2028, ensuring its effective implementation;
- The Labor Inspectorate should intensify monitoring and enforcement of labor laws, particularly in high-risk sectors such as construction, to improve workplace safety and reduce occupational fatalities.

215 Radio Evropa e Lirë (2024), [Edhe një vit me mbi 100 mjekë të ikur nga Kosova](#); Bold News (2024), [Edhe një vit me mbi 100 mjekë të ikur nga Kosova](#).

216 Radio Evropa e Lirë (2024), [Edhe një vit me mbi 100 mjekë të ikur nga Kosova](#).

217 Handikos (2025), input for the joint CSO report on human rights in Kosovo 2024.

218 Syri TV (2024), [Ligji për Punësimin e Personave me Aftësi të Kufizuara, nuk respektohet nga sektori privat](#).

219 UN Women (2024), [Kosovo Gender Country Profile](#)

220 Kosovo Agency of Statistics (2024), [Results of the Labour Force Survey](#)

## 6.2 The right to education

**163.** The international backdrop against which the right to education is best understood in the context of Kosovo's development as a democratic society is Article 26 of the UDHR and Article 2 of Protocol No. 2 to the ECHR. Specifically, paragraph 26.1 of the UDHR states that "everyone has the right to education" and underscores that education should be free and made accessible for all at least at the primary and secondary stages. On the other hand Article 2 of Protocol No. 2 to the ECHR states that "no person shall be denied the right to education" and that States must respect "the right of the parents to ensure such education and teaching (is) in conformity with their own religious and philosophical convictions."

**164.** In the legislative framework of Kosovo, the right to education is constitutionally safeguarded. Article 47 of the Constitution ensures the right to free basic education and equal opportunities to education for all individuals in accordance with their specific needs and abilities. In Article 59 of Constitution in the chapter of the Rights of the Communities and their Members, the Constitution guarantees the right of non-majority communities to receive education in their own mother tongue provided that the language is officially in use in Kosovo. This is reiterated in the Law No. 03/L-047 on the Protection and Promotion of the Rights of Communities and their Members in Kosovo. The law legally safeguards the language spoken by the non-majority communities as the language of instruction in primary and secondary education. The legislative framework of Kosovo's educational setting is completed with the Law No. 03/L-068 on Education in the Municipalities of the Republic of Kosovo. This law regulates the organization of the public institutions in primary, and secondary schools. The primary legislative context for education at the tertiary level is the Law No. 04/L-037 on Higher Education.

**165.** The implementation of the Law No. 08/L-153 on Early Childhood Education commenced with the piloting of new curricula for the 2023/2024 academic year.<sup>221</sup> Notably, this Law regulates the provision of quality education standards and renders preschool education mandatory from 2024. According to the Ministry of Education, Science, Technology and Innovation (MESTI) the law "lays the foundation for the growth and development of the youngest." Thus far, UNICEF Kosovo reports that access to preschool education in Kosovo is far below the European standard of 96 percent, and lower than regional averages.

**166.** The Education Strategy 2022–2026 focuses on improving access, quality, and equity in Kosovo's education system. This includes ensuring that education is compulsory for all children up to a certain age and maintaining free access to education. The strategy emphasizes reducing disparities in education, particularly in rural and marginalized areas, and addressing barriers faced by disadvantaged groups, such as children with disabilities and those from ethnic minorities. However, despite two years remaining until the completion of the strategy's implementation, no significant progress has been made, according to NGO Save the Children Kosova/o. The persistent issue of educational quality remains particularly concerning, as reflected in the PISA results. Other ongoing challenges include the inclusion of children with disabilities and children from K-Roma, K-Ashkali, and K-Egyptian communities, who continue to face inadequate access to quality education.<sup>222</sup>

221 EU Commission (2024), Report on Kosovo, p 16.

222 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



**167.** Education is a key pillar of the National Action Plan for Persons with Disabilities; however, its implementation faces significant challenges. The NGO Save the Children Kosova/o highlights the absence of effective execution mechanisms and inadequate funding. Rehabilitation services, essential for inclusive education, are provided exclusively by an unlicensed private sector, limiting access to children from affluent families. The lack of these services adversely affects learning outcomes for children with disabilities. Additionally, there is a critical shortage of specialized support teachers. While the Ministry of Education has hired approximately 400 assistants, this remains insufficient given the high demand.<sup>223</sup>

**168.** A particularly concerning issue noted by the NGO Save the Children Kosova/o is the unknown number of children with disabilities who remain outside the education system. For K-Roma, K-Ashkali, and K-Egyptian children, the dropout rate remains problematic, particularly in secondary education. Scholarships offered by the GoK in higher secondary education have positively impacted their continued schooling. Dropout rates remain high in secondary education. This is compounded by the early involvement of children in the workforce, but also resulting in early marriages, and circumstances of continued poverty impeding the full realization of inclusive education goals.<sup>224</sup>

**169.** Challenges concerning the discrepancies between labour market demands in Kosovo and the educational offer are partially addressed in the Education Strategy (2022-2026). Key initiatives include updating curricula, expanding digital platforms, strengthening teacher training, and fostering public-private partnerships to bridge skills gaps. However, in practice, challenges remain regarding quality, as there is still a mismatch between labor market demands and the qualifications of graduates, as well as gaps in the competencies of graduates themselves.<sup>225</sup>

**170.** Based on official data reported by the NGO Save the Children Kosova/o, the student-teacher ratio in primary education is 1 teacher for every 20 students; in secondary education this amounts to 1 teacher for every 15 students. Urban-rural population shifts have resulted in overcrowded urban schools, and straining resources and facilities. Conversely, rural schools face declining enrolment, leading to class consolidations and gradual closures. These demographics have to be taken more seriously as they continuously widen the educational disparities between urban and rural students. Addressing this imbalance is critical to ensuring equitable access to quality education. The number of out-of-school children remains unclear, with the issue particularly affecting children with disabilities and those from K-Roma, K-Ashkali, and K-Egyptian communities as mentioned above.<sup>226</sup>

**171.** Gender disparities in education remain a concern, particularly in rural areas where traditional gender roles often restrict girls' access to education. Cultural expectations, early marriage, and economic pressures can force girls to leave school prematurely. These barriers perpetuate a cycle of limited opportunities for women and girls, undermining their potential to contribute fully to society.

223 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

224 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

225 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

226 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



**172.** While access to education has improved, ensuring its quality remains a pressing issue. Schools often lack adequate resources, including modern teaching materials and trained educators, particularly in rural and underserved areas. This disproportionately affects marginalized children, who may already struggle with additional barriers to learning.<sup>227</sup>

**173.** Creating safe and protective environments for children within schools is crucial. However, cases of bullying and violence in schools are not uncommon. Mechanisms for reporting and addressing such incidents remain weak, leaving many children vulnerable and unprotected.<sup>228</sup>

**174.** In March 2024, the GoK published a report on the revision of school textbooks following a thorough revision process which commenced in April 2023.<sup>229</sup> The focus of the revision was on the subjects of Albanian language and mathematics as the most critical subjects requiring improvement in the school textbooks.<sup>230</sup>

**175.** In November 2024, a divisive public debate commenced regarding sexual education in schools following by an accusation of AoK member Eman Rrahmani that MESTI has allegedly approved sexual education manuals that contradict certain family values by requiring that children “touch each other in different part of the body” including intimate parts during sexual education sessions in schools.<sup>231</sup> The claims made by the AoK member were inaccurate with the practical session he referenced not pertaining to sexual education at all but concerning instead an exercise involving visually impaired individuals.<sup>232</sup> Despite this misinterpretation, the debate continued for days with political parties and CSOs taking various stances within the discussion. Certain municipalities also issued a ban of the manuals in their respective schools.<sup>233</sup> Furthermore, MESTI acknowledged erroneous content in the manuals stating that they were to be reviewed and corrected.<sup>234</sup> Resulting in the debate, the Coalition of NGOs for the Protection of Children (KOMF) underscored the vital importance of sexual education for children, and noted that educational materials and school texts should be made age-appropriate.<sup>235</sup>

**176.** In December 2024, YIHR KS published a report on the perpetuation of discrimination through language use in school textbooks.<sup>236</sup> The report provides an extensive examination of the manifestation of different forms of explicit and implicit discrimination through the language and images adopted in the school textbooks of a range of subjects in upper secondary education in Kosovo, revealing the need for educational materials to be revised to reflect an inclusive worldview with contemporary understandings of gender, sexuality, race, age and ethnicity.<sup>237</sup>

**177.** Despite a consecutive budget increase of MESTI for 2024, disparities in budget execution were evident throughout 2024. Most notably, the digitalization of schools foresaw a budgetary planning of 18 million EUR, which remained entirely unspent. This inaction is particularly concern-

227 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

228 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

229 Kallxo (2024), [Nagavci ia prezanton Kurtit raportin mbi 600-faqësh pas rishikimit përmbajtësor të teksteve shkollore.](#)

230 Telegrafi (2024), [Rishikimi i teksteve shkollore, dorëzohet raporti për vlerësimin e teksteve të gjuhës shqipe dhe matematikës së klasave 1-9.](#)

231 Nacionale (2024), [Doracaku i edukatës seksuale.](#)

232 Radio Evropa e Lirë (2024), [Debat i edukatës seksuale: çka është e vërtetë e çka jo?](#)

233 Gazeta Express (2024), [Pas Prishtinës, edhe Skenderaj ndalon përdorimin e doracakëve të edukimit seksual.](#)

234 Nacionale (2024), [Doracaku i edukatës seksuale.](#)

235 Kallxo.com (2024), [KOMF flet për rëndësinë e edukimit seksual të fëmijëve në shkollë.](#)

236 YIHR KS (2024), [Discriminatory Language in School Textbooks: An analysis of upper secondary level school textbooks in Kosovo.](#)

237 YIHR KS (2024), [Discriminatory Language in School Textbooks: An analysis of upper secondary level school textbooks in Kosovo.](#)

ing since public schools in Kosovo have on average just 1 computer per 35 students with only 15 percent of pre-university institutions having internet access. Consequently, MESTI was criticised for failing to utilize its budget to procure much needed digital equipment for educational institutions.<sup>238</sup>

**178.** Kosovo's participation in the 2021-2027 Erasmus+ program is notable, because it facilitates mobility for students and staff within EU member states and facilitates the exchange of good practices in science and technology. In the years 2014-2024, over 10 thousand Kosovar students have benefited from Erasmus+ projects in higher education.<sup>239</sup> The latest data shows that Kosovo's participation in Erasmus+ improved in 2024, confirming the positive trend of the past year.<sup>240</sup>

**179.** Although over half of Kosovo's upper secondary school students are enrolled in vocational education and training (VET), challenges persist in the sector. In 2023-2024, VET expanded with eight additional profiles in 2023/2024, bringing the total number of dual education profiles to 12. This expansion aims to improve the employability of both girls and boys. The Prime Minister launched an awareness campaign to support the implementation of dual VET in Kosovo while the concept for a new VET law still needs to be finalised. Strengthening alignment between education and labour market needs requires cooperation with businesses and the revision of the legal framework on vocational education and training.<sup>241</sup>

**180.** Improving the educational accessibility of students with disabilities remains a critical priority. In its 2024 Opinion on Kosovo's accession, the Parliamentary Assembly of the Council of Europe emphasized the need of Kosovo authorities to ensure effective access to high-quality primary and secondary education and textbooks for all children, particularly those with disabilities, non-majority communities and disadvantaged backgrounds.<sup>242</sup> According to the EU Commission, the enactment of a specific Law on the rights, evaluation, treatment and status recognition of services and benefits for persons with disabilities is overdue.<sup>243</sup>

**181.** The widely publicized case of severe abuse against an autistic 3 years old girl by her speech therapist prompted a strong reaction of the National Association of Autism in Kosovo (ANAK). This followed a 2024 court ruling that acquitted the speech therapist, Iljasa Fazliu, a decision that sparked public outcry and renewed calls for stronger protection of children with vulnerabilities.<sup>244</sup> According to ANAK, the decision to acquit the therapist was illogical considering the stigmatizing and offensive language that was used towards the girl.<sup>245</sup> Consequently, the Public Prosecution in Gjilan/Gnjilane filed an appeal with the Court of Appeal on 21 November 2024.<sup>246</sup> It remains to be determined whether the Court of Appeal will remand the case for retrial to the Basic Court or if it will exercise its authority to issue itself a final ruling on this case of child abuse and mistreatment.

238 Koha.net (2024), [Ministria e Arsimit s'e shfrytëzon buxhetin për digjitalizimin e shkollave](#)

239 Telegrafi (2024), [Over 10 thousand students from Kosovo have benefited from Erasmus+ projects.](#)

240 EU Commission (2024), Kosovo Report 2024.

241 EU Commission (2024), Kosovo Report 2024, p. 76.

242 Parliamentary Assembly of the Council of Europe, [Opinion no. 302\(2024\)](#) of 16 April 2024.

243 EU Commission (2024), Kosovo Report 2024.

244 Bota Sot (2024), [Logopedi s'u dënua për keqtrajtimin e 3-vjeçares me autizëm, reagon ANAK.](#)

245 Bota Sot (2024), [Logopedi s'u dënua për keqtrajtimin e 3-vjeçares me autizëm, reagon ANAK.](#)

246 Nacionale (2024), Pas raportimit në Nacionale dhe protestës, Prokuroria ankohe për vendimin e Gjykatës që liroi Iljasa Fazliun.

**182.** Amid unresolved property issues involving former socially-owned enterprises in Kosovo, the Kosovo Privatization Agency sold the premises that housed the University Library of the University of Prishtina with its temporary seat in North Mitrovica.<sup>247</sup>

**183.** The request of the Kosovo Central Election Commission to utilize the Serbian-run schools as polling centers for the mayoral recall votes was denied by the respective schools. On 4 July 2024, the prosecutor's office in Mitrovica launched proceedings against 14 K-Serb school directors for allegedly obstructing the electoral process. The directors were questioned but no criminal charges were filed.<sup>248</sup>

**184.** The situation of ethnic segregation in schools perpetuates ethnic divides and impedes on the development of a genuine multi-ethnic and multicultural society. The segregation of the K-Roma and K-Ashkali communities remains pertinent in 2024 including in the government of Serbia-sponsored curriculum in the North Mitrovica. Schools remain divided along ethnic lines, dropout rates are higher for these communities than for students with other ethnic backgrounds, and an overall sense of discrimination remains a pervasive feature of the educational landscape of Kosovo.<sup>249</sup>

**185.** In 2023, the Faculty of Law of the University of Prishtina marked a significant milestone by launching its inaugural Master's Program in Human Rights, International Criminal Law and Transitional Justice. Notably, this progressive initiative has garnered support from UNMIK/OHCHR through the NGO Youth Initiative for Human Rights - Kosovo (YIHR KS). UNMIK through the YIHR KS is actively backing the program as it stands out as the first of its kind in Kosovo, welcoming full-time international students, and the establishment of the legal clinic. An essential Memorandum of Understanding (MoU) has been signed with the Faculty of Law to enhance the coordination and practical implementation of this notable educational endeavor.<sup>250</sup> Following its success in the first year, in 2024, the program continued for its second year.

## 186. Recommendations

- The GoK and MESTI should ensure the full implementation of inclusive education policies by allocating sufficient funding for support services, specialized teachers, and assistive technologies to enhance accessibility for children with disabilities and those from marginalized communities;
- MESTI should revise and update school curricula and textbooks to eliminate discriminatory language, ensure inclusivity, and provide accurate, diverse, and unbiased historical and cultural representations in educational materials;
- The GoK and MESTI should strengthen vocational education and training (VET) by finalizing the new VET law, expanding dual education programs, and aligning curriculum with labor market demands through stronger partnerships with businesses and industry stakeholders.

247 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

248 United Nations, *Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo*, S/2024/741 (New York: United Nations, 2024), accessed January 12, 2025, <https://documents.un.org/doc/undoc/gen/n24/281/08/pdf/n2428108.pdf>.

249 Radio Kosova e Lirë (2023), [Edukimi, armë kundër diskriminimit](#).

250 YIHR KS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

### 6.3 The Right to health

**187.** The international human rights basis upon which we can gauge the right to health in the context of Kosovo is the UDHR. In Article 5 of the UDHR focus is directed to the right of all individuals to “a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing [...]”.<sup>251</sup> Although the ECHR does not explicitly pronounce the right to health, a wide range of issues relating to health have been dealt with by the European Court on Human Rights. The case-law of the Court requires states to safeguard people’s mental and physical well-being in many different circumstances, including having access to healthcare, having a say in the treatment they receive and getting justice when medical mistakes are made.<sup>252</sup>

**188.** The legislative framework of Kosovo on the right to health comprises numerous laws and stipulations. An exhaustive overview is listed here with first Article 51 of the Kosovo Constitution on Health and Social Protection. Specifically, paragraph 1 formulates that healthcare and social insurance are regulated by law followed in paragraph 2 by basic social insurance relating to unemployment, disease, disability and old age as also regulated by law. In May 2022, the Law on Amending and Supplementing Law No. 04/L-249 for Health Insurance was approved.<sup>253</sup> This law forms an important step forward to regulating public health insurance for Kosovo citizens at the level of the GoK. The legislative framework is further completed by the following laws: the Law No. 04/L-125 on Health, the Law No. 02/L-78 on Public Health, the Law No. 02/L-76 on Reproductive Health, the Law No. 06/L-042 on Blood and Blood Components and the Law No. 02/L-200 on Prevention and Control of Infectious Diseases.

**189.** The reality of Kosovo’s healthcare system starkly contrasts with the legislative foundations of the country. Progress towards the improvement of healthcare requires a significant restructuring of the system, which the GoK has yet to attempt by means of a functional healthcare scheme. Partially as a consequence of the poor infrastructural conditions for doctors and healthcare workers and the comparatively low salaries in the public sector vis-à-vis other regions, emigration to wealthier countries has become common. This is problematic as it results in a significant brain drain throughout the country.

**190.** Underlining the overall substandard quality of the health sector, Kosovo’s health expenditure is the second lowest in the region, constituting just 3 percent of the total GDP. As such, it is three times lower than the EU average of 11 percent. In spite of this, 2024 set another consecutive record for an increase in the health sector budget which reached 345 million (14.2 percent increase) compared to 300 million in 2023.<sup>254</sup> The quality of healthcare remains a concern, with draft laws on health and health insurance awaiting successful implementation and/or amendments for several years in a row. The new 2025-2030 Health Sector Strategy was approved in November 2024, with the “aim to provide health policymakers, health institutions, and all other sector participants with the opportunity to (...) have an impact on the population’s health and

251 UDHR, [Article 5](#).

252 Council of Europe (2024), [Human rights and health](#).

253 [Law No. 08/L-042 on amending and supplementing Law No. 04/L-084 on health insurance](#).

254 Klan Kosova (2024), [Vitia : Buxheti i vitit 2024, më i larti që i dedikohet shëndetësisë](#).

well-being".<sup>255</sup> Despite a record-high health sector budget in 2024, institutional accountability remains low, and there are no performance-based indicators.<sup>256</sup>

**191.** In spite of a substantial increase of around 14.2 percent in budget for 2024 compared to the previous year, there is still no strategic purchasing in the public health sector, resulting in weighty inefficiencies and weak health outcomes, with life expectancy at birth being the lowest in the region while child mortality rates the highest.<sup>257</sup> The allocated budget for mental health was 4,077,437 EUR in 2024, while for 2025 it is planned to be 4,236,172 EUR, a slight increase which will mostly go on salaries and it is unlikely to create a substantial change in mental health services, according to NGO QIPS. The expenditure for mental health hovers around 1 percent to 2 percent of the annual expenditure, resulting in mental health being ranked low on GoK priorities.<sup>258</sup> Furthermore, the EU Commission report underscores that health inequalities remain a serious concern, resulting from lack of appropriate financial arrangement that would ensure universal health coverage and halt the continuous high out-of-pocket payments which are estimated to range between 30-40 percent.<sup>259</sup>

**192.** There is also widespread scepticism toward the public healthcare system, which arises from favouritism, thereby leaving a significant portion of the population without access to quality healthcare due to a lack of connections. Consequently, many individuals resort to using personal funds for private healthcare services. The situation in 2024 worsened in this regard considering that prices in private clinics have augmented considerably, turning healthcare services even more inaccessible for those in need.<sup>260</sup>

**193.** Kosovo remains the only country in the region whose citizens do not have access to public health insurance. The Health Insurance bill continued to be on the legislative agenda for 2024 but it was not yet approved, despite repeated promises from different governments in the past 10 years. Kosovo 2.0 has reviewed the current version of the draft-law passed by the GoK and broke down its key implications.<sup>261</sup> Critics have underscored that the budgetary implications needed for the state-level insurance program to function are high and consider that these precise implications have been used to "justify" the delay in health insurance implementation. According to connoisseurs of public insurance schemes, it will take over five years to fully implement the health insurance system in Kosovo, with the legislative process to enact a law also taking substantial time.<sup>262</sup>

**194.** In addition to the lack of an institutional healthcare insurance system, the absence of a Health Information System (HIS) further impedes on progress. The operationalization of the HIS can facilitate data generation of healthcare and the compilation, analysis, and communication between both private and public health care sectors. Even though 7 million EUR were allocated to MoH for the initiation of HIS in 2024, "the system remained where it started as a pilot project 10 years

255 [Health Sector Strategy 2025-2030](#), published on November 2024.

256 EU Commission (2024), Kosovo Report 2024, p. 69.

257 EU Commission (2024), Kosovo Report 2024, p. 69.

258 QIPS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

259 EU Commission (2024), Report on Kosovo 2024, p. 69.

260 QIPS (2025), input for the joint CSO report on Human Rights Kosovo 2024.

261 Kosovo 2.0. (2024), [Health Insurance: What, Why and When?](#)

262 Kosovo 2.0. (2024), [Health Insurance: What, Why and When?](#)



ago”, with no evident progress in 2024.<sup>263</sup> Expansion of hardware devices in healthcare institutions has not been done nor have the software modules needed for HIS been expanded. A tender of 700,000 EUR for the maintenance of HIS in public institutions (29 main family medicine centres), several Medicine Centres, and Family Medicine Ambulatory Centres has been cancelled, leaving these institutions without rudimentary IT maintenance. In terms of future plans, the MoH declared that HIS is expected to be operational throughout Kosovo, with all components and modules, by 2030 – in contrast to the initial GoK plan that the system will be concluded by 2020.<sup>264</sup>

**195.** In May 2024 the World Bank approved the Kosovo Comprehensive Approach to Health System Strengthening Project of 18.6 million EUR.<sup>265</sup> Project interventions will center around enhancing governance and institutional mechanisms for quality of care, monitoring, capacity building for health care professionals and quality coordinators for utilization of clinical guidelines, investing in critical infrastructure, support to the Health Inspectorate, etc.<sup>266</sup>

**196.** Regarding mental health, no national policy or strategy exists on the institutional domain that articulates a clear vision for mental healthcare. The only pertinent document available is the Law No. 05/L-025 on Mental Health, which stipulates in general terms the definitions related to mental health in Kosovo. In 2024, the drafting of a new Law on Mental Health commenced and a Draft Law was published in the Platform for public consultations but no further progress has taken place. In respect of that draft Law, NGO QIPS submitted its comments that the draft does not address the needs of mental health issues in Kosovo. According to NGO QIPS there is no available information on the status of the Draft Law since its initial proposal, leaving the legal initiative in a state of uncertainty and stagnation.<sup>267</sup> The upcoming year may determine if the enactment of a new Law on Mental Health will be prioritized in the new legislative agenda of the GoK.

**197.** Two significant legal developments occurred in 2024. First, a new Law on Health was circulated for public consultations in November 2024. Among its provisions, it proposes classifying clinical psychologists under primary care, a change that, if adopted, would significantly enhance accessibility to mental health services in Kosovo, according to NGO QIPS. If the proposed changes are enacted into law, each municipality will be required to employ at least one psychologist in local medical care centers. Currently, only 12 psychologists work in public healthcare institutions; however, an additional 37 psychologists would need to be hired to meet the minimum standards outlined in the draft Law on Health. The second development was the introduction of an Administrative Instruction for licensing school psychologists, which was opened for public consultation in 2024. According to NGO QIPS, the adoption of this bylaw is essential, as the current framework only allows for the licensing of clinical psychologists.<sup>268</sup>

263 Balkan Insight (2024), [Unconnected : Kosovo's Health Information System Remains 'Forgotten Promise'](#).

264 Balkan Insight (2024), [Unconnected : Kosovo's Health Information System Remains 'Forgotten Promise'](#).

265 World Bank (2024), [Work Bank Supports Enhancement of Health Services in Kosovo, Improving the Lives of Its People](#).

266 World Bank (2024), [Work Bank Supports Enhancement of Health Services in Kosovo, Improving the Lives of Its People](#).

267 QIPS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

268 QIPS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



**198.** Compounding the issue is the lack of strategic planning for deinstitutionalization and the transition to a community-based model. A significant proportion of the population suffers from depression, anxiety, and post-traumatic stress disorder (PTSD).<sup>269</sup> The World Health Organization reported a 25 percent increase in mental health issues, including anxiety and depression, during the COVID-19 pandemic, impacting Kosovo as well.<sup>270</sup> In a recent report of the European Bank for Reconstruction and Development, 30 percent of Kosovo citizens are reported to have experienced mental issues including feelings of depression, sadness, anxiety and apathy.<sup>271</sup> Services are conspicuously absent for specific communities and individuals. The absence of a clinical center for citizens aged 65+, for instance, leaves older individuals without crucial support. In addition, there are no dedicated services for LGBTIQ+ individuals, and post-partum mental health services are noticeably absent. The lack of mental facilities and care depicts the urgency for comprehensive and inclusive mental health reforms in Kosovo. In addition to this, homophobia and transphobia remain concerning issues in the healthcare sector, dissuading LGBTIQ+ communities from seeking help from public institutions. This is a known fact to the LGBTIQ+ communities which creates fear and disincentives them to seek help from public institutions and go to private clinics instead.<sup>272</sup>

**199.** The child mortality rate in Kosovo remains alarming in comparison to the EU and the region: it is three times the average of the EU mortality rate and the highest in the Western Balkan region.<sup>273</sup> Particularly in the non-majority groups of the K-Roma, K-Ashkali and K-Egyptian communities, the child mortality rates are higher, indicating as such that basic health needs are not met. Part of the problem should be sought in the medical domain and the lack of specialized medical doctors and equipment to face emergencies that happen in early childhood days.

**200.** Health inequalities remain a serious concern with lack of appropriate health financing arrangements that hamper the progress towards universal health coverage and continue to contribute to high out-of-pocket payments. The financial burden to cover for health expenses is particularly heavy for people with chronic conditions who need medications on a regular basis and those that come from vulnerable and poor segments of Kosovo's society. On serious communicable diseases and serious cross-border threats to health, Kosovo adopted the Law No. 08/L-200 on Prevention and Control of Infectious Diseases in line with the recommendations of the European Centre for Disease Prevention and Control.<sup>274</sup>

**201.** On 5 December 2024, the Assembly approved the Law No. 04/L-249 on Health Insurance,<sup>275</sup> in a session which was deemed to be marked with procedural violations that led the opposition party PDK to file a constitutional complaint before the Constitutional Court, contesting the constitutionality of the approval/voting procedure before the Assembly.<sup>276</sup>

**202.** Additionally, in 2024, the Government approved the draft-Law on Health and a public consultation process was held between 24 October and 13 November 2024.<sup>277</sup> According to the ex-

269 KTV (2022), [Sonte me Rronin: Shendeti mendor në Kosovë](#).

270 Evropa e Lirë (2023), [Prishtina pyet "Qysh je?"](#)

271 Revista Psika (2023), [Statistikat e sfidave të shëndetit mendor në Kosovë: Një realitet shqetësues në raportin e BERZH-it për vitin 2023](#).

272 QIPS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

273 EU Commission (2024), Kosovo Report 2024, p. 69. See also, World Bank (2022), [mortality rate infants, Kosovo](#).

274 EU Commission (2024), Kosovo Report 2024, p. 69.

275 Kallxo (2024), [Kuvendi miraton Ligjin për sigurimin e detyrueshëm të kujdesit shëndetësor](#).

276 Kallxo (2024), [PDK dërgon në Kushtetuese 16 ligje të miratura në seancën e 5 dhjetorit](#).

277 Platform for Public Consultations (2024), [Draft-Law on Health](#).

planatory documents accompanying this legal initiative, the purpose of the new draft-Law on Health is to organise the health system, to better ensure the citizen's right to healthcare, and to regulate the rights and duties of health professionals in Kosovo. This draft law has not yet been voted by the Assembly and it remains to be determined whether this legal initiative will advance after the 2025 elections.

**203.** Year 2024 was also marked with ongoing debates and protests on reproductive rights following the unsuccessful legal initiative to grant women access to IVF treatment regardless of whether they are single, in a same-sex unity or any other form of relationship. The failure of the Assembly to approve the IVF law (officially known as: Law on Reproductive Health and Medically Assisted Fertilization) was blocked by opposing deputies who wish to keep assisted pregnancies restricted to couples only in order to (in their words) "safeguard the institutions of marriage and family."<sup>278</sup> The organisers of protests considered the discussions about this legal initiative as "dehumanizing towards Kosovo women [...] conveyed with propaganda and lies by MP's, for patriarchal and electoral purposes."<sup>279</sup>

**204.** Despite Kosovo having a cancer screening program, the screening process is not performed systematically and there is no functional cancer registry in the country, as per the EU Commission report.<sup>280</sup> In 2024 especially, there were several media reports informing the public about a significant increase in the number of cancer cases in Kosovo: Compared to 2023, an increase of 7 to 10 percent has been noticed.<sup>281</sup> By September 2024, 1,430 new cancer cases had been registered in Kosovo.<sup>282</sup> Most notably, breast cancer among young women is particularly prevalent with 325 new cases. Among men, lung cancer has increased with 180 new cases in 2024. Around 250-300 cancer patients receive chemotherapy services on a daily basis and 120-140 cancer patients undergo radiotherapy. To meet the increase, conditions in the oncology clinic have improved with increased supply of medicine and new equipment to treat patients.<sup>283</sup>

**205.** According to observations submitted by the NGO NSI, the GoK's restrictions on Serbian goods, which began in June 2023, continued to affect the socioeconomic rights of residents and entrepreneurs during the reporting period as well. Following diplomatic efforts, the delivery of medicines and medical supplies from Serbia on 9 November 2023 only temporarily alleviated shortages. However, local pharmacies and medical institutions again reported shortages of medicines and supplies in northern Kosovo in late January and February 2024.<sup>284</sup>

**206.** The issue of the availability of Serbian medications in GoS-run health centers in Kosovo remains unresolved, as these medications continue to be classified as illegal for sale. This poses a

278 Radio Evropa e Lirë (2024), [Religious and Social Conservatives in Kosovo block controversial IVF bill](#).

279 Balkan Insight (2024), [Kosovo Activists Protest MPs blocking assisted Fertilization Law](#).

280 EU Commission (2024), Kosovo Report 2024, p. 69.

281 Klan Kosova (2024), [Mjekët bëhen "NJË" me sëmundjen, në Kosovë dominojnë kanceri i gjirit dhe mushkërive](#); see also other media reports on cancer cases in 2024, namely: Syri (2024), [Rritet numri i të prekurve me kancer në Kosovë, mbi 1 mijë raste të reja brenda një viti](#); Ekonomia (2024), [Shtohen rastet me kancer në Kosovë](#).

282 Klan Kosova (2024), [Mjekët bëhen "NJË" me sëmundjen, në Kosovë dominojnë kanceri i gjirit dhe mushkërive](#).

283 Bota Sot (2024), [Rritet numri i të prekurve me kancer në Kosovë, Kurtishi thotë se kushtet janë përmirësuar në Onkologjisë](#).

284 NSI (2025), input for the joint CSO report on Human Rights 2024.

significant challenge, according to the NGO NSI, given that the healthcare system of Serbia prescribes these medications to its users.<sup>285</sup>

**207.** On 31 January, K-police carried out an operation on a Serbian medical clinic in Prishtinë/Priština, detained the medical staff, and seized an ambulance vehicle. Later, an indictment was filed against two individuals accused of engaging in unauthorized medical activities. According to the NGO AKTIV, the clinic was falsely accused of unauthorized medical activities. Subsequently, the clinic (CPT) clarified that its work supports health services for non-majority communities without providing direct medical care. The inflammatory remarks of the Minister of Internal Affairs jeopardized staff safety and eroded trust, highlighting the vulnerable position of non-majority communities.<sup>286</sup>

**208.** On February 2, K-police officers, equipped with automatic rifles, entered the premises of the Provisional Authority of the Municipality of Istog/Istok in the returnee village of Osojan/Osojane and facilitated the closure of the Health Center. Once again, this is problematic according to NGO NSI, considering that the resolution of issues related to these institutions should also have been addressed within the framework of establishing the Association of Serb-Majority Municipalities. On 16 April 2024 and 1 August 2024, K-police searched numerous pharmacies in Leposaviq/Leposavić and Zubin Potok before seizing Serbian-made medications.<sup>287</sup>

## 209. Recommendations

- The GoK should prioritize the implementation of a universal health insurance system to ensure equitable access to healthcare services and alleviate the financial burden on citizens, particularly those from vulnerable communities;
- The MoH should enhance investments in mental health services by increasing the number of trained professionals, establishing community-based mental health centers, and implementing the Health Information System (HIS) to improve service coordination and data management;
- The MoH should eliminate involuntary treatment practices in psychiatric institutions, ensuring that all mental health interventions comply with international human rights standards and that patient autonomy is fully respected, including removing the requirement for guardianship consent in treatment decisions;
- The MoH should transition mental health care from a centralized institutional model to a decentralized, community-based system by expanding local mental health services, ensuring accessibility in all municipalities, and integrating mental health support within primary healthcare facilities;
- The GoK should enable uninterrupted access to essential medical supplies from Serbia for health institutions serving K-Serbian citizens in line with applicable regulations.

285 NSI (2025), input for the joint CSO report on Human Rights 2024.

286 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

287 NSI (2025), input for the joint CSO report on Human Rights 2024.

## 6.4 Property rights

**210.** The international standards upon which we should best understand the situation of housing and property rights in Kosovo are Articles 17 and 1 of the UDHR and Article 1 of Protocol No. 1 to the ECHR respectively. The UDHR is concise when it states that “everyone has the right to own property” and that “no one shall be arbitrarily deprived of his property.”<sup>288</sup> On the other hand, the ECHR describes in more depth the fundamental freedom to property, denoting it in terms of “possessions.” The duty-bearers’ rights to implore regulatory mechanisms for controlling property ownership are also specified.

**211.** Numerous laws and regulations are put in place to define and regulate property rights in Kosovo. In the domain of the Constitution, protection of one’s property is guaranteed both through Articles 46 and 156. More generally in Article 46, the right to own property is safeguarded. The arbitrary deprivation of one’s legal rights to their property goes against the Constitution. More specifically addressing Internally Displaced People (IDPs) and returnees, originally following the Kosovo war and more broadly covered, the Constitution obliges the GoK in providing expedited assistance for the lawful reclaiming of property. Other laws and regulations that paint the legislative picture of property rights in Kosovo are as follows: The Law No. 03/L-154 on Property and other Real Rights, the Law No. 08/L-052 on Amending and Supplementing the Law No. 05/L-010 on the Kosovo Property Comparison and Verification Agency, Law No. 05/L-010 on the Kosovo Property Comparison and Verification Agency (KPCVA), which came into effect in 2002. In addition, the Law No. 2002/5 on the Establishment of the Immovable Property Rights Register, the Law No. 03/L-007 on Out Contentious Procedure, the Law No. 2004/26 on Inheritance, the Law No. 05/L-020 on Gender Equality, the Law No. 2004/32 on Family, the Law No. 03/L-139 on Expropriation of Immovable Property and the Regulation No. 01/2018 on the Return of Displaced Persons and Durable Solutions complete the legislative framework.

**212.** In 2024, the Constitutional Court of Kosovo ruled that the Law No. 08/L-121 on the State Bureau for Verification and Confiscation of Unjustified Assets violated, among other rights, the right to property as protected under Article 46 of the Constitution and Article 1 of Protocol No. 1 to the ECHR.<sup>289</sup> This specific Law foresees that any public official, including their family members, could be subject to verification of assets in case there are suspicions that such assets/property was accumulated illegally. Approved by the GoK and voted by the AoK, 10 deputies of the AoK contested it before the Constitutional Court claiming its unconstitutionality.<sup>290</sup> Specifically in relation to property rights, the Constitutional Court found that the Law was set to apply retroactively from 17 February 2008 but it did not contain the necessary guarantees related to the burden of proof of the individuals who would be subjected to verification of assets. On 5 December 2024, the AoK approved another version of the Law which was said to address and correct the violations found by the Constitutional Court.<sup>291</sup> However, on 13 December 2024, deputies contested the second version of the Law as well.

288 UDHR, [Article 17](#).

289 Constitutional Court of Kosovo (2024), [Case No. KO46/23](#), Abelard Tahiri and 9 (nine) other deputies of the Assembly of the Republic of Kosovo.

290 Radio Evropa e Lirë (2024), [Kushtetutesja shpall të pavlefshëm Ligjin për Byronë për Konfiskimin e Pasurisë](#).

291 Kallxo (2024), [Miratohet Ligji për Byronë Shtetërore për Verifikimin dhe Konfiskimin e Pasurisë së Pajustificueshme](#)

**213.** The supervisory mechanism concerning the implementation of property rights, laws and regulations is the Kosovo Property Comparison and Verification Agency (KPCVA). This Agency is tasked with resolving property claims and determining the right to use immovable property including both residential and commercial assets. This includes property claims and disputes linked with the Kosovo war in the late 90s, with IDPs and returnees.<sup>292</sup>

**214.** On 3 June 2024, the KPCVA announced the preparation of 100 eviction notices in northern Kosovo. In June, around 40 notices were served to residents in North Mitrovica with additional eviction notices expected. These eviction decisions, which had been pending implementation since 2006 and 2007, were aimed at facilitating the right to return of some K-Albanians. Twelve K-Serb families voluntarily vacated properties, including one that was handed over to a K-Albanian owner on 18 July.<sup>293</sup> However, it is important that the right to adequate housing is maintained for K-Serb evictees in vulnerable situations by placing them in alternative houses.

**215.** Early in the year, the GoK actions in northern Kosovo sparked hate speech from both K-Serbs and K-Albanians. Vandalism of returnee homes in North Mitrovica fueled tensions online, alongside fear-mongering pamphlets from “Narodna Odbrana.” NGOs and their staff were increasingly targeted, particularly those engaging with K-Serb communities. This hostility endangers property rights, civil society and undermines efforts for inclusion and peacebuilding.<sup>294</sup>

**216.** The issue of formerly socially owned enterprises remains unresolved in 2024. The Kosovo Privatization Agency has taken control of these properties, which has led to challenges for individuals who have been using these spaces, having leased, purchased, or acquired them through third parties within the Serbian parallel system. On 9 April 2024, the Kosovo Privatization Agency which administers socially owned enterprises, informed several K-Serb business owners that the socially owned premises that they had been using would be listed for auction by the Agency.<sup>295</sup>

**217.** On 23 May 2024, employees of the only Serbian-language newspaper in North Mitrovica *Jedinstvo* protested against forced eviction from their premises as the result of its privatization. The library of the University of Prishtina in North Mitrovica, located in the same building, received a similar eviction notice, and employees subsequently vacated the premises. Additionally, on 16 and 22 July 2024, the Privatization Agency of Kosovo, accompanied by K-police, inspected and closed five petrol stations in northern Kosovo for not being licensed in the Kosovo system. A public tender was initiated on 26 July for leasing the stations, which was concluded on 5 September. Kosovo authorities continued to inspect more petrol stations in northern Kosovo, but took no further action.<sup>296</sup>

**218.** The GoK decisions and pending court proceedings regarding the expropriation of land parcels for government infrastructure projects that had already been constructed in Leposaviq/Leposavić and Zubin Potok continued to pose challenges to the property rights of K-Serbs. On 30 May 2024, the GoK issued a final decision on the expropriation of over 100 parcels of land in Zubin

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292 Kosovo Property Comparison and Verification Agency [THE KOSOVO PROPERTY COMPARISON AND VERIFICATION AGENCY – My blog \(kpcva.org\)](https://kpcva.org)

293 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

294 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

295 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

296 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.



Potok and Leposaviq/Leposavić. The GoK's action followed prior decisions by the Basic Court in Prishtinë/Priština, determining the legality of previously conducted expropriations. The PACE Rapporteur for Kosovo's Opinion on accession to the Council of Europe, Ms. Dora Bakoyannis, had declared on 16 April 2024 that Kosovo is obliged to ensure that expropriation are carried out in accordance with the law and that such particular request also features in the Opinion published by the PACE in 2024.<sup>297</sup> In June 2024, the Quint, the European Union, and OSCE issued statements regretting the government's decision, while in July 2024, the GoK approved a request to transfer land parcels in Zubin Potok to the Ministry of Internal Affairs and sought proof of ownership from the property holders.<sup>298</sup>

**219.** The OSCE published its "Property Rights Monitor" for the months of January-June 2024.<sup>299</sup> In respect of expropriation, the OSCE found that during the reporting period 211 private properties belonging to K-Serbs were affected by expropriation in Mitrovica and Pejë/Peć region, while there were no reported cases of illegal occupation nor any cases of municipal land allocation for displaced persons.

**220.** Throughout 2024, 17 attacks on properties belonging to members of the K-Serb community have been reported, including two separate incidents targeting the apartment of Dragica Gašić, a sole Serbian returnee to Gjakovë/Đakovica.<sup>300</sup>

**221.** Due to structural gender inequality in Kosovo, women are seriously deprived from access to property and inheritance rights despite constitutional, legal, and policy guarantees. With incapacity of public authorities to verify the validity of cadastral data and continued patriarchal behavior regarding property rights, women continue to be disadvantaged when it comes to property ownership. Indeed, only 23 percent of women are officially registered as property heirs as many traditionally relinquish their rights to their male relatives.<sup>301</sup>

**222.** Although from a legislative perspective, the GoK recognizes joint marital rights on property acquired during marriage, the factual assertion of women over these rights are challenged by patriarchal traditions. Accordingly, disparities in property ownership persisted in 2024 and undermined efforts promoting the economic empowerment of women. GoK's efforts to address this issue through an Administrative Instruction dating back to 2016, encouraging joint property registration free of charge, resulted only in a 4 percent increase of properties owned by women. However, challenges remain with insufficient enforcement of the existing legislation and the current policies need to be tailored further as a means of generating a more profound impact on women's property rights realisation in practice.

297 BalkanInsight (2024), [Western Powers Condemn Kosovo Land Expropriation in Serb-Populated North](#); see also Parliamentary Assembly of the Council of Europe (PACE) (2024), [Opinion no. 302\(2024\)](#), 16 April 2024.

298 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

299 OSCE (2024), [Property Rights Monitor](#).

300 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

301 Access to Justice in Eastern Europe (2024), [Renunciation of Inheritance by Kosovar Women: Desire or Injustice? A Case Law Perspective](#), authored by Detrina Alishani Sopi.



**223.** In 2024, the Supreme Court of Kosovo published its Case-Law Bulletin with its most consequential cases of 2024.<sup>302</sup> Notably, in a particular case the Supreme Court notes the lower court's violation of the applicant's property rights by confiscating a third party's property without granting the applicant an opportunity to be heard. In reasoning its decision, the Supreme Court of Kosovo did not only refer to regular legislative provisions pertaining to the case. It also invoked Article 46 of the Constitution, Article 1 of Protocol No. 1 to the ECHR and to the case-law of the European Court of Human Rights (case of *BMK Logjistik Tasimacilik Ticaret Limited Sirketi v. Slovenia*).<sup>303</sup> The execution of international conventions and the case-law of the ECtHR in domestic court adjudication is a significant development which should be applauded as it impacts the protection of rights and freedoms of individuals in Kosovo, including property rights.<sup>304</sup>

## 224. Recommendations

- The GoK should ensure that any new legal framework on asset verification and confiscation strictly adheres to constitutional guarantees and international human rights standards, particularly in regard to the presumption of innocence and the burden of proof, as outlined in Article 46 of the Constitution and Article 1 of Protocol No. 1 to the ECHR;
- The KPCVA should enhance transparency and fairness in eviction procedures, ensuring that vulnerable individuals affected by property claims are provided with adequate legal remedies and alternative housing solutions before enforcement actions are taken;
- The AoK should take urgent measures to strengthen legal protections for women's property and inheritance rights, including enforcement mechanisms that address patriarchal practices limiting women's ownership, and expand initiatives such as joint property registration to promote gender equity in property ownership;
- The GoK should ensure that all land expropriations, particularly those in northern Kosovo, strictly comply with national and international legal standards, uphold the rights of affected property holders, and implement transparent procedures that allow for judicial review and public consultation before expropriation decisions are finalized.

## 6.5 Cultural Rights

**225.** The international standards that recognize cultural rights as integral for individuals' dignity and self-actualization are Articles 22 and 27 of the UDHR. In the legislative framework of Kosovo, the Constitution is much more explicit in the protection of the cultural rights of communities and their members. Article 59 states that members of communities have the right to "express, maintain and develop their culture and preserve the essential elements of their identity, namely their religion, language, traditions and culture."<sup>305</sup> Furthermore, communities have the right to "establish

302 Supreme Court of Kosovo (2024), [Buletini i Praktikës Juridike](#).

303 Supreme Court of Kosovo (2024), [Judgment PML.No.345/2024 of the Panel on Criminal Law](#), 18 June 2024. See also the ECtHR property case referred to by the Supreme Court of Kosovo is [available on this link](#).

304 It should be noted here that the Constitutional Court of Kosovo constantly and extensively refers to international conventions, standards and the case-law of the ECtHR, but the regular courts of Kosovo are not very inclined to do so – even if this is a constitutional obligation according to Article 53 of the Constitution.

305 The Kosovo Constitution (2008).

associations for culture, art, science and education as well as scholarly and other associations for the expression, fostering and development of their identity.”<sup>306</sup> The violation of cultural rights is understood in Resolution 30/20 of the Human Rights Council in terms of a threat to “stability, social cohesion and cultural identity.”<sup>307</sup> In its government program, the GoK commits to improving the legal framework for the promotion of Kosovo’s cultural heritage.<sup>308</sup> Having said this, it is important to underscore that Kosovo has yet to integrate the International Covenant on Economic, Social and Cultural Rights as a core instrument of its constitutional framework.

**226.** The infrastructure for the protection of Kosovo’s cultural and religious heritage is stated in Article 9 of the Kosovo Constitution. In Article 9, the cultural heritage of communities is described as “an integral part of the heritage of Kosovo,” and accordingly, it is stated that “[...] Kosovo shall have a special duty to ensure an effective protection of the entirety of sites and monuments of cultural and religious significance to the communities.”<sup>309</sup> In the Law No. 02/L-88 on Cultural Heritage, the scope of cultural heritage is defined as “the architectural, archaeological, movable and spiritual heritage regardless of the time of creation and construction, type of construction, beneficiary, creator or implementer of a work.”<sup>310</sup>

**227.** The failure of the GoK to amend the Law No. 02/L-88 on Cultural Heritage enacted in 2008 which is stipulated as a precondition for Kosovo’s political transformation in Annex V of the Ahtisaari Plan (2007) remains a notable issue of concern. The amendment of the Law on Cultural Heritage continued to be pending throughout the reporting period with no progress in that regard. The Implementation and Monitoring Council (IMC) continues to remain the only formal mechanism for dialogue between the GoK and the Serbian Orthodox Church, and according to the 2024 European Commission country report, the IMC has convened for the first time since 2020 in an extraordinary meeting in 2024. It was recommended that the IMC regular meetings resume swiftly.<sup>311</sup>

**228.** The greatest achievement in cultural rights in 2024 is considered to be the implementation of the 2016 Judgment of the Constitutional Court regarding Visoki Dečani monastery. Following years of consecutive calls from the international community and international and local legal experts to implement this final and binding judgment, the GoK has finally requested from the Kosovo Cadastral Agency to register the disputed land in the name of the Visoki Dečani monastery.<sup>312</sup> It is worth recalling that this decision was taken by the GoK following the informal accession precondition set by the Council of Europe bodies which made it clear that no progress on accession would happen without implementing this judgment of the Constitutional Court. The implementation of this judgment was needed not just to progress in the accession path towards the Council of Europe but also to avoid undermining the ethno-religious freedom of the K-Serb community.<sup>313</sup>

306 The Kosovo Constitution (2008).

307 The Kosovo Constitution (2008).

308 GoK (2021), [Programi-i-Qeverise-se-Kosoves-2021-2025.pdf \(rks-gov.net\)](#).

309 The Kosovo Constitution (2008).

310 The Law on Cultural Heritage [The Law no 022/L-88 on Cultural Heritage](#).

311 EU Commission (2024), Kosovo Report 2024, p. 39.

312 Balkan Insight (2024), [Kosovo to Implement Court Ruling Awarding Serbian Monastery Disputed Land](#).

313 CSO Report on Human Rights Situation in Kosovo in 2023.

**229.** In 2024, the AoK adopted the Law No. 08/L-245 on Art and Culture. The Law defines general principles of cultural policies in Kosovo and regulates the conditions for their factual implementation. The Law also regulates the basic rules for the establishment, financing, organisation and administration of public institutions of art and culture, both at local and central levels. However, according to the EU Commission Report, Kosovo still needs to adopt a Culture strategy.<sup>314</sup>

**230.** Kosovo is not currently a member of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), because it has not been recognized as an independent state by all UN member states. In order to become a member of UNESCO, a country must first be a member of the United Nations. While its application has been impeded consistently by Serbia and its allies, this has not dissuaded Kosovo's bid for membership thus far with no progress.

**231.** In 2024, several incidents affected Serbian Orthodox and Catholic sites in non-majority community areas in Kosovo.<sup>315</sup> These incidents included break-ins, attempted break-ins at Serbian Orthodox churches in Shillovë/Šilovo, Krushevë e Madhe/Veliko Kruševo, Talinoc i Muhaxherëve/Muhadžer Talinovac, and in Lipjan/Lipljan town. A theft was also reported in a Catholic church in Zllakuqan/Zlokučane, which became a target for repeated break-ins. Additional cases involving religious sites include illegal dumping of waste in orthodox cemeteries and at special protective zones; incendiary graffiti sprayed inside Serbian Orthodox Holy Trinity Church; and damages to a cross in a Serbian Orthodox cemetery in Rahovec/Orahovac.<sup>316</sup>

## **232. Recommendations**

- The GoK should prioritize the amendment of Law No. 02/L-88 on Cultural Heritage to align with international cultural rights standards and ensure full implementation of obligations outlined in Annex V of the Ahtisaari Plan. The amendment process should include broad consultations with relevant stakeholders, including non-majority communities and cultural heritage experts;
- The AoK should include the International Covenant on Economic, Social and Cultural Rights as a core instrument of human rights in the Constitution;
- The Ministry of Culture, Youth, and Sports should expedite the adoption of a comprehensive Culture Strategy to establish clear policies for the protection, promotion, and development of Kosovo's diverse cultural and religious heritage. This strategy should also ensure the sustainable financing of cultural institutions and heritage sites;
- The K-police and judicial authorities strengthen measures to prevent and address incidents of vandalism, theft, and destruction of religious and cultural sites. Law enforcement agencies should increase patrols and surveillance in at-risk areas and ensure timely investigation and prosecution of those responsible for such acts.

314 EU Commission (2024), Kosovo Report 2024, p. 77.

315 UN Security Council (2024), Kosovo Report of the Secretary-General 2024, pp. 12.

316 UN Security Council (2024), Kosovo Report of the Secretary-General 2024, pp. 12.

## 7. SECTION C: RIGHTS OF SPECIFIC PERSONS AND GROUPS

### 7.1 Women's rights and gender equality

**233.** Women's rights are protected through various laws and regulations. On the constitutional domain, gender equality is recognized "as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, social, cultural and other areas of societal life."<sup>317</sup> In addition to this stipulation, the Constitution aligns with a set of international agreements and conventions on the protection of discrimination on the basis of gender. In particular, Article 22 states that priority over domestic laws and provisions is rendered to directly applicable conventions.<sup>318</sup> The Convention on the Elimination of All Forms of Discrimination Against Women and the Istanbul Convention are directly applicable human rights instruments on women's rights.<sup>319</sup> While not explicitly cited in the Constitution, Kosovo's legislation recognizes the United Nations Security Council Resolution 1325 on Women, Peace and Security (UN Resolution 1325).<sup>320</sup>

**234.** Article 24 of the Constitution of Kosovo describes equality before the law as a right to not be "discriminated against based on race, color, gender, language, religion, political or other beliefs, national or social origin, association with any community, property, economic or social status, sexual orientation, birth, disability or any other personal status." Other local laws and regulations on gender equality reflect international principles and legislation on gender equality and the promotion of women's rights. This includes Law No. 05/L-020 on Gender Equality, Law No. 05/L-021 on Protection from Discrimination, and Law No. 08/L-185 on Prevention and Protection from Domestic Violence, Violence against Women, and Gender-based Violence, which replaced the Law No. 03/L-182 on the Protection against Domestic Violence in October 2023.<sup>321</sup>

**235.** Gender-based violence is a form of discrimination recognized under Article 4 of the Law No. 05/L-020 on Gender Equality. Accordingly, both public and private entities must incorporate the principle of gender equality and integration when planning, budgeting, and implementing policies and programs. This requirement extends to areas such as childbirth and compensation. Additionally, the law explicitly prohibits harassment and sexual harassment in all contexts. The Criminal Code defines gender-based violence, violence in a domestic relationship, and sexual violence criminal offenses, by the regulation of the legal basis for additional punishments for per-

317 The Kosovo Constitution (2008).

318 Notably, it is only in the case of conflict or misunderstanding that the international agreements take precedence over provisions of laws and other acts of public institutions.

319 The Istanbul Convention is formally known as the [Council of Europe convention on preventing and combating violence against women and domestic violence](#).

320 [Resolution 1325](#) affirms the impact of war on women and girls and the importance of women's full participation in conflict resolution.

321 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

sons found guilty of domestic violence and sexual violence, and by prioritizing investigations and judgments for these cases.<sup>322</sup>

**236.** Moreover, the Criminal Code of Kosovo also defines and criminalizes rape, domestic violence, trafficking, sexual exploitation and abuse. Article 227 of the Criminal Code defines rape in relation to consent in paragraph 1, where it states that “whoever subjects another person to a sexual act without such person’s consent shall be punished by imprisonment of two (2) to ten (10) years.” On the other hand, the use of force is listed as an additional circumstance in article 4.2, in which case the perpetrator is foreseen to be punished by imprisonment of five (5) to fifteen (15) years. This defines rape in terms of lack of consent, rather than requiring evidence of force, aligning with international standards. Consent must be given voluntarily and as the result of a person’s free will. If consent is absent or withdrawn at any point, the act constitutes rape.

**237.** Furthermore, Article 248 of the Criminal Code defines domestic violence as “anyone who commits physical, psychological or economic violence or abuse intending to violate the dignity of another person within a family relationship shall be punished by a fine and imprisonment for up to 3 (three) years”. Article 239 of the Criminal Code precisely specifies that “whoever forces another person to enter into marriage or enters into marriage with a person whom he knows to be forced to enter into marriage, shall be punished with imprisonment of one (1) to eight (8) years” and in the paragraph 2 of this article defines that “when the criminal offense from paragraph 1 is committed against a child, the perpetrator shall be punished with imprisonment of two (2) to ten (10) years.” Article 165 of the Criminal Code also provides human trafficking as a criminal offense, which states that “anyone who participates in human trafficking is punished by a fine and imprisonment of five (5) to twelve (12) years.” Exploitation includes prostitution, pornography, forced labor, slavery, begging, organ removal, or similar practices. The criminal Code has also foreseen sexual harassment as a criminal offense, where it clearly defines that “sexual harassment means any form of unwanted verbal, non-verbal or physical conduct of a sexual nature, with the purpose of violating the dignity or that violates the dignity of the person, and creates an environment that is objectively intimidating, hostile, degrading or humiliating.”<sup>323</sup>

**238.** At the level of the Council of Europe, gender equality is considered as an important goal of the organisation and priority areas of intervention are clearly defined by the Gender Equality Strategy 2024-2029, and they pertain to the following objectives: (i) preventing and combating gender stereotypes and sexism; (ii) preventing and combating violence against women and girls and domestic violence; ensuring equal access to justice for women and girls; (iii) achieving balanced participation of women and men in political, public, social and economic life; (iv) ensuring women’s empowerment and gender equality in relation to global and geopolitical challenges; (v) achieving gender mainstreaming and including an intersectional approach in all policies and measures.<sup>324</sup> The ECtHR has already dealt with a number of cases related to discrimination and domestic violence which resulted in violation of the ECHR provisions, namely, Article 2 (Right to Life), Article 3 (Prohibition of inhuman or degrading treatment) and Article 14 (Prohibition of Discrimination), Article 1 of Protocol No. 12 (General prohibition of discrimination). For the purposes of addressing the reoccurring femicide in Kosovo, there are a number of relevant cases decided

322 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

323 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

324 Council of Europe (2024), [Gender Equality](#); see also, Council of Europe (2024), Gender Equality Strategy [2024-2029](#).



by the ECtHR (directly applicable in Kosovo) which relate to domestic violence and the authorities failure to protect the victims in the face of repeated violence, threats to death and in spite of the existence of protective orders.<sup>325</sup>

**239.** The institutional mechanisms that safeguard the implementation of gender equality as a constitutional right in public institutions and protect policies securing women's equal access to society and services are regulated by law. The Agency of Gender Equality (AGE) is the governing body charged with monitoring the local implementation of international public policy and the systemization of gender mainstreaming in GoK policies. However, there is no sufficient data, reports or other recent publications available in the web-site of the AGE to inform the public of the work that has been done during the reporting period on advancing gender equality in Kosovo.<sup>326</sup> There is a need for AGE to amplify its efforts in keeping the public informed about the actions and measures undertaken within its mandate for the purpose of supporting gender equality in Kosovo. Ensuring transparency through timely publication of information is also essential to uphold the public's right of access to information guaranteed by law.

**240.** The main action plans and policies on a national level are the National Strategy for Protection from Domestic Violence and Violence against Women (2022-2026)<sup>327</sup> which focuses on prevention, protection, support, and integrated policies, and the Kosovo Program for Gender Equality 2020-2024 (KPGE), which came to an end in 2024.<sup>328</sup> The obligation to develop KPGE as a reference platform for developing institutional actions and strategies towards implementing the legal framework was specified in Article 11 of Law No. 05/L-020 on Gender Equality. The main objective of KPGE was to "advance gender equality principles and to achieve a peaceful, prosperous and harmonious society for women and men in Kosovo." In October 2024, the Agency for Gender Equality published its final Report on the evaluation of the Gender Equality Program for 2020-2024, where among the achievements was mentioned the reduction of unemployment rate among women during this period.<sup>329</sup> The Agency for Gender Equality/Office of the Prime Minister is working to draft the Kosovo Program for Gender Equality 2025-2035, this Program is a strategic and key document that aims to address challenges and to promote progress towards gender equality in the country.<sup>330</sup>

**241.** While still under-represented, women are playing an increasingly important role in decision-making in Kosovo. The Ombudsperson Institution of Kosovo (OIK) has submitted the new Law No. 08/L-228 on General Elections to the Constitutional Court in order to clarify the discrepancy between the gender quota of at least 30 percent for the Assembly and the 50 percent equal representation rule required by the Law on Gender Equality. On 27 December 2024, the Constitutional Court decided on this case by ruling that Article 28 (Gender Quotas) of the Law on General

325 European Court of Human Rights (2024), [Factsheet on Gender Equality](#), where the most important domestic violence cases are cited, including other cases related to gender equality.

326 See for example the [website of the Agency of Gender Equality](#) (2024), where there is a lack of relevant publications/reports to inform the public about the work of the AGE in the past two years.

327 GoK (2022-2026), [National Strategy for Protection from Domestic Violence and Violence against Women \(2022-2026\)](#).

328 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

329 Agency for Gender Equality (2024), [Prezantohet Raporti përfundimtar i Programit të Kosovës për Barazi Gjinore 2020-2024](#).

330 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



Elections is not in contradiction with Article 45 (Freedom of Election and Participation) of the Constitution.<sup>331</sup> The Constitutional Court clarified that the Constitution does not prevent the imposition of affirmative measures necessary for the advancement of the rights of underrepresented individuals or groups that are in unequal position, by enabling among others the introduction of legal quotas for equal participation and representation of genders in political life until the sought equality has been attained. However, the Constitution does not stipulate the exact percentage of the legal quota, thus delegating this matter to the AoK for decision-making based on its policy choices, while remaining under the obligation to respect standards stemming from applicable international instruments.<sup>332</sup>

**242.** In 2024, the NGO Kosovar Gender Studies Center (KGSC) published a thematic analysis about the gender quotas recommending a modality of “zipper quotas” as part of Kosovo’s political trajectory towards gender equality.<sup>333</sup> Notably, a zipper system of quotas strives for 50-50 percent gender representation, but its factual implementation depends on electoral and social factors as illustrated by many countries that practice the system in the EU. According to the case-law of the Constitutional Court on quotas, the Constitution allows quotas as affirmative measures towards gender equality, but the Constitutional Court cannot oblige the Assembly of Kosovo (AoK) to introduce a 50 percent quota or any form of a zipper system on general elections as that is not a constitutional obligation but a political policy choice of the Government of Kosovo (GoK) and AoK.

**243.** The discontinuities between policy and practice have also translated into the underrepresentation of women in the peace and security agendas. Under UN resolution 1325, the security and peace-building processes of Kosovo require the involvement of women in the negotiation teams during the dialogue between Kosovo and Serbia.

**244.** Sexist language and derogatory comments directed at female politicians continued unabated in 2024, illustrating the hostile environment that impinges on women’s aspirations to participate in the public political landscape. The NGO Kosovo Law Institute (KLI) published a Report in 2024 about sexist, racist, misogynist and homophobic language adopted by representatives in the AoK. The report found frequent use of unparliamentary and offensive language with discourse including personal attacks and derogatory remarks that undermined the dignity of the AoK.<sup>334</sup>

**245.** Despite formal commitments to gender equality, GAP Institute shows that Kosovo continues to face significant gaps in the use of gender-disaggregated data for effective policymaking. Although some efforts are in place, institutional limitations—including low awareness, limited capacity, and the lack of a gender-sensitive culture—continue to hinder progress. Up-to-date and systematically compiled gender statistics remain scarce, especially for budgeting and impact assessment purposes. Moreover, Kosovo has yet to develop a Gender Equality Index, and while the Kosovo Agency of Statistics does publish gender-disaggregated data, it is rarely further broken down by ethnicity, geography, or other key variables.<sup>335</sup>

331 Constitutional Court of Kosovo (2024), [case no. KO15/24, the Ombudsperson Institution – Evaluation of the constitutionality of Article 28 of Law no. 08/L-228 on General Elections in the Republic of Kosovo](#).

332 Constitutional Court of Kosovo (2024), [summary of case no. KO15/24](#).

333 Kosovo Gender Studies Center (2024), [Gender Quotas and the Debate over them](#).

334 KLI (2024), [Kuvendi i dështimeve: Raport i monitorimit të punës së Kuvendit të Kosovës për vitin 2023](#)

335 GAP (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**246.** GAP Institute also underscores financial barriers as the main challenge for women and minority-owned businesses. Gender stereotypes persist, especially in traditionally female sectors like food and retail, where patriarchal norms and family interference hinder growth. Ethnicity, however, has little impact on business success. In some cases, women feel the need to involve male partners to avoid harassment or being dismissed. While some businesses report receiving state support, particularly those owned by non-majority communities have never benefited from government assistance.<sup>336</sup>

**247.** However, NGO KGSC notes that despite the criminalization of sexual harassment in the workplace in Kosovo's legislation, the occurrence of the sexual harassment in the private sector is not sufficiently addressed. Workplace sexual harassment is often perpetrated by individuals in high-ranking positions who exploit their authority to influence key career-making decisions of employees and exert control and power over their victim. Conversely, victims in Kosovo are often in vulnerable positions with no decision-making authority and job security. According to KGSC, 64 percent of employed women in the private sector believe that sexual harassment is a prevalent phenomenon with just 10 percent claiming experiences with sexual harassment.<sup>337</sup>

**248.** In November 2024, the NGO GLPS published a report revealing that in cases of domestic and gender-based violence, women accounted for 79 percent of reported victims. Additionally, 71.9 percent of victims did not have legal representation during court proceedings, as such revealing significant gaps in access to justice for survivors<sup>338</sup>. Based on this study, courts found the accused guilty in 98.2 percent of cases; however, adequate penal policies have not been used because there is a dominance of alternative punishments, meanwhile, in 50 percent of the judgments it is not mentioned whether the perpetrators were recidivists or not.<sup>339</sup>

**249.** Furthermore, the NGO KGSC also notes that in view of an assessment conducted by the Council of Europe,<sup>340</sup> Kosovo has advanced in addressing violence against women, aligning its legal and policy frameworks with the Istanbul Convention through initiatives including the National Strategy on the Protection against Domestic Violence and Violence against Women (2022-2026). However, challenges remain including insufficient training for professionals, uneven risk assessments, inadequate specialist support for victims of sexual violence and forced marriage, and insufficient focus on the long-term economic and psychological impact of violence against women.<sup>341</sup>

**250.** Regarding the policies and legal framework to eliminate harmful traditional practices of female mutilation, early or forced marriage and honor killings, the NGO KGSC highlights that Article 180 of the Criminal Code criminalizes female genital mutilation, and article 239 criminalizes forced marriage. The Criminal Code of Kosovo has substantially incorporated the Istanbul Convention. The criminalization of honor killing can be derived from Article 173 of the Criminal Code. Kosovo

336 GAP (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

337 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

338 GLPS (2024), [Institutional treatment of domestic violence cases in 2024](#).

339 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

340 Council of Europe, [Assessment of the alignment of Kosovo's laws, policies and other measures with the standards of the Istanbul Convention](#).

341 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

has drafted a comprehensive legal and policy framework to tackle violence against women and domestic violence, National Strategy on the Protection against Domestic Violence and Violence against Women (2022-2026). Measures have also been taken to appoint specialist law enforcement units, prosecutors, or civil judges dealing with domestic violence cases.<sup>342</sup>

**251.** Additionally, the State Protocol for Handling Cases of Sexual Violence focused on standardizing “the necessary actions for a continuous, comprehensive and responsible response, for the identification, protection, treatment, documentation, referral, sustainable empowerment and re-integration of victims/survivors/survivors of sexual violence, through immediate and professional interventions of responsible institutions.”<sup>343</sup>

**252.** On 29 August 2024, the NGO Kosovo Women’s Network (KWN) sent an open letter to the Minister of Justice seeking to ensure that the upcoming budget of the state is a gender-responsive budget focused towards addressing gender equality needs. In this regard, NGO KWN specifically recommended that adequate financing is put in place for the implementation of the State Protocol for the Treatment of Sexual Violence Cases.<sup>344</sup> In 2024, the MoJ announced the establishment of a referral center dedicated to handling cases of sexual violence within the Institute of Forensic Medicine. The center, the first of its kind in the region, aims to provide comprehensive services, including evidence collection, examinations, and psychological support for survivors.<sup>345</sup>

**253.** According to the latest K-police Report published for the year 2024, there has been an increase in reported cases of domestic violence during 2024 in comparison to 2023, with 2,959 domestic violence cases reported in 2024, compared to 2,638 cases in 2023.<sup>346</sup> NGO KGSC noted that during the year 2024, Kosovo could be seen to have an upsurge in the rate of reporting incidents of violence against women, which include domestic violence, sexual violence, and gender-based violence. Kosovo has an increase of 6 percent in reported cases compared to 2023. As authorities strive to deal with the rising number of reports of violence in the home, in December 2024, the K-police launched a new scheme to track domestic violence perpetrators with electronic bracelets.<sup>347</sup>

**Table 2. Cases of domestic violence between 2019 and 2024<sup>348</sup>**

Year	2019	2020	2021	2022	2023	2024
Cases of domestic violence in numbers	1,915	2,069	2,200	2,273	2,638	2,959

342 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

343 [Protokolli Shtetëror për Trajtimin e Rasteve të Dhunës Seksuale](#)

344 KWN (2024), [Towards a more gender-responsive 2025 Kosovo Budget](#)

345 Telegrafi (2024), [For the first time in Kosovo and the region, a referral center for cases of sexual violence will be opened in IML](#)

346 Ministry of Justice (MoJ 2024), databaza për evidentimin e rasteve të dhunës në familje.

347 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

348 Ministry of Justice (MoJ 2024), [databaza për evidentimin e rasteve të dhunës në familje](#).

**254.** Kosovo has eight licensed shelters dedicated to supporting victims of domestic violence, providing essential services such as accommodation, psychological support, and legal assistance. On average, shelters can accommodate 15 people (including children), but most also offer extra beds for emergency situations. The maximum length of stay is six months; however, if they are not secure and the victim has no other place to go, they may be transferred to another shelter, or remain in the same shelter beyond the six-month period based on a prior agreement with the Ministry of Internal Affairs and Communications.<sup>349</sup>

**255.** Although trends show that domestic violence is on the rise, the total number of incidents is likely underreported. In a context of patriarchal norms, women experience pervasive fear from their partners and their families to report the perpetrator to the police. Other factors include lack of inheritance, and financial insecurity.

**256.** Over the last four reporting periods (2021-2024), femicide has become a deeply entrenched issue in Kosovo society, reflecting the persistence of alarming societal trends. 2024 recorded 3 cases of femicide. The data reveals a highly concerning trend with at least 58 women murdered in Kosovo since 2010, predominantly by male perpetrators including spouses, fathers and sons.<sup>350</sup> Within five days in April 2024, two young K-Albanian women (Erona Cakolli and Gjyljeta Ukellaj) were murdered by their former spouses in aggravating circumstances, resulting in public outcry. The President of Kosovo declared the 17 April 2024 as a day of mourning, "in memory of all women and girls killed in Kosovo as a result of gender-based violence".<sup>351</sup> The HRN also issued a statement expressing deep sorrow over the murder of young women, and called on the responsible institutions to respond promptly and professionally in handling femicide cases. Femicide should be treated as a national emergency by Kosovo's institutions if the aim is to end the cycle of gender based violence.<sup>352</sup>

**257.** In response to these two tragic femicide cases, the Prosecution acted promptly by filing indictments against the accused. One of the accused, Edmond Lajqi, the former husband of Gjyljeta Ukellaj was sentenced to life in prison following his acceptance of murder charges. In August 2024, a third tragic femicide occurred in Graçanicë/Gračanica, where a K-Serb woman died in the hospital two days after sustaining severe injuries inflicted by her husband.<sup>353</sup>

**258.** The three femicide cases that occurred in 2024 sparked public outcry and protests as they shed light onto the failure of the K-police and other responsible institutions to protect the victims of domestic violence. The protests were led by women's rights organizations, different NGOs, activists, and survivors of violence, who demanded that the government take action to address the question of safety for all women in Kosovo and gender-based violence in the region.<sup>354</sup> These protests echoed the recurrent plea for a more proactive stance by public institutions in protecting

349 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

350 Gazeta INFOKUS (2024), [Familja vendi më i rrezikshëm për gratë: 58 gra u vranë për 14 vite në Kosovë, 3 prej tyre vetëm në vitin 2024.](#)

351 President of Kosovo (2024), [Presidentja Osmani e shpallë të mërkurën ditë zie shtetërore.](#)

352 HRN (2024), [Another case of FEMICIDE in Kosovo!](#)

353 Nacionale (2024), 2024: [Edhe një vit i përgjakshëm me vrasje të grave](#); Albanian Post (2024), [Vrasja e gruas në Graçanicë, protestohet kundër dhunës e femicidit.](#)

354 Sinjali (2024), [Protestohet në Graçanicë kundër femicidit dhe dhunës ndaj grave.](#)

women endangered by gender violence perpetrators. Judges and prosecutors are still not sufficiently equipped to manage cases appropriately, often failing to apply the legislative framework in a correct manner. Verbal attacks and discriminatory language against women in public positions such as Assembly members remains prevalent in 2024.<sup>355</sup> In June 2024, Kosovo's Ministry of Justice launched the drafting of the first Law against Femicide. The initiative aims to clearly define femicide in legislative terms, and introduce stricter measures for prevention, prosecution, and victim protection.<sup>356</sup>

**259.** Following denunciations of 27 students of the Faculty of Medicine for sexual harassment by Professor Xhevat Krasniqi, NGO YIHR KS and 41 other CSOs send an Open Letter to the (then sitting) Rector of the University of Prishtina, Mr. Qerim Qerimi. Through such a letter, CSOs requested immediate action from the Rector to address these serious denunciations by immediately suspending the Professor in question, until there is an epilogue to the case. The CSOs emphasized that there should be zero tolerance for sexual harassment cases in educational institutions. Whoever remains silent in the face of such heinous actions is in fact collaborating with the perpetrator and amnestying sexual crimes within the University of Prishtina.<sup>357</sup>

**260.** In 2024, the SIT Center for Counseling, Social Services and Research conducted a study titled "Gender-Based Violence (GBV) Through the Lenses of Gen Z", focusing on young men's attitudes in Kosovo. The study revealed that a significant portion of young men failed to recognize controlling behaviors towards female partners as forms of violence. Additionally, the research identified a prevalent belief among these men that certain circumstances could justify or rationalize gender-based violence. Alarming, many of the Gen Z respondents in the survey sample agreed with the statement that "men have the right to discipline women for 'incorrect' behavior" (38 per cent).<sup>358</sup>

**261.** The NGO KGSC notes that accessibility of emergency contraception, safe abortion, and STI prophylaxis in Kosovo remains unclear. Based on the NGO KWN's report, emergency contraception is mentioned as technically available, but accessibility is hindered by limited public awareness and inconsistent supply in pharmacies and healthcare facilities.<sup>359</sup>

## 262. Recommendations

- The Labor Inspectorate should enhance workplace regulations to address sexual harassment, particularly in the private sector, where it remains underreported;
- The AoK should criminalize femicide as a distinct and aggravated criminal offence, with mandatory minimum sentencing guidelines and enhanced penalties;
- The AoK should establish a binding Code of Parliamentary Ethics with specific provisions prohibiting sexist, racist, and misogynistic language, enforced by an independent disciplinary mechanism with sanctioning powers.

355 EU Commission (2024), Kosovo Report 2024, p. 36.

356 Kallxo.com (2024), [Ministria e Drejtësisë inçicion hartimin e Projektligjit kundër femicidit](#).

357 YIHR KS (2024), [Open Letter to the Rector of the University of Prishtina, Mr. Qerim Qerimi](#).

358 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024. See also, SIT (2024), [Gender-Based Violence \(GBV\) through the Lenses of Gen-Z](#).

359 KGSC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



## 7.2 Children's rights

**263.** The UN Convention on the Rights of the Child (CRC), which defines children as under the age of 18, is directly applicable in Kosovo as per Article 22 of the Constitution and supersedes the local laws and acts of the government. This Convention, however, remains insufficiently applied by the judges and prosecutors as provided by Article 22 of the Kosovo Constitution.<sup>360</sup> The protection of children's rights as a foundational pillar of Kosovo's democratic development is constitutionally defined in Article 50 of the Constitution. The latter puts emphasis on children's well-being, equality, and protection against maltreatment, violence, and any form of exploitation. In line with international standards, the primary legislation has been recently complemented by the Law No. 06/L-084 on Child Protection. It safeguards children from different forms of physical, mental, and emotional abuse; neglect; and exploitation in all societal spheres ranging from care institutions to public facilities to the home.

**264.** Kosovo's legal framework on the rights of the child is largely in line with EU *acquis* and international standards, but implementation remains limited. From a total of 17 Administrative Instructions foreseen under the Law on Child Protection, all of them have now been approved, albeit with a considerable and concerning delay.<sup>361</sup> According to the NGO Terre des Hommes Kosovo, apart from the advancement of the legislative framework in 2024, it cannot be said that there has been any substantial improvement in the implementation of such a framework. Although there has been an effort to improve the implementation in some areas, and a slightly increased attention from public institutions, on an impact level - there are no positive changes worth highlighting.<sup>362</sup>

**265.** The institutional mechanisms warranting the implementation of legislation and incorporating child participation mechanisms are defined by the Law No. 06/L-084 on Child Protection.<sup>363</sup> They include the Inter-Ministerial Committee for the Rights of the Child, which operates within the Office of the Prime Minister through the Office of Good Governance, and other mechanisms at the central and local level.<sup>364</sup> The Strategy for the Rights of the Child and Action Plan (2019-2023)<sup>365</sup> is no longer in force now and no specific Strategy for the Rights of the Child was approved during the reporting period. However, in 2024, the MCYS published its State Strategy on Youth (2024-2032)<sup>366</sup> which refers to issues related to children's rights although much less than a specific Strategy on the Rights of the Child would. The main findings of the State Strategy on Youth (2024-2032) related to children's rights are the following: (i) 88 percent of children with disabilities do not attend school; (ii) the school attendance rate in primary school among the K-Roma, K-Ashkali and K-Egyptian community is 84 percent compared to 100 percent of the overall population, while the rate in secondary school is 63 percent and 31 percent in higher education.<sup>367</sup> This scarcity of strategic goals and plans to improve children's rights in Kosovo means that there is a need for a specific Strategy on Children Rights to be approved.

<sup>360</sup> UNHCR (1989), [Convention on the Rights of the Child](#).

<sup>361</sup> Terre des Hommes Kosova (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

<sup>362</sup> Terre des Hommes Kosova (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

<sup>363</sup> Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

<sup>364</sup> Terre des Hommes Kosova (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

<sup>365</sup> OGG website (2025), [strategy on the rights of the child 2019-2023](#)

<sup>366</sup> MCYS (2024), [State Strategy on Youth 2024-2032](#).

<sup>367</sup> MCYS (2024), [State Strategy on Youth 2024-2032](#).



**266.** In 2024, the Division for Child Protection was established within the Ministry of Justice. It is recommended that this division be fully operationalized and staffed with qualified personnel to effectively carry out its responsibilities.<sup>368</sup>

**267.** The full implementation of the Law on Child Protection remains pending, prevention continues not to be a key element of child protection services, and initiatives such as the free child helpline and child protection houses, as foreseen by the Law, have not yet been established. The same goes for the Law on Social and Family Services No. 08/L-255, according to Save the Children Kosova/o. The latest Child Rights Situation Analysis by Save the Children Kosova/o, reveals foundational obstacles, including a lack of preventive and long-term integration services, a fragmented service delivery system, low reporting rates for children in violent situations, limited human and infrastructural capacities, and financial sustainability concerns for child protection services.

**268.** The latest Report of KOMF published in October 2024, reveals the following data: (i) 30 per cent of the population in Kosovo are children; (ii) the amount of social assistance varies from 70 to 250 EUR per month; (iii) there are 36,633 children beneficiaries of social assistance; (iv) 46,000 children benefited 20 EUR per month and around 344,000 children benefited 10 EUR per month; (v) the average number of cases for a social services official was around 250 cases per year; (vi) the only shelter for children at the national level was closed due to lack of funding; (vii) 634 children are without parental care; (viii) 564 cases of incidents in schools and around it; (ix) only 45 cases of violence in schools reported by schools to SMIA; (x) 335 children victims of domestic violence received services from shelters; (xi) 194 cases of minors in conflict with the law under 14 years of old; (xii) 1,867 criminal charges of juvenile perpetrators of criminal offences; (xiii) 124 cases of death of newborns; (xiv) one school psychologist or pedagogue works with around 1,400 children while only 7 psychiatrists for children are in public institutions; (xv) only 54 preschool/kindergarten institutions in the public sector with 10 municipalities having no preschool public institution.<sup>369</sup>

**269.** The year 2024 has been a year of financial crisis that has affected licensed organizations that contribute to children's rights and that provide social services, according to the NGO Terre des Hommes. This is because many donations, especially EU programs that have supported the provision of social services, have ended. The Ministries and other actors have not had the necessary financial capacities to cover the gap left by the lack of funds. As a result, many organizations have had to reduce their services or close them altogether, resulting in the closure of two organizations (one of them specialized in sheltering children without parental care and various victims of violence). Municipalities have offered little or no support, while an allocated government fund of 1.5 million has been insufficient to cover the needs.<sup>370</sup>

**270.** According to Young Voices 2024, while a significant majority of children (94 percent) are aware of Child Rights, and 68 percent are familiar with the UN Child Rights Convention, the actual participation in governance and public consultations remains alarmingly low. Only 9 percent of children reported having participated in any public consultation organized by their municipality or the government in the past two years. This indicates a significant gap between awareness of rights and active engagement in decision-making. Despite this, there is a strong desire among

368 Terre des Hommes Kosova (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

369 KOMF (2024), [Report card: What is Kosovo's overall score for child care?](#)

370 Terre des Hommes Kosova (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

children for increased involvement. An impressive 83 percent expressed a wish for more influence, power, and opportunities to voice their opinions on issues that affect them and their peers. Additionally, 64 percent of children showed interest in attending public consultations, suggesting a readiness to engage if given the opportunity.<sup>371</sup>

**271.** Discussion with children from the Respect Our Rights (ROR) Group, Hëna Group, and Umza Decu who were consulted during the conduction of the Young Voices 2024, highlighted critical shortcomings in public consultations. Many children criticized these forums as not being child-friendly or engaging. They noted that the structure of these consultations often fails to accommodate school schedules and can be overly formal, making it challenging for children to understand the discussions. A 17-year-old girl expressed, “Even if we participate, expressing our opinion has no impact on decision-makers,” emphasizing the disconnection between children’s participation and actual policy influence. While there are no significant gender differences in participation rates, older children tend to be more involved. Despite these barriers, 64 percent of children expressed a desire to attend such consultations, with 70 percent of girls and 55 percent of boys showing interest in participation.<sup>372</sup>

**272.** Kosovo has a legal framework in place to address juvenile delinquency which ensures protection of the rights of children in conflict with the law and promotes their rehabilitation and reintegration into society. Under the Code 06/L-006 on Juvenile Justice, children who commit criminal offenses are subject to different procedures and sanctions than adults.

**273.** Children continue to be subject to violence, neglect, abuse, exploitation and trafficking, notes the NGO Terre de Hommes. Violence and corporal punishment continue to be socially accepted disciplinary measures in Kosovo, with limited programs or services available to support positive parenting and child well-being. Identifying and reporting children in violent situations remains a major challenge, even within institutions despite legal obligations. The fragmented child protection system leads to isolated, uncoordinated services that lack a multidisciplinary approach to effectively address violence. Challenges persist in service access, especially for children with disabilities, due to limited human resources, specialized services, and fragmented service provision, which often leads to re-victimization. The current social protection system in Kosovo, while providing financial assistance, does not adequately meet the diverse needs of vulnerable families and children. Many families and children are excluded due to discriminatory criteria and moreover, the social assistance scheme operates almost independently from social services, limiting its overall impact.<sup>373</sup>

**274.** Save the Children Kosova/o underscores that the digital era introduces risks that must be vigilantly managed, such as exposure to inappropriate content, cyberbullying, and privacy breaches. Regarding risks related to digital harm, there is lack of existing reporting mechanisms such as hotlines and other reporting tools that serve as a contact point to children and other potential

371 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

372 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

373 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

victims that seek to address sexual abuse or exploitation, with a particular focus on online child abuse content. The Young Voices 2024 Report shows that 78 percent of children report that bullying is very or moderately present in their school. Children further identify TikTok (78 percent), Snapchat (57 percent), school and public spaces (52 percent), Instagram (45 percent) and Facebook (28 percent) as spaces where bullying often or always occurs.<sup>374</sup>

**275.** In July 2024, the GoK presented the new scheme for child supplements, through which mothers with one or two children will obtain 20 EUR per month for each child, while mothers with three or more children, will obtain 30 EUR per month for each child.<sup>375</sup> In December 2024, the GoK allocated funds for one-time supplements amounting to 100 EUR each for children and pensioners.<sup>376</sup> Nevertheless, according to an analysis of Radio Evropa e Lirë conducted in 2024 regarding child supplements, certain communities (like K-Roma, K-Egyptian and K-Ashkali communities for instance) have more difficulties in obtaining these supplements due to several factors, namely non-registration in civil books of Kosovo institutions, inability to write and read and difficulty to use the technology for online applications.<sup>377</sup> However, according to the Institute for Development of Social Policies, there is a need to establish an office or appoint an officer that can assist communities and persons living in remote places with the application procedures.<sup>378</sup>

**276.** The effectiveness of child protection services is particularly challenging for marginalized groups, including children from Roma, Ashkali, and Egyptian communities, and children with disabilities. These communities experience multi-layered discrimination, which exacerbates vulnerabilities and limits access to protection services. Systemic inefficiencies within the juvenile justice system, especially in implementing diversion measures, further highlight areas for improvement to ensure that marginalized children receive adequate protection and support.<sup>379</sup>

**277.** The social services system in Kosovo continues to be overstretched, poorly funded, and unable to cope with the growing demands of people in need and vulnerable groups. The adoption of the new Law No. 08/L-255 on Social and Family Services is to be considered as a good development as it guarantees the provision of higher quality services, according to the NGO Terre Des Hommes. The most critical issue remains the implementation of the law regarding the work done by the Centre for Social Work. This is the main institution with a clear mandate for the protection of children. However, these centres suffer from a lack of human and financial resources, and need capacity building and better profiling of social workers. This is because, for example, a social worker deals with the treatment of all categories, be it children, adults, elderly people and are not specialized for specific categories that also have specific needs. The NGO Terre des Hommes reiterates its recommendation that each social work center should designate a special person who deals only with children's issues. The quality of service provision will be better if these people are profiled to work with specific categories and not with all categories simultaneously.<sup>380</sup>

**278.** The exploitation of children through child labor and begging continues to occur in the year 2024. According to the EU Commission report, around 9 percent of children are involved in labor,

374 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

375 Kallxo (2024), [Rriten shtesat për fëmijë, Kurti prezanton skemën e re të pagesave](#).

376 Monitor (2024), [Qeveria e Kosovës ndan nga 100 euro shtesa për pensionistë e fëmijë](#).

377 Radio Evropa e Lirë (2024), [Shtesat për fëmijë: Kush fiton e kush humb?](#)

378 Radio Evropa e Lirë (2024), [Shtesat për fëmijë: Kush fiton e kush humb?](#)

379 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

380 Terre des Hommes Kosova (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

of whom 5.6 percent in hazardous conditions, an issue which is predominantly prevalent among the Roma and Ashkali communities.<sup>381</sup> Kosovo continues to lack specialized municipal services to protect children involved in child labor. Most children engaged in hazardous work are not integrated into the protection system and receive no services. Poverty is claimed to be the main reason as to why these children are forced to beg in the streets of Kosovo. A similar issue affects child victims of human trafficking, with major challenges in their identification and an absence of long-term reintegration programs.<sup>382</sup>

**279.** Children with disabilities face further challenges, often needing to travel to larger cities for essential services due to a lack of local resources. Similarly, the Law 03//L-022 on Material Support for Families of CWDs recognizes the right to material compensation only for children with permanent physical, mental and sensory disabilities, who are completely unable to perform the daily life activities without receiving care from another person, thus excluding the majority of children with disabilities.

**280.** Certain services, such as foster care for children without parental care, are not available in all municipalities, despite legal obligations for each to establish three foster families. Many municipalities have not fulfilled this requirement, and specialized foster families that can address specific needs (such as for children with disabilities) are lacking, leading to significant gaps in service access and quality.<sup>383</sup>

**281.** Children from non-majority communities are the children in the most vulnerable position in social, economic, and cultural aspects. Inequalities concerning access to basic health care, education, and culture remain prevalent, partially as the K-Roma and K-Ashkali communities are consistently discriminated against. Public institutions have insufficiently moved beyond legislative stipulations towards social actions and programs of inclusion.<sup>384</sup> Despite some improvement in the reporting period, children from vulnerable groups and non-majority communities continue to be marginalized when it comes to education opportunities, in particular, children from the Roma, Ashkali and Egyptian communities. Some educational centres have closed due to their heavy reliance on external financial support and MESTI needs to ensure that these centres continue to operate and are furnished with necessary human and financial resources.<sup>385</sup>

**282.** The phenomenon of early marriages continues to be widespread and affects the lives and education of children in Kosovo, particularly among the Roma, Ashkali and Egyptian communities.<sup>386</sup> According to the EU Report on Kosovo, the GoK showed commitment by establishing an inter-institutional working group for the prevention of early marriages in the Roma, Ashkali, and Egyptian communities.<sup>387</sup>

381 EU Commission (2024), Kosovo Report 2024, p. 73.

382 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

383 Save the Children Kosova/o (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

384 Kosovo 2.0, [Poor help to the poor](#).

385 EU Commission (2024), Kosovo Report 2024, p. 74.

386 EU Commission (2024), Kosovo Report 2024, p. 36.

387 EU Commission (2024), Kosovo Report 2024, p. 38.

**283.** In October 2024, UNICEF in Kosovo published an exclusive report about the effects of the climate crisis on children’s rights in Kosovo.<sup>388</sup> The analysis reveals a complex and alarming array of climate and environment-related hazards that menace the safety, health, and overall well-being of children. All regions of Kosovo scored either “highly” or “extremely highly” in terms of overall exposure to environment hazards, making Kosovo children “among the most exposed to climate extremes in Europe,” an issue compounded by high levels of vulnerability as a result of poverty. The leading causes of death among children remains closely related to climate change and environment, with lower respiratory infections being exacerbated by extreme temperatures, air pollution and lack of safe water access. These challenges accentuate the urgent need for coordinated action to protect Kosovo’s national resources and secure a sustainable future for the country’s youngest citizens.<sup>389</sup>

## 284. Recommendations

- The GoK should prioritize children’s rights as a political priority, ensuring that policies, budgets, and strategies across all sectors integrate a child-centered approach;
- Greater efforts should be made to strengthen child participation in decision-making at both national and local levels. This includes creating safe, meaningful, and structured opportunities for children and child-led groups to express their views, ensuring they are consulted through child-friendly mechanisms, and guaranteeing that their opinions are genuinely considered in policy and decision-making processes;
- The MoJ should increase budget allocations for social and family services at the central and local levels, including child protection programs, to ensure sustainable and high-quality service delivery;
- The MoJ should strengthen the enforcement of the Law on Child Protection by establishing Child Protection Houses;
- The OGG should ensure the proper implementation of a free-of-charge child helpline, ensuring effective reporting and response to violence, abuse, neglect, and trafficking;
- The GoK should develop a comprehensive Family Empowerment Strategy to address economic and social challenges, ensuring equal access to support services and enhancing family well-being;
- The AoK should approve the Law on the Social Assistance Scheme without further delay.

## 7.3 Youth rights

**285.** The Kosovo Constitution does not mention youth and their rights in the text. It only establishes the eligibility for voting in both local and national elections at 18 years of age. A new Law No. 08/L-264 on Youth entered into force in August 2024, with the purpose to regulate the field of youth at an inter-institutional and inter-sectoral level, by placing youth at the centre of state pri-

388 UNICEF Kosovo (2024), [A Climate Landscape Analysis for Children](#).

389 UNICEF Kosovo (2024), [A Climate Landscape Analysis for Children](#).



orities.<sup>390</sup> The Law establishes “The State Commission for Youth”, as the highest inter-institutional coordinating mechanism for the implementation of youth policies. The Commission in question is established by a decision of the GoK and is led by the Prime Minister, while the representative of “Central Youth Council” participates in meetings of the Commission with an advisory, advocacy and monitoring role. The Commission will hold meetings two times per year and it will, among others, determine youth priorities where measures are needed; propose establishment of different cross-sectoral working groups needed to deal with specific youth issues; coordinate institutions and mechanisms that have an impact on youth sector, and report on the implementation of youth policies, including the State Strategy for Youth and the approval of Strategy’s annual plan.

**286.** According to the new Strategy for Youth covering the period 2024-2032, the GoK will further commit itself to empowering the needs of Kosovo individuals ensuring the realization of their needs, rights and human potential. The Strategy aims to integrate youth into society and empower them as contributors to an inclusive and sustainable society.<sup>391</sup> The Strategy is in force but there are no official updates by the MCYS in respect of its practical implementation or specific action plans enacted for the purpose of enforcement.

**287.** The new Law on Youth of 2024 oversees a Central Youth Council as an advisory, advocacy and monitoring group for youth issues which serves as a platform for cooperation between the GoK, local councils, youth organisations and informal youth groups. It remains to be seen whether the new legislative framework accompanied by a new Strategy on Youth will be able to enhance the protection and development of youth rights.

**288.** Kosovo has officially become a member of the European Youth Card Association (EYCA), an international organization based in Brussels that issues the European Youth Card in over 30 European countries.<sup>392</sup> The initiative aligns with increased youth mobility in Europe, supported by measures such as the Young Cells Scheme, Ministry of Education scholarships, and the Ministry of Culture, Youth, and Sports mobility grants, providing numerous opportunities for educational, competitive, and professional experiences for young people in Kosovo. Equipped with the card, Kosovo’s youth will enjoy equal opportunities and benefits alongside their European counterparts. In November 2024, a call for applications for Round XV of the Young Cell Scheme was published.<sup>393</sup>

**289.** Unemployment among young people remains a problem with significant large-scale consequences for the socio-economic development of the region with an employment rate of just 20.4 percent.<sup>394</sup>

**290.** After the adoption of the Youth Guarantee Implementation Plan, Kosovo launched a piloting of the Youth Guarantee Scheme in two municipalities in January 2024. According to the EU Commission report on Kosovo, the GoK should prepare for a full roll-out of the Young Guarantee

390 AoK (2024), Law No.08/L-264 on Youth.

391 MCYS (2023), [The state strategy for Youth \(2024-2033\)](#).

392 MCYS (2024), [Tashmë zyrtare: Kosova anëtare në EYCA - European Youth Card Association](#).

393 European Union Office in Kosovo (2024), [Call for Applications – Young Cell Scheme Round XV](#).

394 KAS (2024), [Tregu i punës](#).



Scheme based on lessons learned during the pilot phase and continue to strengthen VET governance and quality of VET for professions in demand for the Youth Guarantee.<sup>395</sup>

**291.** In accordance with the Economic Revival Package in which the GoK guaranteed young people “the first job, subsidized by the state at the level of minimum wage,”<sup>396</sup> the GoK launched the “Superpuna” platform, a key initiative aimed at addressing youth unemployment and fostering economic growth. The platform, managed by the Ministry of Finance Labor and Transfers (MFLT), pledges a 264 EUR subsidy on top of the minimum wage for the first six months of employment. The “Superpuna” platform continued to function in 2024 and it has been expanded to the age group of 18-29 compared to the initial phase of being offered only for young people of age 18-25.<sup>397</sup> However, despite numerous positive success stories of young people becoming engaged in the labor market, Kallxo.com published a number of anonymous testimonials of young people who have complained about the “Superpuna” platform, claiming that they are not receiving their salaries by the MFLT (with one particular respondent stating that he did not receive his salary even after 5 months of concluding his work).<sup>398</sup>

**292.** In 2024, the NGO Kosovar Gender Studies Center (KGSC) published an analysis titled Enhancing Superpuna Platform Effectiveness to Address the Needs of Roma, Ashkali, and Egyptian Women, emphasizing the necessity of revising eligibility criteria, expanding outreach, and integrating an intersectional approach. The study underscored that these measures are essential for Superpuna to evolve into a more inclusive and impactful program, significantly contributing to the empowerment of marginalized communities in Kosovo.<sup>399</sup>

**293.** Kosovo includes a high percentage (39.8 percent) of its youth population not engaged in any educational programmes. This is compounded by an overall low engagement in tertiary education as the result of social factors including economic adversities, high unemployment rates and limited public funding for education. In particular, Kosovo’s lower engagement rate in tertiary education is also related to its unique political and economic situation. Only 26.7 percent of young people in Kosovo work in their trained profession, while a staggering 81.7 percent of overeducated young people in Kosovo work outside their profession.

**294.** The profile of youth desiring to emigrate has shifted over the years: In 2018, this included individuals with lower social socio-economic conditions whereas in 2024 socio-economic status plays no significant role. In Kosovo, the strength of the desire to leave the country is positively associated with risks (in labor market and housing). However, the FES study also noted that young people (including those from Kosovo) are spending a longer time abroad for other purposes other than emigration<sup>400</sup>.

**295.** According to a report published by the NGO YIHR KS in October 2024 young people in Kosovo demonstrate a strong awareness of and consensus on the necessity of prosecuting war crimes, irrespective of the ethnic identity of either the victims or the perpetrators. The study found that a majority of respondents (65.5 percent) possess some level of knowledge about war crimes. Spe-

395 EU Commission (2024), Report on Kosovo 2024, p. 16.

396 Ministry of Finance, Labor and Transfers (2021), [Economic Recovery Package](#).

397 Radio Evropa e Lirë (2024), [Qeveria e Kosovës zgjeron skemën Superpuna](#).

398 Kallxo (2024), [Ankesa për platformën “Superpuna”, nuk po ju dalin pagat](#).

399 Kosovar Gender Studies Center (2024), [Enhancing the Superpuna platform effectiveness to address the needs of Roma, Ashkali and Egyptian Women](#).

400 Friedrich-Ebert-Stiftung (2024), [Youth Study Southeast Europe 2024](#).

cifically, 18.3 percent reported having a lot of knowledge, while 54.1 percent indicated they have some knowledge. This awareness is significantly influenced by conversations with family members, particularly parents, who serve as primary sources of information about the war.<sup>401</sup> There is a strong consensus among youth that war crimes should be prosecuted, regardless of the ethnic background of the victims or perpetrators. This reflects a unified stance across different ethnic groups, emphasizing the importance of justice in the aftermath of conflict<sup>402</sup>

**296.** Moreover, the NGO YIHR KS report confirms that the collective memory of war-related events has a profound impact on the attitudes of Kosovar youth with regards to their views on interethnic reconciliation and inter-ethnic contact.<sup>403</sup> The survey highlights notable differences in attitudes between K-Albanian and K-Serb youth regarding war, the prosecution of war crimes, and the role of youth in reconciliation efforts. Despite perceived differences, there is a general agreement on the need for transitional justice actions to improve inter-ethnic relations.<sup>404</sup> Many respondents expressed dissatisfaction with how schools address war events, indicating a pressing need for improved education on the topic. This gap in education may hinder the development of a well-informed youth capable of engaging in constructive dialogue about the past.<sup>405</sup>

## 297. Recommendations

- The Ministry of Culture, Youth, and Sports (MCYS) should ensure the full implementation of the Law on Youth and the State Strategy for Youth (2024-2032) by developing clear action plans, setting measurable targets, and establishing robust monitoring mechanisms to track progress and impact;
- The MoF should revise the Superpuna platform's eligibility criteria to better accommodate K-Roma, K-Ashkali, and K-Egyptian women;
- The MESTI should strengthen vocational education and training programs and expand financial aid for higher education to address the high percentage of youth not engaged in education or employment;
- The MCYS should integrate inter-ethnic dialogue, multicultural cohabitation, and reconciliation programs into school curricula and extracurricular activities to foster long-term social cohesion and peacebuilding.

## 7.4 The rights of persons with disabilities

**298.** The legislative framework pertaining to the human rights of persons with disabilities in Kosovo consists of the constitutional guarantees along with numerous laws and regulations in which specific reference is made to this segment of the population. Part of the legislative frame-

401 YIHR KS (2024) [Youth Attitudes towards War and War Crimes in Kosovo](#), p.6.

402 YIHR KS (2024) [Youth Attitudes towards War and War Crimes in Kosovo](#), pp 31-37.

403 YIHR KS (2024) [Youth Attitudes towards War and War Crimes in Kosovo](#), p.37.

404 YIHR KS (2024) [Youth Attitudes towards War and War Crimes in Kosovo](#), p.11 and 37.

405 YIHR KS (2024) [Youth Attitudes towards War and War Crimes in Kosovo](#), pp 31-37.

work through which the rights of persons with disabilities are safeguarded is Law No. 2003/23 on Disability Pensions and Law No. 03/L-022 on the Material Support for Families of Children with a Permanent Disability. Two other laws that support specific persons with disabilities are Law No. 05/L-067 on the Status and Rights of Persons with Paraplegia and Tetraplegia and Law No. 04/L-092 for Blind Persons. A part of Kosovo's legal framework reflects the United Nations Convention on People with Disabilities (CRPD), but it has yet to be incorporated into the Constitution as a directly applicable international human rights instrument under Article 22. Kosovo has also adopted an inclusive vision centred on promoting the rights and conditions of this community and its facilities in its Strategy on the Rights of Persons with Disabilities (2013-2023). Although the Office of Good Governance has planned to develop a new strategy which would commence within 2024, no such strategy has been approved during 2024.

**299.** Kosovo's legislation is implicitly based on European and international human rights instruments but lacks properly formulated and explicit harmonization. In Article 22 of the Constitution, a number of key human rights instruments serve as the basis for local laws and regulations, but the CRPD is not included among them. According to NGO HANDIKOS, the inclusion of the CRPD is pivotal if the aim is to attain the fundamental preconditions for persons with disabilities to lead a normal and dignified life.<sup>406</sup>

**300.** Relatedly, the Constitutional Court of Kosovo issued a decision (Case KO 207/22) on the compatibility of the proposed constitutional amendment to add the CRPD to the list of directly applicable international agreements and instruments in Kosovo. The Court declared the referral admissible and unanimously determined that the proposed amendment, i.e. the inclusion of CRPD in Article 22 of the Constitution, does not diminish the fundamental rights and freedoms guaranteed by Chapters II and III of the Constitution. The decision emphasized the principles of the UN Convention, highlighting the rights related to dignity, autonomy, non-discrimination, full participation, and positive obligations for implementation.<sup>407</sup> In October 2023, the Assembly of Kosovo attempted to amend the Constitution to include the CRPD in Article 22, but due to political reasons, the amendment could not be made because the members of the AoK from the K-Serb community were not present to cast their vote.<sup>408</sup> In 2024, no attempts to amend the Constitution and add the CRPD were made, despite the existence of a clearance from the Constitutional Court since August 2023.

**301.** The NGO HANDIKOS emphasises that the Constitution of Kosovo does not have any special regulation for persons with disabilities. On the other hand, a considerable number of laws protect and promote the rights of persons with disabilities, including equal access to health care, inclusive and disability sensitive physical and societal environment, access to quality education and equal opportunities in employment. However, according to NGO HANDIKOS, these laws contain terminology in dissonance with the Constitution.<sup>409</sup>

**302.** It is in the context of infrastructure and other complaints deriving from all forms of discrimination against persons with disabilities that five lawsuits have been filed against various institu-

406 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

407 Constitutional Court (2023), [Notification on decision in Case KO 207/22](#).

408 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

409 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

tions since 2018.<sup>410</sup> So far, only two lawsuits have ended in the first instance in favor of the plaintiffs and are now in the court of appeal. The other four cases have not yet been reviewed by the basic courts. Many persons with disabilities have filed complaints against the evaluation committees responsible for determining eligibility for disability pensions. These committees have been criticized for their lack of professionalism and inadequate knowledge of relevant legislation, often issuing decisions that contradict legal provisions and fail to uphold the rights guaranteed by law. After many complaints filed by NGO HANDIKOS, the GoK has established a new committee at the end of 2024.<sup>411</sup>

**303.** Despite their crucial significance, the healthcare system and social services at the institutional level inadequately address the fundamental needs of individuals with disabilities. The paradox extends beyond the unequal and discriminatory treatment they receive from healthcare personnel. Additionally, there is a lack of mechanisms ensuring immediate healthcare services for people with disabilities. Consequently, NGO HANDIKOS highlights that individuals with disabilities are compelled to seek assistance from private medical centers or even abroad, incurring substantial financial burdens. Relatedly, a person with disabilities filed a lawsuit for protection from discrimination in 2018 against University Clinical Center of Kosovo, but the case did not receive any epilogue until 2023. In 2023, however, the plaintiff passed away and the courts were unable to present an adequate hearing or conclusion to the case. Moreover, difficulties in obtaining medicines are reported every day by people with disabilities in the absence of health insurance, and due to low pensions.<sup>412</sup>

**304.** There are considerable mobility and physical barriers for persons with disabilities, who are in need of assistive products such as wheelchairs, crutches, animal support with guide, human support etc. However, according to NGO HANDIKOS, the GoK does not cover or provide mobility products. Rather, all of these products are provided free of charge by associations notwithstanding legislative regulations requiring the GoK to provide these devices.

**305.** During the reporting period HANDIKOS raised concerns that public institutions undertake swift decisions on issues affecting persons with disabilities without conducting substantial prior analysis. Such scenarios have often contradicted primary and secondary legislation, thereby creating violations of rights for the affected persons. Moreover, in cases of public consultations, as well as in cases where restrictions have been made on some rights of persons with disabilities, NGOs have raised their concerns through reactions and through meetings with institutions. Yet, these concerns have not been considered by the GoK. The Strategy and Action Plan for Persons with Disabilities has not yet been finalized even though more than a year has passed since this strategy was supposed to be in force.<sup>413</sup>

410 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

411 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

412 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

413 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**306.** In 2024, NGO HANDIKOS and Save the Children Kosova/o published a document titled: "Analysis on the Perspective of Disability and Gender Perspective in Kosovo".<sup>414</sup> Among the key findings of this analysis are the following: (i) the Law on Gender Equality does not foresee specific measures to ensure equal opportunities in employment and training for individuals with a disability; (ii) women with a disability face double the barriers in discrimination; (iii) policies and programs to promote economic independence among paraplegic and tetraplegic women are scarce and insufficient; (iv) the legislation in Kosovo does not regulate in a detailed manner the equal access to healthcare for women and girls with a disability; (v) policies on protection from discrimination often do not entail detailed measures to protect women with a disability from violence and discrimination in an effective manner; (vi) the National Strategy from Domestic Violence and Violence against Women 2022-2026 does not entail trainings for health professionals and those from the justice and social services sector on how to treat specific needs of the women and girls with a disability; (vii) there is a lack involvement of women and girls with a disability in processes of drafting and implementation of policies and strategies for protection from violation, thereby leaving their voices unheard.<sup>415</sup>

**307.** There are several cases where citizens with disabilities claim to have been discriminated against in employment. Some of them, like Metie Kastrati, have decided to sue GoK for not offering them employment despite passing all concours procedures. Her case is still pending before the regular courts in 2024.<sup>416</sup> The Law on Vocational Ability, Rehabilitation and Employment of People with Disabilities has set which employers must employ persons with disabilities, such as institutions of public administration, employers from the private sector and NGO sector (under specific circumstances). However, there are wide and credible reports stating that this Law is not implemented in practice, not even by public institutions.<sup>417</sup> In practice, NGO HANDIKOS observes that only a small number of vacancies have expressly addressed this category of employees to apply. In reality, individuals with disabilities often find themselves at a disadvantage when compared to their peers, as their disability tends to negatively impact their employment opportunities.<sup>418</sup>

**308.** The adoption by the GoK of the draft Law on the Evaluation, Treatment and Status of and Services and Benefits for Persons with Disabilities, is considered as "overdue".<sup>419</sup> A new regulation adopted in July 2024 is expected to improve the accountability of the Commission for the Evaluation and Recognition of the Status and Rights of Paraplegic and Tetraplegic Persons as well as to eliminate unnecessary re-evaluation of disability.<sup>420</sup> It remains to be seen whether in practice the persons who need to obtain personal and social caretakers will be able to realise their right. In August 2024, the Centre for Strategic Litigation in Kosovo submitted a request for urgency before the Basic Court in Prishtinë/Priština regarding their pending case on the rights of paraplegic and tetraplegic persons submitted against the Ministry of Finance, Work and Transfers in 2023. According to the Centre for Strategic Litigation, which is part of the NGO Group for Legal and Political Studies (GLPS), the Basic Court in Prishtinë/Priština has not taken any procedural steps since more

414 HANDIKOS and Save the Children (2024), [Analizë mbi perspektivën e aftësisë së kufizuar dhe perspektivës gjinore në Kosovë](#).

415 HANDIKOS and Save the Children (2024), [Analizë mbi perspektivën e aftësisë së kufizuar dhe perspektivës gjinore në Kosovë](#).

416 Tëvë1 (2024), [Sfidat e personave me Aftësi të Kufizuar në Kosovë e Shqipëri](#).

417 Tëvë1 (2024), [Sfidat e personave me Aftësi të Kufizuar në Kosovë e Shqipëri](#); shih gjithashtu, Forumi Kosovar i Aftësisë së Kufizuar, [Niveli i Zbatimit të Strategjisë Nacionale për Personat me Aftësi të Kufizuar](#).

418 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

419 EU Commission (2024), Kosovo Report 2024, p. 37.

420 Official Gazette (2024), [Regulation \(GRK\) no. 23/2024 on Procedures and Criteria for assesment and recognition of the status and rights of paraplegic and tetraplegic persons](#).



than one year from the moment when the claim was submitted.<sup>421</sup> The case is of urgent nature as it relates to the denial of the right of a citizen to monthly compensation and personal care in line with the right guaranteed by Law no. 05/L-067 on the Status and Rights of Persons with Paraplegia and Tetraplegia.

**309.** It is worth recalling that in 2022, the Health Commission undertook a reassessment of the eligibility for financial compensation and social services, as outlined in Law No. 05/L-067 on the Status and Rights of Persons with Paraplegia and Tetraplegia, this process led to the exclusion of a substantial number of individuals who had previously been rightfully recognized under this law. Approximately 30,000 individuals experienced a re-evaluation of their conditions during the year, following procedures outlined by the Health Commission's regulations. Resultantly, the Ombudsperson, in a report of December 2023, raised concerns about the lack of legal basis for such re-evaluations and urged institutions to enhance Regulation No. 07/2017. The NGO HANDIKOS asserts that the rights of individuals with disabilities should not be subjected to re-evaluations, as their conditions do not improve. In light of these violations, HANDIKOS forwarded several cases to the Administrative Department of the Basic Court in Prishtinë/Priština, where they are currently still under evaluation. The critical consequence of this situation is the heightened socio-economic marginalization of affected individuals, who are now deprived of the financial compensation crucial for their basic living expenses and medical needs. The right of individuals not to undergo unwarranted re-evaluations should be safeguarded to prevent further harm and ensure their access to essential support.<sup>422</sup>

### 310. Recommendations

- The AoK should take immediate steps to incorporate the United Nations Convention on the Rights of Persons with Disabilities (CRPD) into Article 22 of the Constitution, ensuring it becomes a directly applicable human rights instrument in Kosovo;
- The MoF should ensure that evaluation committees responsible for assessing eligibility for disability pensions are composed of qualified professionals with thorough knowledge of relevant legislation;
- The MoH should guarantee that persons with disabilities have access to affordable and quality healthcare services, including necessary medications, assistive devices, and rehabilitation services;
- The MESTI should enhance inclusive education by ensuring schools are physically accessible, providing specialized training for educators on disability-sensitive teaching methods.

421 Centre for Strategic Litigation in Kosovo (2024), [Mohimi i të drejtës së personave paraplegjik dhe tetraplegjik për kompensim dhe kujdestar personal](#).

422 HANDIKOS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



# 7.5 Non-majority communities' rights

**311.** Kosovo has well-established institutions at the central and municipal levels, as well as an adequate legislative framework, to guarantee the rights of non-majority communities. The Constitution of Kosovo declares in Article 3.1 (Equality before the Law) that Kosovo “is a multi-ethnic society consisting of Albanian and other Communities”<sup>423</sup>. The non-majority communities of Kosovo include the K-Serb, K-Turkish, K-Roma, K-Ashkali, K-Egyptian, K-Bosniak, and K-Goran communities<sup>424</sup> and other communities. In Table 5 below, the demographic proportion of the respective communities is illustrated according to the latest population census in 2024.<sup>425</sup> It should however be noted that not all K-Serbs living in Kosovo participated in the census of 2024.<sup>426</sup> According to the Kosovo Agency of Statistics, they have managed to register around 35-36 thousands of K-Serbs that live in the south of Kosovo mainly, considering that the vast majority of the K-Serbs living in the north of Kosovo have not participated in the census despite the willpower of the registration teams to succeed at this task.<sup>427</sup> The OSCE and Serbian media outlets have expressed concerns that resources for the census process were limited, relevant information has not always been translated into Serbian, and that translation into Serbian (when available) was not always correct.<sup>428</sup>

**312.** In addition to the Constitution, the rights of non-majority communities are guaranteed in Law No. 03/L-047 on the Protection and Promotion of the Rights of the Communities and their Members in Kosovo. In this Law, the “national, ethnic and religious diversity” of Kosovo is defined as “a source of strength and wealth for the further development of a democratic society.”<sup>429</sup> In light of this understanding, the law stipulates special measures that can ensure the implementation of the equal status and integration of the communities and their members in Kosovo society. Furthermore, in Law No. 02/L-37 on the Use of Languages (the Language Law) both Albanian and Serbian have the status of official languages.

**313.** At the municipality level, the language of any non-majority communities shall have the status of a language in official use if a municipality is inhabited by a community whose mother tongue is not an official language, and which constitutes at least 3 percent of the total population of the respective municipality.<sup>430</sup> The official use of Turkish and Roma language in the Municipality of Prizren is an illustrative case of this Law in practice. The same is the case with the Roma language in Graçanicë/Gračanica.

**314.** Issues with the implementation of the Law on the Use of Languages have been identified by the Office of the Language Commissioner as well, in a Report of 2024 titled: “Implementation of the Law on Use of Languages in Municipalities and Basic Courts”. The Report found, among others that: (i) the level of implementation of this Law in municipalities has deteriorated since 2019, while for courts only minor omission were detected; (ii) there are very few translators within institutions and the capacities are decreasing, with most translation services being outsourced; (iii) there is

423 The Kosovo Constitution (2008).  
424 The Kosovo Constitution (2008), Chapter III.  
425 Kosovo Agency of Statistics (2024), [Regjistrimi i popullsisë, ekonomive familjare dhe banesave në Kosovë 2024](#).  
426 Radio Evropa e Lirë (2024), [Lista Serbe: Serbët nuk do të marrin pjesë në regjistrimin e popullsisë së Kosovës](#).  
427 Kosova News (2024), [Kastrati nga ASK paralajmëron gjoba ndaj atyre që refuzuan të marrin pjesë në regjistrim të popullsisë](#).  
428 Balkan Insight (2024), [Kosovo Urged to Address Concerns About Census Amid Serb Boycott](#).  
429 The Law on the Protection and Promotion of the Rights of Communities and their Members in the Republic of Kosovo [Law no. 03/L-047](#).  
430 Law on Use of Languages [Law no.02/L-037](#).

lack of special budget, lack of staff and qualified persons to perform translation services, especially in municipalities.<sup>431</sup>

**Table 3. Population by ethnic background excluding 'other' and 'prefer not to answer'**<sup>432</sup>

K-Albanian	K-Serb	K-Turkish	K-Bosniak	K-Roma	K-Ashkali	K-Egyptian	K-Goran	Others	Total
1,454,963 91.76 percent	36,625 2.31 percent	19,419 1.22 percent	26,841 1.69 percent	8,730 0.55 percent	16,207 1.02 percent	10,581 0.67 percent	9,140 0.58 percent	2,051 0.13 percent	<b>1,585,566 individuals</b>

**315.** The NGO AKTIV notes that the issue of language rights became contentious in northern Kosovo following the replacement of Serbian-only signs with bilingual road signs (Albanian-Serbian), which were then vandalized. The replacement of these signs, alongside a statement from the Minister of Infrastructure justifying the removal of Cyrillic in compliance with Kosovo law, sparked widespread debate. The cleaning of these signs, contrasted with the lack of action taken when Serbian names were defaced earlier, led many in northern Kosovo to question whether language rights are truly applied equally or manipulated for political gain.

**316.** The campaign by Ministers Elbert Krasniqi and Xhelal Sveçla to remove Serbian symbols, such as billboards in Zveçan/Zvečan and North Mitrovica, contributed to escalating tensions. While the Serbian flag atop Zveçan/Zvečan Castle remained untouched, this campaign sparked a cycle of removing and restoring the flag, leading to a confrontation in March 2024. A person removing the flag was pursued by a group, and though no direct conflict occurred, the flagpole was damaged. This incident has become a flashpoint, showing how high-level actions can influence local conflicts and escalate tensions, potentially endangering community relations and safety.<sup>433</sup>

**317.** Overall, NGO Aktiv observed no significant improvements in human rights compared to previous periods. Hate speech against non-majority communities remains prevalent, with weak institutional responses and inflammatory rhetoric from Kosovo officials fueling tensions, particularly in the north of Kosovo. The presence of special police units in improvised checkpoints continues to contribute to an atmosphere of insecurity. For instance, a driver reported experiencing a tense encounter with special police, where his language rights were not respected, despite constitutional guarantees for both Serbian and Albanian languages. This highlights potential violations of human rights during police interactions.<sup>434</sup> On 14 May 2024, a conference in North Mitrovicë/Mitrovica, called by the Minister of Internal Affairs, was held without translation to Serbian, breaching language rights guaranteed by Kosovo's constitution. Only after journalists pressed the Minister did he respond in Serbian.<sup>435</sup>

431 Office of Language Commissioner (2024), [Report on the Implementation of the Law on the Use of Languages in municipalities and basic courts](#).

432 Similarly to the census in 2011, the majority of the K-Serbs boycotted the Kosovo census of 2024. As a result, there are still no official records as to how many ethnic Serbs inhabit Kosovo (especially in the North of Kosovo).

433 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

434 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

435 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

**318.** The institutional mechanisms that safeguard the rights of the non-majority communities in Kosovo partially fall within the Community Consultative Council of the Office of the President of Kosovo, Municipal Offices for Communities and Return but also with the Ombudsperson and the Ministry for Communities and Returns. The Community Consultative Council bridges the gap between the public institutions of Kosovo and the communities. Its central role is to articulate the views of the communities on the legislation, policies, and programs relevant to non-majority communities, to guarantee the efficient functioning of community representative organizations, and to provide communities with the opportunity to participate in legal and policy initiatives. In addition to the Council, the GoK has also adopted the Strategy for the Inclusion of the K-Roma and K-Ashkali Communities in Kosovo Society 2022-2026 and the Strategy and Action plan for 2022-2024.<sup>436</sup>

**319.** In 2024, the GoK published its Report on the implementation of the aforementioned Strategy on K-Roma and K-Ashkali communities.<sup>437</sup> The Report's main findings and conclusions are that: (i) there has been progress in the integration and advancement of the rights of Roma and Ashkali communities in Kosovo, in line with the Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process (Poznan Declaration); (ii) the approval of the employment quotas by the Law No. 08/L-197 on Public Officials will ensure that members of these communities have guaranteed employment quotas; (iii) MESTI has made "maximal efforts" to integrate the K-Roma and K-Ashkali communities, ensure that they have access to education, alternative education, and to minimize school dropouts; (iv) the national platform for protection against discrimination of these communities has been a success with more than 10 cases of discrimination being investigated.<sup>438</sup> However, the Report is mainly focused on the achievements that the GoK considers to have contributed in advancing the rights of the K-Roma and K-Ashkali communities, but it fails to provide any criticism or information regarding the objectives which could not be attained and the reasons for such failure. The Report should have been more balanced/transparent and recognised more openly the areas where the Strategy did not yield the desired or planned effects.

**320.** Following the Poznan Declaration, the GoK has established a Technical Group for the Protection from Discrimination of K-Roma, K-Ashkali, and K-Egyptian communities. The Technical Group is responsible for addressing issues related to discrimination against these communities in Kosovo, identifying instances of discrimination and working with relevant authorities to address these issues. Additionally, the group is responsible for raising awareness about discrimination against these communities and promoting equal rights and opportunities. During the years of 2021, 2022 and 2023, the Technical Group held 8 meetings where members of the civil society were also invited to attend. However, no meetings were held in 2024.

**321.** The National Anti-Discrimination Platform for Roma, Ashkali and Egyptian communities,<sup>439</sup> received 11,023 visitors, 673 active users and 73 reported cases thus far until 2024, showing a need for continuous and accessible mechanisms to report and fight antigypsyism.<sup>440</sup> According to the results of the latest 2024 census in Kosovo, the Roma, Ashkali and Egyptian communities

436 Government of Kosovo (2022), [Strategy for the advancement of the rights of the Roma and Ashkali communities in the Republic of Kosovo 2022-2026 and the Action Plan 2022-2024](#).

437 Government of Kosovo (2024), [Raport – Zbatimi i Strategjisë për avancimin e të drejtave të komuniteteve Rom dhe Ashkali në Republikën e Kosovës 2022-2026 si dhe Planit të Veprimit 2022-2024](#).

438 Government of Kosovo (2024), [Raport – Zbatimi i Strategjisë për avancimin e të drejtave të komuniteteve Rom dhe Ashkali në Republikën e Kosovës 2022-2026 si dhe Planit të Veprimit 2022-2024](#).

439 OGG (2024), [Platforma kombëtare për mbrojtje nga diskriminimi për komunitetet Rom, Ashkali dhe Egjiptian](#).

440 VoRAE (2025), input for the joint CSO report on Human Rights Kosovo 2024.

account for 2.24 percent of the total population which is translated into 35,518 individuals, with K-Roma community being represented with 0,55 percent of the population or 8,730 individuals, K-Ashkali community with 1,02 percent of the population or 16,207 individuals, and K-Egyptian community with 0,67 percent of the population or 10,581 individuals.<sup>441</sup> It is concerning that the National Platform does not provide a reporting mechanism for other non-majority communities beyond K-Roma, K-Ashkali and K-Egyptians, nor does it clarify how cases should be handled when the alleged discriminator is a state institution itself—a gap that significantly undermines both access to justice and institutional accountability.<sup>442</sup>

**322.** In November 2024, a violent attack was committed in Ferizaj/Uroševac where four individuals of Roma, Ashkali and Egyptian communities were seriously injured with a knife. Among the victims are two minor girls, which makes this incident even more worrying and alarming for the safety of vulnerable communities in Kosovo. According to initial information, there is a well-founded suspicion that this attack has been motivated by hate, antigypsyism and ethnic prejudice. The Prosecution has already requested the imposition of detention measures against the suspect who is being suspected to have committed attempted aggravated murder.<sup>443</sup>

**323.** According to NGO VoRAE, this serious and life-threatening incident requires an immediate response from state institutions and civil society to guarantee the safety of the affected communities and to address the motives behind this act. The authorities must conduct a thorough investigation, ensuring that all the circumstances of the attack are clarified and those responsible are brought to justice. Furthermore, concrete measures must be taken to combat discrimination and prejudice against the K-Roma, K-Ashkali and K-Egyptian communities, through education, awareness-raising and the guarantee of institutional protection. The latest attack on these citizens is a dangerous signal for the state of Kosovo and its society. A determined and comprehensive approach is needed to prevent such incidents in the future and to build a society where all citizens, regardless of their ethnicity, feel safe and equal.<sup>444</sup>

**324.** A 2024 study conducted by the International Human Rights Clinic (IHRC) at Harvard Law School documented the ongoing impacts of lead poisoning among K-Roma, K-Ashkali, and K-Egyptian survivors who lived in UN-run displacement camps in Kosovo between 1999 and 2013. Through interviews with 70 former camp residents, IHRC found that survivors continue to suffer from debilitating physical and cognitive health effects, many of which extend to their children. The study highlights deep dissatisfaction with the UN Trust Fund established in 2017, which was created without survivor consultation and has failed to provide direct compensation. Survivors consistently expressed a strong preference for individual financial reparations, which they associate with dignity, justice, and the flexibility to meet urgent medical and livelihood needs. The study viewed community-level projects as insufficient and disconnected from the specific harms endured. IHRC's findings emphasize the need for a rights-based and survivor-centered response, which is centered on direct engagement and informed by the lived realities of the communities.<sup>445</sup>

441 VoRAE (2025), input for the joint CSO report on Human Rights Kosovo 2024.

442 YIHR KS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

443 VoRAE (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

444 VoRAE (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

445 International Human Rights Clinic (IHRC) of Harvard Law School 2024, Ongoing Impacts of Lead Poisoning and Perspectives on Reparations in Kosovo.

**325.** A pivotal aspect within the 2024 situational assessment of human rights in Kosovo revolves around security, significantly influencing our understanding of community tensions. The perception between K-Albanians and K-Serbs is profoundly shaped by the broader political landscape of the region. The security situation in the north of Kosovo remained tense throughout 2024, which was marked by numerous incidents.<sup>446</sup> Notably, tensions in northern Kosovo were amplified with the shutting down of five parallel Serbian institutions in the north of Kosovo, an action of the GoK which was highly criticised by the United States and other western powers.<sup>447</sup>

**326.** The NGO AKTIV observed that core civil rights, including the right to safety, freedom of movement, peaceful protest, and other social liberties, have suffered setbacks during 2024. These infringements are often justified under the pretexts of “rule of law,” counterterrorism, and similar narratives. However, such actions have contributed to growing resentment among the population toward Kosovo institutions, further destabilizing the fragile peace in the north of Kosovo.<sup>448</sup>

**327.** Following the *en masse* resignation of K-Serb officials in the north of Kosovo, the K-Serb population boycotted the April 2023 elections with a historically low turnout of 3.47 percent,<sup>449</sup> which resulted in K-Albanian mayors being selected in all northern municipalities. Following continuous calls that the elected mayors do not have legitimacy and that they should resign, a decision to hold a referendum for removing the K-Albanian mayors was taken by the Kosovo authorities. The referendum was held in four municipalities in the north of Kosovo on 21 April 2024 but only 253 out of 46,556 registered voters casted their ballots.<sup>450</sup> Following the failure of the referendum due to a wide boycott, the K-Albanian mayors continued to serve in the four northern municipalities of Kosovo until the next local elections will be held.<sup>451</sup> The EU Commission stated that the referendum of 21 April 2024 “could have opened an avenue for the return of Kosovo Serbs to Kosovo institutions”, but the boycotting of the recall vote by the K-Serb electorate means that the current mayors will remain in office. Furthermore, it was also stated that the boycott of local elections violated Serbia’s Dialogue obligations and it constituted a severe backsliding in Serbia’s compliance with the Dialogue agreements.<sup>452</sup>

NGO AKTIV expressed serious concerns regarding the administration of the upcoming February 2025 Assembly elections, characterizing them as among the most poorly organized to date. The organization pointed to systemic shortcomings that particularly disadvantage Kosovo Serbs and internally displaced persons (IDPs). These include insufficient access to electoral information in the Serbian language, procedural uncertainties surrounding the Out-of-Kosovo voting process, and a general lack of transparency in the overall election management.<sup>453</sup>

**328.** According to NGO NSI, in an attempt to unilaterally alter the situation in Serbian-majority areas, while bypassing the Dialogue and the formation of the Association of Serb-Majority Municipalities, Kosovo institutions have created numerous challenges for the daily lives of members of the K-Serb community. For instance, the Central Bank of Kosovo adopted a regulation on cash payments with the stated aim of protecting the integrity of the financial system in Kosovo and fighting money laundering and the financing of terrorist activities. The regulation stipulated that,

446 United Nations Security Council (2024), [Report of the Secretary General](#).

447 Euronews (2024), [Kosovo shuts down five Serbian institutions in the north of the country, fueling tensions](#).

448 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

449 HRN (2024), Joint CSO Report on Human Rights in Kosovo 2023.

450 Euronews (2024), [Serb-majority municipalities boycott vote to remove Albanian mayors](#).

451 Zëri i Amerikës VOA (2024), [Dështon referendum për largimin e kryetareve shqiptarë të komunave në veri të Kosovës](#).

452 EU Commission (2024), Kosovo Report 2024, p. 60.

453 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.



as of 1 February 2024, the only currency allowed for cash transactions in Kosovo would be the Euro, thereby interrupting the common practice of using the Serbian Dinar as the primary currency for cash and commercial transactions in K-Serb majority areas, which had been in place since 1999. Prior to the enforcement date, the Kosovo authorities offered limited public explanations of the content and effect of the regulation. The implementation of the regulation interrupted payments to individuals employed by Serbian-funded institutions and to pensioners of the parallel Serbian social security system in Kosovo. It also affected small and medium-scale businesses, as well as health, child-care and education services.<sup>454</sup> Serbia's response, setting up temporary mobile banks, failed to address the needs of those living south of the Ibër/Ibar river, who were forced to travel long distances to access their benefits. The NGO Aktiv's hotline revealed widespread frustration over unresolved issues, and claims by Prime Minister Albin Kurti about cafes in the north accepting Euros were largely untrue, which deepened the distrust in Kosovo's institutions.<sup>455</sup>

**329.** On 28 January 2024, the Quint representatives in Kosovo issued a joint statement expressing concern about the impact of the Central Bank's regulation on the everyday lives of the Serb-majority communities in Kosovo. They called for the suspension of the enforcement of the regulation to allow for a sufficiently long period of transition. On 6 February 2024, the Special Representative of the Secretary General for Kosovo urged restraint and constructive engagement. The EU facilitated six meetings in Brussels to try to resolve the Dinar issue, but no agreement was reached. The last such meeting between the chief negotiators and the EU Special Representative for the Kosovo-Serbia Dialogue was held on 15 May 2024.<sup>456</sup>

**330.** On 29 December, the new Municipal Assembly of North Mitrovica, comprising a majority of K-Albanian representatives, allocated land currently used by institutions that are supported by the Government of Serbia to the Ministry of Internal Affairs of Kosovo. After collecting the required number of signatures, the Serbian Democracy Party submitted a petition to the Municipal Assembly to revoke the decision and asked for a referendum on the matter, in accordance with the Law No. 03/L-040 on Local Self-Government. On 23 February, the Municipal Assembly responded by indicating that it was not required to call a vote on the matter, citing the absence of municipal legislation on referendums.<sup>457</sup>

**331.** In late January and early February, K-police conducted operations targeting facilities used by Serbian non-majority communities in the Dragash/Dragaš, Pejë/Peć, Klina and Istog/Istok municipalities, as well as a community center in Prishtinë/Priština. The K-police reported the seizure of various documents, the sealing of buildings, and the temporary detainment of staff in the four municipalities, stating that it suspected that the facilities had been used/were being used to conduct illegal activities. On 7 February, Kosovo police conducted a search of the Serbian post office in Gorazhdec/Goraždevac and seized documents and equipment. In addition, on 7 and 14 February, Kosovo authorities stopped trucks transferring cash from entering Kosovo at Gate 1 (Jarinje/Jarinë) following the entry into force of the new currency regulation.<sup>458</sup>

454 NSI and AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

455 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

456 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

457 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

458 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

**332.** On 2 May 2024, the K-police installed surveillance cameras in the centre of North Mitrovi-  
ca/Mitrovicë and confirmed their intention to install around 200 cameras in northern Kosovo,  
prompting multiple civil society organizations to express concerns about the right to privacy. On  
22 July 2024, technicians, accompanied by K-police, installed several cameras around the main  
Ibar/Ibër bridge.

**333.** According to the NGO NSI, a noticeable selectivity in the criminal prosecution of hate crimes  
continued during the reporting period, mostly affecting K-Serbs who faced charges of inciting  
ethnic hatred, typically for expressing or displaying pro-Serbian views or messages, including on  
social media.<sup>459</sup>

**334.** On 20 May 2024, K-police closed the offices of the Serbian Postal Savings Bank in the four  
northern municipalities and conducted separate searches at the treasury administration offices  
of the Government of Serbia in North Mitrovica. EULEX monitored these operations. The searches  
were conducted without court orders, and the on-call prosecutor was only informed after the  
operation had already commenced. The EU, along with the United States and other members  
of the international community, assessed the police action as counterproductive to the ongoing  
dialogue.<sup>460</sup> Serbian-run post offices in the rest of Kosovo remain operational, albeit with heavily  
reduced services.<sup>461</sup>

**335.** As part of ongoing efforts to combat smuggling, on 5 June, K-police excavated roads in Ban-  
je/Banë village, Zubin Potok. K-Serb villagers complained that they had consequently lost access  
to their properties.

**336.** The house of the Djurković family in Gojbulja, near Vushtrri/Vučitrn was vandalised during  
2024 with hateful graffiti aimed at intimidating this K-Serb family. The NGO YIHR KS stood up  
against such expressions of hate by strongly affirming that everyone is entitled to safety and  
well-being in Kosovo regardless of their ethnicity. Such an act of vandalism was considered as a  
deliberate act of hate by YIHR KS. The message that criminal acts and hate speech have no place  
in Kosovo was directly transmitted to the Djurković family by YIHR KS and other human rights ac-  
tivists that visited the family.<sup>462</sup>

**337.** The GoK's restrictions on Serbian goods, which began in June 2023, continued to affect the  
socioeconomic rights of residents and entrepreneurs. Although the measure was lifted at the  
Merdare crossing in early October, it remained in effect at all other crossings between Kosovo and  
Serbia, including those in the North (Jarinje/Jarinjë and Brnjak/Bërnjak). This directly impacted the  
Development Fund for the North, established within the Dialogue framework to ensure that rev-  
enues from tariffs collected on goods imported through these crossings are used for investment  
projects in the region.<sup>463</sup>

**338.** The Deputy Prime Minister, Besnik Bislimi criticized the Serbian-issued passport in a confer-  
ence on 24 April 2024, calling for the withdrawal of measures imposed after the forced entry of

459 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

460 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

461 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

462 YIHR KS (2024), [YIHR KS stood up against hate today!](#)

463 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

mayors into northern municipality buildings. He labeled the passport as illegal, which could lead to legal uncertainties for its holders and exacerbate ethnic tensions. Many of these individuals have no alternative options for documentation.<sup>464</sup>

**339.** In line with the requirement of the Constitution for representation of non-majority communities in Kosovo courts, the KJC recommended three K-Serb candidates for five judgeships reserved for this community. Only one K-Serb judge was appointed by Ms. Osmani. Similarly, in a recent recruitment to fill 100 notary positions across Kosovo, where 8 positions were reserved for K-Serbs, the MoJ did not appoint a notary from the K-Serb community, despite qualified applicants, leaving only 1 K-Serb notary operating throughout Kosovo. This situation continued to affect the language rights and access to services for K-Serbs.<sup>465</sup>

**340.** EULEX also noted the lack of Serbian-speaking prison staff in facilities with predominantly Serbian-speaking prisoners, resulting in continuous communication problems between the staff and the prisoners. EULEX and the K-police continued to produce joint security assessments for the municipalities in northern Kosovo, in line with the Bratislava Agreement. However, in many cases the police failed to provide relevant information about their operations in northern Kosovo promptly, thus negatively affecting the Mission's ability to implement its mandate.

**341.** The NGO NSI notes two separate incidents targeting the apartment of Dragica Gašić, a Serb returnee who happened to be the only returning Serb resident in Gjakovë/Đakovica.<sup>466</sup> The Human Rights Network (HRN) strongly condemned this violent and cowardly act of stone-throwing resulting in a broken bedroom window was not only considered as an attack to her personally but also an attack on the basic principles of peace, coexistence, and human dignity.<sup>467</sup>

**342.** In contrast to inclusive policy making, the K-Roma, K-Ashkali, and K-Egyptian communities face discrimination on the basis of their ethnicity, despite the Law No. 05/L-021 on the Protection from Discrimination which prevents discrimination based on ethnicity. The stigma assigned to their culture has driven them further into marginalization resulting in unequal access to health-care, employment, and education.<sup>468</sup>

**343.** Following the *ex post* Review of the Law on the Protection from Discrimination in 2024, the GoK initiated the process of supplementing and amending this law, given its inefficiency and inadequate implementation in practice. According to NGO VoRAE, the process of drafting the new draft law has been inclusive, with broad participation of stakeholders and civil society (including NGO VoRAE), and the draft submitted by the working group in December 2024 is promising, as it has addressed several current issues in the field of protection from discrimination, including the expansion of forms of discrimination, based on comparative models and best practices. The pro-

464 AKTIV (2025), input for the joint CSO report on Human Rights Kosovo 2024.

465 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

466 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

467 HRN (2024), [HRN condemns the violent act committed against the house of Dragica Gasić](#).

468 Sections 7.1 and 7.2 of the current report discuss the situation of the Roma, Ashkali, and Egyptian communities from the perspective of Women's rights and Children's rights.

cess of supplementing and amending the draft law will continue in 2025, jointly with the process of preliminary and public consultations.<sup>469</sup>

**344.** In February 2024, Kosovo's Deputy Prime Minister, Besnik Bislimi, sparked controversy by labelling a group of Serbian non-governmental organizations (NGOs) from Kosovo as nationalistic. He criticized these NGOs for allegedly opposing the integration of Serbian citizens into Kosovo's economic and social life, framing their stance as actively harmful to the normalization process between Kosovo and Serbia.<sup>470</sup> The Working Group of the National Convention on the European Union for Chapter 35 responded by condemning Bislimi's labeling of the NGOs. They emphasized that the National Convention is an independent network of civil society organizations that operates separately from any state or international body. The Working Group argued that Bislimi's characterization of these NGOs as nationalistic was damaging to the dialogue process and contrary to the principles of European values and democracy. They also stressed the importance of supporting inclusivity and peaceful coexistence between ethnic groups in Kosovo, countering Bislimi's nationalistic rhetoric.<sup>471</sup>

### 345. Recommendations

- The GoK should ensure the full and impartial implementation of language rights as stipulated in Law No. 02/L-37 on the Use Languages by allocating sufficient resources for translation services in public institutions and ensuring compliance across all municipalities;
- The Ministry for Communities and Returns (MCR) should advance the functionality of the Community Consultative Council and Municipal Offices for Communities and Return;
- The K-police should take immediate measures to improve trust and security in non-majority communities, particularly in northern Kosovo, by ensuring law enforcement operations are conducted with transparency and respect for fundamental rights;
- The Mj and Kosovo Judicial Council should guarantee the equal access of non-majority communities to justice by ensuring proper representation in the judiciary, particularly through the appointment of more Serb judges and notaries.

## 7.6 LGBTIQ+ rights

**346.** The rights of lesbian, gay, bisexual, transgender, queer and intersex (LGBTIQ+) persons are protected internationally through Article 7 of the UDHR and international treaties and conventions that are legally binding. At the level of the Council of Europe, the European Court of Human Rights has protected LGBTIQ+ rights in several perspectives and with the assistance of different ECHR articles, despite the fact that explicit recognition of the LGBTIQ+ community or sexual orientation and gender inclusivity in the respective convention is not available. For example, Article 3 of the ECHR was used to protect LGBTIQ+ rights in the context of ill-treatment; Article 6 (The right to fair trial) to ensure fair hearing procedures for LGBTIQ+ persons litigating in domestic courts;

469 VoRAE (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

470 Koha.net (2024), [Bislimi godet Lajçakun, thotë se demonstroi qasje jo të drejtë e jo neutrale](#).

471 NSI (2024), [Statement](#).

Article 8 (The right to respect for private and family life) of the ECHR was used for personal and family matters of the LGBTIQ+ persons such as surgery, gender recognition, medical expenses etc.; Article 10 (Freedom of expression) of the ECHR for cases related to freedom of expression and association and more specifically to hate speech, imposed silence and legal bans concerning homosexuality and demonstration; Article 12 (The right to marry and found a family) and most importantly Article 14 (Prohibition of Discrimination) of the ECHR for cases related to discrimination against LGBTIQ+ persons on topics such as intimate relationships, civil partnerships and marriage, adoption, child custody, social rights, employment, residence permits, etc.<sup>472</sup>

**347.** Article 24 of the Kosovo Constitution also makes specific mention of sexual orientation and gender expression. The Constitution of Kosovo does not envision gendered restrictions on the freedom to marry; article 37 of the Constitution of Kosovo recognizes that everyone has the right to marry and the right to have a family as provided by law. Despite the constitutional rights of the LGBTIQ+ persons, the requisite legislation necessary to recognize the community in terms equal to all members of society has not been adopted in the new draft Civil Code. This is because of the failure to vote in favor of same-sex unions by the AoK, thereby reflecting a fundamentally homophobic ideology underlying Kosovo's societal structures. It has also impeded on efforts of the LGBTIQ+ persons, civil society and the international community to provide the country with genuine forms of democracy. Instead, the discussions surrounding same-sex unions instigated a homophobic campaign in 2022, 2023 and 2024 against individuals of the LGBTIQ+ community with public persona, political figures and media outlets overtly going against the basic rights of LGBTIQ+ individuals. In 2024, amid fierce opposition, no serious attempts to pass the Civil Code were made despite calls from different international stakeholder, including Parliamentary Assembly of the Council of Europe in April 2024,<sup>473</sup> and despite the promise of the Prime Minister that the Law will be adopted in May 2024.<sup>474</sup> This was particularly prominent during the session of the draft Civil Code discussion in the AoK. In particular, the Declaration of the Chair of the AoK Human Rights Committee Duda Balje, who publicly stated her vote against same-sex unions, was a clear paradox with her public position in society.<sup>475</sup> Balje's comments in 2022 were discriminatory because they imply that the rights of the LGBTIQ+ persons should be subordinate to the cultural and traditional values of the majority. This approach ignores the fact that human rights are universal and apply to all individuals, regardless of their cultural or religious background.

**348.** In response to the heated debate on same-sex unions, the OIK had released an opinion stating that same-sex marriage is a constitutionally guaranteed right and depriving same-sex individuals from this right is a violation of their right not to be discriminated against based on their sexual orientation.<sup>476</sup> The exacerbation of the already tenuous position of the LGBTIQ+ individuals in Kosovo continued as Duda Balje remained chair of the Human Rights Committee throughout 2024, regardless of the calls for dismissal from CSOs. In 2024, Kosovo was qualified as an "unami-

472 European Court of Human Rights (2024), [Guide on the case-law of the European Convention on Human Rights on the Rights of the LGBTI persons](#) (last updated on August 2024).

473 Parliamentary Assembly of the Council of Europe (2024), [Opinion no. 302\(2024\)](#), 16 April 2024.

474 Kosovo 2.0 (2024), We were here and we will always be here.

475 Human Rights Network (2022), [Declaration concerning statements made by Duda Balje on same-sex marriage](#).

476 Ekonomika online, [Avokati i Popullit mbështet martesat mes gjinisë së njëjtë, ka një vërejtje për Kodin Civil – Ekonomia Online](#).



cable place for LGBTIQ+ persons” by the Spartacus Gay Travel Index, which considers the hostile attitude towards this community as problematic.<sup>477</sup> The only positive point that Kosovo obtained in this Report was the existence of a law that fights discrimination, even if the said law according to YIHR KS only exists in paper as it is not implemented in practice. The leading reason why Kosovo is considered as unamicable towards LGBTIQ+ persons has to do with the level of emancipation of the society. According to a legal expert working for CEL in Kosovo, “the only way for LGBTIQ+ persons to live freely in Kosovo is to hide their true identity”.<sup>478</sup>

**349.** During the reporting period, five cases, encompassing assault, threats, invasion of privacy, and domestic violence, have been reported according to the NGO CEL, but their resolution remains tenuous. These victims in these cases are being supported by NGO CEL free legal aid assistance and the sensitivity of such cases does not allow for specific details to be publicly announced, considering the ongoing procedures before different Kosovo authorities, including courts. When it comes to online threats that are directed to LGBTIQ+ persons, the authorities cite the challenge of tracing the origin of online threats as a reason for their inaction. It is noteworthy that cases presented independently at the police station encounter more obstacles compared to those accompanied by representatives of NGO CEL.<sup>479</sup>

**350.** Among these cases, a very serious case falling in the domain of torture, cruel, inhuman and/or degrading treatment happened during 2024, involving a person from the LGBTIQ+ communities. This individual, according to the NGO CEL, was abducted and subjected to acts of violence and torture. The case has been reported to the authorities and under procedure before the Basic Court in Pristina. Considering the sensitivity of the case and the ongoing proceedings in courts, no more data about the case can be shared at this instance.<sup>480</sup> According to NGO CEL, there are many other cases which have serious grounds to be reported to the K-police or filed with courts, but there is considerable hesitation among LGBTIQ+ community to initiate such proceedings.

**351.** Despite the gravity of the reported incidents, a lack of progress in addressing them raises concerns about the efficacy of the current investigative procedures. The unresolved nature of these cases not only perpetuates a sense of vulnerability for the victims but also underscores the need for a more robust and technologically adept approach to tackling online threats. While the Criminal Code stipulates that in any criminal offense motivated by gender identity and sexual orientation the underlying motives are viewed in terms of aggravating circumstances, the extent to which homophobia underlies hate crimes is underexplored. NGO CEL suggests that disparities in the outcomes between cases presented alone and those with the assistance of CEL evidence the importance of a social support network and advocacy to navigate the complexities of the legal system. This discrepancy highlights the gaps in institutional responsiveness vis-à-vis individual complainants and emphasizes the importance of comprehensive assistance for victims of such offenses.<sup>481</sup>

**352.** Although a shelter was reportedly underway in the previous reporting periods in the municipality of Prishtinë/Priština for protecting individuals outcast by their families and victimized

477 Radio Evropa e Lirë (2024), [Ligji vetëm në letër: Kosova cilësohet jomikpritëse për personat LGBTIQ+](#).

478 Radio Evropa e Lirë (2024), [Ligji vetëm në letër: Kosova cilësohet jomikpritëse për personat LGBTIQ+](#).

479 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

480 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

481 CEL Kosovo (2024), input for the joint CSO report on Human Rights in Kosovo 2024.

by others, this has not progressed in 2024 despite continuous calls to address this matter. NGO CEL Kosovo reports that the lack of institutional accommodations provided at the official level for victims of the LGBTIQ+ community has propelled NGOs to offer their own networks of assistance; NGO CEL offers emergency accommodation for adults without a safety net.<sup>482</sup>

**353.** During the reporting period, NGO CEL reported that there were three cases of LGBTIQ+ persons that needed emergency accommodation as they were evicted from their homes. Such evictions affect mostly transgender persons considering that their gender identity inhibits them from finding jobs in Kosovo and becoming self-sufficient in terms of finances and accommodation. Considering that there is no specific shelter for LGBTIQ+ communities in Kosovo, NGO CEL had to enter into an agreement with a shelter in Albania to accommodate urgent cases (they have one reserved bed for persons from Kosovo to be used on a needs basis).<sup>483</sup>

**354.** Kosovo institutions have yet to adopt concrete strategies to promote the acceptance of Kosovo's society towards people with LGBTIQ+ backgrounds. Despite the existence of some strategies of action for LGBTIQ+ rights, their involvement and well-being, enacted by the Office of Good Governance and Agency for Gender Equality, nothing has yet been done to concretize such actions in practice, according to NGO CEL. Thus far, the GoK has failed to initiate campaigns to increase the level of acceptance of LGBTIQ+ individuals in the public domain or at home.<sup>484</sup>

**355.** With the slogan "We will be here. Despite everything", the annual Pride Week in Prishtina/Priština was held from June 3 to 8, 2024. The positive development of GoK showing public support for the Pride Week continued in 2024, with the Prime Minister participating in the Pride Parade for the second consecutive year.<sup>485</sup> The LGBTIQ+ persons in Kosovo continue to work towards achieving greater acceptance and equality, including the recognition of same-sex marriage and protection from discrimination. The promotion of gay rights in Kosovo is an ongoing process, and Prishtinë/Priština Pride Week plays a crucial role in creating visibility and building momentum towards a more inclusive and just society. The Pride Week and the Pride Parade held in Kosovo in 2024 can be considered as a successful event which was not marked by any noteworthy incidents.<sup>486</sup>

**356.** In the domain of health, health institutions are not equipped for gender transitions, hormonal treatment or any other kind of measures benefitting LGBTIQ+ communities specifically. As for transgender people, the services of state psychologists, endocrinologists for setting up hormonal therapy, and surgeons for transition are not offered. As for the health services of psychological help, they are very low and they often use conversional therapy (from the reported cases, there is no research on this), so the number of LGBTIQ+ people with anxiety, depression and suicidal thoughts is very worrying.

482 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

483 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

484 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

485 Albanian Post (2024), [Kurti për here të dytë rradhazi i bashkohet "Paradës së Krenarisë"](#).

486 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**357.** Voluntary blood donations from members of the community continued to not be accepted by health instances because of the stigma attached to the interlink between LGBTIQ+ members and sexually transmitted diseases including HIV.<sup>487</sup> Related to the previous, there is a significant lack of funded research updating the societal understanding concerning the welfare of individuals from the LGBTIQ+ communities. A point in case concerns the rate of bullying LGBTIQ+ individuals undergo on the basis of factual or perceived sexual orientation, gender identity and gender expression characteristics. At the same time, however, the number of suicides, self-harms resulting anxiety and depression among the LGBTIQ+ community continues to grow as per NGO CEL.<sup>488</sup>

**358.** In addition, NGO CEL reported on several other domains which affect the life of LGBTIQ+ people in Kosovo. For instance, (i) there is only one business/enterprise led by a LGBTIQ+ person; (ii) there are no openly LGBTIQ+ persons represented in the AoK or other government-held positions; (iii) the language of haltered from the parliamentarians of the AoK regarding inclusion of marriages between the same sex continues to be pending following several failures to be enacted as a legal initiative.<sup>489</sup>

**359.** NGO CEL expressed that one of the negative points during the reporting period was the failure to approve the draft-Civil Code and the failure to proceed further with the Law No. 04/L-003 on Civil Status, which would enable transgender persons to change gender markers without having to initiate court procedures. A positive event during the reporting period was the effective and efficient conclusion of the court case regarding a terrorist act planned against the LGBTIQ+ (paragraph below for more details). Other positive events included the successful *ex-post* review of the Law on Protection against Discrimination and the drafting of the amendments to change this law leading from this analysis.

**360.** In March 2024, NGO CEL published a case study regarding the treatment by the courts in Kosovo of the planned terrorist attack against the LGBTIQ+ communities in Kosovo.<sup>490</sup> The case study concerns an analysis of an actual court Judgment in a case where an individual (B.V.) had planned a terrorist attack against the LGBTIQ+ communities in Kosovo during the Pride Parade. Following an investigation into his concrete plan to use explosives in specific locations of the Pride Parade, he was arrested, found guilty of planning a terrorist act against the LGBTIQ+ community, and subsequently sentenced to 3 years and 6 months imprisonment. The NGO CEL commended highly the efficient dealing of this sensitive case by the Prosecution and the Basic Court in Prishtinë/Priština but also expressed concerns regarding the leniency of the sentence and the lack of calculation of the aggravating circumstances. According to the NGO CEL, it remains questionable whether the sentence was just and fair compared to the gravity of the planned terrorist act and the need to use the domestic legislation as a prevention for future terrorist acts.<sup>491</sup>

**361.** A public letter titled "Homophobes have no place in the Parliament!" was addressed to the Speaker of the AoK by NGO YIHR KS and 50 other NGO's following serious concerns about discriminatory and homophobic statements used by Ms. Labinote Demi Murtezi and Ms. Duda Balje during an AoK meeting held in July 2024 to discuss the situation of protection and promotion

487 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

488 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

489 CEL Kosovo (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

490 CEL Kosovo (2024), [Trajtimi nga Gjykata i sulmit të përgatitur terrorist kundër komuniteteve LGBTI+ në Kosovë](#).

491 CEL Kosovo (2024), [Trajtimi nga Gjykata i sulmit të përgatitur terrorist kundër komuniteteve LGBTI+ në Kosovë](#).

of human rights in Kosovo.<sup>492</sup> The AoK representative Ms. Labinote Demi Murtezi declared that “LGBTIQ+ persons transmit diseases” and used other slanderous and hateful language towards LGBTIQ+ persons which led to a joint lawsuit filed against her and the AoK at the Basic Court in Prishtinë/Priština by five NGO’s, namely YIHR KS, CEL Kosovo, CSGD, KGSC and Civil Rights Defenders. The lawsuit claims that there has been a violation of the dignity and discrimination towards LGBTIQ+ persons during the plenary session of the AoK held in 16 March 2022, actions which go against the value proclaimed by the Constitution and international conventions applicable in Kosovo.<sup>493</sup> Consequently, in March 2024, the Oik filed an *Amicus Curiae* Opinion with the Basic Court in Prishtinë/Priština supporting the claim of the five NGO’s that filed the lawsuit seeking to defend the LGBTIQ+ communities against discrimination and violation of dignity.<sup>494</sup> The judiciary in Kosovo has an ideal opportunity to confirm the violations that have been perpetrated against the LGBTIQ+ communities by the AoK and the discriminatory statements of its members. Such a decision would create a very important case-law that would be in line with the ECtHR jurisprudence and would confirm that there is no place for such discriminatory language in Kosovo’s public space.

**362.** In relation to this topic, YIHR KS realized an action by interrupting the meeting of the Commission for Human Rights in the AoK, by demanding the resignation of the Chairwoman of this Commission, deputy Duda Balje, and the member Labinotë Demi-Murtezi. The action was titled: “Homophobes have no place in the Parliament!”. According to YIHR KS, it is scandalous and extremely disturbing that a member of Parliament, who is also the chairwoman of the Human Rights Committee, does not understand the basic principle on which these public positions should function i.e. respect for universal human rights, including equal rights for LGBTIQ+ people.<sup>495</sup>

### 363. Recommendations

- The GoK should take immediate steps to ensure the full implementation of constitutional rights for LGBTIQ+ persons, including legal recognition of same-sex marriage by adopting the draft-Civil Code;
- The K-police should improve the investigation and prosecution of hate crimes and discrimination against LGBTIQ+ individuals, ensuring that online and offline threats, assaults, and cases of torture are taken seriously;
- The MoH should develop and implement a healthcare strategy that guarantees access to medical and psychological services for LGBTIQ+ individuals;
- The KJC must also ensure that homophobic rhetoric and discriminatory practices by public officials are held accountable in line with Kosovo’s constitutional and international obligations.

492 CEL Kosovo (2024), [51NGO – Public letter addressed to Mr. Glauk Konjufca : Homophobes have no place in Parliament!](#).

493 YIHR KS (2024), [A lawsuit is filed against the Assembly of the Republic of Kosovo and member of Parliament Labinote Demi Murtezi.](#)

494 Oik (2024), [Opinion in the role of Amicus Curiae for the Basic Court in Prishtina R.nr. 175/2024.](#)

495 Koha (2024), [Homofobët s’kanë vend në Kuvend, ndërpritet mbledhja e Komisionit për të drejtat e njeriut.](#)

## 7.7 People on the move

**364.** The legislative framework of Kosovo promotes and facilitates the safe return of “internally displaced persons” in Article 156 of the Constitution, while simultaneously guaranteeing assistance in recovery of property and possessions.<sup>496</sup> Furthermore, in January 2018 the GoK issued Regulation No. 01/2018 on the Return of Displaced Persons and Durable Solutions. The Regulation, among others, defines the responsibilities of competent, decision making, and implementing bodies as well as assistance procedures and criteria.<sup>497</sup>

**365.** The domestic legal framework covering the entire asylum policy is completed. This legal framework foresees reception and initial treatment procedures of the applicants for international protection; procedures and standards of reviewing and ruling on the applications for international protection; the internal rules on the functioning of the Asylum Centre, the rules on the work of National Commission for Refugees (NCR), as the second administrative instance; as well as Regulation on the integration of foreigners, respectively persons with International protection status in Kosovo.<sup>498</sup> Once the new Law on Foreigners enters into force, there might be a need to also amend the Law on Asylum as many parts will be affected by the former legislative framework.<sup>499</sup>

**366.** Considering changes in the EU legislation and the need to address legal gaps encountered during its implementation, the GoK adopted the new Law on Foreigners. In March 2024, a Final Report deriving from the public consultations on the new Law on Foreigners was published by the Ministry of Internal Affairs (MIA),<sup>500</sup> and the draft-Law in question was voted by the AoK in the first reading. The new Law is still not fully approved as the procedure for approval in second reading at the AoK remains pending, together with the process of its approval by the President and publication in the Official Gazette. According to the observations of the NGO CRP-K, the new draft Law on Foreigners offers certain specific solutions for asylum seekers, especially for persons who are awaiting for a response for a long time and for persons whose asylum request has been rejected but they cannot be returned to their country of origin and are currently without a defined status.<sup>501</sup> For the latter category, the new draft Law on Foreigners regulated a so-called “tolerated-status”, according to which these individuals can have access to rights and different public services until a final decision is taken on their case.<sup>502</sup> Nevertheless, the Law on Foreigners has been amended in 2024 together with 35 other laws in the parts where it regulates special administrative procedures and this was done for the purpose of ensuring compliance with the Law No. 05/L-031 on General Administrative Procedure.<sup>503</sup>

**367.** The Civil Registration Agency (CRA) included specific measures in the Strategy for the Advancement of the Rights of Roma and Ashkali Communities, committing to establish a mechanism for identifying, preventing, and protecting individuals whose births remain unregistered. Despite this strategic inclusion, the pledged mechanism has yet to be established.<sup>504</sup>

496 The Kosovo Constitution (2008).

497 Government of Kosovo (2018), [Regulation No. 01/2018 on the Return of Displaced Persons and Durable Solutions](#).

498 CRPK (2024), input for the joint CSO report on Human Rights in Kosovo 2023.

499 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

500 OGG, Platform for public consultations (2024), [Draft-Law on Foreigners Final Report from public consultations](#).

501 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

502 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

503 Official Gazette (2024), [Law no. 08/L-262](#) on amending and supplementing the laws containing special administrative procedures and their harmonization with the Law no. 05/L-031 on the General Administrative Procedure.

504 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.



**368.** Proposed amendments to the legislative framework, the draft Law on Civil Status, the draft Law No. 04/L-215 on Citizenship, and the Law on Foreigners, aim to enhance protection safeguards, influenced by recommendations from UNHCR, the Civil Rights Program Kosovo (CRP/K), and other experts. These amendments propose extended registration periods for children born abroad to Kosovo nationals, automatic birth registration via health institutions, waiver of penalties related to late birth registration, and expanded entitlements for stateless individuals. These amendments are not yet formally adopted by the AoK and the identified concerns continue to hinder full enjoyment of human rights by the affected individuals.<sup>505</sup>

**369.** NGO CRP/K continued to address key challenges with authorities, particularly around the implementation of Article 32 of the Citizenship Law, which remains hindered by legal ambiguities and misapplication. Inconsistent procedures for late registration and citizenship confirmation prolong legal uncertainty and heighten the risk of statelessness. The Statelessness Status Determination Procedure (SSDP) also requires further strengthening to ensure its effectiveness.<sup>506</sup>

**370.** Kosovo continues to be a transit route for people on the move. In 2024, there were 190 applications for international protection that were submitted to the Department for Citizenship, Asylum and Migration within the Ministry of Internal Affairs. Legal aid during the asylum procedure was provided by Civil Rights Program Kosovo (CRP/K), through a UNHCR funded project. Most asylum requests have been suspended as applicants have moved forward without completing the refugee status determination procedure or have withdrawn the application for international protection state.<sup>507</sup>

**371.** According to NGO CRP/K, most of the asylum cases in Kosovo are concluded in administrative proceedings without the need to go to courts. This happens for two reasons mostly because many applicants either find solutions within the administrative organs at the Ministry of Internal Affairs (MIA), or they renounce their asylum requests by moving out of Kosovo towards another country. The responsible department within the MIA, namely Department for Asylum, Citizenship and Migration, has been quite effective in treating asylum requests and concluding them administratively without the need for parties to go to court.<sup>508</sup>

**372.** In 2024, a total of 17 individuals were granted international protection in Kosovo, including 4 with refugee status and others with subsidiary protection and one-year temporary residence permits, subject to extension. Beneficiaries originated from countries such as Ukraine, Jordan, and Syria. Ukrainian journalists, who had been under temporary protection for nearly two years, applied for international protection due to the legal limit on temporary protection under Article 81 of the Law on Asylum. Their applications were approved, granting them subsidiary protection while ensuring continued access to government-provided benefits. Gender-based and domestic violence was institutionally recognized as a valid ground for international protection, with one family receiving such status from the Ministry of Internal Affairs. However, another case involving

505 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

506 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

507 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

508 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

a mother and her two daughters fleeing gender-based violence was rejected by both the Department for Citizenship, Asylum and Migration and the National Commission for Refugees. The NGO CRP/K filed a lawsuit with the Basic Court of Pristina, but the case remained unresolved for 14 months, negatively impacting the family's well-being and ultimately leading them to leave Kosovo due to the prolonged inaction.<sup>509</sup>

**373.** In comparison to previous years, the physical and social security in the Asylum Centre in Magurë/Magura significantly improved during 2024.<sup>510</sup>

**374.** Despite years of experience and support from NGO CRP/K and other local and international organizations, which have helped build institutional knowledge on refugee protection, individuals granted international protection in Kosovo continue to face significant challenges. While they have benefited from improved access to integration services—including accommodation, social assistance, language courses, education, healthcare, food and non-food items, job placement support, and free legal aid—most remain financially dependent on state institutions and supporting organizations due to limited economic self-reliance. Access to financial services is inconsistent and often left to the discretion of individual banks, which may hesitate to accept refugee, asylum seeker, or stateless residence cards issued by the Ministry of Internal Affairs. Even with valid documentation, perceived risks and unfamiliarity result in service denial, and refugees receiving social assistance are restricted to post office accounts, which do not allow access to broader banking services.<sup>511</sup>

**375.** Although Kosovo's Law on Foreigners (No. 04/L-219, as amended by No. 06/L-036) grants individuals with subsidiary protection the right to apply for permanent residence after five years of uninterrupted stay—thus enabling their full legal integration under the Citizenship Law—there are currently no implementing procedures to make this right accessible in practice. Additionally, unlike refugees, persons with subsidiary protection are not entitled to standard travel documents. Under Administrative Instruction No. 02/2014, their access to travel is limited to exceptional circumstances, such as serious illness or death of a family member, personal emergencies, education-related travel for minors, or participation in cultural or sports events, effectively restricting their freedom of movement.<sup>512</sup>

**376.** Despite the ongoing development of the government's online platform for access to rights and services in e-Kosova, refugees have no access to this platform. The platform's database system is linked only with the Civil Registration Agency (CRA) that generates data for the Kosovo residents only. Another barrier is the incompatibility of their temporary residence cards personal identification numbers with the Administrative Instruction No.09/2019 on the Procedure and Criteria for Issuing Residence Permits for Foreigners, employment offices system, which prevents them from registering for job placement services, vocational training, or employment subsidies.<sup>513</sup>

**377.** There is still limited availability of information and data on unregistered individuals, which is a challenge that particularly affects marginalized communities such as the Romani, Ashkali, and

509 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

510 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

511 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

512 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

513 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

Egyptian communities. The Civil Registration Agency (CRA) has no official baseline of the magnitude of the unregistered population. According to various estimations, in the absence of the official data, there are around 4702 people at risk of statelessness. A significant percentage of these individuals belong to the Romani, Ashkali, and Egyptian communities. The last census was carried out in 2024. The census questionnaire (Q.13) aimed at collecting the data on citizenship status. However, no official data is available yet to provide more information on persons at risk of statelessness. Data-wise, according to the Department for Citizenship, Asylum and Migration (DCAM), MIA, there are 14 people with recognized statelessness status.<sup>514</sup>

**378.** According to the NGO YIHR KS, civil registration in Kosovo represents a significant challenge which affects predominantly non-majority communities in Kosovo and those at a vulnerable position. The legislative framework on civil registration is interpreted inconsistently among different municipalities/civil registration offices leading to discrepancies in practice and affecting the rights and interests of the K-Serb community related to acquisition of citizenship. Moreover, K-Roma, K-Ashkali and K-Egyptian communities are at a great disadvantage as they lack knowledge on civil registration procedures and procedures to initiate appeals/complaints when their rights and interests are violated by local or central authorities.<sup>515</sup>

**379.** In 2024, NGO CRP/K assisted 117 people with late birth registration and citizenship acquisition and identified over 100 unregistered individuals in need of legal aid. This support has been crucial in addressing the complex challenges of statelessness, impacting diverse demographics, including women, men, children, and vulnerable groups such as the elderly. Beyond direct legal aid, NGO CRP/K has also implemented capacity-building initiatives such as roundtable discussions, training sessions, and informational meetings, strengthening stakeholder understanding of statelessness prevention and the legal framework governing civil status registration.<sup>516</sup>

**380.** The renewal process for temporary residence permits for stateless persons remains problematic, primarily due to administrative barriers and the absence of a clear institutional mechanism for verifying and reaffirming stateless status. Currently, each renewal requires a formal administrative decision reconfirming an individual's unchanged stateless status. This requirement adds complexity to procedures, causing substantial delays in the renewal of residence permits and consequently hindering timely access to essential identification documents and services for stateless individuals.<sup>517</sup>

**381.** Rental accommodation is one of the schemes for the provision of shelter and housing assistance according to Regulation No. 01/2018 on Return of Displaced Persons and Durable Solutions.<sup>518</sup> Rent is provided as a temporary accommodation measure for returnees until a durable solution for housing is found. Rent for returnees of the serious (severe) category<sup>519</sup> is provided for

514 CRP/K (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

515 YIHR KS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

516 CRP/K (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

517 CRP/K (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

518 Regulation No. 01/2018 on the Return of Displaced Persons and Durable Solutions, Article 15, available at: <https://gzk.rks-gov.net/Act-Detail.aspx?ActID=15942>.

519 Ibid, Article 10, paragraph 2, foresees the vulnerability categories of returnee families based on the assessment which can be as indicated in sub-paragraph 2.1. serious/severe, 2.2 moderate, and 2.3 low vulnerability.

a period between 3 and 12 months, subject to the financial capacities of the Ministry of Communities and Returns.<sup>520</sup>

**382.** The situation of vulnerable returnee families, particularly from the K-Roma, K-Ashkali, and K-Egyptian communities, remains dire as they continue to live in rented accommodations with little to no assistance from the relevant authorities, despite provisions in the legislative framework designed to support them. Their fragile living conditions are further worsened by high rent costs and a lack of durable housing solutions, which have not materialized despite being previously assessed and approved for housing assistance. Years have passed, and these families still have no clear path to permanent housing. Moreover, a significant issue is the fact that returnees living in privately rented properties lack formal lease agreements, which leaves them without legal protection. This absence of official documentation has a serious impact on their ability to access crucial social assistance programs, as well as other forms of legal and social protection. The lack of secure housing and uncertainty about their residential status leaves these families exposed to economic hardship and vulnerability. Without formal housing solutions, their right to secure housing and social protection—guaranteed under the Kosovo Constitution and international human rights law—remains unmet.<sup>521</sup>

**383.** Non-registration of housing units in municipal cadaster records, built through housing assistance programs in previous years, remains an ongoing issue. These constructed housing units, although built on the property in the ownership of returnees, are legally non-existent as families were not advised of an additional step to follow to fully legalize their newly constructed housing units (now informal). This situation leaves returnee families vulnerable to the lack of legal protection. This issue continues to hinder the ability of families to fully exercise their property rights and jeopardizes their security and access to other related rights. The primary challenges contributing to this situation include complex legal procedures, financial constraints, limited human and technical capacity at the municipal level, and a lack of required documentation and information. These factors continue to create significant obstacles, preventing the fulfillment of legal obligations regarding cadastral registration. As a result, the property rights of returnee families remain inadequately safeguarded, hindering their ability to fully integrate into society and undermining the intended success of housing assistance programs.<sup>522</sup>

**384.** According to a 2024 Report of the Secretary-General to the United Nations Security Council, UNHCR registered 13 voluntary returns from members of non-majority communities who had been displaced outside Kosovo and within, among them 9 men, 4 women, 7 K-Serbs, 5 K-Roma and 1 K-Ashkali.<sup>523</sup> The total number of displaced persons from non-majority communities who have found durable solutions in Kosovo since 2000 is now 29,418 persons (among them 14,435 women, 14,983 men, 12,831 K-Serbs, 7,780 K-Egyptians and K-Ashkali, 4,095 K-Roma, 1,879 K-Bosniaks, 1,464 K-Gorani, 1,325 K-Albanians, 21 K-Montenegrins, 18 K-Turks and 4 K-Croats). As of 2024, there are 15,586 displaced persons remaining within Kosovo.<sup>524</sup>

520 Ibid, Article 15, paragraph 2.2.5.

521 AT (2025), input for the joint CSO report on Human Rights 2024.

522 AT (2025), input for the joint CSO report on Human Rights 2024.

523 United Nations Security Council (2024), [United Nations Interim Administration Mission in Kosovo, Report of the Secretary General](#).

524 United Nations Security Council (2024), [United Nations Interim Administration Mission in Kosovo, Report of the Secretary General](#).

**385.** A Roma returnee family in the Gjilan/Gnjilane municipality has been deprived from fully enjoying their property rights. The municipality rejected issuance of the construction permit for the construction of the house through a housing assistance program, quoting the Urbanistic Development Plan from 2013. Reportedly this plan foresees construction of the public kindergarten in the area. However, on 09.08.2021, the Municipal Directorate for Urbanism, Planning, and Environmental Protection issued a construction permit decision, allowing construction regardless of the existing municipal urban plan, but it was not used due to lack of funds at that time by the Ministry of Communities and Return. Since the adoption of the municipal urbanistic plan up to date no project on construction of the kindergarten has been drafted or budgeted. Other property owners in the area designated for the kindergarten continue to exercise their full property rights without restrictions. Articles 2.1.9, 3, and 4 of the Law No. 05/L-021 on the Protection from Discrimination emphasize the obligation to ensure equal treatment and prevent discriminatory practices in property rights matters. Besides the placement of the administrative obstacle, the municipality has not initiated an expropriation process and did not offer an alternative solution. In 2024 after a long waiting time the family was finally selected to benefit from housing programs for returnees that were denied to them with the municipal rejection to issue a building permit. With this decision, the municipality did not violate only property rights but also the right to a decent life as guaranteed by the Kosovo Constitution. The Roma returnee family has filed an appeal against the municipal decision with the Ministry of Spatial Planning, Environment, and Infrastructure, but no decision has been made within the required timeframe set by the Article 135 of the Law No. 05/L-031 on General Administrative Procedure.<sup>525</sup>

**386.** The situation regarding the registration process for property use rights in the “Fidanishte” settlement in South Mitrovicë/Mitrovica remains unchanged. A total of 288 houses have been constructed in the “Fidanishte” neighborhood for K-Roma, K-Ashkali, and K-Egyptian communities, funded by various international donors. However, no proactive measures have been taken by the Mayor or the Department of Geodesy, Cadaster, and Property to register the properties of the 74 K-Egyptian families in the cadastral records, which is necessary to legally recognize their property rights. As a result, the affected families feel insecure, as they lack the proper documentation to guarantee their right to safe and unhindered use of their properties. A similar situation also applies to four K-Egyptian returnee families in Gjakovë/Djakovica, who are beneficiaries of a donor housing program on municipally allocated land. The registration process for their property use rights has been stalled since 2015 leaving the beneficiaries in a state of uncertainty regarding their property rights. The delays and inaction on registering property rights for these vulnerable groups could be viewed as a failure of the authorities to uphold obligations deriving from international human rights standards.<sup>526</sup>

**387.** The Ministry of Infrastructure is currently carrying out a road expansion project, respectively expending Pejë/Peć-Prishtinë/Priština highway, which is affecting the properties of K-Serb returnees in the village of Gremnik/Grebniq in the Klinë/Klina. During the expropriation process, a final decision was delivered to the K-Serb returnees in Albanian language, disregarding their right to

525 AT (2025), input for the joint CSO report on Human Rights in Kosovo in 2024.

526 AT (2025), input for the joint CSO report on Human Rights in Kosovo in 2024.



language use. This constitutes a clear violation of article 5 of the Constitution of Kosovo, which guarantees the rights of all communities, including the right to use their own language. Furthermore, the expropriation process itself was carried out in a non-transparent manner. The affected returnees were not properly informed about the expropriation decision, and crucially, were not notified or invited to any public hearings where the expropriation was discussed. This lack of communication violates the individual's right to be informed and to participate in public processes that affect their property.<sup>527</sup>

**388.** The situation regarding access to legal aid for individuals at risk of statelessness remains largely unchanged from 2023. These individuals continue to depend primarily on legal assistance provided by NGOs, as the eligibility criteria of the Free Legal Aid Agency (FLAA) exclude unregistered adult persons who lack an identity document. Moreover, due to staffing shortages, FLAA is unable to address all the legal aid needs in this area. The latter, within the framework of its agreement with organizations providing free legal aid, primarily relies on their support in areas aligned with their expertise. To enhance the capacities of FLAA staff in civil status registration and related procedures,

UNHCR and CRP/K are working closely with FLAA through targeted training sessions and ongoing cooperation. These efforts aim to strengthen institutional responses and improve access to legal aid for those at risk of statelessness. Given this context, NGO CRP/K, with the support of UNHCR, has been instrumental in providing free legal aid and court representation for unregistered individuals, ensuring their rights are recognized in administrative and judicial proceedings.<sup>528</sup>

### **389. Recommendations**

- The Civil Registration Agency should take concrete steps to establish a functional mechanism for identifying, preventing, and reducing the number of unregistered individuals, with particular focus on marginalized communities, in line with the Strategy for the Advancement of the Rights of Roma and Ashkalia Communities;
- The AoK should prioritize the adoption of the draft Law on Civil Status, the Law on Citizenship, and the Law on Foreigners, as these are essential for strengthening legal safeguards for persons at risk of statelessness;
- A verification mechanism should be established to simplify and expedite the renewal process of residence permits for recognized stateless individuals. This would reduce administrative delays and improve timely access to documentation and services;
- The forthcoming Draft Law on Free Legal Aid should explicitly include adult persons at risk of statelessness as eligible beneficiaries. Additionally, the government should increase financial support to FLAA and specialized NGOs to ensure the provision of targeted legal aid services aimed at eradicating statelessness.

527 AT (2025), input for the joint CSO report on Human Rights in Kosovo in 2024.

528 CRPK (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

## 8. Section D: CROSS-CUTTING ISSUES/SPECIFIC HUMAN RIGHTS ISSUES

### 8.1 Transitional justice and human rights

**390.** The definition of transitional justice in this document derives from the OHCHR, which defines it in relation to human rights as a goal to “provide recognition to victims, enhance the trust of individuals in state institutions, reinforce respect for human rights and promote the rule of law as a step towards reconciliation and the prevention of new violations.”<sup>529</sup> A comprehensive approach to transitional justice can facilitate the processes of reconciliation and contribute to the transformation of Kosovo’s society into a more inclusive state shared by all ethnic communities.

**391.** The legislative framework addressing transitional justice in the context of the Kosovo conflict includes Law No. 05/L-060 on Forensic Medicine, effective since April 2016, which establishes the Institute of Forensic Medicine tasking it with locating, exhuming, and determining the fate of missing persons. Second, Law No. 04/L-172 on Amending and Supplementing the Law No. 04/L-054 on the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims of War and Their Families addresses conflict-related sexual violence. However, this law poses challenges, as it limits recognition to incidents right after the 1998-1999 war. Third, the Law No. 08/L-177 on the Institute of Crimes Committed during the War in Kosovo enacted in 2023, established the Institute of Crimes with the purpose of carrying research and documentation of crimes committed in Kosovo from 1 January 1998 to 20 June 1999.

**392.** Following years of flawed initiatives and uncompleted plans to approve a Strategy on Transitional Justice, the GoK has finally adopted a 10 year Strategy on Transitional Justice 2024-2034 and an integral Action Plan for 2024-2026 attached as an annex to the main document.<sup>530</sup> The Strategy describes itself “not just a roadmap to heal past wounds but also a vision for a cohesive and inclusive future.” It emphasizes a victim-centred approach, aiming to address the legacies of mass human rights violations through measures such as truth-seeking, justice, reparations, and institutional reforms. Although the Transitional Justice Strategy refers to the principle of inclusivity in its introductory section, its content does not reflect this commitment. The temporal scope of the strategy, however, is limited to the period 1989–2000, excluding other relevant experiences and voices.<sup>531</sup> The NGO NSI expresses concern that the transitional justice strategy lacks inclusivity and fairness, as it largely excludes the experiences of non-majority communities and overlooks post-war crimes. Despite formal consultation efforts, meaningful input from these communities was ignored.<sup>532</sup>

529 OCHR (2022), [transitional justice and human rights](#).

530 Government of Kosovo (2024), [Republic of Kosovo Strategy on Transitional Justice 2024-2034](#).

531 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

532 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**393.** According to NGO BIRN, the adoption of the new Strategy aroused hopes and doubts at the same time, following its approval 25 years after the war ended. For it to function in practice and be able to address the legacy of the conflict, the Strategy “must be trusted by (both) Albanian and Serb communities”, opine transitional justice experts.<sup>533</sup> According to the NGO NSI, some members of civil society voiced criticisms, and some withdrew from consultations because of what they considered to be a non-inclusive process, marked by an “ethnocentric” approach to transitional justice instead of a victim-centered one. Representatives of the international community expressed similar concerns.<sup>534</sup>

**394.** The Institute for Crimes Committed During the War in Kosovo, operationalized to document and preserve collective memory, emerged as a MoJ initiative. The AoK adopted the Law No. 08/L-177 on the Institute of Crimes Committed during the War in Kosovo in 2023 as an initiative which aims to document the crimes committed during the war in Kosovo between the period of 1 January 1998 until 20 June 1999 and also can be applicable over the crimes occurred after the period of war, related to the war, not later than December 31, 2000. The Institute will function as an Agency within the Office of the Prime Minister and it will have a number of important competences related to research, collection of data, publication of memories of survivors, management of war crime databases, preparation of statistical data, etc. On 17 February 2024, the Institute received the first documents relating to testimonies of crimes of forceful disappearance which were submitted by the Head of the Association of Families of Missing Persons in Kosovo.<sup>535</sup>

**395.** The Law No. 04/L-023 on Missing Persons, which safeguards the rights of those missing and their families, particularly those who disappeared as a result of the 1998-1999 conflict in Kosovo, faced dissatisfaction, thereby prompting the need for amendments (see also previous reports of 2021, 2022 and 2023). According to the Strategy on Transitional Justice 2024-2034, namely specific objective 2, titled “Intensifying of the process of clarifying the fate and whereabouts of forcibly disappeared persons”, amendment and completion of the Law No. 04/L-023 on Missing Persons is planned as one of the measures/actions to attain this specific objective.<sup>536</sup> However, according to the Action Plan 2024-2026 attached to the main document of the Strategy as its integral part, the deadline to amend the Law on Missing Persons was 2024. The Strategy and its Action Plan were approved on 13 June 2024,<sup>537</sup> and one of the key measures/actions to attain one of the objectives of the Strategy is already in delay considering the failure of the GoK to amend the Law on Missing Persons within the deadline that they themselves set. This particular finding raises concerns as to whether the Action Plan was thoroughly thought through and whether the GoK will manage to effectively implement all of the measures proclaimed in this ambitious but long-awaited Strategy.

**396.** The Law No. 04/L-054 on the Status and the Rights of Martyrs, Invalids, Veterans, members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims and their Families, enacted in 2011 and amended in 2023, determines the status and financial support through pensions and special benefits for categories of the war.<sup>538</sup> The issue with the application of this legislative framework in practice comes into surface when a beneficiary reaches the age of 65 and

533 Balkan Insight, Balkan Transitional Justice (2024), [Kosovo in 2024: New Justice Strategy Arouses Hope – and Doubts](#).

534 NSI (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

535 Office of the Prime Minister (2024), [Instituti për Krimet e kryera gjatë luftës pranoi dosjet e para për krimet e luftës](#).

536 Government of Kosovo (2024), [Republic of Kosovo Strategy on Transitional Justice 2024-2034](#), p. 26.

537 Betimi për Drejtësi (2024), [Qeveria miraton Strategjinë për Drejtësi Tranzicionale 2024-2024](#).

538 MPRC (2025), input for the joint CSO report on Human Rights Kosovo 2024.

is entitled to a pension as a contribution to their acquired years of service. A family member, beneficiary in this situation is obliged to decide if they want to continue receiving the family pension as a form of reparation for the loss of their family member or the pension as a contribution to their years of service since they are not entitled to receive both pensions from the same pension fund. Family members of missing persons find this regulation discriminatory since the incomes are of a different nature and should not interfere with one another. There are cases of this nature presented to domestic courts which are being aided by the NGO KLI, who is also helping in the process of negotiation with the GoK to find a suitable solution to this complex issue.<sup>539</sup>

**397.** During 2024, NGO KRCT received four positive judgments whereby the Basic Court in Prishtinë/Priština recognized the rights of victims to obtain both pensions. In these cases, the Basic Court in Prishtinë/Priština refers to the jurisprudence of the ECtHR which indeed confirms that pensions deriving from previous contributions are considered to be one's property which cannot be negated by anyone and that the pension deriving from a victims status serves to recognize the contribution, loss and sacrifice suffered during the war. These four cases are now pending in the Court of Appeal considering that the state authorities in Kosovo filed an appeal against these decisions. Nevertheless, NGO KRCT is positive that these decisions will be confirmed by all three instances in Kosovo in accordance with a previous court precedent which already confirmed the right of the victims to dual pension. Owing to the success of these cases, Kosovo courts have now been flooded with thousands of cases requesting the confirmation that they can obtain double-pensions.<sup>540</sup>

**398.** Over the past two years, ten indictments related to sexual violence were filed, four of which occurred in 2024 alone. All cases were prepared and supported by KRCT, providing both psychological assistance to survivors and legal representation through the engagement of defense attorneys.<sup>541</sup>

**399.** Until the end of the 2024, the number of applications for victim status for wartime sexual violence has now reached to 2,204 applications – of which 1,726 have been approved by the responsible Commission while 344 have been rejected. NGO KRCT observes that the number of 344 rejections is highly concerning and reflects an insensitive approach of the responsible GoK Commission towards victims of wartime sexual violence. The general reasoning of the Commission that these victims have not convinced them about the wartime events related to sexual violence is not the correct manner to treat the personal history of victims which have suffered during the war.<sup>542</sup> Additionally, KRCT has documented 1,400 cases of sexual violence committed during the war in Kosovo. Following sustained and successful advocacy, the Law on Health Insurance now guarantees free and unconditional health insurance for survivors of wartime sexual violence.<sup>543</sup>

539 MPRC (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

540 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

541 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

542 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

543 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

**400.** On September 12, 2024, Medica Gjakova, in partnership with Medica Mondiale in Cologne, launched the study “I Am Not Guilty for What Happened to Me”, developed with 200 CRSV survivors through a survivor-centred approach. The research highlights the ongoing psychological, social, and economic challenges faced by survivors of war rape in Kosovo, while providing evidence to inform trauma-informed policies, challenge societal stigma, and advocate for long-term institutional support.<sup>544</sup>

**401.** The OIK published an Ex-Officio Report in 2024 on the “Respect for Human Rights in the Recognition and Verification Process of Victims of Sexual Violence during the Kosovo Liberation War, and other Obstacles to accessing legal defined benefits”.<sup>545</sup> One of the key findings of the Report is that there are considerable legal loopholes in the secondary legislation regarding time limits and provisions related to legal remedies in administrative procedure. As a result, the OIK has suggested the amendment of Regulation No. 22/2015 as a means of ensuring respect for the rights of the persons affected and guaranteeing effective exercise of legal remedies. Moreover, the OIK also expressed concerns about the process of interviewing victims of sexual violence as the manner employed risks breaching the confidentiality of procedure by not sufficiently preserving their identity. Lastly, the OIK called on responsible institutions to ensure the upholding of dignity of the applicants by treating them with respect and avoiding retraumatization during the interviewing process.<sup>546</sup> KRCT has also reported on this consistently, including its contribution to the Ombudsperson’s report concerning the Commission’s approach to victims.<sup>547</sup>

**402.** Advocacy by civil society organizations and the families of victims and missing persons in Kosovo have persistently and continuously sought an extension of the registration deadline for survivors beyond the current timeline.<sup>548</sup> Although the GoK has agreed to postpone the deadline for victims of wartime sexual violence in Kosovo to apply for the recognition of victims status, NGO KRTC has continuously advocated that there should be no such deadline and that it should be within the discretion of the victims to decide when they wish to apply for such status.<sup>549</sup>

**403.** The unresolved fate of missing persons continues to remain a key issue to be solved. During the period of June 2023 and June 2024, Kosovo institutions resolved 10 cases, while the fate of 1,612 missing persons is yet to be established. The implementation of the Declaration on Missing Persons endorsed at the high-level EU-facilitated Dialogue meeting of 2 May 2023, following the 2023 agreement to normalize relations, has not yet started considering that Kosovo and Serbia are still negotiating the terms of reference for the Joint Commission which, among others, is envisaged to support efforts at resolving the fate of the remaining 1,612 people who went missing in 1998-99.<sup>550</sup> Treating the missing persons issue as a matter of urgency is essential to bring answers to families waiting for almost 25 years, highlighting the humanitarian imperative over political purposes.<sup>551</sup> Yet, despite these renewed promises, the politicization of the issue remains the main impediment to actual progress in uncovering the missing persons cases.<sup>552</sup>

544 Medica Kosova (2025), input for the joint CSO report on Human Rights Kosovo 2024.

545 OIK (2024), [Report of Ombudsperson Ex-Officio no. 436/2023](#).

546 OIK (2024), [Report of Ombudsperson Ex-Officio no. 436/2023](#).

547 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

548 Balkan Insight (2024), [BIRN Fact-Check: Was Kosovo's First Transitional Justice Strategy Worth the Wait?](#)

549 KRCT (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

550 EU Commission (2024), Kosovo Report 2024, p. 58.

551 Balkan Insight (2024), [Kosovo and Serbia Must Keep Their Promise on Missing Persons](#).

552 See also the reports of 2023, 2022 and 2021 for similar comments by the respective CSOs.



**404.** Regarding the composition of the GoK's Commission on Missing Persons, a governmental body which heads, supervises, harmonizes and coordinates the activities with local and international institutions with regards to clarification of the fate of missing persons, the NGO MPRC expressed serious concerns that this important body is incomplete since March 2020, considering that no member from non-majority communities has been appointed. It is absolutely necessary for the Commission to be completed as soon as possible and continue its work of clarification of the fate of missing persons regardless of their ethnic background, religion or other status.<sup>553</sup>

**405.** In July 2024, Kosovo hosted the XVI Forum for Transitional Justice in Post-Yugoslav Countries, organized by the NGO Humanitarian Law Center and Humanitarian Law Center Kosovo. The forum provided a platform for discussing challenges and strategies related to transitional justice in the region.<sup>554</sup>

**406.** Despite the establishment of the Ministerial Commission for the Memorial for Children Killed during the 1998-1999 War in Kosovo, and the signing of the Memorandum of Understanding between the MCYS and the University of Prishtina for consultation and drafting a narrative document on the memorialization of children killed and missing during the war, the Memorial was not established during 2024. However, plans for its establishment have not been dropped considering that the GoK refers to the "Memorial for the children killed and disappeared during the war" in its newest Strategy on Transitional Justice 2024-2034 which, according to the Action Plan 2024-2026, will be concluded between the years 2025-2026.<sup>555</sup>

**407.** An analysis published by the NGO YIHR KS in October 2024 titled: "Youth attitudes towards war and war crimes in Kosovo", confirmed the assumption that memories of war events have a significant impact on the attitudes of the Kosovar youth, even though 84 percent of the respondents do not have a personal experience of the war. This research, backed by surveys conducted with youth, revealed: (i) that conversations with family members and those who experienced war are the most impactful sources of information about war events, combined with traditional mass media resources; (ii) the existence of significant differences in responses between K-Albanian and K-Serb respondents when it comes to their insights on war, knowledge of war crimes and their opinions on peace agreements and inter-ethnic relations; (iii) the existence of a correlation between addressing the violent past and prosecuting war crimes with building trust, reconciliation and improving inter-ethnic relations; (iv) respondents were not satisfied with how schools contributed to their knowledge about war; (v) respondents are more inclined to be informed about war crimes committed against their ethnic groups compared to those against the civil population of another ethnicity; etc.<sup>556</sup>

**408.** On 18 December 2024, the Museum of Genocide and Freedom Endeavour (Albanian: "Muzeu i Gjenocidit dhe Përpjekjes për Liri") was formally founded with a GoK decision.<sup>557</sup> This succeeded

553 MPRC (2025), input for the joint CSO report on Human Rights Kosovo 2024.

554 HLC Kosovo (2024), [XVI Forum for Transitional Justice in Post-Yugoslav Countries](#).

555 Government of Kosovo (2024), [Republic of Kosovo Strategy on Transitional Justice 2024-2034](#), page 61.

556 YIHR (2024), [Youth attitudes towards war and war crimes in Kosovo](#).

557 MYCS (2024), [Themelohet Muzeu i Gjenocidit dhe Përpjekjes për Liri](#).

many earlier attempts of previous governments to found such a memorial centre.<sup>558</sup> This specific Museum will constitute a special unit of the Kosovo Museum and it will document the crimes committed against the Kosovo population and others during the latest war. The key objectives are to institutionalize Kosovo's collective memory, recall the genocidal crimes committed by former Yugoslavia and Serbia.<sup>559</sup> Notably, however, the initiative is not reflected in the Law No. 08/L-066 on Budget that was recently approved.<sup>560</sup>

**409.** In November 2024, the Jahjaga Foundation opened the first museum of survivors of wartime sexual violence in Kosovo remembering an estimated 20,000 victims of sexual violence. The overall culture of silence around the issue of wartime rape might be slowly changed by having access to museums that give voice to victims and make sure that the crime of rape and sexual violence is duly remembered by the society.<sup>561</sup>

**410.** On 26 December 2024, the first ever in absentia verdict was pronounced by the Special Department of the Basic Court in Prishtinë/Priština against Čedomir Aksić, who was sentenced to 15 years imprisonment for committing war crimes against K-Albanian civilians. According to the NGO HLCK, this verdict is a new precedent which marks an important event in the judicial system of Kosovo; yet, there are concerns regarding trial in absentia and the fact that they could “negatively impact justice standards and transparency in judicial procedures.”<sup>562</sup> During 2024, four other guilty verdicts were announced for war crime cases committed by Muhamet Alidemaj (15 years imprisonment), Dusko Arsić (13 years imprisonment), Ekrem Bajorvić (12 years imprisonment) and Časlav Jolić (8 years imprisonment). Three individuals (Zlatan Arsić, Sylejman Selimi and Jahir Demaku) charged with war crimes were acquitted; several other ongoing war crime cases are being tried before Kosovo courts and are expected to be concluded in the upcoming years; while several new charges in absentia were filed by the Special Prosecution of Kosovo. The number of prosecutors assigned to the SPO's war crimes department was increased but the struggles to process the significant case backlog remain. The new war crime strategy is pending adoption. The NGO HLCK continues to advocate for Kosovo and Serbia to engage in meaningful legal cooperation as part of the dialogue process and enable both states, through an agreement, to collaborate and bring to justice all those who have committed war crimes. Such cooperation is seen as indispensable to guarantee fair and equal proceedings for the accused and ensure justice for the victims of war.<sup>563</sup>

**411.** The debate on the transparency and integrity of the Kosovo Specialist Chambers brewed throughout 2024, with experts and media reports claiming that holding the vast majority of sessions behind closed doors goes against the principle of publicity and transparency.<sup>564</sup> According to legal experts that have spoken for BIRN, around 60 percent of witnesses have testified in closed sessions for the public and lack of independent observers in the court hearings hinders reporting on the court's work, thus exacerbating the distrust of the public in the Kosovo Specialist Chambers.<sup>565</sup> In relation to the subject of transparency and integrity, the NGO HLCK published a brochure titled: “How Transparent are the Kosovo Specialist Chambers?” where it noted its key

558 Koha (2024), [Muzeu i Gjenocidit “i themeluar” ndër vite, tash me letra.](#)

559 Radio Evropa e Lirë (2024), [Kosova bëhet me Muze të Gjenocidit dhe Përpjekjes për Liri.](#)

560 Koha (2024), [Muzeu i Gjenocidit “i themeluar” ndër vite, tash me letra.](#)

561 Balkan Transitional Justice (2024), [Kosovo Takes Careful Steps Towards Remembrance of Wartime Rape.](#)

562 HLCK (2024), [The First Verdict in Absence for War Crimes in Judicial Practice in Kosovo: A New Precedent and Challenges for Justice.](#)

563 HLCK (2024), [The First Verdict in Absence for War Crimes in Judicial Practice in Kosovo: A New Precedent and Challenges for Justice.](#)

564 DTV Media (2024), [Qerkini: Specialja e vetmja që mbanë shumicën e seancave të mbyllura](#); Gazeta Blic (2024), [Nait Hasani: Transparenca e ‘Gjykatës Speciale’ është zero.](#)

565 Balkan Insight, Balkan Transitional Justice (2024), [Seancat e mbyllura në Gjykatë e Hagës për Krime të Luftës “Rritin mosbesimin” në Kosovë.](#)

findings related to transparency challenges faced by this institution, namely the fact that: (i) a significant portion of court sessions are closed to the public, leading to serious question about the transparency of the court; (ii) closing sessions to the public and media access to judicial processes makes it difficult to maintain public oversight over judicial decisions; (iii) the public is being denied the right to hear witness statements by redacting the entire testimony in some cases and not just the information affecting the disclosure of the identities of the protected witnesses.<sup>566</sup>

**412.** A fund has been established in Kosovo to provide legal aid to individuals accused at the Kosovo Specialist Chambers along with financial assistance to their families.<sup>567</sup> In contrast, recognized victims of war crimes and crimes against humanity have not received corresponding financial support. Rectifying this disparity in treatment is crucial according to the EU Commission and a number of CSOs.<sup>568</sup> In 2024, the Trial Panel of the Kosovo Specialist Chambers found Pjetër Shala guilty of the war crimes of arbitrary detention, torture and murder and sentenced him to 18 years imprisonment<sup>569</sup> while the sentence for Salih Mustafa was lowered from 22 years to 15 years imprisonment through the Court of Appeal Panel of the Kosovo Specialist Chambers.<sup>570</sup> On 6 December 2024, the Specialist Prosecutor's Office charged Hashim Thaçi with a second indictment relating to his alleged offences on obstruction of justice and arrested Bashkim Smakaj, Isni Kilaj and Fadil Fazliu for attempted obstruction of official persons in performing official duties and contempt of court. Additionally, on the same day, the former Deputy Prime Minister and Minister of Justice, Hajredin Kuçi was summoned to appear before the Specialist Chambers to respond to his two counts of charges of contempt of court.<sup>571</sup> All parties have declared not guilty of these charges and it remains to be observed how the upcoming judicial process will progress.

**413.** Despite these advancements, Kosovo continues to face challenges in fully implementing transitional justice measures. The need for comprehensive databases on war victims, standardized publication practices, and enhanced transparency in judicial processes remains critical. Reports have highlighted the necessity for structured and validated databases, improved archiving of trials from UNMIK and EULEX, and greater transparency in documenting and archiving judicial processes related to war crimes.<sup>572</sup> The BIRN Report suggests several recommendations in this regard, namely the need to: (i) establish a centralized and validated database of war victims to ensure comprehensive documentation; (ii) standardize publication practices to maintain consistency and reliability in reporting; (iii) enhance transparency in judicial processes, including the archiving of trials from UNMIK and EULEX, to foster public trust; (iv) address misinformation by providing accurate and complete documentation of war crimes and transitional justice efforts; and (v) collaborate with civil society organizations to monitor and report on the progress of transitional justice initiatives.<sup>573</sup>

566 HLCK (2024), [How Transparent are the Kosovo Specialist Chambers?](#)

567 EU Commission (2023), Kosovo Report 2023, p. 23.

568 YIHR KS (2025), input for the joint CSO report on Human Rights 2024.

569 Kosovo Specialist Chambers & Specialist Prosecutor's Office (2024) [Pjetër Shala](#). For more on this, see also Radio Evropa e Lirë (2024), [Pjetër Shala dënohet me 18 vjet burgim për krime lufte](#).

570 Gazeta Demos (2024), [I zbretet dënimi Salih Mustafës, nga 22 në 15 vjet burgim](#).

571 Kosovo Specialist Chambers and Specialist Prosecutor's Office (2024), [SPO charges Thaçi with obstruction offences; arrests Smakaj, Kilaj and Fazliu in Kosovo; and summons Kuçi](#).

572 BIRN (2024), [BIRN Kosovo's Report on Transitional Justice Highlights Need for Establishing Database on War Crimes](#).

573 BIRN (2024), [BIRN Kosovo's Report on Transitional Justice Highlights Need for Establishing Database on War Crimes](#).

**414.** The Kosovo general census of 2024 included questions relating to the consequences of the 1998–1999 conflict in Kosovo, including property damage and whether any family members were killed, wounded, or disappeared. The NGO NSI notes that the questions were restricted to the period of 28 February 1998 to 12 June 1999. That particular time frame was criticized by K-Serb civil society representatives for excluding the period after the conflict, when many attacks against K-Serbs and other non-majority communities reportedly took place.<sup>574</sup>

#### **415. Recommendations**

- The MoJ should ensure a clear legal distinction between pensions and reparations for war victims, so that survivors and family members are not forced to choose between social benefits and compensation for human rights violations. This distinction must be legally enshrined to prevent discriminatory exclusions;
- The KJC must increase transparency in war crimes proceedings by ensuring public access to non-sensitive judicial processes and enhancing public reporting. Redactions and closed sessions should be limited to protecting victims and witnesses rather than restricting public oversight;
- The Institute for War Crimes and the MoJ should strengthen regional cooperation to document all war-related crimes and missing persons cases, ensuring cross-border judicial cooperation. Kosovo and Serbia must engage in meaningful legal agreements to facilitate prosecutions and extradition of war criminals;
- The GoK and relevant institutions should revise the official time frame concerning war victims to ensure that transitional justice processes reflect the experiences of all affected communities.

## **8.2 Corruption and human rights**

**416.** An examination of corruption in the context of human rights offers a lens into the nested levels of society in which corruption takes place and impedes on the attainment of collective rights. Particularly in developing countries, addressing the link between corruption and human rights violations is of particular significance for the development of society along the democratic principles of civic equality, inclusivity and transparency.

**417.** The Constitution of Kosovo does not refer to the word “corruption” in its text but it provides the governing authorities with the constitutional framework to regulate this matter through laws and the establishment of independent agencies, in accordance with Article 142 of the Constitution. In line with this article, the Agency for Prevention of Corruption was established with the mandate to oversee the implementation of several key laws related to corruption prevention, such as: the Law No. 08/L-017 on the Agency for Prevention of Corruption, the Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, the Law No. 08/L-108 on Declaration, Origin and Control of Public of Assets and Gifts and the Law No. 06/L-085 on the Protection of Whistleblowers. In 2024, the AoK enacted the Law on the Special Prosecution Office to

574 NSI (2025), input for the joint CSO report on Human Rights Kosovo 2024.

enhance the criminal justice response to high-level corruption cases. This law aims to improve the prosecution of serious crimes, including war crimes, by strengthening the capacity and independence of the Special Prosecution Office.<sup>575</sup> Kosovo's Rule of Law Strategy (2021-2026) emphasizes the fight against corruption through judicial vetting and institutional reforms.<sup>576</sup>

**418.** While Kosovo has not signed yet the United Nations Convention against Corruption (UNCAC) due to its inability to adhere to UN conventions, UNCAC Coalition of Civil Society considers that Kosovo has demonstrated a solid commitment to build a legal and institutional infrastructure to combat corruption through legislative measures which are in line with UNCAC principles.<sup>577</sup> Nevertheless, in spite of the solid legislative framework on anti-corruption laws and policies, UNCAC Coalition considers that "significant challenges persist in their effective implementation", with law enforcement agencies having fallen short of delivering the desired results.<sup>578</sup>

**419.** The EU Commission report of 2024 acknowledges limited progress in Kosovo's fight against corruption in 2024. There was some progress in adjudicating corruption cases which resulted in a higher number of final court decisions and convictions; yet, the results were greatly affected by a shortage of resources and lack of impartiality and accountability within the judiciary and the prosecution services. While there has been progress on the clearance rate in civil cases, the overall efficiency, timely handling and clearance rate in high-level corruption cases remains limited. Kosovo authorities are encouraged and required to showcase stronger commitment to establish a solid track record in fighting high-level corruption cases by, among others, strengthening the use of anti-corruption tools such as public institutions' integrity plans and asset declarations. To ensure more efficient handling of high-level corruption cases, the collaboration between the police, the prosecution services and the judiciary must be strengthened.<sup>579</sup>

**420.** A noteworthy civil society report on the implementation of Chapters II and V of the United Nations Convention against Corruption in Kosovo was published by the NGO Kosovo Law Institute (KLI) in 2024.<sup>580</sup> Among others, the Report analysed the performance of key anti-corruption institutions and ranked them as follows: (i) Procurement Review Body, Kosovo Prosecutorial Council and State Prosecutor, were given a "poor" performance score; (ii) Agency for the Prevention of Corruption, Kosovo Judicial Council, Agency for Administration of Seized or Confiscated Assets, Financial Intelligence Unit, and National Audit Office were given a "moderate" performance score; while (iii) Information and Privacy Agency was the only institution which obtained a "good" score.<sup>581</sup> An in-depth analysis of specific articles of UNCAC disclosed that there is an evident discrepancy be-

575 YIHR KS (2025), Input for the joint CSO report on Human Rights in Kosovo in 2024.

576 MoJ (2025), [Strategy on Rule of Law](#).

577 UNCAC Coalition of Civil Society (2024), [New Civil Society Report on Kosovo: Need for Stronger Accountability, better Implementation, and Judicial Independence](#).

578 UNCAC Coalition of Civil Society (2024), [New Civil Society Report on Kosovo: Need for Stronger Accountability, better Implementation, and Judicial Independence](#).

579 EU Commission (2021), Kosovo report 2024, p. 6.

580 KLI (2024), [Civil Society Report on the implementation of Chapter II \(Prevention\) & Chapter V \(Asset Recovery\) of the United Nations Convention against Corruption in Kosovo](#).

581 KLI (2024), [Civil Society Report on the implementation of Chapter II \(Prevention\) & Chapter V \(Asset Recovery\) of the United Nations Convention against Corruption in Kosovo](#), see Table 2: Performance of selected key institutions for more comments on their performance and areas where they need to improve to better fulfil their mandate.



tween the status of implementation in law *versus* the status of implementation and enforcement in practice, with most UNCAC provisions being poorly enforced in practice.<sup>582</sup> The KLI Report lists 26 concrete recommendations for priority actions to help improve the implementation of UNCAC in Kosovo and thus showcase a stronger determination to prevent and fight corruption.<sup>583</sup>

**421.** In 2024, the OSCE published the *Western Balkans Trial Monitoring Report: From Paper to Practice*, covering July 2021 to March 2024, with a dedicated chapter on Kosovo. The report identifies systemic challenges in handling organized crime and corruption cases, including weak implementation of the Criminal Procedure Code, inconsistent judicial practice, low-quality indictments, lack of transparency, repeated retrials, and limited access to judgments in all official languages. It warns that these issues reinforce perceptions of impunity and erode public trust in the justice system. EULEX's 2024 monitoring report echoes these concerns, stressing the urgent need to strengthen prosecutorial, judicial, and enforcement capacities to effectively address high-level corruption and organized crime.<sup>584</sup>

**422.** According to Kosovo Country Report 2024 published by BTI Transformation Index, despite high promises of the GoK to fight corruption and organised crime, little has been achieved in this area.<sup>585</sup> Corruption has been regarded as one of the key issues in urgent need of a solution, with the judiciary being compromised by high levels of corruption and lack of enforcement of the anti-corruption legal framework. In many high-level important corruption cases that involved leading politicians, those found guilty have often been sentenced to probation. Similarly to the OSCE Report reported above, the BTI Transformation Index also considers that confiscation of assets is particularly limited in high-level corruption cases. Other important findings of this Report include the fact that: (i) corruption is widespread in the public administration; (ii) anti-corruption agencies lack the necessary staff; (iii) corruption is hampering the growth of private sectors, with corruption practices acting as barriers to various private businesses; (iv) corruption is mostly found in public services such as energy, pharmaceuticals, telecommunications, postal services, railways, air traffic and construction, etc.<sup>586</sup>

**423.** According to an opinion poll performed by the UNDP, Kosovo citizens' perception is that the highest level of corruption exists within the judiciary, Kosovo Customs and KEDS, while K-police resulted as the least corrupted public institution in the perception of the respondents.<sup>587</sup>

582 KLI (2024), [Civil Society Report on the implementation of Chapter II \(Prevention\) & Chapter V \(Asset Recovery\) of the United Nations Convention against Corruption in Kosovo](#), see Table 1: Implementation and enforcement summary for more details on the status of implementation of UNCAC articles in Kosovo.

583 KLI (2024), [Civil Society Report on the implementation of Chapter II \(Prevention\) & Chapter V \(Asset Recovery\) of the United Nations Convention against Corruption in Kosovo](#), see Table 1: Implementation and enforcement summary for more details on the status of implementation of UNCAC articles in Kosovo.

KLI (2024), [Civil Society Report on the implementation of Chapter II \(Prevention\) & Chapter V \(Asset Recovery\) of the United Nations Convention against Corruption in Kosovo](#), see Table 1: Implementation and enforcement summary for more details on the status of implementation of UNCAC articles in Kosovo.

KLI (2024), [Civil Society Report on the implementation of Chapter II \(Prevention\) & Chapter V \(Asset Recovery\) of the United Nations Convention against Corruption in Kosovo](#), see pp 90-91 for a full list of recommendations.

584 OSCE (2024), [The Western Balkans Trial Monitoring Report: From Paper to Practice – Evaluating the Effectiveness of Judicial Responses to Serious Organised Crime and Corruption](#). To be noted: the Report conducted trial monitoring on organised crimes and corruption cases deriving from the Kosovo Supreme Court, Kosovo Court of Appeals and 7 main basic courts in Kosovo.

585 BTI Transformation Index, [Kosovo Country Report 2024](#).

586 BTI Transformation Index, [Kosovo Country Report 2024](#).

587 Kallxo (2024), [UNDP tregon se cili institucion e mendojnë qytetarët si më të korruptuarin në Kosovë](#).

**424.** In 2024, Kosovo improved its position to 73rd out of 180 countries in the Transparency International Corruption Perceptions Index, up from 83rd place in 2023. While this marks modest progress in perceived efforts to combat corruption, the improvement remains fragile, especially in light of continued concerns over political interference in the judiciary—underscoring the need for genuine reforms and strengthened institutional independence.<sup>588</sup>

**425.** The fight against corruption is a major challenge for modern societies, with CSO's playing a vital role. Digital literacy enables CSO's to monitor, analyze, and report corruption more effectively, contributing to a more transparent and just society. The "Digital Corruption - Challenges of the Modern Era" guide was created by the Civil Activism Network, with the support of NGO AKTIV, to help CSO's fight digital corruption, particularly in Kosovo's non-majority communities.<sup>589</sup>

**426.** While digitalization enhances transparency and reduces human error, it also poses new challenges. IT misuse for corruption can occur in government, public enterprises, or any level of authority, with digital tools facilitating hidden or obscure corrupt activities. Digital corruption involves the use of digital technologies (like online platforms, software, and databases) to manipulate data, facilitate bribes, or conceal illicit transactions. It overlaps with cyber corruption, which specifically refers to corruption through cyber channels, including hacking, phishing, and ransomware. Cyber corruption involves using cyber tools and platforms like cryptocurrencies, the dark web, and hacking for corrupt activities such as bribery, extortion, or data manipulation. It also includes using technologies like deepfakes to deceive or harm individuals for corrupt purposes. In short, the digital age presents both opportunities and new risks for corruption, requiring robust digital literacy and vigilance from civil society organizations.<sup>590</sup>

## **427. Recommendations**

- The GoK should enhance the independence and capacity of anti-corruption institutions. This includes allocating adequate funding and reducing political interference in judicial processes;
- The Kosovo Judicial Council (KJC) and Kosovo Prosecutorial Council (KPC) must ensure consistency and transparency in the adjudication of corruption cases by addressing the high number of acquittals and retrials;
- The Agency for Prevention of Corruption should improve enforcement of asset declaration laws by introducing an independent monitoring mechanism and increasing penalties for non-compliance;
- The MoJ should prioritize the adoption of the Draft State Anti Corruption Strategy 2024-2027 and Action Plan;
- The Ministry of Internal Affairs must develop a national strategy to combat digital corruption and cyber-enabled bribery, ensuring that government institutions, businesses, and civil society organizations are equipped with digital tools to track and prevent illicit financial transactions.

588 Transparency International (2024), [Corruptions perception index](#).

589 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

590 AKTIV (2025), Input for the joint CSO report on Human Rights Kosovo 2024.

### 8.3 The environment and human rights

**428.** Human rights and the environment are closely interlinked.<sup>591</sup> Human rights cannot be enjoyed without a sustainable, safe and healthy environment. The adverse effects of climate change threaten the full enjoyment of human rights, including the rights to a sustainable, safe and healthy environment, the right to life, water, sanitation, food, health, housing, self-determination, culture and development.<sup>592</sup> In July 2022, the United Nations General Assembly adopted a resolution in which it is declared that “everyone on the planet has a right to a healthy environment.”<sup>593</sup> The resolution is a landmark decision that explicitly declares access to a clean and healthy environment as a universal human right.<sup>594</sup> It subsequently calls upon stakeholders to scale up their efforts to mitigate the effects of the climate crisis including states, international organizations and businesses.

**429.** The Constitution of Kosovo does not recognize the right to a healthy environment. However, it states within Article 52 that “Nature and biodiversity, environment and national inheritance are everyone’s responsibility” and that “Everyone should be provided an opportunity to be heard by public institutions and have their opinions considered on issues that impact the environment in which they live.” The Law No. 08/L-181 on Environmental Impact Assessment, the Law No. 08/L-025 on Protection of Air from Pollution, the Law No. 08/L-250 on Climate Change are important legal instruments to protect the environment in Kosovo. The ECHR does not explicitly recognise the right to a healthy environment. However, a number of international legal standards developed by the Council of Europe, namely the ECHR, the European Social Charter and the Bern Convention on the conservation of European wildlife have been successfully invoked to make progress on environmental issues all around Europe.<sup>595</sup>

**430.** The European Court of Human Rights (ECtHR) has ruled on more than 300 environment-related cases, where it has applied concepts such as the right to life, family life, free speech to a wide range of environmental issues, including pollution, man-made or natural disasters, and access to environmental information.<sup>596</sup> In April 2024, the ECtHR ruled on three climate change cases, namely case no. 1 *Verein KlimaSeniorinnen Schweiz and others v. Switzerland* (where four women and an NGO complained about the consequences of global warming on their living conditions and health); case no. 2 *Carême v. France* (where an inhabitant of a municipality in France complained that France had taken insufficient steps to prevent global warming which is interfering with his right to life and right to respect for private and family life); and case no. 3 *Duarte Agostinho and Others v. Portugal and 32 other states* (where several children/young people complained of the current and future effects of climate change and its impact on their lives, well-being, mental health and peaceful enjoyment of their homes).<sup>597</sup> While cases no. 2 and 3 were declared inadmissible, in case no. 1 the ECtHR found that Switzerland “had failed to comply with its duties (“positive obligations”) under the Convention concerning climate change.”<sup>598</sup> These cases are worthy of noting considering that Kosovo citizens who have environmental concerns and CSOs that work on environmental issues have the right to refer directly to these cases before the regular courts.

591 Geneva Environment Network [Geneva Environment Network](#) (2023).

592 OHCHR [OHCHR](#) (2022).

593 Geneva Environment Network [Geneva Environment Network](#) (2023).

594 United Nations (2022), [UN general Assembly declares access to a clean and healthy environment a universal human right](#).

595 Council of Europe (2024), [Protecting the environment using human rights law](#).

596 European Court of Human Rights (2024), [Environment and the European Convention on Human Rights](#).

597 Grand Chamber of the European Court of Human Rights (2024), [Grand Chamber rulings in the climate change cases](#).

598 Grand Chamber of the European Court of Human Rights (2024), [Grand Chamber rulings in the climate change cases](#).

**431.** In 2024, the AoK enacted the first ever Law on Climate Change in Kosovo.<sup>599</sup> The purpose of the Law is to define the responsibilities and duties of state authorities in taking measures at mitigating the effects of climate change. The Law applies to all operators and sectors whose activity has an impact on climate change, namely the industries of energy, manufacturing, construction, fuel, mining, forestry, biodiversity, protected areas, agriculture and livestock, waste and water management, health, transport, road and railway, airports, dams, tourism, etc. The Law also enlists its objectives, principles, climate change measures, monitoring and reporting measures, while it also provides the legal basis for the establishment of a National Council for Climate Change. Overall, the Law has very ambitious goals and it requires the enactment of at least five strategic documents or national plans such as the adoption of: (i) Long-term Strategy on De-carbonisation; (ii) Strategy on Adaptation to Climate Change; (iii) The Action Plan on Adaptation to Climate Change; (iv) National Energy and Climate Plan; (v) National Determined Contribution. It remains to be seen whether the GoK and the inter-ministerial bodies responsible for the implementation of this Law will be able to adhere to the high standards and objectives set by it. The EU Commission already noted that there are a number of documents that still need to be developed and that the capacity of public institutions, including inspectorates, to fulfil their responsibilities related to climate change need to be “urgently and significantly strengthened”.<sup>600</sup>

**432.** The Green Agenda for the Western Balkans aims to reflect the European Green Deal in a proportionate and adapted manner for the respective countries.<sup>601</sup> The objective is to turn regional environmental and climate challenges into opportunities and renewable solutions. Given that natural resources and climate change do not know any borders, the Green Agenda foresees joint regional action, which will contribute to the sustainable socio-economic development and the green recovery of the entire region in the post-pandemic period.

**433.** Real-time monitoring of air quality is now made possible through a network of 12 air monitoring stations positioned in geographically spread locations in the municipalities of Kosovo. This enables measuring the air quality in Kosovo in real time. Access from these 12 stations is accessible through the European Environment Agency (EEA's) European Air Quality Index platform.<sup>602</sup> The air monitoring is done based on Law No. 08/L-025 on Protection of Air from Pollution and the secondary legislation enacted specifically for this purpose, namely Administrative Instruction No. 09/2023 on the method of air quality monitoring, data collection, criteria and methodology.<sup>603</sup> In spite of some noted progress in improving air quality, it continues to represent a major health risk amid delays to fully implement appropriate remedial measures that would help curb air pollution.<sup>604</sup>

**434.** The air quality in Kosovo is an enormous health concern, with an average PM2.5 concentration 2.4 times the WHO annual air quality guideline value.<sup>605</sup> A key factor contributing to the

599 [Law no. 08/L-250 on Climate Change](#) (2024).

600 EU Commission (2024), Kosovo Report 2024, p. 84.

601 European Commission (2020), [Guidelines for the Implementation of the Green Agenda for the Western Balkans](#).

602 IQ Air (2024), [Air quality in Kosovo](#).

603 Official Gazette, [Primary and secondary legislation on prevention against air pollution](#).

604 EU Commission (2024), Kosovo Report 2024, p. 82.

605 IQ Air (2024), [How polluted is Kosovo?](#)

current situation is the dependence on coal power to provide the energy supply as well as the practice of burning solid fuels including firewood for domestic heating and cooking. A diachronic trend analysis covering the years 2018-2024 show that the air quality – shown here in micrograms per cubic meter of air – is consistently above the WHO air quality guidelines of 10 µg/m3, with the year 2024 scoring an increase in average air quality index from 19 in 2023 to 24 in 2024.<sup>606</sup> Prishtinë/Priština consistently accounts for the worst air quality within Kosovo, while during 2024, Viti/Vitina was the cleanest city in Kosovo. There are moments, particularly during winter, when the average concentration of PM2.5 in the capital city of Kosovo is 20.7 times higher than the annual PM2.5 guideline value (data of 2 January 2025). This leads to Prishtinë/Priština being unfortunately considered as a city that rivals big cities like Beijing, Mumbai and New Delhi when it comes to air pollution, according to a World Bank study.<sup>607</sup>

**Table 4. Air quality in micrograms per cubic meter of air in Kosovo from 2018 to 2024**

Year	2018	2019	2020	2021	2022	2023	2024	WHO guideline
Average Air Quality Index in µg/m3	30.4	23.5	20.0	14.7	19.4	19.0	24	10

**435.** The main sources of air pollution are from emissions by burning solid fuels including coal and wood both domestically and in the energy industry which uses coal fired power plants. According to the World Bank, this constitutes around half of the Particulate Matter 2.5 (PM2.5) emissions in Kosovo (see the following paragraph). While an estimated 20 percent of the air pollution in Kosovo comes from outside the country, the majority is the result of sources that can be controlled by the GoK.<sup>608</sup>

**436.** The coal power plants of Kosovo constitute a major source of air pollution. The two existing power plants, Kosovo A and Kosovo B, are located in the town of Obiliq/Obilić, which is a neighbour of Prishtinë/Priština and is therefore responsible for much of the air pollution over the city. It should be underscored that the power plants rank as Europe’s first and third most polluted power plants. Together, they emit four times more PM2.5 than the majority of other coal plants in the Balkan region.<sup>609</sup> While they provide Kosovo with its energy infrastructure, the resulting air pollution is damaging to the natural environment and human health.

**437.** In addition to its risks to human health, air pollution is damaging to the natural environment. The chemical compounds nitrogen oxide and ammonia released into land and water results in chemical imbalanced spaces with significant dysregulations in the natural ecosystems and biodiversity. Other impacts include the erosion of buildings, and acidic rain contributing to the damage of plants, forests and crops. A particularly important source for global heating and climate change concerns greenhouse gas emissions.

606 Air Quality Index (2024), [Kosovo Air Quality Index](#).  
607 World Bank (2019), [Western Balkans Regional AQM, Kosovo Report](#).  
608 IQ Air (2024), [What are the main sources of Kosovo’s air pollution?](#)  
609 IQ Air (2024), [What are the main sources of Kosovo’s air pollution?](#)



**438.** The three hydropower projects on the Deçan/Dečani river, Lumbardhi/Bistrica and Belaja/Belica, have been the subject of a legal dispute between the Ministry of Environment, Spatial Planning and Infrastructure of Kosovo and the Austrian hydropower investor KelKos, since many years now.<sup>610</sup> In July 2024, the Centre for Strategic Litigation in Kosovo (Qendra për Raste Gjyqësore Strategjike), jointly with the CSO “Pishtarët” and three citizens from Deçan/Dečani filed a case with the Constitutional Court of Kosovo arguing, among others, a violation of Article 52 (Responsibility for the Environment) of the Constitution.<sup>611</sup> The applicants consider that the Court of Appeal and the Supreme Court have interpreted the Law No. 04/L-147 on Waters in an arbitrary manner and have neglected the evident environmental harm created by these three hydropower plants. So far, the Constitutional Court has only once found a violation of Article 52 of the Constitution in 2010.<sup>612</sup> It remains to be seen what stance it will take in respect of the famous Deçan/Dečani hydropower plants.

**439.** Kosovo’s new Energy Strategy (2022-2031) steers away from further hydropower development due to environmental concerns. This is an important step forward which makes Kosovo the first in the region to stop promoting new hydropower plants. The strategy plans ambitious growth in renewable energy, aiming for carbon neutrality by 2050.<sup>613</sup> The signatories of the Green Agenda commit to decarbonization by 2050, thus ending the use of all fossil fuels: oil, gas, and coal.

#### 440. Recommendations

- The GoK should prioritize funding and inter-ministerial coordination to ensure effective execution of the laws and regulations concerning climate in Kosovo;
- The Ministry of Environment, Spatial Planning, and Infrastructure must strengthen enforcement mechanisms to curb industrial pollution, particularly from coal power plants Kosovo A and Kosovo B;
- The Kosovo Judicial Council (KJC) and Constitutional Court should ensure stronger judicial oversight on environmental disputes by prioritizing cases concerning environmental degradation and the right to a healthy environment;

## 8.4 The right to equality and non-discrimination

**441.** Non-discrimination is a fundamental human right that is enshrined in various international human rights treaties, including the UDHR, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. At the level of the ECHR, protection against discrimination is ensured via two different provisions, namely Article 14 of the ECHR which enshrines protection against discrimination in the enjoyment of the rights set forth in the Convention; while Article 1 of Protocol No. 12 to the ECHR extends the scope of protection against discrimination to “any right set forth by law” by thus introducing a general prohibition of

<sup>610</sup> Pishtarët (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

<sup>611</sup> Qendra për Raste Gjyqësore Strategjike (2024), [Dorëzohet kërkesa për vlerësimin e kushtetutshmërisë së aktgjykimit të Gjykatës Supreme të Kosovës për hidrocentralet e Deçanit](#).

<sup>612</sup> Constitutional Court of Kosovo case no. [KI 56/09, Fadil Hoxha and 59 others v. Municipal Assembly of Prizren](#).

<sup>613</sup> YIHR KS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

discrimination not necessarily linked to ECHR rights.<sup>614</sup> Kosovo has a legal obligation to ensure that all individuals within its jurisdiction are protected from discrimination on the basis of race, ethnicity, gender, age, religion, sexual orientation, and other protected characteristics.

**442.** The Constitution of Kosovo refers to equality in Article 3 of the Constitution, where it is provided that the exercise of public authority in the country must be based on the principle of equality before the law of all individuals. Article 24 of the Constitution then explicitly prohibits discrimination and guarantees equal protection under the law for all individuals. Moreover, both equality and non-discrimination are part of the constitutional values proclaimed in Article 6 of the Constitution based on which the constitutional order of the Republic is to function.

**443.** The Law No. 05/L-020 on Gender Equality, the Law No. 05/L-021 on Protection from Discrimination, and the Criminal Code No. 04/L-082 also provide a legal framework to protect individuals from discrimination and to hold perpetrators accountable. The Law No. 05/L-019 on Ombudsperson Institution has authorized the Ombudsperson Institution for promoting, monitoring and supporting equal treatment without discrimination on grounds protected by the Law on Gender Equality and the Law on the Protection of Discrimination. The Ombudsperson may also appear in the capacity of the friend of the court (*amicus curiae*) in judicial processes dealing with human rights, equality and protection from discrimination, including before the Constitutional Court. The Administrative Instruction of the Ministry of Local Government Administration, No. 2007/08 on the Establishment of Human Rights Units in Municipalities has foreseen the establishment of units in municipalities composed of at least three officials, including the coordinator of the Human Rights Units.<sup>615</sup> The Office for Good Governance (OGG), along with the Government Inter-Ministerial Working Group on Human Rights is another institutional mechanism aimed at coordinating anti-discrimination efforts across institutions.

**444.** An ex-post evaluation of the Law No. 05/L-021 on the Protection from Discrimination took place in 2023, by a working group composed of members of CSO's among others.<sup>616</sup> Based on this Report, an amendment to the Law on Protection from Discrimination has commenced in 2024 and is continuing with the aim of putting this new legal initiative for public consultations in 2025. For the purposes of drafting these amendments, several meetings have been held by the working group in 2024 and they are expected to continue in 2025 until the finalization of this highly important initiative.<sup>617</sup>

**445.** Nonetheless, as the European Commission's annual report 2024 notes that the legislation on protection from discrimination is broadly in line with international standards but its implementation is poor due to weak institutional capacity.<sup>618</sup> In December 2024, the Ombudsperson submitted its Annual Report on the Implementation of the Law on Protection from Discrimination to the AOK, where it has identified several critical issues, including: (i) low institutional awareness concerning the importance of collecting and recording data on cases of discrimination; (ii) absence of key elements in the general system for preventing and protecting against discrimination; (iii) failure to implement minor offence procedures in discrimination cases; (iv) inadequate enforcement of the legislative framework on discrimination by the judiciary; (v) lack of institutional data

614 For more details on the meaning and applicability of Article 14 of the ECHR and Article 1 of Protocol No. 12 to the ECHR, see European Court on Human Rights (2024), [Guide on Article 14 of the ECHR and on Article 1 of Protocol No. 12 to the Convention](#).

615 HRN (2024), joint CSO report on Human Rights in Kosovo 2024.

616 Office of the Prime Minister (2023), [Report on Ex-Post Evaluation of the Law No. 05/L-021 on the Protection from Discrimination](#).

617 YIHR KS (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

618 EU Commission (2024), Kosovo Report 2024, p. 35.

on the violation of the Law on Protection from Discrimination.<sup>619</sup> According to the EU Commission Report, the implementation rate of the recommendations of the Ombudsperson is particularly low when it comes to discrimination/equality.<sup>620</sup>

**446.** Discrimination based on ethnic identity continues to be a major issue in Kosovo with the dignity of especially K-Roma, K-Egyptian and K-Ashkali communities members at risk. In 2022, lawyer Tomë Gashi was fined 2,500 EUR for his involvement in kicking the possessions of a person begging in Mother Teresa Square, which led to a complaint being filed against him by YIHR KS before the Chamber of Advocates of Kosovo.<sup>621</sup> Unsuccessful in complaints and a court lawsuit against the Kosovo Bar Association (OAK), Gashi's appeal to the Court of Appeals and Constitutional Court of Kosovo was ultimately rejected, affirming the disciplinary measures and fines against him.<sup>622</sup>

**447.** According to a Report on online media narratives published by NGO D4D in 2024, misogyny and incitement of hate against women in Kosovo continue to be present in the media. Concrete examples of media posts show the tendency to portray women as weak (even those professionally active as lawyers or in other professions) while degrading and humiliating comments in response to such posts are abundant. The same trend is seen in media publications in Albanian and Serbian language.<sup>623</sup>

**448.** Discrimination predominantly affects rights related to education, access to social services and healthcare, employment and the right to use an official language.<sup>624</sup> Several Ombudsperson reports highlighted the existence of discrimination regarding the rights of communities and their members, age discrimination of contributing-payer pensioners, rights of paraplegic and tetraplegic persons, equal representation of women and men at all levels of the public sector, gender quotas etc.<sup>625</sup> Discrimination against women, particularly in the workplace, also remains a significant challenge. Women are often paid less than men for the same work, and are underrepresented in leadership positions. Additionally, women from non-majority communities, especially those from K-Roma, K-Ashkali and K-Egyptian communities suffer multiple discrimination in relation to employment and access to health. Children with disabilities face discrimination in access to pre-school institutions, while other persons with disabilities encounter discrimination and barriers to accessing social services, education, healthcare, assistive equipment and physical infrastructure. Discrimination based on sexual orientation and gender identity is also prevalent, with members of the LGBTIQ+ communities facing stigma, discrimination, and violence.<sup>626</sup>

**449.** On the International Day for Zero Discrimination, 1 March 2024, a lawsuit was filed by five NGOs (YIHR KS, CEL Kosovo, CSGD, KGSC and Civil Rights Defenders), against the AoK and one of

619 Ombudsman Institution in Kosovo (2024), [Press release – Ombudsman submitted the 2023 Annual Report on the Implementation of the Law on Protection from Discrimination to the Assembly of the Republic of Kosovo](#).

620 EU Commission (2024), Kosovo Report 2024, p. 31.

621 YIHR KS (2022), [Komunikatë për publikun](#).

622 YIHR KS(2023), [Epilogue of the case: Tomë Gashi found responsible for undertaking unethical actions, violation of duties and authority of the lawyer](#).

623 D4D (2024), [Narrativat në mediat online gjatë muajve prill-qershor 2024](#).

624 EU Commission (2024), Kosovo Report 2024.

625 Ombudsperson Institution (2024), [2023 Annual Report on the implementation of the Law on Protection from Discrimination in the Republic of Kosovo](#).

626 CEL (2025), input for the joint CSO report on Human Rights in Kosovo 2024.

its deputies, Labinote Demi Murtezi, alleging that her discriminatory and slanderous language towards the LGBTIQ+ persons violated their constitutional rights to preservation of dignity and non-discrimination.<sup>627</sup>

**450.** The implementation of non-discrimination measures in practice is further complicated by the weak coordination at the level of municipalities. Many marginalized communities lack access to justice and face barriers to seeking redress for discrimination.

**451.** In November 2024, the Western Balkans Summit Against Racial Discrimination was held in Prishtinë/Priština under the motto: “Strength in Diversity: A Society without Racial Discrimination”.<sup>628</sup> The event gathered together leaders, experts and activists from across Kosovo and the region to discuss and develop strategies aiming to combat racial discrimination against the Roma, Ashkali, and Egyptian communities. The summit focused on evaluating the impact of past summits on policies and practices to combat racial discrimination while reflecting on previous challenges and lessons learned during the years.

**452.** In December 2024, YIHR KS published its Report titled: “Discriminatory Language in School Textbooks: An analysis of upper secondary level school textbooks in Kosovo”.<sup>629</sup> The Report offers detailed examination of discrimination manifested in textbooks used in upper secondary education in Kosovo. More specifically related to discrimination, the Report highlights the following findings: (i) treatment of gender roles tend to rely on patriarchal structures and norms which portray women in subordinate and domestic roles; (ii) representation of children, adolescents and older adults is often reductive and lacks complexity thus fostering a limited view on individuals’ potential during various stages of life which might discourage students from exploring nuances of age and aging; (iii) there are consistent inappropriate links between physical beauty and social worth; (iv) discrimination against LGBTIQ+ community is both overt and subtle with explicit and implicit bias affirming continued pathologizing of non-heteronormative identities.<sup>630</sup>

### **453. Recommendations**

- The Legal Office of the Prime Minister should ensure that the upcoming amendments to the Law on Protection from Discrimination are fully aligned with international human rights standards, particularly addressing anti-Gypsyism, gender-based discrimination, and LGBTIQ+ rights;
- The OIK must enhance its monitoring of discrimination cases by establishing a centralized database on discrimination complaints, their resolutions, and institutional responses;
- MESTI should urgently revise upper secondary school textbooks to eliminate discriminatory language, particularly regarding gender roles, age representation, and LGBTIQ+ issues. This review process must involve experts on equality and human rights to ensure balanced and inclusive content;
- The Kosovo Judicial Council (KJC) and Kosovo Prosecutorial Council (KPC) should strengthen judicial oversight of discrimination cases by ensuring courts prioritize and effectively adjudicate cases of discrimination.

627 YIHR KS(2024), [A lawsuit is filed against the Assembly of the Republic of Kosovo and member of Parliament Labinote Demi Murtezi](#).

628 Terre des hommes (2024), [The Western Balkans Summit against Racial Discrimination](#).

629 YIHR KS (2024), [Discriminatory Language in School Textbooks: An analysis of upper secondary level school textbooks in Kosovo](#).

630 YIHR KS (2024), [Discriminatory Language in School Textbooks: An analysis of upper secondary level school textbooks in Kosovo](#).

