Analysis of the Situation of Children and Women in Kosovo (UNSCR 1244)

October 2017
Disclaimer: All references to Kosovo are made in the context of UN Security Council Resolution 1244 (1999)
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<tbody>
<tr>
<td>AI</td>
<td>Administrative Instruction</td>
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<tr>
<td>AIDS</td>
<td>Acquired Immunodeficiency Syndrome</td>
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<td>CCPJC</td>
<td>Council on Child Protection and Justice for Children</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of Discrimination against Women</td>
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<td>CMR</td>
<td>Case Management Roundtable</td>
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<tr>
<td>CRC</td>
<td>United Nations Convention on the Rights of the Child</td>
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<tr>
<td>CSW</td>
<td>Centre for Social Work</td>
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<tr>
<td>CYAS</td>
<td>Central Youth Action Council of Kosovo</td>
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<tr>
<td>DTP3</td>
<td>Diphtheria-tetanus-pertussis immunization</td>
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<tr>
<td>ECD</td>
<td>Early Childhood Development</td>
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<tr>
<td>EMIS</td>
<td>Education Management Information System</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>FY</td>
<td>Fiscal Year</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
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<tr>
<td>GNI</td>
<td>Gross National Income</td>
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<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<tr>
<td>HRU</td>
<td>Human Rights Unit</td>
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<tr>
<td>IDP</td>
<td>Internally Displaced Person</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>IMCCR</td>
<td>Inter-Ministerial Committee for Child Rights</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<tr>
<td>KAS</td>
<td>Kosovo Agency of Statistics</td>
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<tr>
<td>KOMF</td>
<td>Coalition of NGOs for Child Protection (Albanian acronym)</td>
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<tr>
<td>MED</td>
<td>Municipal Education Directorate</td>
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<td>MEST</td>
<td>Ministry of Education, Science and Technology</td>
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<td>MICS</td>
<td>Multiple Indicator Cluster Survey</td>
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<td>MLSW</td>
<td>Ministry of Labour and Social Welfare</td>
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<td>NDS</td>
<td>National Development Strategy</td>
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<tr>
<td>NGO</td>
<td>Non-Government Organization</td>
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<tr>
<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
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<tr>
<td>OSCE</td>
<td>Organization for Security and Cooperation in Europe</td>
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<tr>
<td>PISA</td>
<td>Programme for International Student Assessment</td>
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<tr>
<td>PRTAN</td>
<td>Prevention and Response Teams towards Abandonment and Non-Registration</td>
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<tr>
<td>SNAPC</td>
<td>Strategy and Action Plan on Children’s Rights</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNFPA</td>
<td>United Nations Fund for Population Affairs</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<tr>
<td>UNSCR</td>
<td>United Nations Security Council Resolution</td>
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<td>WHO</td>
<td>World Health Organization</td>
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Acknowledgements

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Executive Summary

This report presents an overview of the situation of children in Kosovo using the results of the most significant research and analysis over the last five years in areas related to the wellbeing of children. It is the product of a series of interviews with national and local officials and individuals, and a desk review of key reports, studies, surveys and evaluations produced between 2011 and 2016 in the area of child rights in Kosovo by UNICEF and its development partners. By focusing on the key knowledge gaps related to inequities and child deprivations and promoting the broad engagement of all stakeholders, the Situation Analysis is intended to make a contribution to implementation of the 2017-2021 National Development Strategy, in order to accelerate achievement of national and child-related Sustainable Development Goals with equity.

The report is divided into several sections. Following a short introduction outlining the methodology, a section entitled National Context provides information on the geographical, political, economic and social situation in Kosovo. The next section, the Enabling Environment for Children’s Rights, looks in depth at more specific aspects of governance for children in Kosovo. This is followed by the main part of the report The Rights of Children, which provides a current snapshot of the issues affecting the lives of children and women, from the perspective of children’s rights, the human rights-based approach to programming, and life cycle and equity issues affecting the most vulnerable groups of children in Kosovo.

The political context in Kosovo has seen several changes in the last five years. An agreement was reached in Brussels on 19 April 2013 between Serbia and Kosovo to come to a broad common understanding on the governance of the Serbian-majority areas of Kosovo. Following elections in 2014, a new coalition came to power, which adopted its Programme for Government in 2015 and a National Development Strategy (NDS) for 2016–2021 in January 2016. The National Development Strategy (NDS) focuses on creating additional jobs in the formal economy, but apart from a focus on education, it contains very little about the welfare of children, women or families.

Political instability has slowed the pace of legislative reform in Kosovo in recent years. While legislation is broadly in line with international standards, there are significant gaps in the legislative framework, particularly concerning implementation. The endorsement of the new Law on Child Protection, to formalize and advance the enabling environment for protection structures, have repeatedly stalled. The decentralization of public services, which took place in 2009, was not accompanied by a specific budget line to ensure provision of social services at municipal level. Even implementation of satisfactory legislation also requires political will, technical capacity and adequate financial allocations. In many cases all of these are lacking.

While lack of budgetary disaggregation makes it impossible to determine the proportion of spending on children, financing of children’s services appears to be inadequate. There is a tendency to focus on capital investment and salaries rather than improving systems and developing capacity for social
sectors. Meanwhile, Kosovo’s interpretation of International Monetary Fund conditions for reducing expenditure on public sector wages makes it very difficult to hire frontline professionals in critical areas. Much of the funding for critical children’s services, particularly social services, comes from international organizations and non-government organizations. Official development assistance to Kosovo has remained at a stable level per capita in recent years but has declined as a proportion of gross national income. In 2009, Kosovo adopted a decentralized mode of governance, which divided its territory into 38 municipalities and gave them substantially enhanced powers and responsibilities for service delivery. However, the municipalities in many cases lack the technical capacity to meet their requirements under national legislation.

A rather complex system has been established for monitoring children’s rights in Kosovo. The Inter-Ministerial Committee for Child Rights, chaired by the Prime Minister, was established in 2008 and is mandated to meet twice a year. Meanwhile the Council on Child Protection and Juvenile Justice, which is intended to coordinate work at a more technical level, has been somewhat marginalised since 2013, and its future role will depend on the new Law on Child Protection. The mandate of Child Rights Officers in line ministries and in municipalities is not clear, particularly as they often have several other duties to attend to.

There have been advances in healthcare provision in Kosovo in recent years, with resulting improvements in the health outcomes of mothers and infants. Infant mortality has fallen sharply over the last 15 years, largely as a result of better access to facilities and better training for healthcare professionals. Most pregnant women receive the recommended four antenatal care visits, and generally births are attended by skilled healthcare personnel. However, there is over-reliance on Caesarian sections in Kosovo, and a range of health and healthcare indicators remain poorer among the Roma, Ashkali and Egyptian communities than the general population. Prematurity was the proximate cause of most perinatal mortality in 2015, while poor data collection hinders analysis of maternal mortality.

With regard to the health of 12-59 month olds, mortality has generally been falling, though slightly more slowly than infant mortality. At 79 per cent, full immunization, vaccination rates are relatively high in Kosovo but there are still some concerns, particularly for the Roma, Ashkali and Egyptian communities.

Adolescent health appears to be poorly catered for, with few specially-trained healthcare professionals, and only pilot training of family doctors to date. Adolescents lack information about the health services available to them, or the opportunity to help to design them. Sex education is constrained by cultural and religious factors and this has the potential to reduce awareness of the risks of pregnancy and sexually transmitted infections among adolescents. Multiple Indicator Cluster Survey data indicates that girls from the Roma, Ashkali and Egyptian communities are more likely to give birth before the age of 18 than girls in the general population. While research by the United Nations appears to show that the prevalence of illegal drug use among adolescents is not alarming, this is disputed by some NGO sources. Injuries from physical fights appear to be very common in Kosovo, particularly among adolescent boys.
Few children in Kosovo are malnourished, although poor nutrition is slightly more prevalent in the Roma, Ashkali and Egyptian communities. The percentage of children who are exclusively breastfed under six months was 40 per cent in 2013-14. While low, this represents a significant improvement on the 12 per cent recorded in a 2001 micronutrient status survey. Less than half of the children in Kosovo aged 6-23 months receive a minimum acceptable diet, primarily because of lack of dietary diversity. This is a particular challenge in the Roma, Ashkali and Egyptian communities and the poorest quintile.

**Water** provision is generally good, in Kosovo, though there are gaps in rural areas, for the poorest households and for the Roma, Ashkali and Egyptian communities.

It is necessary to put the electronically-based health information system for Kosovo fully into operation. This would both improve tracking of, and responsiveness to, individual patients, and help better understand the healthcare situation and assist with planning for future provision. A new system is being piloted and will take time for full implementation.

A sensitively designed health insurance system could reduce out-of-pocket spending, which makes healthcare extremely expensive or unaffordable for the poorest in society. A system is currently under development, and collection of premiums is expected from August 2017.

**Early childhood development** has been identified as a concern in Kosovo. The 2013-14 MICS findings indicate that only 6 per cent of fathers and 43 per cent of mothers engage in activities with their children: this is particularly true of fathers. Meanwhile enrolment of under-fives in pre-school is also low in Kosovo compared to other parts of the Balkans, and particularly low among the Roma, Ashkali and Egyptian communities and in rural areas. The National Development Strategy (NDS) and the Education Sector Plan (KESP) 2017-21 suggest that the Institutions of Kosovo intend to address this by increasing supply of pre-school infrastructure and staff, and developing a curriculum. However, the National Development Strategy (NDS) does not directly address issues around motivation to learn, widening opportunities for parents to participate in their children’s cognitive development, or community-based provision of early learning.

More than four out of five children in Kosovo now attend pre-primary classes, a rise of 10 percentage points over a five-year period. MICS figures suggest that children from poorer households are less likely to attend pre-primary education. There also appears to be a lower proportion of Roma, Ashkali and Egyptian children attending the pre-primary year (though according to the Multiple Indicator Cluster Survey (mix) slightly more attend pre-school aged 36-59 months). This widens inequities on entering school, as those without pre-primary education are often less prepared for primary school.

It appears that the vast majority of children in Kosovo of school age are enrolled, and there have been significant improvements in enrolment of Roma, Ashkali and Egyptian children in recent years. However, a lack of data makes it difficult to estimate the proportion of children with disabilities who do not attend school, and at the point of transition from compulsory to non-compulsory education at the age of 15, significant proportions of children drop out, particularly from low-income families and
the Roma, Ashkali and Egyptian communities. Lack of data on out-of-school children at all levels is a significant gap. Meanwhile, population movements and changes are leading to overcrowding in urban schools and closure of rural schools.

There are serious concerns about the quality of education in Kosovo, which came 70th out of 72 territories in the 2014 PISA assessment. According to the Ministry of Education, Science and Technology, the professional training currently provided in vocational schools does not meet the demands of the labour market.

Children’s right to a protective environment is limited by the lack of technical and material capacity in Centres for Social Work and the lack of authority of the case management roundtable system. As mentioned above, social services are currently not adequately financed.

Continuing barriers to full registration of all the population, particularly in rural areas, are the cost of reaching registration offices and lack of capacity of local service providers. In the last five years, there appear to have been significant improvements in birth registration among the Roma, Ashkali and Egyptian communities. This is largely the result of targeted action as part of the 2009-15 Strategy for the Integration of Roma, Ashkali and Egyptian Communities in the Republic of Kosovo 2009-2015.

Violence against women and children in the home is widespread and considered acceptable by significant proportions of the population. Legislation is in place that broadly meets international standards for countering domestic violence. However, there is an acute shortage of capacity for Centres for Social Work to respond proactively, make risk assessments or prevent violence in the home, and coordination between services is still weak. Meanwhile, UNICEF research has found that other professionals who share legal responsibility for prevention, identification, registration and referral – such as teachers, healthcare professionals and police officers – do not do so because of the overall tolerance of violence and a widespread belief that domestic violence is a family issue and that they should not interfere. Legislation against child trafficking has been strengthened in recent years; nevertheless the problem persists, and corruption enables some trafficking crimes (Kosovo is in the TIP Tier 2).

There has been legislative progress in addressing child labour in recent years but it continues to be prevalent in Kosovo, including the most hazardous forms of child labour. The most challenging areas of child labour to be addressed in Kosovo include begging, agriculture and mining.

Kosovo does not house children without parental care in large residential institutions like many of its neighbours in the Balkans, but rather focuses on alternative childcare provisions, such as kinship care, foster care and guardianship. However, there is a shortage of professional foster care families in Kosovo, particularly in Pristina where allowances may not be seen as financially viable. Adoption is very rare in Kosovo, particularly for children with disabilities. Most young children leaving state care lack access to programmes to support them in their transition to adult life.

Kosovo has set up an extensive system and relatively well-financed repatriation programme to provide support to families, including children, repatriated from elsewhere in Western Europe, from
the moment they are notified of the host country’s intention to repatriate until a year after they get back. Some children return to Kosovo without birth certificates and other documentation, making integration challenging in the light of municipal government requirements. Discrimination against Roma, Ashkali and Egyptian families in particular makes finding accommodation, entering school and accessing social services particularly challenging. Families faced with difficulties reintegrating in Kosovo are more likely to look to leave again for Western Europe.

Legislative reforms including changes in the draft Juvenile Justice Code, are ongoing to improve justice for children and access to justice in Kosovo, which has seen a slight rise in pre-trial detention between 2013 and 2015. The right of children to education in pre-trial detention is largely denied, while it is significantly constrained during post-trial detention. Female juvenile offenders are detained with adult women offenders, breaching international standards for administration of juvenile justice. Meanwhile, there is a lack of services for children under the age of criminal responsibility to prevent future offending and recidivism. This is because of lack of human and material resources, as well as of capacity and prevention programmes.

Social assistance to families is the only cash social protection programme in Kosovo designed with the specific objective of poverty reduction among the working age population. However it provides less income than the extreme poverty rate, and the criteria to receive it are very tight. Efforts to reduce the number of beneficiaries are aggravating the problem. Children are more likely than others to be in poverty: their overall poverty rate in 2011 was 32.8 per cent compared to 29.7 per cent for the population as a whole.

Despite decentralization, social service provision by public sector bodies at municipal level is minimal because of the lack of required financing lines. This requires changes to the Law on Local Government Financing to require municipalities to provide specific social services. The number of social workers employed by municipalities is low, and they have had few opportunities for professional development: they also largely lack resources for preventive work and field visits, and lack services to refer clients to. There is a reliance on donors for funding social services for vulnerable groups at municipal level.

Space for adolescent participation in decision making remains limited. Little information is available about decision making within the family. Student Councils have been established in most municipalities and also at national level. While Student Council members advocate for children’s rights, there are concerns about school engagement and lack of institutional memory to support the Councils in the civil service. Child-Led Municipal Assemblies have been established in six areas to influence local government. Vulnerable groups are included but participants are selected by school administrations rather than elected by the student body.

Kosovo has very high numbers of young people not in employment, education or training. Young women are less likely to participate in the labour market, largely because of cultural expectations of childcare. Young people with disabilities and those from the Roma, Ashkali and Egyptian communities continue to face structural barriers to employment.
Little has been done to ensure that young people’s voices are heard and acted upon in decision making. In personal decision making, young people rely heavily on older relatives’ judgment. An Open Democracy report from 2016 found that the education system does not provide youth with knowledge, skills and self-assurance needed for meaningful participation though efforts are underway that seek to bridge the gap between school and work.

There are no data on the total number of children with disabilities in Kosovo, making analysis of the challenges they face very problematic. Only children with permanent disabilities receive special financial assistance. While there has been some success at including children with disabilities in schools in recent years, much of this has been in segregated classes. Because of the lack of financing for social services at municipal level, almost all day-care services for children with disabilities are provided by NGOs and are not sustainable because they are dependent on donor financing.

Kosovo has made some progress in recent years to end structural discrimination, partly as a result of the institutions of Kosovo’s 2009-15 Strategy for Integration of the Roma, Ashkali and Egyptian Communities. However, MICS studies carried out in 2013-14 for the general population and the Roma, Ashkali and Egyptian communities, along with other evidence, reveals that there are still gaps in outcomes in several areas between the communities.

In summary, at central and municipal level, the key barriers to equitable development of children appear to be a lack of prioritization of children’s rights, expressed most particularly in the insufficient funding provided for children’s services. There appears to be limited efforts to understand the wider impact of poverty on children, and to take measures to overcome it. More should be done to ensure that the rights of children are fulfilled irrespective of whether their families can pay for services. Another key gap is a lack of capacity at central and municipal level to effectively plan and provide training to ensure that frontline professionals can provide their services effectively. At the same time, information systems also need to be strengthened to ensure that data is available to understand challenges and act upon them. In addition to financial access and capacity in the system, another barrier to children enjoying their rights is social attitudes. These can lead parents not to access services, to condone harmful practices (such as corporal punishment and, to a lesser extent, child marriage), and to discriminate between their own children (for example, by gender or disability status). These social attitudes require further exploration and efforts to overcome them.
Analysis of the Situation of Children and Women in Kosovo

1. INTRODUCTION
This report provides an overview of the situation of children and women in Kosovo using the results of the most significant research and analysis on these issues over the last five years. It is the product of a series of interviews with national and local officials, civil society activists and young people, and a desk review of key reports, studies, surveys, evaluations and statistical compilations produced between 2011 and 2016 in the area of child rights in Kosovo by UNICEF and its development partners. By focusing on the key knowledge gaps related to inequities and child deprivations and promoting the broad engagement of all stakeholders, the Situation Analysis is an important stocktaking opportunity on progress made and challenges remaining, and is intended to make a contribution to shaping national development strategies, in order to accelerate achievement of the national and child-related Sustainable Development Goals with equity.

1.1 Theoretical underpinning

Following the guidelines set out by UNICEF for a rights-based situation analysis, the Situation Analysis looks at the following four broad categories of rights from the UN Convention on the Rights of the Child.

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**UN CONVENTION ON THE RIGHTS OF THE CHILD: OVERVIEW**

**HEALTH AND WELLBEING RIGHTS** include a child’s right to the best possible standard of health, and supplementary issues such as nutrition, water, and access to medical services.

**EDUCATION AND OTHER DEVELOPMENTAL RIGHTS** include the right to education at all levels, play, leisure, cultural activities, access to information, and freedom of thought, conscience and religion.

**PROTECTION RIGHTS** ensure that children are safeguarded against all forms of violence, including sexual violence, abuse, neglect and exploitation. It also includes care for displaced children; safeguards for children in the criminal justice system; protection of children with regard to child labour; and protection and rehabilitation for children who have suffered violence, exploitation or abuse of any kind.

**PARTICIPATION RIGHTS** encompass children’s freedom to express opinions, to have a say in matters affecting their own lives, to join associations, and to assemble peacefully. As their capacities develop, children and adolescents should have increasing opportunities to participate in the activities of society, in preparation for adulthood.

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Analysis of the extent to which these rights are upheld was conducted using the following interrelated and mutually reinforcing tools:

- **causality analysis**, examining the causes of shortfalls and inequities, probing beyond the immediate causes of non-realization of children’s and women’s rights to determine the underlying and structural causes of the problem; identifying the bottlenecks and barriers to the provision and use of essential interventions and services for children and women;
1.2 Methodology

As mentioned above, Kosovo’s Situation Analysis was developed based on the Guidelines issued by UNICEF for conducting such exercises. Preparation of the Situation Analysis began with the selection of an international and national consultant, and an initial visit by the international consultant to Prishtina to meet UNICEF staff and agree an approach to the exercise, as outlined in the inception report. This was followed by a home-based desk review of the situation of children and women based on existing data and trends. This was primarily based on materials supplied by UNICEF, out of which a zero draft was put together.

Following this, the international consultant returned to Kosovo for a two-week field research period. This included interviews with key stakeholders from the institutions of Kosovo, the Ombudsperson-institution, civil society and international organizations.

Efforts were made to ensure that the voices of children and young people were included. It included three focus groups: a group of seven children and young people with disabilities aged 12-23 in Gjakova (organized by Handicap Kosovo), a group of five college and university students from the Serbian community in the four northern municipalities (organized by UNICEF’s Zvecan Zone Office), and a group of four youth activists in Prishtina (selected by UNICEF’s Innovations Lab). The focus groups were conducted in Albanian (in Gjakova and Prishtina) and Serbian (in Zvecan), with translation for the international consultant provided by the national consultant. The consultancy team facilitated the focus groups with support from the organizers. At the focus groups, efforts were made to ensure respect for participants, beneficence and non-maleficence, and justice as set out in UNICEF ethical standards. In addition, the Situation Analysis also took into account other recent primary evidence gathering among children in Kosovo, notably Save the Children’s Young Voices publication of 2016.
In addition, two workshops were held during this fortnight with UNICEF staff in Prishtina to develop causality, role-pattern and capacity gap analysis of some of the issues facing infants and adolescents in Kosovo.

To ensure input from national partners from Institutions of Kosovo and civil society to the plans and initial thoughts from the process, a Situation Analysis Steering Committee was established. In addition to the co-chairs (UNICEF and the Office of Strategic Planning in the Prime Minister’s Office) the Steering Committee is made up of representatives of the Institutions of Kosovo (the Office of Good Governance in the Prime Minister’s Office); the Ombudsperson’s Office; international organizations (UN Women); international NGOs (Save the Children); and national NGOs (the Association of Kosovo’s Municipalities, the Coalition of NGOs for Child Protection, Balkan Sunflowers, and the Kosovo Education Centre). The Steering Committee held its initial meeting during the initial fact finding mission in October, and then met again to validate the document in May 2017.

The next step of the process was systematic analysis of the socio-political, judicial and institutional environment, systems, behaviours and practices that facilitate or hamper the fulfillment of the rights of children and women. Based on this analysis, the international consultant put together a draft remotely, with the support of UNICEF staff members. For quality assurance purposes, the draft report was sent to Kevin Byrne, an external consultant for review against UNICEF guidelines, and following discussions with the external consultant, another draft was put together. UNICEF Kosovo, UNICEF’s Regional Office, and members of the Situation Analysis Steering Committee also reviewed drafts of the report for quality assurance purposes.

1.3 Limitations and constraints:

Several issues made the report more challenging to conclude. As outlined in Section 3.4, there are serious problems with the accuracy and disaggregation of official data in Kosovo which makes comparison challenging. Meanwhile, though the 2013-14 Multiple Indicator Cluster Survey (MICS) provides a lot of useful data, this is already out-of-date in some areas (for instance, with regard to pre-school attendance, which has increased substantially since 2014), and is also not disaggregated by region, making it difficult to ascertain regional differences.

The nature of the situation in Kosovo meant that care was needed to ensure that certain issues, such as the relationship between ethnic Albanians and ethnic Serbians, was handled sensitively. A working day in Zvecan, at which the consultancy team met frontline professionals, civil society activists and young people from the four districts, helped to ensure that a Kosovo Serbian perspective was included in the research.
1.4 Structure

Based on the guidelines for Situation Analysis issued by UNICEF,1 the Situation Analysis for Kosovo is divided into several sections. Following a short introduction outlining the methodology, a section entitled National Context provides information on the geographical, political, economic and social situation in Kosovo.

The next section, the Enabling Environment for Children’s Rights, looks in more depth at more specific aspects of the context for children in Kosovo. It examines the structures currently in place for monitoring children’s rights, and some areas that require strengthening. It also looks at some of the partnerships, collaboration and coordination in place between public sector institutions, civil society organizations, communities and other duty bearers playing a role in the fostering of child friendly values in governance systems. It considers the challenges and opportunities that exist to make municipalities and central institutions more accountable for children’s rights and more responsive to issues affecting children. Finally, it will address the current aid environment, to understand how this affects children’s rights in Kosovo.

The main part of the report, The Rights of Children, provides a disaggregated assessment of the status of and trends in the realization of the four categories of rights that appear in the UN Convention on the Rights of the Child (CRC): health and wellbeing; education and other developmental rights; protection; and participation. For more on what these categories of rights entail, see the text box above.

The final section draws conclusions and makes policy and programmatic recommendations to address the shortfalls and disparities reported, and to accelerate progress towards development goals and the fulfilment of human rights conventions.

Analysis of the Situation of Children and Women in Kosovo
2. THE CONTEXT OF KOSOVO
2.1 Geographic and geopolitical overview

Located in the southern and western Balkans, Kosovo is largely mountainous. Agriculture, livestock raising, forestry, and mining are the major occupations. There are rich deposits of lignite (brown coal), lead, nickel, zinc, and other minerals.2

Following the 1999 armed conflict, Kosovo became a UN protectorate under United Nations Security Council Resolution 1244 in 1999. On 17 December 2008 it declared independence. As of 8 July 2016, Kosovo has received diplomatic recognition from 119 of the 193 member states of the United Nations (including all of its neighbours apart from Serbia). However, Serbia continues to claim Kosovo as part of its territory, and Kosovo has not yet been admitted to the United Nations and other international organizations.

Citing UNHCR figures, the UN Special Rapporteur on the Human Rights of Internally Displaced Persons (IDP) stated in September 2016 that there were still 88,000 vulnerable IDPs in Serbia and over 16,000 in Kosovo displaced following the 1998-99 conflict and a further outbreak of violence in 2004 who lacked durable solutions to their displacement. He noted that many IDPs are still living in squalid conditions, especially those belonging to the Roma, Ashkali and Egyptian communities.3

Administratively, Kosovo is divided into 38 municipalities. Although tensions remain palpable between Kosovo-Albanians and Kosovo-Serbs in a limited number of areas (particularly in Mitrovicë/Mitrovica region in the north), they are mostly local in their impact and do not affect broader progress.4 During 2015, the four Serb-majority municipalities in northern Kosovo (Mitrovica North, Leposavić, Zubin Potok, and Zvečan) began operating under Kosovo’s institutional and legal framework. However, Serbia also continues to maintain administrative structures in the four municipalities.5

2.2 Demographic overview

The Kosovo Agency of Statistics has estimated that in December 2015 the population of Kosovo was 1,771,604 inhabitants, a slight reduction from the 1.805 million estimated from a year earlier. This reduction arises from net international emigration of 33,340 and natural population growth of 22,232.6 An emigration wave began in late 2014 and continued into early 2015, as a result of political uncertainty and a growth in unemployment, particularly among young people.7 It is estimated that up to 100,000 people left Kosovo between 2014 and February 2015,8 including 7,500 to 10,000

6 Kosovo Agency for Statistics figures
from the Roma, Ashkali and Egyptian communities (which would account for 20 per cent of the total population from these communities).9

The graph below shows the economic importance of migration for Kosovo in comparison with its neighbours. More than 10 per cent of GDP consists of remittances from migrants. This is substantially higher than its neighbours in the western Balkans.

The number of first time asylum applications to European Union and European Free Trade Association countries rose by a factor of eight between 2012 and 2015, from 8,000 asylum seekers in 2012, to 18,000 in 2013, 35,000 in 2014 and 68,000 in 2015.11 However, asylum seekers from Kosovo are very unlikely to receive refugee status: the proportion whose claims were recognized at first instance in the 28 European Union countries was 2.3 per cent in 2015 and 4.4 per cent in 2016.12 This has led to the large-scale repatriation to Kosovo of individuals and families (see Section 4.3.8 Returnee and repatriated children below). The Situation Analysis research did not identify evidence of children being left with grandparents or other carers when parents migrated abroad to work, as can be the case in other parts of the world: however it may be that more research should be conducted about family decisions to migrate and their varying impacts on children.

Figure 1: Remittances and net official development assistance as percentages of GDP, 2009-2012, selected territories10

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11 UNICEF, Kosovo (UNSCR 1244) in its early demographic dividend stage – a time sensitive opportunity, July 2016
Kosovo’s population is the youngest in Europe with an average age of 29.5 years in 2011 (the figure for the EU was 40.9 years). At the time of the 2011 census, around 47 per cent of the population were below the age of 24 and only 8 per cent are over 64. This presents an opportunity for a so-called demographic dividend, as the growth rate of the labour force in upcoming years exceeds that of dependents, resulting in surplus resources for investments in economic development and family welfare. At the time of the 2011 census, 62 per cent of inhabitants lived in rural areas.

### 2.3 Ethnic context

According to the Constitution, Kosovo is “…a multi-ethnic society consisting of Albanian and other Communities…” The population is composed of Kosovo Albanian (92%), Kosovo Serbs (4%), and other minorities such as Bosnians, Gorani, Turks, Roma, Ashkali, and Egyptians (in total 4%). Languages spoken include Albanian, Serbian, Bosnian, Turkish and others. The main religions are Sunni Islam, Orthodox Christianity, and Roman Catholicism.

Statistics from UNHCR suggest that in mid-2016 there were 203,140 people displaced from Kosovo living in Serbia. In 2014, 74 per cent (about 150,000 people) were ethnic Serbs, which would be a higher number than the number of Serbs living in Kosovo itself. Meanwhile, a further 22,431 were ethnic Roma. As mentioned in Section 2.1 above, 88,000 of these IDPs are considered vulnerable and continue to have displacement-related needs and lack durable solutions.

Between 2000 and 2015, only 26,666 persons voluntarily returned to Kosovo from outside. The reasons others are unable to return include damaged or destroyed houses or apartments, with limited availability of reconstruction funds; concerns about relations with the receiving community; lack of resources to relocate; limited access to health and education facilities, and very limited economic means to support themselves in their return locations.

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14 UNICEF, Kosovo (UNSCR 1244) in its early demographic dividend stage – a time sensitive opportunity, July 2016
18 According to the 2011 Census there were 25,532 Serbs living in Kosovo [http://askdata.rks-gov.net/PXWeb/pxweb/en/askdata/askdata__14%20Census%20population__Census%202011__2%20Republic%20of%20Kosovo/census40.px/table/tableViewLayout2?xmlid=6c75a9aa-627c-48c6-ae74-9e1b95a9c47d]. However, the four northern districts are not included because the KAS has as of yet been unable to conduct a census there, and there was a partial boycott by Serbs in other parts of Kosovo. A 2012 estimate gives the number of ethnic Serbs in Kosovo at between 90,000 and 120,000. [Helsinki Committee for Human Rights in Serbia, Serb Community in Kosovo, 2012, at http://www.helsinki.org.rs/doc/Serb%20Community%20in%20Kosovo.pdf]
While current legislation is in place that meets international standards regarding the protection of minorities, the European Union encourage authorities to continue its trajectory of improvement regarding some human rights areas (incidents of property theft, insecurity, etc) among Kosovo Serb returnees and other members of minority communities.\textsuperscript{22}

Meanwhile, Roma, Ashkali, and Egyptians are continuing to face problems acquiring personal documents. This affects their ability to access healthcare, social assistance, and education. For more on the particular challenges facing these communities, see Section 5.3 below.

In total, the police registered eight cases of inter-ethnic violence between January and July 2016, without specific references to whether incidents involved physical and/or material violence. It is also not known whether all incidents are included in the figures.\textsuperscript{23}

2.4 Political context

Since elections in June 2014 Kosovo has had a ruling Coalition of its two major parties: the Democratic Party (PDK) and the Democratic League (LDK). The Government programme of Kosovo (adopted in early February 2015) and the National Development Strategy 2016–2021 (adopted in January 2016) have focused (among other priorities) on creating additional jobs in the formal economy. This has been particularly urgent since the mass exodus of an estimated 5 per cent of Kosovo’s population (mostly without the required visas) to EU countries during a “winter of discontent” in 2014–15. This period also saw political protests about the Association of Serb Municipalities and the Agreement on Demarcation.\textsuperscript{24} The political unrest limited the functionality of the Assembly of Kosovo, thereby delaying approval of important legislation. However, 2015 also saw the signature of the Stabilization and Association Agreement between the EU and Kosovo - opening the path for reforms towards EU accession.\textsuperscript{25}

In 2009, Kosovo adopted a decentralized mode of governance, which divided its territory into 38 municipalities and gave them substantially enhanced powers and responsibilities. However, the decentralization process has proved challenging, as the municipalities in many cases lack the technical capacity to meet their requirements under national legislation. This, along with budgetary shortages partially caused by the lack of mechanisms for ensuring budgetary transfers from central to local level, along with political tension, means that residents of many municipalities, including children, are not receiving the social services they require.\textsuperscript{26}

Following years of uncertainty, an agreement was reached in Brussels on 19 April 2013 between Serbia and Kosovo to come to a broad common understanding on the governance of Serbian-majority areas of Kosovo. This built on the draft status settlement proposal proposed by UN Special Envoy Martti Ahtisaari in 2007. However, there is still a need to resolve several issues that are also part of the Brussels agreement and that are creating delays in improving the quality of children’s lives. These include delays to integration of courts in the northern municipalities into Kosovo’s judicial system and ensuring that judicial and prosecutorial posts in Serb-run municipalities are ethnically balanced, and delays to recognition of university diplomas and agreement on property rights.

2.5 Socioeconomic context

Kosovo is classified as lower-middle income, and has enjoyed relatively solid economic growth since the end of the war in 1999. The challenging economic situation in the Balkans and the EU has affected Kosovo’s economy, although less than in other countries of the region. The World Bank attributes this to Kosovo’s limited integration into the global economy; steady remittances (10.5% of GDP in 2015), particularly from Germany and Switzerland; relatively high expenditure on public investment; and a steady inflow of donor support (17.2% of GDP in 2015). According to figures quoted by the World Bank for 2009-2012, Kosovo has depended significantly more on both international financial assistance and remittances than its neighbours in the region for GDP growth.

The World Bank is also generally positive about Kosovo’s growth in upcoming years. Growth was 3.6 per cent in 2015 and is estimated to remain at the same level in 2016. Nevertheless, Kosovo remains one of the poorest parts of Europe, with per-capita GDP of about €3,196 (US$ 3,551) per capita, which is about a tenth of European levels. The institutions of Kosovo calculates that to attain the level of the EU, Kosovo would need a growth rate of 8 per cent for the next 30 years.

Inconsistent supply of electricity has been identified as a major constraint to economic growth in Kosovo. There are also concerns about the lack of a productivity base at home, and Kosovo’s failure to develop a significant and competitive export sector.
These economic challenges have a high impact on the most vulnerable. Kosovo continues to struggle with high rates of unemployment and poverty. Joblessness is estimated at about 35 per cent, and disproportionately affects women and young people (the gap between male and female unemployment – 44.9% and 13.2% respectively - is the highest in the Western Balkans). About 18 per cent of the population lives below the national poverty line (EUR 1.82 per day). No recent poverty assessment is available for Kosovo.

In Kosovo the difference between urban and rural poverty is insignificant, but there are notable regional differences. Extreme poverty disproportionately affects children, older people, households with members with disabilities, female-headed households, and the Roma, Ashkali, and Egyptian communities. As in many other parts of the world, poverty is much more common among households with lower educational attainment.

2.6 Disaster risk context

Kosovo is made up of high mountains and lowlands bisected by numerous rivers. Many of its mountainous areas are still afforested. Shared drainage basins and forests across the western Balkans minimize risks of natural flooding, drought and wildfires in any one country. However, with global climate change, the western Balkans are expected to see an increase in the frequency, unpredictability and intensity of flooding, drought, heat waves and wildfires. Recent natural disasters that have affected Kosovo include floods in April and May 2014. Such disasters affect livelihoods and national development.

2.7 Gender dynamics

Kosovo has a fairly comprehensive legal framework and several mechanisms in place that promote gender equality. These include the Constitution, the Gender Equality Law, the Anti-Discrimination Law, the Law on Protection against Domestic Violence, the Law on General Elections and the Law on the Civil Service.

Nevertheless, certain weaknesses of the legal framework have as of yet remained unaddressed. For example, Kosovo’s 2015 Gender Equality Law (1) does not clearly set out the context for using affirmative action measures and (2) does not differentiate between (a) sex (male and female), which refers to biological traits and (b) gender, which refers to women and men and the social roles ascribed to them by the society in which they live. In addition, the fines envisaged in the Law may not be sufficient to deter discrimination.49 Because of Kosovo not being member of the United Nations, its legislation has not undergone formal scrutiny by bodies such as the CEDAW Committee or the ILO’s Committee of Experts, which would have pointed out such inadequacies.

Policies, strategies and action plans of the Institutions of Kosovo implemented in the past five years that are relevant for gender equality include the following:

- Kosovo’s Programme on Gender Equality (2008-2013)
- Kosovo’s Programme and Acton Plan against Domestic Violence (2011-2014)
- Action Plan for Women’s Economic Empowerment

While Kosovo also has an Agency on Gender Equality, which acts within the Office of the Prime Minister,50 implementation of policies, strategies and action plans remains a challenge, as the institutional leverage of responsible institutions and advocates is inadequate,51 planning is insufficient, and there is a lack of financial capacity for implementation.52 The 2015 Gender Equality Law requires mechanisms for implementation or the extent to which it can be used in practice will also be questionable.53

Programme experience indicates that in the economic, health and education sectors, gender inequality remains acute. Women and girls have lower incomes and control fewer properties, tend to have less access to justice, do not experience the full realization of the legal remedies guaranteed by law, or do not enjoy adequate compensation for crimes or discrimination suffered. Similar patterns exist for lesbian, gay, bisexual, and transgender persons, who face discrimination at all levels: social, family, and institutional. Women and girls with disabilities and Roma, Ashkali, and Egyptian women and girls often face overlapping forms of rights violations.54

52 Information provided by Strategic Planning Office, Office of the Prime Minister, August 2017
54 Information provided by UNICEF staff, November 2016
There is a persistent gender pay gap in Kosovo and less than 10 per cent of businesses are owned or led by women. Insufficient access to credit or loans impedes the growth of businesses led or owned by women: this is partly a result of the lack of property owned by women. Although men and women have equal property rights under law, women reportedly often forfeit their inheritance in favour of their brothers to protect perceived family interests. In 2014, women owned only 8 per cent of properties and land.\(^5^5\)

Traditional views on gender roles have left women in Kosovo under-represented in decision-making at all levels, across a wide range of sectors. However, there have been some noticeable exceptions, including the fourth President of Kosovo, Atifete Jahjaga, who served in the position from 2011-2016. In 2014, 33 per cent of those elected to Kosovo’s Assembly were women: this follows introduction of a quota of at least 30 per cent representation for each gender in the Assembly.\(^5^6\)

Various estimates indicate that between 10,000 and 45,000 women suffered serious sexual assault during the 1998-1999 armed conflict.\(^5^7\) Survivors of this violence remain stigmatized, and a culture of shame and silence surrounds the issue. In March 2014 the Kosovo Assembly approved Law 04/L-172, to legally recognize victims of sexual violence during the armed conflict.\(^5^8\)

In a 2008 survey, 46 per cent of women reported having suffered domestic violence at least once: men (primarily husbands) were the perpetrators of 91 per cent of all cases.\(^5^9\) Although the Law on Protection against Domestic Violence and the National Programme on Protection against Domestic Violence are considered fairly comprehensive, implementation is problematic. While there are shelters for women and children who have suffered gender-based violence, both shelters and rehabilitation and reintegration services are very poorly resourced.\(^6^0\) Gender-based violence in Kosovo is influenced by strong social norms, social expectations and factors that encourage violent practices against women and children.\(^6^1\) For more on gender-based violence, see Section 4.3.2: Violence, Abuse and Neglect below.


\(^5^6\) IDEA, *Gender Quotas in Special Areas: Kosovo*, 2014, at http://www.idea.int/gender/quotas_special_areas.cfm?country=123


\(^6^1\) UNICEF, *Qualitative Research on Social Norms around Gender-Based Violence and the Physical Punishment of Children in Kosovo (UNSCR 1244)*, July 2016
Gender stereotypes are perpetuated in almost all classes and social groups: historically, the role of women in the family in Kosovo is connected with reproductive ability, and men are responsible for most family and community decisions. Women are trusted with attending to the needs of children, supporting their education in a limited way, and also completing household chores. Men, on the other hand, are the uncontested heads of household, fully responsible for income generation and family financial provision. Men also have almost exclusive access to inherited wealth, making women dependent and lacking control over essential resources. These gender roles and stereotypes are perpetuated in most cases by the different ways in which boys and girls are treated and expected to behave in the household as children. However, according to the Strategic Planning Office of the Office of the Prime Minister, this norm is less prevalent in modern-day Kosovo as some families have abandoned these forms of division.

62 UNICEF, Qualitative Research on Social Norms around Gender-Based Violence and the Physical Punishment of Children in Kosovo (UNSCR 1244), July 2016. Information in this paragraph is drawn from this source
63 Information received from Strategic Planning Office, Office of the Prime Minister, August 2017
3. THE ENABLING ENVIRONMENT FOR CHILDREN’S RIGHTS
3.1 Legislation and policy

Kosovo has made significant progress since 1999 in bringing its legislative framework into line with international norms, including those for children’s rights. Most laws, policies and strategies for children are now to a large extent aligned with international standards. For example, the Convention on the Rights of the Child (CRC) was recognized as fully applicable in Kosovo’s Constitution in 2008, while legislation also adheres to the Convention on the Elimination of all Forms of Discrimination Against Women, the Convention on the Rights of Persons with Disabilities and 18 other UN instruments, as well as with the European Convention on Human Rights, the European Social Charter, the Lanzarote Convention on the Protection of Children Against Sexual Exploitation and Abuse, the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, and the European Guidelines on Child-Friendly Justice.64

However, it should be noted that because Kosovo is not a member of the United Nations and other international organizations is not party to many of these agreements, including the UN instruments, and therefore does not report to treaty bodies and receive feedback from them. To compensate for this, the Office of the Prime Minister has institutionalised an annual report card system on the situation of children in Kosovo on health, education and social services, which mirrors to some extent the CRC system.65

However, a number of rights and obligations recognized by the CRC are still not part of any law currently in force in Kosovo. In addition, there is not yet an integrated and specific law on child rights, to clarify interpretation of CRC principles and incorporate other rights and secondary norms. Instead, child rights are fragmented between different sectors, and this sometimes leads to different interpretations by judges and civil servants.66 For details on the extent to which Kosovo’s legislation is compatible with the CRC, see UNICEF’s 2014 study.67

A Law on Child Protection has been drafted and has passed its first reading in the Kosovo Assembly. While it still awaits endorsement, its primary intended function is to strengthen child protection systems at central and local level, and address the fragmented and reactive nature of the child protection systems currently in place.

While the Draft Law incorporates the principles of the CRC, offering a good basis for a systematic approach to children’s rights protection, major gaps need to be tackled before approval. Primarily, it does not include provisions on mandatory budgeting allocation to support services for children at municipal level.68 This is a key concern that needs to be addressed to ensure that services can be provided for vulnerable children, but a proposed amendment to the draft law to address this

65 Information provided by UNICEF, 1 February 2017
concern, along with others with financial implications, was removed from the draft law in August 2016. Key stakeholders – including UNICEF, the EU Special Representative’s Office in Kosovo, the Ombudsperson, Save the Children, and KOMF (the Albanian acronym of the Coalition of NGOs for Child Protection) – have reiterated and officially addressed these concerns about the draft law to Assembly of Kosovo (AoK) parliamentarians on the Functional Committee on Human Rights, Gender Equality, Missing Persons and Petitions. Specific proposed amendments to the draft law have been endorsed by the respective committee and are under consideration by the AoK.69 At the time when this report was in the process of drafting, the Assembly of Kosovo was dissolved on 11 May 2017 due to the announcement of general elections on 11 June 2017. Pursuant to Article 86 of the Rules of Procedure, the draft laws that were in the process of review by the Assembly, will be considered unfinished by the next legislative. The Law on Child Protection will have to be re-submitted by the Government to be reviewed by the VI mandated Legislature of the Assembly.

In addition to legislation, Kosovo has also been proactive in developing national strategies many of which are intended to further children’s rights. The country’s overarching strategy is the National Development Strategy for 2016-21 (NDS). The NDS is intended to ensure the highest annual economic growth rates to increase the employment and welfare of Kosovo’s population. Secondly, this economic growth is intended to lead to social cohesion and inclusion of all social groups. According to the Strategy: “Social inclusion is required not only as a pre-requisite for equitable society and social justice, but also because it drives larger and more sustainable economic growth and it contributes to ensure political stability and social order.”70

While the National Development Strategy (NDS) directly addresses education as its first priority pillar, the NDS does not directly address challenges related to health, child protection and social protection that are inherently important for equity reasons, but also vital for sustainable economic growth. In this context, UNICEF has developed guidance for the Strategic Planning Office on how the NDS can best be implemented to realise the broad range of children’s rights. The Agenda for Children document provides suggestions of how children’s rights issues can be monitored through the embedding of indicators and targets for children in the roadmap for NDS implementation.71

The Strategy and Action Plan on Children’s Rights (SNAPC) in Kosovo (2009-2013) set targets and timelines to achieve progress for children in the areas of education, health, youth, social protection, juvenile justice, good governance and budget allocation.72 As of October 2016, preparations are underway for the drafting of a new Strategy on Children’s Rights: in 2015 an assessment of the 2009-2013 SNAPC was conducted, followed by consultations held throughout 2016 with municipalities and children’s groups around the country. The Office of Good Governance in the Office of the Prime Minister is now drafting objectives for the new Strategy.73

71 UNICEF Kosovo, An Agenda for Children: UNICEF’s contribution to the implementation of the National Development Strategy 2016 – 2021 and towards unlocking economic and social potential through the progressive realization of children’s rights, May 2016
73 Interview, Office of Good Governance, 18 October 2016. Information provided by UNICEF, December 2016
The 2009-2013 SNAPC was a stand-alone document, and other strategic documents, such as the Strategy for Integration of the Roma, Ashkali and Egyptian Communities 2009-2015 were not aligned to it.\footnote{UNICEF, \textit{Evaluation of the Child Rights Monitoring Systems in Kosovo (UNSCR 1244) 2009-2015}, May 2016} However, the Prime Minister’s Office, which coordinates development of strategies, seeks to avoid duplication between key strategic documents.\footnote{Interview, Office of Good Governance, 18 October 2016} Several other strategic documents with relevance for the rights of children are currently being implemented, or in the process of development. These include:\footnote{Office of Strategic Planning, \textit{Annual Plan of Strategic Documents for 2016}}

- The Kosovo Programme on Gender Equality 2016-2020
- Strategy for Integration of the Roma and Ashkali Communities 2017-2021
- Sectoral Health Strategy (2015-2020)
- Kosovo Education Sector Plan (2017-2021)
- Kosovo Programme against Domestic Violence and Action Plan

Even for laws and strategies that have been introduced, implementation mechanisms are insufficient to translate policies and laws into tangible outcomes for children.\footnote{UNICEF, \textit{The Legal Framework for Child Rights in Kosovo: a Study of the Compatibility of Existing Legislation with the Convention on the Rights of the Child}, 2014. Office for Good Governance, Conclusions from consultative meetings with local / municipal institutions on priority areas for the Strategy and Action Plan for Children’s Rights in Kosovo (2016 - 2020), 2016} In reality, in some cases secondary legislation, and mechanisms to implement it, may not exist. For instance, the Health Insurance Law was passed in April 2014 but as of November 2016 has not come into force. In other cases, the mechanisms may not be functional, or may not be applied by professionals, or not be allocated the financial resources needed to support implementation. For example, the 2010 Law on Protection against Domestic Violence foresees protection orders for victims of domestic violence. However, very few have been issued and even less enforced. Another example is the Protocol in Schools for Identifying and Addressing Cases of Violence, which has only led to a small number of cases being identified. Professionals are not aware of these mechanisms, do not believe in them or lack the capacity to do so, and so they do not apply them. Further on, in June 2015 the Law no. 05 / L - 021 on Protection against Discrimination enters into force, which repeals secondary legislation regulating the function and description of the duties and responsibilities of the units i.e. human rights officers at the level of ministries and municipalities.\footnote{http://gzk.rks-gov.net/ActDetail.aspx?ActID=10924} Article 11 of the current law provides for institutional mechanisms for protection against discrimination in ministries and municipalities defined by the Regulation QRM - NR. 03/2017 on the Institutional Protection Mechanisms for Discrimination, which was approved by the Government in April 2017.\footnote{http://gzk.rks-gov.net/ActDetail.aspx?ActID=14645} More precisely, it is foreseen to designate units or officials for protection from discrimination that should be also responsible for covering children’s rights and it remains to be define them further.
The Ombudsperson states that Kosovo’s institutions need to coordinate and enhance their efforts to respect, protect and implement the rights of the child, including adequate budgetary allocation, and placing children in reality at the top of their agenda.\textsuperscript{80}

**Key messages:**

- Kosovo’s legislation on issues affecting children’s rights is generally broadly in line with international standards.
- Implementation remains a concern.
- There are significant weaknesses in the draft of the Law on Child Protection, and these need to be urgently addressed so an adequate law can come into force.
- There is a major gap in national legislation concerning the funding of social services.

### 3.2 Expenditure on children

In recent years, public spending in Kosovo has been heavily focused on capital projects. The social sector, in contrast, is in need of significantly higher funding levels. A 2014 World Bank assessment of the expenditure for economic affairs, education, health and social welfare showed the following trends.\textsuperscript{81}

**Table 1:** Expenditure by area of social spending 2008-2013, percentage of GDP

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<td>3.7</td>
<td>4.0</td>
<td>3.9</td>
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</tr>
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<td>2.6</td>
<td>2.6</td>
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<tr>
<td>Social protection</td>
<td>3.6</td>
<td>3.9</td>
<td>3.7</td>
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</tr>
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</table>

The current budgeting system of Kosovo’s institutions does not allow for specific targeting of children and does not disaggregate financial data in a way that could quantify expenditure to promote and uphold children’s rights.\textsuperscript{82}

As a result of the decentralization of services, municipalities now have more responsibility for budgeting in general and to uphold children and children’s rights in particular. However, the municipalities do not yet have an integrated interdepartmental approach to planning services, which would take into account the demands of children and children’s rights. In addition, in the absence of secondary legislation on transferring funds for children’s services, as mentioned above, their funding is generally insufficient for the tasks they are required to perform.\textsuperscript{83}

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The IMF has expressed concern that between 2008 and 2014, public sector wages grew almost three times faster than nominal GDP. In this context, the IMF has imposed a public wage bill, linking increases to the total spent on wages by national and local institutions of Kosovo to GDP growth from 2018.84 In this context, the institutions of Kosovo have imposed a rule preventing increases in the number of staff at municipal level. This has been identified as a key constraint to providing social assistance and promoting children’s rights at local level.85

**Key messages:**

- Lack of budgetary disaggregation makes it impossible to determine the proportion of spending on children.
- There is a tendency to focus on capital investment and salaries rather than improving systems and developing capacity.
- The institutions of Kosovo’s interpretation of IMF conditions for reducing expenditure on public sector wages makes it very difficult to hire frontline professionals in critical areas.

### 3.3 Child rights in central and local governance systems

Taken from a 2016 UNICEF report,86 the figure below shows the complexity of the child rights oversight system in Kosovo. More details on the roles of each of the bodies can be found in that report, but summaries can be found below.

The Inter-Ministerial Committee for Child Rights (IMCCR), chaired by the Prime Minister, was established in 2008. According to its regulations it is supposed to meet twice a year. The Office of Good Governance serves as the secretariat for bodies chaired by the Prime Minister with regard to human rights. In summer 2016 an Inter-Ministerial Committee for Human Rights was created, which is intended to cover all human rights committees, including the Inter-Ministerial Committee for Child Rights. It is not yet clear what the specific purposes is of the Inter-Ministerial Committee for Human Rights or how it will relate to the Inter-Ministerial Committee for Child Rights.87

As the Secretariat of the IMCCR, the Office for Good Governance has one senior officer who focuses on children’s rights issues. The officer is tasked with drafting policy to realise child rights (including strategic documents – see section 3.1 above), ensuring that legislative acts are in compliance with the Convention on the rights of the child and EU standards, monitoring the work of ministries, and advising the Prime Minister on how to prioritise child rights. Another task is promoting child rights to the public.88

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85 Interview, Gjakove Centre for Social Work, 17 October 2016; Interview, Association of Municipalities, 18 October 2016.
87 Interviews, UNICEF, 12 October 2016; Office for Good Governance, 18 October 2016
88 Interview, Office for Good Governance, 18 October 2016
Established in 2011, the Council on Child Protection and Justice for Children (CCPJC) answers to the Prime Minister’s Office. Like the Inter-Ministerial Committee for Children’s Rights, the Council is an inter-ministerial body, but it works more at a technical level. It has a mixed mandate of co-ordination, implementation of legal and policy reform and monitoring with a specific focus on child protection and the rights of children in contact with the law. Several Kosovo institutions and civil society organizations are members of the Council; the Ombudsperson and others are observers; and two advisors from UNICEF are external members. From a regulatory perspective, the Council is expected to exercise a broad mandate on areas covered by child protection and justice for children. However, in its few years of existence, the Council has not been able to fully exercise its mandate and perform all its duties. The current (in October 2016) Draft Law on Child Protection does not foresee formalization of the role of the CCPJC, and this should be made more explicit as the process of revision continues (see below).

The Council’s current legal and institutional set-up provides a good foundation for the sustainability of the Council. However, the experience of the past years indicates the need for the Council to establish additional modalities that would guarantee a more effective, efficient and functional body in the long term. Furthermore, following the Mapping and Assessment of Kosovo’s Child Protection system of 2011, it is

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90 Information provided by UNICEF, 6 February 2017
91 Interview, Office for Good Governance, 18 October 2016
important to define and strengthen the role of the Council vis-à-vis the wider system, including at the municipal level (e.g. with regard to the existing Case Management Roundtables), as well as with other mechanisms such as the National Coordination Mechanisms on Domestic Violence and Anti-Trafficking.92

Child rights officers have been embedded in Human Rights Units (HRUs) in line ministries, as well as in municipalities. Regular meetings used to take place with HRU Coordinators in Ministries on a monthly basis, but in 2014-2016, no meetings have taken place: this has had a negative impact on monitoring and inter-ministerial coordination of child rights, as well as child rights monitoring in the country as a whole.93 At municipal level, only seven municipalities have officers in place with specific child rights duties, and these individuals generally have other responsibilities as well. This means that in practice the roles are in practice rather symbolic.94

Civil society organizations also carry out a range of monitoring activities on children’s rights in Kosovo. The 2016 UNICEF evaluation identified 12 such NGOs, both international and local.95 This includes the KOMF civil society coalition, which acts as a watchdog of children’s rights and also conducts evidence-based advocacy on the issues that arise.

**Key messages:**

- Strong involvement in the planning and legislation process at central level combined with weak involvement at municipal level has led to policy tools being conceptualized, but less well implemented.
- Institutional bodies and positions have been created to facilitate a focus on children’s rights, but not all of them are equally successful or taken sufficiently seriously by the Institutions of Kosovo to contribute to sustainability.
- Whereas the Council on Child Protection and Justice for Children has produced some results, most of them in the realm of juvenile justice, the Inter-Ministerial Committee on Child Rights has met infrequently.
- Child Rights Officers at central and municipal level have only been installed in seven places and their impact has been negligible.

### 3.4 Information and data on children’s rights

In order to be able to identify and address barriers and bottlenecks to upholding the rights of children, it is vital to produce and use accurate and timely disaggregated data on the issues that affect them. More needs to be done by all institutions collecting administrative and official data to ensure accuracy.

**Notes:**

92 Information provided by UNICEF, 6 February 2017
Under the Law on Official Statistics in Kosovo, the Kosovo Agency of Statistics (KAS) is officially responsible for collecting, processing and disseminating data for statistical purposes. Despite the fact that KAS capacity has improved over time, lack of accuracy in some statistics is evident.\(^{96}\) In terms of population projection, KAS still considers the national level to be its priority, and has not given sufficient attention to disaggregation of data by age group and ethnicity at local level.\(^{97}\) Meanwhile KAS does not have a data collection system in place on children’s rights.\(^{98}\) Therefore, data and statistics for children are scattered and collected from different actors, according to their own institutional needs rather than being used as evidence-based resources for inter-agency and coordinated decision-making and policy formulation by the institutions of Kosovo.

The Office of Good Governance in the Prime Minister’s Office collects data on implementation of national cross-sectoral strategies that it has led in development, while the Strategic Planning Office has a broader oversight role. When Strategies are in place, the Prime Minister’s Office compiles information and data in monitoring and implementation reports and issues specific recommendations with the authority of the Prime Minister to push Ministries to implement them. This practice was also applied with regard to the Strategy and Action Plan 2009-2013 on Children’s Rights in drafting the “Progress Reports” for children on an annual basis. Given the current absence of a Strategy on Children’s Rights, progress is currently slow in this area.\(^{99}\) However, at the end of 2016, the Office for Good Governance published its “Report Card” to provide an overview of the current situation of children’s rights in Kosovo as a continuation of systematic work that has been initiated in previous progress reports.

There is a range of official bodies that gather data at sectoral level. The National Institute of Public Health collects, collates and integrates data on the use and quality of and universal access to health services, as well as on nutrition. Meanwhile, the Ministry of Health is also responsible for monitoring the healthcare system, and conducting research and surveys. In the education sector, the Ministry of Education, Science and Technology’s (MEST’s) Education Management Information System gathers electronically and publishes information from schools and pre-schools around the country on infrastructure, staff and students, jointly with the KAS. Line Ministries also collect data on social welfare, youth issues and juvenile justice.\(^{100}\) The KAS has expressed the concern that Ministries require further support to be able to provide adequately disaggregated data that can be used to advance children’s rights.\(^{101}\) Therefore, in 2015 KAS and MEST signed a Memorandum of Understanding for utilization of the EMIS data: this has resulted with joint publication of education statistics.

The international community also supports the Institutions of Kosovo with data collection. On children’s rights, the most prominent research was the 2013-14 MICS survey, which was conducted for the first time by KAS with extensive support from UNICEF. About two thirds of the agreed indicators were


\(^{97}\) Information provided by UNICEF, December 2016


\(^{99}\) Interview, Office for Good Governance, 18 October 2016


\(^{101}\) Interview, Kosovo Agency for Statistics, 10 October 2016
not readily available or routinely collected in Kosovo. In interviews for this Situation Analysis several respondents recognized MICS as a key source of data about vulnerable groups in the country.\textsuperscript{102}

Finally, civil society also monitors and collects data that can be used to advance children’s rights. For example, Handikos monitors and collects data on the situation of children with disabilities, while the NGO Monitor monitors the repatriation of Roma, Ashkali and Egyptian individuals and families including children.\textsuperscript{103}

**Key messages:**

- There are serious concerns about the reliability of both official and administrative data in Kosovo.
- There is a particular concern about a lack of disaggregation by location, social group or age group, which would enable evidence-based decision making to take place.
- Data collection on children’s rights is fragmented.

### 3.5 The aid environment

As mentioned above, Kosovo receives more official development assistance per capita than any of its neighbours in the Western Balkans. Between 2011 and 2014, the volume has remained fairly steady between $310 and $330 per capita per year.\textsuperscript{104}

![Figure 3: Official development assistance per capita for the Western Balkans, 2009-14](image)

\textsuperscript{102} Interviews with institutions and civil society, 10-21 October 2016
As a percentage of Gross National Income (GNI), this difference is even starker, though there has been a clear reduction in the proportion of GNI coming from official development assistance:

![Graph showing official development assistance as percentage of GNI for the Western Balkans, 2009-14](image)

**Figure 4:** Official development assistance as percentage of GNI for the Western Balkans, 2009-14

In early 2011, the Institutions of Kosovo adopted a Regulation on Donor Coordination, which enhanced the institutions’ role in coordinating development assistance. The Ministry of European Integration is responsible for coordinating donor activities in Kosovo. It does this through the High Level Forum, responsible for external aid flow within Kosovo; the Aid Management Platform: an online system that is intended to collect and share information on donor support; and other parts of the system that provide administrative support and technical assistance.

According to the Aid Management Platform, as of 13 September 2016, EUR 2.3 billion of aid has been committed to Kosovo since 2001, and EUR 1.7 billion disbursed. According to the figures, the European Union has consistently been the largest donor to Kosovo since 1999. OECD figures for 2014 confirm the predominance of EU official development assistance over that from other entities.

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In 2012, it was reported that Kosovo was the largest per capita recipient of EU financial assistance in the world, but there were doubts about the effectiveness of the aid, particularly in the justice sector.109 According to the Aid Management Platform the sectors that have received most aid have been institutions / civil society110 (EUR 864 million); multi-sectoral (EUR 248 million); energy (EUR 219 million); water and sanitation (EUR 206 million); and education (EUR 168 million). The following table highlights some of the key donors between 2011 and 2016 in areas particularly relevant to children.111

<table>
<thead>
<tr>
<th>Country</th>
<th>ODA Donations ( Million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>European Union</td>
<td>243.4</td>
</tr>
<tr>
<td>Albania</td>
<td>71.1</td>
</tr>
<tr>
<td>Switzerland</td>
<td>69.7</td>
</tr>
<tr>
<td>Germany</td>
<td>41.1</td>
</tr>
<tr>
<td>OSCE</td>
<td>22.7</td>
</tr>
<tr>
<td>Sweden</td>
<td>22.5</td>
</tr>
<tr>
<td>Turkey</td>
<td>16.5</td>
</tr>
<tr>
<td>Austria</td>
<td>12.9</td>
</tr>
</tbody>
</table>
Table 2: Largest donors to specific sectors in Kosovo 2011-16, according to Aid Management Platform

<table>
<thead>
<tr>
<th></th>
<th>Education</th>
<th>%</th>
<th>Health</th>
<th>%</th>
<th>WASH</th>
<th>%</th>
<th>Social welfare / services</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>European Union</td>
<td>18.9</td>
<td>22</td>
<td>2.6</td>
<td>11</td>
<td>26.4</td>
<td>20</td>
<td>0.89</td>
<td>23</td>
</tr>
<tr>
<td>Germany</td>
<td>10.8</td>
<td>12</td>
<td>42.5</td>
<td>33</td>
<td></td>
<td></td>
<td>0.36</td>
<td>10</td>
</tr>
<tr>
<td>Swiss Development Cooperation</td>
<td>9</td>
<td>22</td>
<td>12</td>
<td>9</td>
<td>0.81</td>
<td>21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swiss Economic Cooperation</td>
<td>14.9</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USAID</td>
<td>12.6</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sweden</td>
<td>9.2</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Luxembourg</td>
<td>3.5</td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norway</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.83</td>
<td>22</td>
</tr>
</tbody>
</table>

**Key messages:**

- **Official development assistance to Kosovo has remained at a stable level per capita in recent years but has declined as a proportion of GNI.**
- **The European Union remains the largest donor to the country.**
- **The EU, Norway and Switzerland are key providers of aid to social welfare and services in Kosovo; Switzerland to health; the EU and the US to education; and Germany, Switzerland and the EU to water, sanitation and hygiene.**
4.

THE RIGHTS OF CHILDREN
4.1 Child health and wellbeing

4.1.1 Maternal health

Reported data from maternities suggest that there were no cases of maternal mortality in Kosovo between 2013 and 2015. However, given the fact that the health information system is not functioning properly, these figures should be treated with caution. Twelve cases were reported in 2009, which equated to a rate of 43.3 per 100,000 that year.\textsuperscript{112} For the years 2011-15, the focus of this Situation Analysis, the aggregate maternal mortality using these figures was 3.7 per 100,000.\textsuperscript{113} This figure would be lower than those for several other countries in the Balkans.\textsuperscript{114} However, the authors of the report suggest that this should be treated with caution, as the Health Information System data is incomplete.\textsuperscript{115} No disaggregation is available of maternal mortality rates, but it is assumed to be higher in the Roma, Ashkali and Egyptian communities, as is the case for infant and under-five mortality, and given the fact that coverage of antenatal care is poorer in these communities (see below).

The 2013-14 Multiple Indicator Cluster Survey (MICS) provides useful information about antenatal care. Of the general population, almost all pregnant women (98%) receive antenatal care from medical doctors (96.5% for the Roma, Ashkali and Egyptian community). Three per cent of mothers in the general population did not receive antenatal care more than once and 8 per cent did not receive antenatal care the recommended minimum of four times (23% for the Roma, Ashkali and Egyptian community). Eighty-two per cent of women from the poorest quintile received four or more antenatal care visits compared to 99 per cent for the richest households. Nine per cent of women in the poorest households do not receive an antenatal care visit during the first trimester while five per cent received no antenatal care at all.\textsuperscript{116}

Skilled personnel delivered 99 per cent of births in the two years before the MICS survey (90% doctors and 9% nurses and/or midwives).\textsuperscript{117} For Roma, Ashkali and Egyptian women, 87 per cent of deliveries were by doctors and 11 per cent by nurses and/or midwives.\textsuperscript{118}

\textsuperscript{112} Dr. M. Vuthaj and Dr. B. Maxhuni, Report on Perinatal Situation in Kosovo 2015, Ministry of Health, 2016
\textsuperscript{113} Author’s calculations, from figures provide in Dr. M. Vuthaj and Dr. B. Maxhuni, Report on Perinatal Situation in Kosovo 2015, Ministry of Health, 2016
\textsuperscript{115} Dr. M. Vuthaj and Dr. B. Maxhuni, Report on Perinatal Situation in Kosovo 2015, Ministry of Health, 2016
Figure 6: Proportion of births by Caesarean section by year (the normal range is between the straight lines)

The proportion of general births by Caesarean section had reached 27.3 per cent by 2015, according to Ministry of Health figures. This has been increasing steadily since it was 7.5 per cent in 2000\textsuperscript{119} and it is too high.\textsuperscript{120} Women in urban areas (33\%) and in the richest quintile (35\%) are most likely to receive Caesareans, and in 75 per cent of cases, a doctor is the main influence behind the decision.\textsuperscript{121}

Less than 1 per cent of births take place at home, while 96 per cent are delivered in a public health facility and three per cent in the private sector. While 97 per cent of women who gave birth in a health facility stay in the facility 12 hours or more after delivery, half stay two days or more and nine per cent stay seven days or more. Importantly 8 per cent of newborns did not receive any post-natal care visit following discharge from a health facility, and the figure was as high as 23 per cent for women from Roma, Ashkali and Egyptian communities, and 15 per cent for newborns with older mothers. However, 68 per cent of those from the poorest households did not receive any post-natal care visit on discharge.\textsuperscript{122}

Key messages:

- Generally births are attended by skilled healthcare personnel.
- Poor data collection hinders analysis of maternal mortality.

\textsuperscript{120} WHO and UNICEF, \textit{Building an enabling policy environment for improving child health, development and wellbeing in Kosovo}, 2015, at http://www.euro.who.int/__data/assets/pdf_file/0005/292199/Building-EPE-Improving-CHDW-Kosovo.pdf?ua=1
There is over-reliance on Caesarian sections.
Most pregnant women receive the recommended four antenatal care visits, though a higher proportion of Roma, Ashkali and Egyptian women do not. However, the quality of antenatal care is considered to be an issue.
There are high numbers of mothers, especially among the Roma, Ashkali and Egyptian communities, who do not receive postnatal care visits following discharge with their babies.

4.1.2 Infant health (0-1 years)

Between 2000 and 2015, the infant mortality rate fell steadily. According to MICS, the infant mortality rate between 2008 and 2014 was 12 per 1,000 live births. Most of these deaths occur during the neonatal period (9 per 1,000).\textsuperscript{122} Figures from the Ministry of Health give slightly higher figures for overall perinatal mortality (the total number of stillbirths and early neonatal births) in 2015. It recorded 303 perinatal deaths, equating to 12.1 per 1,000 live births. This includes 177 stillbirths (7.1 per 1,000 live births). However, this figure also suggests a steady reduction over recent years, with perinatal mortality generally falling more quickly than the rate of stillbirths:\textsuperscript{124}

\textbf{Figure 7:} Perinatal mortality per 1,000 births, 2000-15

The Ministry of Health attributes these positive trends to a combination of factors. The main factor is the work done by institutions and international partners in Kosovo to improve access to and quality of healthcare for pregnant mothers, newborns and children by introducing evidence based practices.

and providing opportunities for training, particularly for health professionals involved in providing care in the perinatal and early postnatal period.\textsuperscript{125}

According to the Ministry of Health figures, stillbirths are most common in the obstetric / gynaecological clinic (12 per 1,000), which is to be expected as it is the country’s only tertiary facility and so serious cases are referred there. This is followed by Gjilan regional maternity (9 per 1,000) in eastern Kosovo. Rates fell everywhere between 2012 and 2015, except in private hospitals and Gjilan regional hospital.\textsuperscript{126}

The proximate cause of more than half of Kosovo’s neonatal deaths is prematurity (56%), followed by congenital anomalies (15%) and asphyxia (13%).\textsuperscript{127} The figures are presented in the chart below:

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{chart.png}
\caption{Causes of early neonatal death, in percentage, 2015}
\end{figure}

The MICS figures show several inequities that affect infant mortality. Neonatal and infant mortality rates are about twice as high in the poorest quintiles (9 and 13 per 1,000 respectively) than in the richest (4 and 7 per 1,000).\textsuperscript{128} The infant mortality rate among Roma, Ashkali and Egyptian children is, according to MICS, 41 per 1,000 live births. This has changed little in the last 15 years, is over three times higher than the average infant mortality rate in Kosovo and is the same level as that of the general population a decade ago. One of the factors behind high infant mortality among the communities may be insufficient medical care: 23 per cent of Roma, Ashkali and Egyptian newborns did not receive a timely neonatal post-natal visit, compared to 9 per cent in the general population.\textsuperscript{129}

\begin{flushright}
\textsuperscript{125} WHO and UNICEF, Building an enabling policy environment for improving child health, development and wellbeing in Kosovo, 2015, at http://www.euro.who.int/__data/assets/pdf_file/0005/292199/Building-EPE-Improving-CHDW-Kosovo.pdf?ua=1
\textsuperscript{126} Dr. M. Vuthaj and Dr. B. Maxhuni, Report on Perinatal Situation in Kosovo 2015, Ministry of Health, 2016
\textsuperscript{127} Dr. M. Vuthaj and Dr. B. Maxhuni, Report on Perinatal Situation in Kosovo 2015, Ministry of Health, 2016
\textsuperscript{128} Figures for neonatal and infant mortality for poorest and richest quintiles are based on 250 and 499 unweighted person-years of exposure and therefore should be interpreted with caution.
\end{flushright}
Key messages

- Perinatal mortality fell from 29 per 1,000 to 12 per 1,000 in Kosovo between 2000 and 2015: this is largely a result of better access to facilities, and better training, awareness and knowledge for healthcare professionals.
- Prematurity was the proximate cause of 56 per cent of infant deaths in 2015.
- According to MICS 2013-14 at 41 per 1,000 infant mortality among the Roma, Ashkali and Egyptian communities remains more than three times higher than that of the general population (12 per 1,000).

4.1.3 Young child health (1-4 years)

After children enter their second year, their likelihood of early death recedes significantly. According to MICS, the mortality rate of children aged 12-59 months was 3 per 1,000 live births for the five years preceding the survey. This compares to 5 per 1,000 for the period 10 years earlier.\textsuperscript{130} For Roma, Ashkali and Egyptian children, the figure was 7 per 1,000, more than twice as high, but it had fallen more quickly in the interim.\textsuperscript{131}

![Figure 9: Trends in 12-59 month mortality before 2013-14 MICS](https://ask.rks-gov.net/images/Multiple_Indicator_Cluster_Survey_in_the_Republic_of_Kosovo_2013-2014_Key_Findings.pdf)


Immunization rates are high in Kosovo with DTP3 coverage of 95 per cent. However, only 79 per cent of 24-35 month olds are fully immunized in accordance with Kosovo’s immunization schedule. For Roma, Ashkali and Egyptian children the figure is only 30 per cent. The MICS results show that Roma, Ashkali and Egyptian children are particularly unlikely to complete courses of vaccinations, leaving them potentially exposed to contracting preventable childhood diseases. This is partly because children living in Roma, Ashkali and Egyptian households lack full access to the healthcare system. Research from Solidar Suisse found that the barriers include inability to pay for treatment or transportation, inability to use public healthcare services because of a lack of identification documents; distance from healthcare facilities; ethnic discrimination; and lack of trust in doctors and other medical personnel.

However, it is not clear how these conclusions were reached. In this context of the low immunization rates the Ministry of Health, in cooperation with its partners, has started to reorient its programme to increase immunization for children from Roma, Ashkali and Egyptian communities.

Key messages:

- 12-59 month mortality is falling, though more slowly than infant mortality.
- Immunization rates are high in Kosovo with DTP3 coverage of 95 per cent, however gaps persist, particularly for the Roma, Ashkali and Egyptian communities, as a result of a range of factors limiting their access to healthcare.

4.1.4 Adolescent and youth health (13-19 years)

As explored in Section 4.4.1 below, the majority of young people in Kosovo perceive themselves often unable to influence the decision-making processes that directly impact their lives. This includes decisions that affect their health and development.

By law, all individuals are ‘guaranteed’ the ‘right to information and education for sexual and reproductive health’, but how this should be implemented is unclear. According to a 2014 article “sex education remains a contentious aspect of the public school curriculum, its improvement and evolution hindered by cultural and religious conventions and general discomfort surrounding the topic.” According to a 2014 UNFPA report, in Grade 7 (age 12), children learn about biological changes connected to puberty at school, but not about relationships and sexual health.

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132 Figures for full immunization of 12-23 month old children are not available from the Kosovo MICS
134 Kosana, Kosovo Roma, Ashkali And Egyptian Access To And Use Of Health Care Services, Health Policy Brief 4, November 2015, at http://solidar-suisse-kos.org/tjera/fo/u/2016061501491948.pdf. For more on these issues see Section 4.3.1.1 Roma, Ashkali and Egyptian health
In this context, a WHO and UNFPA survey in 2014 reported 13.3 per cent of 15 year olds saying they were sexually active.\textsuperscript{139} According to the 2013-14, MICS 5 per cent of female respondents in the general population aged 15-19 and 29 per cent of males of the same age stated that they had ever had sex.\textsuperscript{140} The figures were 19 and 39 per cent respectively for Roma, Ashkali and Egyptian females and males.\textsuperscript{141} While MICS reports the number of females aged 15-19 who use contraception, the number is too small to be statistically significant.\textsuperscript{142} Meanwhile, the WHO and UNFPA survey found that condoms were the most used contraceptive among sexually active adolescents, with 33.2 per cent coverage. However, 26.5 per cent stated they did not use any kind of protective measure.\textsuperscript{143}

Kosovo has low reported prevalence of HIV and AIDS. Between 1986 and 2014, 97 cases of HIV infection were reported. Between 1986 and 2013, three children aged 0-14 and eight young people aged 15-24 were found to be living with HIV.\textsuperscript{144}

In the 2013-14 MICS, 6 per cent of Roma, Ashkali and Egyptian females aged 15-19 years said they were married or in union before the age of 15.\textsuperscript{145} Child pregnancies also appear particularly frequent among the Roma, Ashkali and Egyptian communities: according to the 2013-14 MICS, 17 per cent of surveyed women aged 20-24 from these communities had given birth before the age of 18.\textsuperscript{146}

In 2015, a total of 201 babies were born to mothers aged 18 or younger in regional hospitals, PHC maternities and private clinics: this amounted to 1.4 per cent of births in these facilities. Three were aged less than 15, 10 aged 15, 25 aged 17 and 117 aged 18.\textsuperscript{147} Health professionals in Kosovo have reported girls under 18 experiencing health difficulties because their bodies were insufficiently developed for pregnancy and childbirth.\textsuperscript{148}

Drug use appears to be a problem among adolescents in Kosovo. Around 7 per cent of 15-16 year old respondents to a 2012 survey reported use of an illicit drug in the past (lifetime prevalence).

\textsuperscript{147} Dr. M. Vuthaj and Dr. B. Maxhuni, \textit{Report on Perinatal Situation in Kosovo 2015}, Ministry of Health, 2016
Cannabis was the most frequently reported illicit substance, with a lifetime prevalence rate of 2.4 per cent, followed by cocaine at 1 per cent and amphetamines at 0.7 per cent. Around 2 per cent of students reported cannabis use in the past 12 months, and 0.4 per cent in the past 30 days. Boys (4%) were more likely than girls (1%) to have used any illicit substances.¹⁴⁹ The NGO Labyrinth has reported that in 2014, more than 4 per cent of users had first used cannabis aged 12-15, and cases of initial use aged 12 had been recorded.¹⁵⁰

The WHO and UNFPA survey found that only 4.7 per cent of sixth to tenth grade adolescents (aged 11, 13 and 15) were active smokers. Ten per cent consumed alcohol, usually rarely.¹⁵¹ However another survey reported that 41 per cent of males and 31 per cent of females in the final grade of school are smokers, much higher than Hungary, Belgium and Austria, with the highest prevalence in the European Union. One of the reasons behind this is the low price of cigarettes in Kosovo.¹⁵²

Misuse of alcohol, tobacco and illegal drugs in Kosovo are reportedly linked to poor behavioural grades (a subjective grade given by the teacher). Young people who take part in sports in Kosovo are less likely to misuse substances, while among females substance misuse is more common among those whose mothers are better educated: this may be because these young women come from families that are more supportive of non-traditional roles for women, simultaneously resulting in higher maternal education and substance abuse levels among girls.¹⁵³

Bullying is another serious concern: nearly a quarter of the schoolchildren surveyed by WHO and UNFPA reported involvement in a physical fight or experience of harassment by others in the previous 12 months. More than half of the surveyed students (55.3%) had been injured in the previous 12 months, higher than any other territory that had completed the survey. This is largely because 24 per cent of the schoolchildren had been involved in physical fights in the previous 12 months: boys reported injuries and involvement in physical fights more frequently than girls.¹⁵⁴

Kosovo lacks standalone primary healthcare facilities for adolescents. However, there have been attempts to develop and implement adolescent-friendly healthcare in primary healthcare in certain areas of Kosovo. A 2015 evaluation found that equity and appropriateness of services were quite

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good. However outstanding problems include a lack of information among adolescents of the range of reproductive health services available and how to access them; lack of outreach and peer-to-peer youth services; lack of adolescent involvement in designing healthcare services; and failure to use evidence-based guidance and protocols to inform healthcare.\textsuperscript{155} In Kosovo, authorised representatives must accompany under 18-year-olds to receive healthcare. Because the law does not state explicitly that children become adults on marriage, parents, guardians, or Centres for Social Work (CSW) representatives may need to be present even if an under-18 is married. This potentially impacts on the right of child spouses to decide on the timing and spacing of pregnancies.\textsuperscript{156}

**Key messages**

- **Sex education in Kosovo is constrained by social norms (cultural practices) and religious factors:** this leads to low awareness of risks of pregnancy and sexually transmitted infections among adolescents.
- **Girls from the Roma, Ashkali and Egyptian communities are more likely to give birth before the age of 18 than the general population.**
- **Given contradictory sources, it is difficult to establish the extent to which prevalence of alcohol, drugs and tobacco are a concern in Kosovo.**
- **Injuries from physical fights appear very common among boys in Kosovo.**
- **Adolescents lack information about health services available to them, and the ability to help to design them.**

**4.1.5 Nutrition**

According to the 2013-2014 MICS, about 4 per cent of under five year olds in Kosovo are moderately or severely stunted. The figure is higher among Roma, Ashkali and Egyptian children under five (15\%), and is 26 per cent among the poorest quintile of the Roma, Ashkali and Egyptian population. Stunting reflects chronic malnutrition as a result of failure to receive adequate nutrition over a long period and recurrent or chronic illness. Only about 2 per cent of children under five in Kosovo are moderately or severely underweight, and 4 per cent are overweight. Among Roma, Ashkali and Egyptian children under five 8 per cent are underweight. This means that stunting and underweight appear not to be major issues in Kosovo as a whole, but affects minorities and the poorest disproportionately.\textsuperscript{157}

Less than half of newborns (45\%) are breastfed within one hour of birth and while 86 per cent are breastfed within one day of birth, only 40 per cent of children under six months of age are exclusively breastfed. This means the rate of age-appropriate breastfeeding among children aged 0-23 months

\textsuperscript{155} WHO, *Quality of health care services for adolescent clients in Pristina region: Findings from standardized post-intervention assessment*, 2016


is 46 per cent. The median duration of any breastfeeding is 14.1 months for children under three years of age, and is 2.0 months for exclusive breastfeeding. The exclusive breastfeeding rate is much lower among Roma, Ashkali and Egyptian mothers, at 16 per cent. More research is needed to understand what influences this, what social norms and factors, as well as family-related factors, influence mothers’ decisions to breastfeed or not.

The general 2013-2014 MICS found that 90 per cent of children were fed at least the minimum number of times, that only 63 per cent received the minimum number of food groups or dietary diversity, and that less than half (49%) of children aged 6-23 months and only 35 per cent from the poorest households were receiving the minimum acceptable diet. For Roma, Ashkali and Egyptian children, three quarters receive meals at least the recommended minimum number of times, only one third receive the necessary minimum dietary diversity, and so only a quarter (23%) of children aged 6-23 months and only 11 per cent from the poorest households receive the minimum acceptable diet. A new Law on the Protection of Breastfeeding was adopted in 2015. The Law mandates healthcare institutions and professionals to encourage and promote breastfeeding, and places restrictions on the marketing of breastmilk substitutes. It also provides breastfeeding women of children aged 6-23 months with the right to paid time off for breastfeeding.

The Institutions of Kosovo have been slower to address broader nutrition concerns. While the Nutrition Action Plan for 2017-2021 to address nutrition issues has been finalized, as of May 2017, the document has not yet been endorsed by the Institutions of Kosovo.

Key messages

- Few children in Kosovo are malnourished, though the figure is slightly higher in the Roma, Ashkali and Egyptian communities.
- The Law on Protection of Breastfeeding is a positive development but support is required to implement it and to strengthen baby friendly principles in institutions.
- Less than half of children in Kosovo aged 6-23 months receive a minimum acceptable diet, primarily because of lack of dietary diversity: this is a particular challenge in the Roma, Ashkali and Egyptian communities and among the poorest in society.
- Kosovo’s Nutrition Action Plan is finalized but still requires endorsement.

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4.1.6 Water, sanitation and hygiene

Access to improved sources of drinking water is very high on average (99%). However, only 55 per cent of households in the poorest wealth quintile have water piped into their dwellings. For the 7 per cent of households that do not have sources of drinking water on their premises, most often an adult male (77%) or adult female (19%) collects it.\textsuperscript{163} Swiss Development Cooperation reports that more than 80 per cent of the rural population is expected to be connected to the public water network in 2016, compared to the 60 per cent reported in the 2011 census.\textsuperscript{164}

There has been little research into the quality of drinking water in Kosovo. A Swiss-supported study published in 2015 found 97 per cent compliance with drinking water standards in 43,000 tests. However, samples from the Hidrodrini Regional Water Company based in Peje showed much poorer results, mainly as a result of serious and long running drinking water quality issues and in particular serious water treatment plant under-capacity and operational issues in the Klina water supply zone.\textsuperscript{165}

While 97 per cent of the population in urban areas has access to improved sanitation this is only true for 67 per cent in rural areas, making a total of 78 per cent for Kosovo. Open defecation is localised among the poorest population. While only 1 per cent of the population in general have to use a public or shared toilet facility, this indicator is 5 per cent in the poorest population (the figures are 7 and 25\% respectively for the Roma, Ashkali and Egyptian community). Fifty seven per cent of the poorest population have access to improved drinking water sources and improved sanitation, while 96 per cent of the population in urban areas does. Only 13 per cent of children’s faeces were disposed of safely, with the vast majority (85\%) put out with the rubbish.\textsuperscript{166}

Several donor organisations are supporting improvements to the water supply, and sanitation systems and wastewater treatment plants in Kosovo. USAID, the Swiss Government, and local government and water authorities in Kosovo jointly funded the Kosovo Small Infrastructure for Water and Sanitation initiative, which ran from 2008 to 2014.\textsuperscript{167}

In the 2013-14 MICS, less than 2 per cent of households could not indicate a specific place where household members usually wash their hands. However, 12 per cent of the poorest households had no soap or other cleansing agent anywhere in the dwelling compared to 7 per cent or less for the other wealth quintiles. Among the Roma, Ashkali and Egyptian communities, 25 per cent of the


poorest households had no soap or other cleansing agent anywhere in the dwelling compared to 10 per cent or less for richer wealth quintiles.168

Key messages

- Water and sanitation provision is generally good in Kosovo, though there are gaps in rural areas, for the poorest households and for the Roma, Ashkali and Egyptian communities.
- A significant proportion of households in the poorest quintile do not have soap or other cleaning materials available in the home.
- Children’s faeces are generally not disposed of safely in Kosovo.

4.1.7 Healthcare system

Kosovo’s healthcare system is governed by Law 04-L-125 On Health of 2012169. Under the Law, the Ministry of Health is responsible, inter alia, for drafting policies, implementing laws, ensuring a non-discriminatory approach towards citizens, and setting norms and standards that respect international health standards.

Despite the health sector being a public policy priority since 2011,170 reform and modernization in the health sector have been modest, and most health sector indicators remain poor. Improving the quality of care at all levels, particularly the availability of drugs, is critical to reduce regressive health spending patterns by households and Kosovo’s poor health outcomes, which are among the worst in Europe.171

The main source of funding of the healthcare system in Kosovo is general taxation from the national budget. Most state funding is used to finance health expenditure at central level, and only 24 per cent is used to finance municipalities.172 Health services are theoretically free of charge for citizens, but out-of-pocket costs for patients are estimated in fact to amount to 40-60 per cent.173 This particularly affects children from poor and vulnerable families.174 Patients (or family members of the children) often have to pay for medicines or medical materials, which in most cases they do not receive in hospitals, and they suffer the consequences of non-provision of services and vital medical assistance.175 In some cases

169 Available online at http://www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20Health.pdf
medicines are in fact available in central pharmacies but are not provided on paediatric wards because of communications problems within hospitals: this means that families end up buying the medicines themselves.\textsuperscript{176} Because of the high costs of using the healthcare system, poor people “self-ration” their care. The cost of drugs makes up about 85 per cent of household out-of-pocket health spending.\textsuperscript{177}

The Health Insurance Law, passed in April 2014, provides the legal basis and framework for a mandatory health insurance scheme funded through general tax contributions and mandatory insurance premiums. The World Bank believes that health insurance could increase public health expenditure, and potentially improve the quality of care, including the availability of drugs, and lower household out-of-pocket health spending, particularly for the poor.\textsuperscript{178} According to a 2014 World Bank press release, the poor will be exempted from health insurance contributions, as well as any cost sharing for healthcare or drugs covered under the new legislation.\textsuperscript{179} This is particularly important given the inequities revealed by health indicators. The Ministry of Health is in process of prioritizing health sector reforms to improve financial protection and access to quality health services, including free access to health services for children under 18.\textsuperscript{180}

In 2014 there were 13,680 people working for public healthcare institutions in Kosovo.\textsuperscript{181} In 2011 there were 1.2 doctors and 3.5 nurses per 1,000 population: lower than the average of 3.5 doctors and 8.3 nurses in European Union countries, and also lower than the figures for neighbouring countries.\textsuperscript{182} A 2014 evaluation of paediatric care found that in general there were enough staff members working in hospitals. Their theoretical knowledge was good and they displayed high commitment to providing good care to children and high interest and pride in their work.\textsuperscript{183}

The 2014 WHO survey found that availability of equipment, as well as hygiene and cleanliness, was good in paediatric hospitals in Kosovo. However there were several areas where improvements were needed, including physical infrastructure, availability of drugs and supplies, paediatric emergency care, case management, infection prevention and support services, guidelines and auditing systems, and coordination with primary healthcare facilities and between secondary and tertiary level hospitals. Many of the required improvements would not require significant additional budgetary resources, but rather require organisational improvements.\textsuperscript{184}

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\textsuperscript{176} Marzia Lazzerini, Improving Quality of Pediatric Hospital Care in KOSOVO: Findings from the second evaluation, WHO, 2015  
\textsuperscript{183} Marzia Lazzerini, Improving Quality of Pediatric Hospital Care in KOSOVO: Findings from the second evaluation, WHO, 2015  
\textsuperscript{184} Marzia Lazzerini, Improving Quality of Pediatric Hospital Care in KOSOVO: Findings from the second evaluation, WHO, 2015
\end{flushleft}
4.1.8 Quality of care

A survey conducted for UNDP in 2013 found that more than 70 per cent of respondents were satisfied with the work of all healthcare institutions in the country. The most dissatisfaction was expressed about the University Clinical Centre of Kosovo, where 11 per cent were highly dissatisfied and a further 19 per cent dissatisfied. Satisfaction appears to be linked to the performance of doctors and nurses, the success of the treatment, and the cost of the services they receive.\textsuperscript{185}

In the UNDP survey, while only 4 per cent of respondents reported that they had paid bribes, a total of 70 per cent said they would pay bribes if asked to.\textsuperscript{186} Responses to a 2016 study in Gjakova also indicate widespread perception of corruption and nepotism in the health service. Corruption, coupled with poor quality of service provision mean that those who can afford to go to private clinics instead of the state system.\textsuperscript{187}

4.1.9 Health information and management

The health sector for a long time has not been a public policy priority and reform and modernization are still in their infancy. There is insufficient accurate, up-to-date and comprehensive data on health indicators routinely available, the monitoring capacity in the health system is low, and local clinics and municipal health departments have been poorly integrated in national management and co-ordination structures.\textsuperscript{188} This means that reliable indicators are not available for the healthcare system, meaning that situation analysis has to be based on ad hoc studies, such as the MICS.\textsuperscript{189} Though a Health Information System is currently being developed with donor support, its progress is slow; health sector data availability is still limited and it may take years before the access of children to their health is properly monitored.\textsuperscript{190}

**Key messages**

- There is an urgent need to roll out the health information system for Kosovo both to improve tracking of and responsiveness to individual patients, to better understand the healthcare situation and to improve planning for future provision.
- A sensitively designed health insurance system could reduce out-of-pocket spending which makes healthcare extremely expensive or unaffordable for the poorest in society.
- There is widespread perception of corruption and nepotism in the health service. Corruption, coupled with poor quality of service provision mean that those who can afford to go to private clinics instead of the state system.

\textsuperscript{189} Interview, WHO, 14 October 2016
4.1.10 Equity issues and health

4.1.10.1 The health of children with disabilities

In the health system, there is a lack of quality health services and auxiliary equipment for children with disabilities. Children with disabilities are not always provided with free medicine and other equipment to help improve their health, improve their mobility and offer them a life of dignity. More research is required on these issues and in 2017, UNICEF will produce a specific Situation Analysis to look into the situation of children with disabilities.

4.1.10.2 The health of children from the Roma, Ashkali and Egyptian communities

Roma, Ashkali and Egyptian communities have not enjoyed the same advances in health as the general population of Kosovo. The infant mortality rate, according to MICS, is 41 per 1,000 live births. This is over three times higher than the general infant mortality rate in Kosovo. Research conducted by Solidar Switzerland and Balkan Sunflower NGO in 2014 found that life expectancy in Kosovo’s Roma, Ashkali and Egyptian communities, at less than 60 years, is more than 10 years lower than that of ethnic Albanians in Kosovo. The reasons behind this include poor diets, an almost complete absence of preventive healthcare utilization and serious limitations on treatment.

In the Roma, Ashkali and Egyptian communities hygiene is poor and often limited by extreme poverty, including lack of water supplies, the cost of water and cleaning materials and so on. According to MICS, 5 per cent of Roma, Ashkali and Egyptian households have to use a public or shared toilet, and the figure is 25 per cent in the poorest quintile of the population.

A particular health issue that has affected some Roma communities is the lead poisoning of displaced persons in camps in North Mitrovica from 1999. The camps were located close to the Trepça complex, a large mining site for lead and other heavy metals. In 2004, the WHO tested residents of one camp housing 500 IDPs and found that 90 per cent of children had extremely high lead content in their blood. A 2007 assessment stated: “these children are at tremendous risk for a lifetime of...”

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191 KOMF Conference on child rights protection of children with disabilities, 3 December 2015
developmental and behavioral disabilities and other adverse health conditions".  
Between 2007 and 2013, the camps were closed and Roma, Ashkali, and Egyptian families were resettled in newly constructed homes in Roma Mahala, their previous residence in south Mitrovica. In 2013, 19 of the children were reported to still have high levels of lead contamination and to be receiving medical treatments and food support from Mercy Corp. Researchers reported that the parents did not seem fully aware of the issue, and thus may have had less capacity to monitor their children’s health than might otherwise have been the case.

Another concern of resettled Roma is that they are registered with the authorities in North Mitrovica, having previously received healthcare in the north. Roma continue to prefer using healthcare in the north, as it is free of charge, while in the south they need to pay. Health insurance cards are available for all Roma and Serbia covers the costs of those patients. This can lead to complications, meaning, for example, that the authorities in the south have no knowledge of the vaccinations the Roma living in south Mitrovica have received, increasing the danger of an epidemic. Despite the fact that Roma children receive vaccinations through primary healthcare and the education system in the north, reportedly in 2015 there was an outbreak of mumps in the Roma Mahala. This is largely the result of a lack of communication and coordination between the municipalities.

Key messages

- A wide range of health indicators – including infant and child mortality – are poorer for the Roma, Ashkali and Egyptian communities.
- Access to healthcare is disproportionally limited among the Roma, Ashkali and Egyptian communities by cost and distance to facilities.
- Poor nutrition, and particularly lack of dietary diversity, is a significant challenge for children and families in the communities, and can lead to anaemia, obesity and other health impacts.
- Children from the poorest quintal, including Roma, Ashkali and Egyptian families are less likely to have access to improved water and sanitation facilities.
- Despite resettlement in a less polluted area, Roma children in Mitrovica continue to face the long-term effects of lead poisoning from the camps where they were housed in North Mitrovica for more than a decade after the war.

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201 Information provided by UNICEF, 26 November 2016

202 Interview, Caritas Kosova, Zvecan, 13 October 2016

203 Information provided by UNICEF, 26 November 2016
4.2 Education

4.2.1 Early childhood development

4.2.1.1 Children aged 0-5

Figures from the 2013-14 MICS suggest that little support is provided with learning in Kosovo for young children at home. More than half (56%) of those under the age of five have no children’s books or picture books in their homes. For the Roma, Ashkali and Egyptian communities the figure is even worse, at 88 per cent. For the richest quintile in Kosovo, 25 per cent do not have books, while for the poorest 80 per cent do not. Only 66 per cent of children aged 36-59 months have adult household members who engaged in four or more activities to promote learning and school readiness during the three days before the MICS 2013-14 survey. In particular only 6 per cent of fathers and 43 per cent of mothers engage their children in such activities. A 2011 UNICEF report stated that parental education on bringing up children, either through home visits or in groups, is missing in Kosovo: this finding appears still to be true today.

Before the age of five, children are unlikely to attend organised early childhood education programmes. The Ministry of Education, Science and Technology (MEST) reports for the 2015-2016 school year, gross enrolment rates in public pre-school of 3.5 per cent among 0-4 year olds (under 5 year), and 30.9 per cent among 3-5 year olds (in comparison, TransMONEE reports 3.8 to 19.2 per cent among 0-2 year olds and 25.9 to 62.8 per cent among 3-6 year olds in countries in the Balkans in 2014-15). The MEST states that there has been no significant increase in children’s pre-school enrolment since 2004. However, it is important to note that these figures do not include all private kindergartens or community-based learning centres, but only those licensed by the MEST.

The municipality is the main funder of public kindergartens: parental fees paid directly to the municipality top this up, providing premises and paying staff. Children at public kindergartens are entitled to free healthcare from medical centres, and the kindergartens receive support from civil society and international partners with specialist training, salaries of specialist staff, contribution towards equipment and materials. Public kindergartens are well regulated and appear to provide high-quality services but are expensive to maintain.

Meanwhile, private kindergartens should be licensed and inspected by the MEST, but this is not always the case. They do not have links with municipal authorities and lack access to Ministry training opportunities or subsidies from the Institutions of Kosovo. There are several different forms 204 UNICEF Kosovo Office: Reaching every child: The promise of equity, 2016
207 Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
209 Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
210 Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
of community-based kindergartens in Kosovo, with varying levels of support from municipalities, private entities and international donors.  

A clear rural-urban divide has been reported concerning pre-school. In urban areas shortages of spaces at kindergarten are common, while in rural areas some kindergartens are closing because of a lack of demand for places among the local population because of poverty in rural areas, as well as outmigration to urban areas. One of the reasons behind this is the perception of pre-school as a form of day-care rather than a learning opportunity: in rural areas where many mothers and other family members are at home during the day, little need is seen to pay to send children to kindergarten.

According to MICS, 14 per cent of those aged 36-59 months were attending a preschool programme with only 9 per cent in rural areas and 7 per cent from the poorest households. This is lower than the figures in Albania (17%), the former Yugoslav Republic of Macedonia (24%) and Serbia (56%), while for the EU27 the figure was 80 per cent. Reasons for low attendance of pre-school education in Kosovo include the very limited number of subsidised places for children from vulnerable groups (such as the unemployed), and a dominant policy (and public) view that pre-school education is a care service for employed parents rather than a child’s right and entitlement for care and education. UNDP has called for targeted subsidies for pre-school education as a way to get more children into learning and more women into work.

For Roma, Ashkali and Egyptian, 16 per cent of children aged 36-59 months were attending organised early childhood education. However, at 22 per cent the figure for Roma, Ashkali and Egyptian attendance in rural areas and 11 per cent in the poorest quintile was higher than for the equivalent cohorts in the general population (although the differences may not be significant): this appears to be primarily because of civil society support for kindergartens in areas with large minority ethnic populations that are funded by international donors.

In their National Development Strategy (NDS), the institutions of Kosovo set out increasing enrolment in pre-school and pre-primary education as its first priority, both to support cognitive development of young children but also to increase the participation of women in the labour market. It intends firstly to build 18 new pre-schools, prioritizing areas without public provision at this moment. It has no plans to help to develop community-based kindergartens, despite the minimal costs involved.

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214 Interview, Gjakove Municipal Education Department, 17 October 2016
218 Interview, UNICEF, 10 October 2016
As the key body responsible for implementing the NDS in this area, the Ministry of Education, Science and Technology is also focussing on pre-school education as a key focus of 2017-2021 Education Sector Strategic Plan. Its objective is to double the number of 0-4 year old children attending pre-school, both public and private.221 Having already developed a curriculum for children aged 3-5 in pre-school institutions it now intends to develop one for children aged 0-3 to be used in kindergartens. It also sees a need for promotional materials to be used at home to encourage parents and carers to engage with children in development activities.222

Key messages

- The 2013-14 MICS findings indicate that early childhood learning is not a priority for parents in Kosovo, and particularly for fathers.
- There is a need to achieve better efficiency by redistributing the current budget for the education sector to balance capital project investment and human capital investment. The strategy of the Institutions of Kosovo to address early childhood learning focuses on increasing pre-school attendance by increasing supply of infrastructure and staff and developing a curriculum. The Strategy does not address motivation to learn, widening opportunities for parents to participate in their children’s cognitive development, or community-based provision of early learning.

4.2.1.2 Pre-primary education (aged 5-6)

Enrolment rates are much higher for the year before compulsory education begins, from the age of five. This level of education can take place at full-day kindergartens, or in two-hour daily sessions at schools. Provision at schools is less costly: the children are accommodated in rehabilitated primary school classrooms which have often been furbished and equipped by international and other donors.223 The Ministry of Education, Science and Technology has reported a steady rise in the proportion of children attending the pre-primary year between 2010 and 2015 (see graph below).224

A total of 21,655 children were enrolled in public pre-primary education in 2015, of whom 20,342 were attending pre-primary classes in school and 1,301 pre-primary classes in kindergarten.225 In the 2013-14 MICS, 76 per cent of children who were currently attending the first grade of primary school had attended pre-school the previous year: this was down to 64 per cent among children in the poorest households.226 The new Law on Pre-University Education adopted in 2016 will make pre-primary education compulsory, but only if funds are available for this.227 Research conducted for

221 Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
222 Interview, Ministry of Education, 10 October 2016
224 Data provided by Ministry of Education, Science and Technology, 14 October 2016
227 Interview, UNICEF, 10 October 2016
UNICEF in 2016 suggests that funding could be made available for 15 hours per week of pre-school education for every child aged 3-5 from the existing education budget by retraining surplus primary school teachers as pre-school educators and specialists, and by utilizing more cost-efficient forms of pre-primary education, such as community-based kindergartens.\textsuperscript{228}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure10.png}
\caption{Proportion of children attending pre-primary and pre-school classes, 2010-15}
\end{figure}

The lack of information on the total number of children by age in every municipality makes it impossible to calculate the proportion of children in pre-primary by municipality. However, comparing figures for the pre-school year and Grade 1 (as a proxy for the total number of children in the municipality) gives the smallest figure for Fushe Kosovo at 27 per cent (185 children in pre-primary and 675 in Grade 1).\textsuperscript{229} This is because the three largest primary schools in the municipality do not have enough teachers to provide pre-primary classes, and the figure is just for the one public kindergarten in the municipality. If nine smaller private kindergartens are included, the figure reaches 699, which is higher than the number of children in Grade 1.\textsuperscript{230}

Despite Fushe Kosovo’s high numbers of Roma and Ashkali residents, all the pre-primary children are ethnic Albanians.\textsuperscript{231} However, a small number of Ashkali children do attend a school preparation course at a learning centre run by the Balkan Sunflower NGO.\textsuperscript{232}

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\textsuperscript{228} Fiscus, \textit{Study on Costing of Early Childhood Education}, Powerpoint presentation, UNICEF, 24 November 2016
\textsuperscript{229} Author’s calculations, based on Ministry of Education, Science and Technology, \textit{Education Statistics 2015-16}, 2016
\textsuperscript{230} Interview, Fushe Kosovo Education Department, 12 October 2016. Additional data on private kindergartens provided by Fushe Kosovo Education Department, 13 October 2016
\textsuperscript{231} Author’s calculations, based on Ministry of Education, Science and Technology, \textit{Education Statistics 2015-16}, 2016
\textsuperscript{232} Interview, Balkan Sunflower, 12 October 2016
\end{flushright}
Other large municipalities with relatively low ratios of pre-primary to Grade 1 include Prizren (68%), Kline (69%), Mitrovice (70%) and Prishtina (72%).

Key messages

- More than four out of five children in Kosovo now attend pre-primary classes, a rise of 10 percentage points over a five year period.
- MICS figures suggest that children from poorer households are less likely to attend early education programmes. There also appears to be a lower proportion of Roma, Ashkali and Egyptian children attending pre-primary. This widens inequities on entering school, as those without pre-primary education are often less prepared for primary school.

4.2.1.3 Infrastructure

Because of a rapid expansion in pre-primary education in recent years, the Ministry of Education cannot currently accommodate all the children at schools. Therefore it is working with private kindergartens to accommodate children until the gap is filled. However, it is expecting to receive European Union funding to build 18 new kindergartens, in two phases, the first of which will include Fushe Kosovo. As mentioned above, the priority of opening 18 kindergartens is included in the National Development Strategy.

Another option, which may be more cost-efficient at preparing a greater number of children for school, would be to use the same funds to support a larger number of community-based centres closer to where children live. In the 2000s, several NGOs supported community-based kindergartens in Kosovo that, following international best practice, focused on providing learning opportunities for children aged 3-5 in short daily sessions. Such kindergartens are much cheaper to run than formal full-day kindergartens. However, the institutions of Kosovo did not support the momentum towards community-based ECD, and most municipalities lack the resources and/or the vision to make it happen. Lack of co-financing from the institutions of Kosovo meant that the Centres were not viable without NGO support, and in 2011 only five were reportedly sustainable.

4.2.2 Compulsory education (6-14 years)

In Kosovo, primary and lower secondary education are mandatory and free of charge. There are still not enough schools to accommodate all children in one working shift and the quality of education is uneven.

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234 Interview, Ministry of Education, 10 October 2016
236 Interview, UNICEF, 10 October 2016
There is no official data in Kosovo on the number of children of compulsory school age not enrolled in school. This is a significant knowledge gap.\textsuperscript{238} According to MICS 2013-2014, the net intake rate in primary education is 92 per cent. Primary school net attendance reaches 98 per cent, before falling slightly to 96 per cent for lower secondary education.\textsuperscript{239}

Population projections suggest that there will be a significant decline in the number of pupils at primary and secondary level in the next few years, and a slight fall in the number of pre-school age.\textsuperscript{240} This will lead to a reduction of the number of classes in schools, and the need for teachers and potentially schools. At the same time rural to urban migration is increasing the burden on urban schools while intensifying reductions in numbers of children attending rural schools and reducing the viability of rural schools themselves.\textsuperscript{241}

The Ministry of Education, Science and Technology has developed a national plan for preventing school drop-outs and is planning to see how it can work with schools and other entities to address this problem. The Ministry has reported a need to work to build capacity to prevent drop-outs, particularly among the Roma, Ashkali and Egyptian communities: school-level mechanisms should be introduced and put into practice to identify these groups and work with them to avoid children leaving school.\textsuperscript{242}

Not all children in Kosovo follow the same curriculum. All levels of education (kindergarten, pre-school, primary school, and secondary) in all Serbian communities around Kosovo are supported by the Government of Serbia and follow the Serbia curriculum. In addition, since the 1999 conflict, Pristina University has been temporary located in North Mitrovica, is financially supported by the Government of Serbia and follows the Serbian curriculum.\textsuperscript{243} The largest Serbian-language school, in Mitrovica, has about 800 pupils, while a school in Gracanica (close to Pristina) has about 700.\textsuperscript{244} Both the Kosovar and the Serbian administrations financially support schools that follow the Serbian curriculum. Other areas of Kosovo with concentrations of ethnic Serbs or Roma, also follow the Serbian education system.\textsuperscript{245} Serbian schools do not provide information to Kosovo’s Education Management Information System, and it is not easily available through Serbia’s system either.\textsuperscript{246}

**Key messages**

- Population movements and changes are leading to overcrowding in urban schools and closure of rural schools.

\textsuperscript{238} UNICEF, *Ensuring all children enrol, attend and complete education*, Policy Brief, 2014
\textsuperscript{240} UNICEF, *Kosovo (UNSCR 1244) in its early demographic dividend stage – a time sensitive opportunity*, July 2016
\textsuperscript{241} Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
\textsuperscript{242} Interview, Ministry of Education, 10 October 2016
\textsuperscript{243} Information provided by UNICEF, 7 December 2016
\textsuperscript{244} Interview, school directors, Zvecan, 13 October 2016
\textsuperscript{246} Interview, Ministry of Education, 10 October 2016
Lack of data on out-of-school children is a significant gap.
Lack of official data on Serbian children is also a concern.
The early warning systems for out-of-school children are not yet fully functional in most of the 38 municipalities.

4.2.3 Upper secondary education (15-17 years)

The final three years of schooling are not compulsory in Kosovo. The enrolment rate in upper secondary education was 92 per cent in 2012. The graph below reveals that children from the poorest quintile are particularly likely to drop out of schooling at the time of transition to upper-secondary.

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### Figure 11: Pathway analysis of richest and poorest children aged 15-18 in education

At upper secondary level, students can choose a vocational or an academic pathway. According to the evaluation of the 2011-16 Kosovo Education Strategic Plan, about half of students choose vocational education. However, there is a mismatch between the professions qualified in and the needs of the labour market.

**Key messages**

- At the point of transition from compulsory to non-compulsory education at the age of 15, significant proportions of children drop out, particularly from disadvantaged backgrounds.

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248 UNICEF, Reaching every child: The promise of equity, 2016
249 UNICEF, Reaching every child: The promise of equity, 2016
250 Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
The professional training provided in vocational schools does not meet the demands of the labour market meaning that professional readiness is lacking following the school to work transition.

4.2.4 Education system

In recent years, legislative reforms have taken place and new laws have been introduced covering pre-university education; higher education; licensing and registration of teachers; the school-leaving examination; local government; and education in municipalities. The Kosovo Education Strategic Plan (KESP) and its associated Action Plan for 2011-16 are intended to tackle all levels of education and to address issues of access, quality, management, and implementation. A new KESP for 2017-21 was approved by Institutions of Kosovo in December 2016.

4.2.4.1 Financing

Public spending per capita on education is low compared to other countries in the region. This suggests there is a need to prioritize education in public spending. Kosovo spent 3.9 per cent of GDP on education in 2012, less than the average in the Europe and Central Asia region (4.6%) or that of upper-middle-income countries (5%). The EU has stated that increases to public spending on education to 4.4 per cent of GDP in 2014 and a planned 4.6 per cent for 2015 had been used almost entirely to cover salary increases.

About 14 per cent of budgetary expenditure is spent on education, similar to other middle-income countries with similar age profiles. However, because of the large number of pupils, Kosovo spends only 13 per cent of per capita income per student on primary and secondary education, which is much less than other polities in South East Europe.

For primary education in particular, public expenditure increased from 1.15 to 1.32 per cent of GDP between 2008 and 2014. The cost per pupil in 2014 was €522 which equates to a spending of 17.1 per cent of national per capita income on every pupil. This compares poorly to the average of neighbouring countries (24.5%).

252 Information provided by UNICEF, December 2016
The World Bank has reported that financing of education systems has been strengthened in recent years for a more equitable distribution of resources across the country.\textsuperscript{258} Financing of education has been decentralized to municipal education directorates (MEDs). The budget of the Pristina MED alone (€16 million) was said in 2015 to be higher than the budget of the Ministry of Education Science and Technology (MEST). Thus, the MEST appears to primarily have “a channelling role” between MEDs and the Ministry of Finance.\textsuperscript{259}

Current funding is not enough for 100 per cent coverage of pre-primary education and expansion of quality pre-school education. Funding is available to municipalities for infrastructure, equipment and resources, but local needs assessment is required before investing in infrastructure.\textsuperscript{260}

4.2.4.2 Workforce

School directors are recruited at municipal level, and in turn schools directly hire teachers. The MEST retains responsibility for teacher accreditation.\textsuperscript{261}

In recent years, teachers’ salaries have increased: this is likely to increase the number of qualified teachers and improve their accountability.\textsuperscript{262} Improvements have been made to teacher management in recent years through the setting up a mandatory teacher licensing and certification system, enhanced teacher training opportunities, and increasing teacher salaries.\textsuperscript{263} However, currently about 40 per cent of teachers do not have the qualifications prescribed in the pertinent administrative instruction.\textsuperscript{264}

There is a lack of monitoring of teacher standards. However, it appears that the quality of teaching in urban areas is better than in rural areas.\textsuperscript{265} The Kosovo Pedagogical Institute has developed several documents, which have been sent for approval at the Ministry of Education, Science and Technology: quality assurance framework; Guidelines for internal assessment; Guidelines for trainers and training Plan for schools. Training of use of the tools is on-going: 95 schools are piloting the new curriculum framework.\textsuperscript{266}

Funds available to municipalities for pre-school education are not enough to recruit staff to support children with special educational needs, or provide quality assurance, mentoring and advice for educators. However, funds are available for initial and continuous professional training at central level. Therefore there is a need to shift attention from training new educators to retraining (surplus)
primary school teachers in pre-school education, supporting children with special educational needs, advisory services, and inspections. Continuous professional development training should be available to educators in the private sector, and more funds needed for Quality Assurance systems.267

4.2.4.3 Infrastructure

Infrastructure is quite antiquated in many schools, though some schools built or rebuilt after the 1999 conflict are of better quality.268 School buildings have been expanded and the conditions of existing buildings improved. This has eliminated the need to use schools in triple shifts, and has reduced the number of schools operating in two shifts to 70 per cent.269 Migration from rural to urban areas means there is more overcrowding in urban areas, while some rural schools are underutilised.270

4.2.4.4 Quality of teaching

Quality of education was recognized as the main challenge in the education system in the Kosovo Education Sector Plan 2011-16 evaluation. In this context, a “Quality Assurance Strategy for Pre-University Education in Kosovo” has been adopted for 2016-20.271

Although reliable data on student achievement are poor and there are no internationally comparable data. In April 2014, Kosovo participated in the Programme for International Student Assessment (PISA) for the first time. The results, published in December 2016, saw Kosovo in 70th place out of 72 participants (though it should be noted that most of the participants were from high and upper-middle income countries). It was particularly problematic that the results of the 10 per cent most privileged pupils in Kosovo were worse than those of the 10 per cent most disadvantaged in some countries, such as Portugal, Estonia and Slovenia. Several commentators have attributed the poor results to the quality of teaching in Kosovo. The Ministry of Education, Science and Technology has expressed its concern about the results but has stated that textbook and curricular reforms, coupled with a new system for teacher evaluation, should improve the results before the next round of testing in 2018.272

Previously, the Ministry of Education, Science and Technology has expressed concern about endemic cheating and plagiarism at all levels of Kosovo’s education system.273 National testing at Grade 5 in 2010 showed girls and urban residents significantly outperforming boys and rural residents.274

268 Interview, UNICEF, 10 October 2016
270 Interview, UNICEF, 10 October 2016
271 Kosovo Pedagogical Institute, Quality Assurance of School Performance in Kosovo, Project Proposal, May 2016
273 Ministry of Education, Science and Technology, Draft Education Strategic Plan for Kosovo, 2017-21
Curriculum reform has been undertaken to make curricula more modular and relevant, including introducing new approaches to schooling, promoting learner-centred and outcome-based teaching methodologies, and developing teaching and learning materials in line with new social, economic, labour market, and technological developments.\textsuperscript{275} However, since introduction of the new curriculum in 2011 progress has been very slow, and in 2016 piloting took place in several municipalities. A conference was held by the Ministry of Education, Science and Technology in November 2016 to review the results of the pilot. This hold up on curricular reform is one of the key barriers to improving the quality of education.\textsuperscript{276}

4.2.4.5 Education information system

Kosovo’s Education Management Information System (EMIS) was established in 2004.\textsuperscript{277} The system gathers information electronically from schools and pre-school institutions around the country on infrastructure, staff and students. Data is disaggregated in several ways, including gender, ethnicity, distance of travel to school, disability by types, if children receive social assistance, and if they do or do not have parental care. Recently modules have been introduced to record children at risk of dropping out of school and violence in the education system. The data is shared with the institutions of Kosovo, the Ministry of Labour and Social Protection municipalities, various donors, and academia.\textsuperscript{278}

The EMIS division at the Ministry of Education, Science and Technology is not permitted under law to analyse figures more than superficially. However, little analysis is made of the figures. Some of this information, such as distance from school, cannot be used for technical reasons. The system is currently being enhanced in cooperation with the World Bank to include personal identification of records instead of aggregated statistics for each school: this will allow for more specific analysis of trends and inequities. EMIS is able to produce education indicators at national level, but not at municipal level, because of the lack of denominators (school population) to work with. This also applies for disaggregated data at municipal level, such as disability or ethnicity. Another concern is the fact that there is rapid turnover of school directors, who are the only persons with authority to enter information into the system: this means retraining has to happen frequently. There are no municipal-level staff with the authority to collate data at that level.\textsuperscript{279}

There are also gaps in the system, notably a lack of information from most Serbian-majority municipalities, despite the fact that several of these have been trained to use the system.\textsuperscript{280} Though the schools in these municipalities report to the Serbian education system, data about them is not available through the Serbian system either.\textsuperscript{281}

\textsuperscript{276} Information provided by UNICEF, 20 November 2016
\textsuperscript{278} Interview, Ministry of Education, 10 October 2016
\textsuperscript{279} Interview, Ministry of Education, 10 October 2016
\textsuperscript{280} Interview, Ministry of Education, 10 October 2016
\textsuperscript{281} Interview, UNICEF, 13 October 2016
Key messages

- The education system has been identified as a key priority in the National Development Strategy.
- There are serious concerns about the quality of education in Kosovo, which came 70th out of 72 territories in the 2016 PISA assessment.
- The Education Management Information System is functional, but has significant gaps with regard to children who go to Serbian language schools.
- Curricular reform to improve the quality of teaching and quality assurance is underway, but progress has been very slow.

4.2.5 Equity issues and inclusive education

The Action Plan of the Kosovo Education Strategy for 2017-2021, reported that there had been successes in the previous five years in the integration of various groups of socially-excluded children into the Kosovo’s education system. It reports on increasing numbers of children with special needs in the education system, efforts to increase the numbers of Roma, Ashkali and Egyptian children attending school, and the publication of textbooks in Bosniak and Turkish languages. However, children from the Serbian community continue to follow the Serbian language education system and operate outside the Kosovar system, despite the fact that current legislation provides opportunities for accommodating the specific needs of the Serbian community.

4.2.5.1 Out-of-school children

Until recently, little was known about the situation of children who had never enrolled in school, those who enrolled late, or those who were at risk of dropping out. Challenges include gathering of data and information, due to lack of parental awareness of declaring children with disabilities; schools not declaring drop-outs due to reduction of finances; incorrect registration of movements of pupils between municipalities; and a lack of documents and data from civil status registers. Identifying children who have never been enrolled in school, or who have passed the age of entering school continues to be a problem.

In this context, the Ministry of Education, Science and Technology has established municipal Prevention and Response Teams towards Abandonment and Non-Registration (PRTANs) under Administrative Instruction (AI) 19/2012. These report to the Working Group for Prevention and Response towards Dropouts and Non-registration of Pupils in Pre-university Education at the Ministry. Experience has shown that new policies must focus specifically on the most marginalised children and much remains to be done to ensure that good initiatives become the norm rather than the exception. In addition, prevention and response mechanisms require stronger coordination and accountability. There is also

283 ECMI Kosovo, Documentation: Good practices and lessons learned in enhancing access to and retention in education for vulnerable and disadvantaged children, January 2015
a lack of a common vision, weak leadership and limited institutional capacities at both central and municipal levels. Resistance towards greater inclusion remains in regard to children with disabilities and minorities on the part of education officials, teachers and parents.284

4.2.5.2 Education for children with special educational needs

There has been an increase in the number of children with special educational needs being deinstitutionalised to attend mainstream schools (whether in special or mainstream classes) in Kosovo. According to the EU, in 2015 Kosovo continued work to provide access to quality education for children with disabilities but the current rate of training is insufficient to meet the target of reaching all teachers within a reasonable timeframe.285 In 2013-14, it was reported that 45 per cent of children with disabilities of primary and lower secondary age were attending school. For upper secondary education, the figure was 18 per cent.286

However, the Ministry of Education, Science and Technology has reported that the categorization of children as having special needs has been problematic, as it was done by school directors who had not been trained to identify special needs and it may include, for example, children who wear glasses. Current efforts are being made in school for professional determination of special needs, to provide more accurate data in the future.287

It is the responsibility of municipalities to ensure transportation of children with disabilities to schools and provide them with educational support based on their individual needs in mainstream schools and resource centres.288 However, at school, children with disabilities face a range of challenges, including inadequate infrastructure, lack of personal assistants (for those children who need them), lack of support from many teachers, and often a lack of individual education plans.289 There is an urgent need for planning at local level to understand what the needs are of children with disabilities in the education system, and who is responsible for providing what. In this context, the Ministry of Education, Science and Technology and the Faculty of Education are working with UNICEF support to implement inclusive education practices in seven pilot schools focusing on children who are excluded and at risk of being excluded from education, including children with disabilities.290

About 1 per cent of children in schools following the Serbian curriculum in northern Kosovo, have been identified with special educational needs using the Serbian system.291 Similar figures were found by a Save the Children survey of 16 educational establishments in northern Kosovo in 2015.292

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284  ECMK Kosovo, Documentation: Good practices and lessons learned in enhancing access to and retention in education for vulnerable and disadvantaged children, January 2015
290  Information provided by UNICEF, 23 November 2016
291  Save the Children, Baseline survey regarding children with special needs in northern municipalities, April 2015
has recently been a shift from special schools to inclusion in mainstream schools. Problems faced for inclusion include a lack of teacher training, and stigma faced by some children, particularly those with intellectual disabilities. Like in the rest of Kosovo, there is also a shortage of teaching assistants to work with those children with special educational needs who require this form of support, and a lack of funds to employ them. There is reluctance from the side of parents to send their children with disabilities to school, but also of schools to accept them: this is particularly true in rural areas.

Finally, the municipalities and civil society are not very actively engaged in promotion of education for children with special needs. Some of the barriers to inclusive education include lack of technical capacity, monitoring, lack of cash funds, low involvement of local communities, a lack of legal regulations, insufficient investment in education and in raising public awareness, absence of adapted infrastructure, and weak implementation of the law. An EU-funded project to promote social inclusion in the northern municipalities is intended to address some of these issues.

4.2.5.3 Education for children from the Roma, Ashkali and Egyptian communities

The Roma, Ashkali and Egyptian communities have had historical difficulties accessing the education systems in Kosovo. For the Ashkali and Egyptian communities in particular, education became much more difficult between 1992 and 1999, when state Albanian-language schools were closed. While almost all ethnic Albanian children continued their education informally in private houses, distance to travel and other considerations made this difficult for most Ashkali and Egyptian families. Therefore an entire generation missed out on at least some of its schooling. This generation are often the parents of today’s school-age children, and it can be more challenging for them to understand the importance of education for their children.

In this context, pathway analysis based on MICS 2013-2014 data (see the graph below) shows that children from Roma, Ashkali and Egyptian communities are less likely to be attending all levels of education. It is also apparent that the gap widens with each level of education.

In the 2013-2014 MICS, only 16 per cent children aged 36-59 months were attending organised early childhood education. However, at 22 per cent the figure for Roma, Ashkali and Egyptian attendance at this age in rural areas was double that of urban areas. It should also be noted that the 16 per cent figure was higher than the 14 per cent for Kosovo as a whole. These figures appear to have been the result of donor-supported interventions to provide access to early childhood education in Roma,
Ashkali and Egyptian majority areas. Interviews with civil society suggest that Roma, Ashkali and Egyptian attendance at municipal-run pre-primary education has increased in recent years, and that significant numbers also attend pre-primary preparation at specialised NGO-run centres.

According to Education Management Information System figures, the number of Roma, Ashkali and Egyptian children at primary and lower secondary school appears to have been falling in recent years. The fall was most prominent among the Egyptian community between 2011 and 2013, and in the Ashkali community between 2014 and 2015.

The Office of Good Governance’s Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021 suggests this fall is a result of a decreased birth rate and (in 2015-16) migration waves at the end of 2014 and beginning of 2015, which involved significant numbers of Roma, Ashkali and Egyptians. Some Roma, Ashkali and Egyptian children are believed to not enrol or drop out because their families migrate during the academic year, or leave the country and after returning it is difficult to return to education. However, in the absence of accurate population data, this is impossible to verify.

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301 Interview, UNICEF, 10 October 2016
302 Interview, Balkan Sunflower NGO, 12 October 2016
304 Office Of Good Governance, Strategy for Inclusion of Roma, Ashkali and Egyptian Communities in the Kosovo Society 2017-2021, Draft 2, 6 October 2016
Drop out figures among the communities have increased in the past two years, from 169 in 2013-14 to 260 in 2014-15 and 236 in the first semester of 2015-16 alone. The Office of Good Governance attributes this increase to poverty, lack of awareness of the importance of education and girls’ early marriages.305

Another reason for children from the communities dropping out of school may be discrimination against the children caused by prevailing social norms. At the beginning of 2015 it was reported that there were only 19 teachers in total from the Roma, Ashkali, and Egyptian communities teaching in Kosovo’s schools.306 In this context, children from these communities can face discrimination in the classroom, being told to sit at the back of the class, and encountering low expectations from teachers and parents alike.307 While some teachers have taken up new teaching methods, using group seating and mixing children, this practice has not been universally adopted.308 There are also language barriers to children’s education among the Roma in particular, as not all of the community speak Serbian or Albanian.309

Another reason behind poor educational outcomes among children from the three communities may be lack of support for learning at home. Despite the fact (according to an evaluation of an EU project

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305 Office Of Good Governance, Strategy for Inclusion of Roma, Ashkali and Egyptian Communities in the Kosovo Society 2017-2021, Draft 2, 6 October 2016
308 Classroom observations, 12 October 2016. Interview, Balkan Sunflowers NGO, 12 October 2016
that concluded in 2013) that Roma, Ashkali and Egyptian parents are fully aware of the importance of secondary education for their children and are willing to support them despite economic challenges their families face, largely because of their own lack of experience of education, often parents in the communities lack the confidence (and ability) to supervise homework, advocate on behalf of their children and provide practical and moral support for learning. This means that in many cases Roma, Ashkali, and Egyptian adolescents drop out of education at the point of transition between primary and secondary school. In 2015-16, only 190 Ashkali, 131 Roma and 71 Egyptian children were reported by the EMIS system to be attending upper secondary education.

It is rare for young people from Roma, Ashkali and Egyptian communities to enter higher education in Kosovo, though there have been increasing exceptions in recent years. One estimate puts the figure at 256. A quota of 382 university places has been allocated for the communities. However, in 2016 allegations were made that only 30 of these places were actually filled by members of the communities, and that the institutions of Kosovo and universities have provided no explanation for this.

The institutions of Kosovo are continuing their efforts to improve educational access at all levels among the Roma, Ashkali and Egyptian communities. The Kosovo Education Sectorial Plan for 2017-21 sets out specific targets for all levels of pre-university education (see the figure below). These targets are to be met, inter alia, by opening more pre-school classes in schools attended by children from the communities, drafting and implementing action plans to prevent dropouts, and providing counselling and careers guidance, as well as scholarships at state and municipal level, to children from the communities who wish to continue into upper secondary education.

Little information is available about the Roma children that attend school in North Mitrovica, in the Serbian system. However, there has reportedly been a significant increase in school attendance in recent years, thanks to active work with communities to stress the importance of education. About 200 children who now live in Roma communities in south Mitrovica in the afternoon shift in a building that is also used by majority ethnic Serbian school. In the afternoon shift, 99 per cent of the children are ethnic Roma. About 10 ethnic Roma children meanwhile, go to a majority ethnic-Serb school in north Mitrovica. Reportedly only about 5 per cent of ethnic Roma children in the Serbian system in Mitrovica go on to post-compulsory education after the age of 15.

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313 Interview, Balkan Sunflower NGO, 12 October 2016
317 Interview, Caritas Kosova, 13 October 2016
318 Interview, UNICEF, 13 October 2016; Interview, school directors, Zvecan, 13 October 2016
Figure 14: Targets for participation in education at various levels among Roma, Ashkali and Egyptian communities, compared to MICS 2013-14 figures

Key messages

- Roma, Ashkali and Egyptian children are less likely to attend all levels of education than the general population.
- Factors behind this may include discrimination in the classroom, lack of support for learning at home, poverty and early marriage.
- The institutions of Kosovo’s education strategic plan sets out targets for improving attendance at all levels.

4.2.5.4 Education and gender

Equity analysis conducted by UNICEF from MICS 2013-14 data suggests that there is little gender inequity in access to education in Kosovo until compulsory education ends. However, only 85.5 per cent of girls make the transition to non-compulsory secondary education, compared to 89.6 per cent of boys.319

However, among the Roma, Ashkali and Egyptian communities, there is a greater gender differential at all levels of education, according to the same source:320

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319 UNICEF, Reaching every child: The promise of equity, 2016
320 UNICEF, Reaching every child: The promise of equity, 2016
National testing at Grade 5 in 2010 showed girls significantly outperforming boys\(^{321}\) (no reasons for this difference are immediately available).

### Table 15: Pathway analysis in education for general population by gender

<table>
<thead>
<tr>
<th></th>
<th>Boys</th>
<th>Girls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ever entered primary education 99.5%</td>
<td>Ever entered primary education 99.9%</td>
<td>Never enter school 0.1%</td>
</tr>
<tr>
<td>Completed Primary 99.4%</td>
<td>Completed Primary 99.6%</td>
<td>Did not complete primary school 0.2%</td>
</tr>
<tr>
<td>Transited to Lower Secondary 99.3%</td>
<td>Transited to Lower Secondary 99.3%</td>
<td>Did not transit to lower secondary 0.3%</td>
</tr>
<tr>
<td>Completed Lower Secondary 93.4%</td>
<td>Completed Lower Secondary 95.3%</td>
<td>Still attending lower secondary 2.9%</td>
</tr>
<tr>
<td>Did not transit to upper secondary 3.8%</td>
<td>Transited to Upper Secondary 89.6%</td>
<td>Did not complete lower secondary 1.1%</td>
</tr>
<tr>
<td>Still attending lower secondary 4.7%</td>
<td>Completed Lower Secondary 95.3%</td>
<td>Did not transit to lower secondary 9.8%</td>
</tr>
<tr>
<td>Did not complete lower secondary 1.2%</td>
<td>Transited to Upper Secondary 85.5%</td>
<td>Did not complete lower secondary 9.8%</td>
</tr>
</tbody>
</table>

#### 4.2.5.5 Other equity concerns in education

Another group who may find it more challenging to access education are rural children from low-income families, as transportation to schools from remote areas and negotiating dangerous roads may be a challenge.\(^{322}\) A 2016 Save the Children survey found that 14.6 per cent of 12-16 year olds had not participated in school activities or extracurricular courses and/or not bought school uniforms because of financial obstacles. This deprivation aggravates the challenges already faced by low-income families.\(^{323}\)

While specific data is not currently available on the extent to which this is a problem, MICS 2013-14 data shows that net attendance among children from rural areas at upper secondary level and above was 78 per cent, compared to 88 per cent in urban areas. The rural-urban difference was slightly wider among girls (76% to 89%). Meanwhile, the difference in attendance by wealth quintile at this level was also wide, with 67 per cent attendance in the poorest quintile compared to 95 per cent in the richest.\(^{324}\)

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\(^{323}\) Save the Children, Young Voices, 2016, at [https://kosovo.savethechildren.net/sites/kosovo.savethechildren.net/files/library/Young%20Voices%20Report_eng.pdf](https://kosovo.savethechildren.net/sites/kosovo.savethechildren.net/files/library/Young%20Voices%20Report_eng.pdf)

Table 16: Pathway analysis in education for Roma, Ashkali and Egyptian communities by gender

4.3 Child Protective Environment

Despite the structures listed in Section 3.3 above, Kosovo lacks a holistic child protection system that can respond to all forms of child abuse, neglect and exploitation, and prevent violence against children. The Ministry of Labour and Social Welfare (MLSW) has overall responsibility for organising and providing social and family services. The Ministry inspects family services, establishes and coordinates the Children’s Placement Panel for fostering and adoption, and gives direction concerning court applications for Guardianship Orders. At local level, Centres for Social Work (CSWs) in each municipality are mandated to provide services to families and children in need, and to intervene when the rights of children are not being ensured or they are being harmed.325

As protection of vulnerable children often requires support from other frontline professionals who do not work for CSWs, a system of Case Management Roundtables (CMRs) has been established in 12 municipalities to manage cases of children at medium to high risk of being victims of neglect, abuse, exploitation, trafficking, as well as children in conflict with the law, in order to provide comprehensive responses and adequate coordinated support for the child and family. Cases of child victims or in conflict with the law are referred to monthly CMR meetings and individual action plans are developed, implemented and monitored jointly by frontline professionals including social workers, police, healthcare and education professionals, community leaders, and civil society employees.326

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326 Peter Evans, Assessment of existing child protection multi-stakeholder coordinated mechanisms in Kosovo, Terre des Hommes, 11 April 2015
The draft Law on Child Protection envisages the formalization of multidisciplinary roundtables for assistance in case management for serious child protection concerns, as an official structure at municipal level. They include a group of specialists in child protection to identify cases of violence and neglect and to meet to determine the best interests of children involved. Families and children can sometimes participate.327

Case management roundtables have until now been chaired by Centres for Social Work but with financial and technical support from the NGO Terre des Hommes, UNICEF and other international donors. A 2015 evaluation revealed that several key professionals in the municipalities in practice rarely attended the roundtables: of particular concern is the paucity in attendance of Directorates of Health and Social Welfare and of Education at municipal level (apparent lack of interest among municipal authorities in social services is highlighted in Section 4.1.3.2: Social services below). There are also concerns about the capacity of CSW social workers to oversee the CMRs328 (for more on the capacity of social workers see Section 4.1.3.2: Social services below).

It should be noted that no structure is currently envisaged to coordinate more broadly on child rights at municipal level and mainstream issues. Gjakova municipality, with UNICEF support, is currently developing a pilot mechanism to mainstream children’s rights in the municipal governance system.329

**Key messages:**

- Children’s right to a protective environment is limited by the lack of technical, human and material capacity in Centres for Social Work and the lack of authority of the case management roundtable system.
- Adoption of the new Law on Child Protection is urgently required to formalize the protective environment for children and integrate the child protection system by strengthening multidisciplinary work, coordination and allocation of financial resources.

### 4.3.1 Birth registration

In Kosovo, a birth certificate is required to access healthcare, education and employment, social welfare and pensions, property registration, and a range of other services. All births in the main hospital in Pristina and regional hospitals can be registered at the hospital within 30 days of the birth of the child free of charge.330 Children can be registered later at the Municipal Civil Registration Office, where parents (or carers) are asked to pay an additional fee of €1 to 25, depending on the region.331

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327 Article 1(18) of Draft Child Protection Law
328 Peter Evans, Assessment of existing child protection multi-stakeholder coordinated mechanisms in Kosovo, Terre des Hommes, 11 April 2015
329 Interview, UNICEF, 12 October 2016
330 Information provided by UNICEF, 30 November 2016
According to the 2013-2014 MICS, the births of 12 per cent of children under five in Kosovo were not registered. This is much higher than the 1 per cent found in equivalent studies in Albania (2008-2009), Serbia (2014), and Montenegro (2013) and the 0 per cent recorded in the Former Yugoslav Republic of Macedonia (2011). In the general population, children from rural areas and poorer quintiles are less likely to be registered. In 2012, the OSCE stated that municipal officials “have failed to consider the prevalence of births outside the health system in their work plans and to proactively co-operate with NGOs in order to monitor such cases and to facilitate the immediate registration of newborn infants.” Other underlying causes of low birth registration rates are the cost of registration, and the fact that in some municipalities property taxes de facto need to be paid before registration can take place.

According to the 2013-14 MICS, children from rural areas and poorer quintiles are less likely to be registered. Reasons for non-registration may include children not being born in hospital, poverty and illiteracy, lack of registration across generations, lack of awareness of the obligation to register and the benefits of registration and living in non-formal dwellings. In addition, in the 2013-14 MICS for the Roma, Ashkali and Egyptian communities, 40 per cent of mothers of unregistered children stated that they were not aware of the registration procedures for newborns.

In June 2015, the Civil Registration Agency of the Ministry of Internal Affairs promoted free birth registration and late registration by removing the expiry date that would have triggered fees or penalties for many registration services for Roma, Ashkali, and Egyptians. Following extensive registration campaigns by the Ministry of Local Government and civil society organisations, the institutions of Kosovo believe that birth registration is no longer a major problem for the Roma, Ashkali and Egyptian communities and therefore it does not appear in the draft Communities Strategy for 2017-21.

While registration of births appears to have been made easier for Roma, Ashkali and Egyptian families in recent years, particular problems have been observed in restoring documentation. This applies both to Roma who have moved from North to South Mitrovica, and to repatriated families.


340 Interview, Office for Good Governance, 11 October 2016

341 Interview, Caritas Kosova, 13 October 2016
from Western Europe (see Section 4.3.5: Returnee and Repatriated Children). Lack of documentation can lead to challenges accessing health, education and other services in Kosovo.

Key messages:

- Continuing barriers to full registration of all the population, particularly in rural areas are the cost of reaching registration offices and lack of capacity of local service providers.
- Birth registration has been much poorer among Roma, Ashkali and Egyptian children and this has led to significant disparities. Active community work to encourage registration appears to have improved registration rates substantially in recent years. This is largely the result of targeted action as part of the 2009-15 Strategy for the communities.

4.3.2 Violence, abuse and neglect

4.3.2.1 Domestic violence

Kosovo’s Family Law and Law on Protection Against Domestic Violence prohibit acts of violence in domestic settings and allows for the limitation or termination of parental rights in these cases. Nevertheless, the 2013-14 MICS found that 61 per cent of the surveyed children aged 1-14 years had been subjected to at least one form of psychological or physical punishment by household members during the previous month (71% among Roma, Ashkali and Egyptians) and that 24 per cent (40% for Roma, Ashkali and Egyptians) had experienced physical punishment. Six per cent (12% for Roma, Ashkali and Egyptians) were subjected to severe punishment (being hit on the head, ears or face or being hit hard and repeatedly). Ten per cent of respondents to the household questionnaire (24% among Roma, Ashkali and Egyptians) believed that physical punishment is a necessary part of child rearing.

The particularly high figures among the Roma, Ashkali and Egyptian communities are reinforced by a 2013 study, in which the majority of respondents in certain districts were from the Roma, Ashkali and Egyptian communities, reported that 59 per cent of respondents in Fushe Kosovo and 33 per cent in Ferizaj knew someone in the community who is or has been a victim of domestic violence. Causes that have been cited include exclusion, discrimination, living in overcrowded facilities and poor living conditions, poverty and hunger. Domestic violence is underreported because of cultural norms that discourage speaking out.

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342 Family Code, Article 149
UNICEF’s 2016 research on social norms found that gender-based violence in Kosovo is influenced by strong social norms, social expectations and factors that encourage violent practices against women and children. Feminine and masculine gender identities, according to the study, are constructed, communicated and fostered in family settings and are further nurtured in schools and in society in general. The research states that: “The expectation from others that a man should oversee and correct the behaviour of his partner, or of the physical punishment of children by parents is deeply embedded into Kosovan beliefs and values.”

However, a 2015 survey by the Kosovo Women’s Network found that only 30 per cent agreed with the statement that: “violence is a normal part of any relationship, and society in general accepts that violence happens sometimes” and only 31 per cent believe that domestic violence “believe that domestic violence is “a family matter, so neighbours shouldn’t report it to police”: this suggests that the social norms that lead to expectations of violence are not universal. However, this may be explained by different understandings of what “domestic violence” means. The UNICEF qualitative research demonstrated, for example, that slapping a child or beating a child with a stick is not considered to be violence. Therefore, individuals may be against causing serious physical damage to their partners, but slapping may be considered reasonable.

The MICS also gave indications of attitudes to violence against women. Overall, 33 per cent of women aged 15-49 years feel that a husband is justified in hitting or beating his wife in at least one of five situations – this figure rises to 42 per cent when an additional four situations specific to the local context are included in the question. The most common positive answers are where when the wife neglects the children (28%), goes out without telling her husband (17%) or argues with him (14%). Justification is less common among richer quintiles, more educated, and women who were never married. Men are less likely to justify violence than women with 15 per cent of men justifying wife-beating in any of the five situations and 22 per cent for the nine reasons. For Roma, Ashkali and Egyptians, both women (65%) and men (39%) were more likely to say violence was justified in at least one of the five situations (and 74% and 45% of the nine situations), and justification was also less common among the same groups mentioned above.

The Law on Protection of Domestic Violence aims to prevent domestic violence, in all its forms, through appropriate legal measures, of family members who are victims of domestic violence, paying...
particular attention to children, elderly persons and persons with disabilities, as well as treatment for perpetrators of domestic violence and mitigation of consequences.351

The institutions of Kosovo are currently developing Standard Operating Procedures against Domestic Violence, which aim to establish a system to coordinate Kosovo institutions so they will respond promptly and continuously to cases of domestic violence, provide quality assistance and protect victims of domestic violence.352 Under Kosovo’s Criminal Code, failing to report child abuse or domestic violence is a criminal offence, and anyone who fails to report such offences within a domestic relationship can be held criminally liable.353 Meanwhile, Article 10(6) of the Law on Social and Family Services obliges nurses, teachers, police officers and others to report if they have evidence of a child being abused.

A Manual on Child Protection provides information on identification of signs of abuse, violence, and neglect, and instructions for actions to be undertaken by social workers, health care workers, police officers, and teachers if abuse and/or neglect are identified. However, there are no standard protocols in place to address and manage such cases in an effective and multi-sectoral manner. Legislation also makes no provision for children at risk or child witnesses of violence.354

Centres for Social Work (CSWs) have a mandate to “manage cases of domestic violence, safeguard the rights of children, and assist with the distribution of social assistance.”355 However, because of the lack of a budget line for social services, municipalities do not generally reimburse social workers for travel costs to make home visits (referring to the interviewer in Pristina municipality taxi expenses are provided for social workers in emergency cases). Meanwhile, there are also generally no funds available for hygiene kits, clothes or food for victims of domestic violence.356 This means that the CSWs are ineffective in their role as protectors of victims.357

The Department of Social Policy and Families in the MLSW contracts non-governmental shelters to offer protection services to women and children who have suffered gender-based violence. Eight shelters, located throughout Kosovo, work as a Shelter Coalition in joint procedures, coordination, and advocacy (in addition to housing, they provide psychological and legal support).358

Every police station has a unit responsible for domestic violence, and there is now a national coordinator for domestic violence. However, no progress has been made on combating domestic

351 Institutions of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), March 2016
352 Institutions of Kosovo, National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA), March 2016
353 2013 Criminal Code available online (in English) at http://www.parliament.am/library/Qreakan/Kosovo.pdf
354 Office on Good Governance, Mapping and Assessment of the Child Protection System in [Kosovo], 2012
357 Peter Evans, Assessment of existing child protection multi-stakeholder coordinated mechanisms in Kosovo, Terre des Hommes, 11 April 2015
and gender-based violence. The lack of a system for regular data collection across institutions undermines the ability to cross-track and monitor cases in investigation and judiciary proceedings. The anti-trafficking and domestic violence helpline does not provide assistance to non-Albanian speaking victims, including those in the northern municipalities.359

Almost no counselling and treatment services exist for perpetrators of violence, despite the fact that the Ministry of Health has issued an administrative instruction to this effect.360

Key messages:

- Violence against women and children in the home is widespread and considered acceptable by significant proportions of the population.
- Recent surveys suggest that corporal punishment and domestic violence continue to be widespread problems in the Roma, Ashkali and Egyptian communities, though cultural norms make it difficult to know the true scale of the problems.
- Legislation is in place that broadly meets international standards for countering domestic violence.
- There is an acute shortage of capacity for Centres for Social Work to respond proactively, make risk assessments and prevent violence in the home against women and children.
- At present coordination between services is still weak.

4.3.2.2 Violence in schools

Violence in and around schools has been identified as an endemic problem in Kosovo, and some incidents have ended in loss of life.361 According to WHO and UNFPA's 2014 survey, 24 per cent of 11-15 year old children had been involved in physical fights in the previous 12 months. A further 24 per cent had experienced psychological harassment by others, while 20 per cent admitted to having harassed others.362 A 2016 Save the Children survey found that 75.6 per cent of 12-16 year olds had seen someone get punched or hit in the past year. Meanwhile, 32.9 per cent had felt bullied or harassed in the previous 12 months, and 9.3 per cent of boys and 6.2 per cent of girls seldom or never felt safe on their way to and from school (in contrast girls are more likely to feel unsafe on public transport in the evenings).363

363 Save the Children, Young Voices, 2016, at https://koseko.savethechildren.net/sites/koseko.savethechildren.net/files/library/Young%20Voices%20Report_eng.pdf
Gender-based violence also continues within schools. Several instances of teachers allegedly sexually harassing students in Kosovo have been reported in the media in recent years. For example, in 2015, two cases in Mitrovica and Malishevo high schools were reported to the police. However, there are concerns that the problem is significantly underreported because of its taboo nature in Kosovo’s society. In a 2014 study, activists raised concerns over recent media coverage of minors involved in violence at schools, in which girls were reported to have been portrayed as criminals and boys as victims.

In 2015, children at lower and upper secondary school expressed to the Ombudsperson their continuing dissatisfaction with the security situation at their schools and the use of violence by certain teachers at schools, despite the fact that corporal punishment is prohibited under Article 4(2) of the Law on Pre-University Education.

Until 2013, executive institutions had no clear programme and platform to prevent acts of violence in schools. While violence prevention initiatives were taking place, they were not systematic, not coordinated between institutions, and schools had no plans to implement them. They led to the drafting of dozens of strategies and action plans, including institutions of Kosovo Regulation 21/2013 on the Protocol for the prevention and referral of violence in pre-university education institutions. In this context, a new module has now been created in the EMIS, to track cases of violence in school and the capacity of school administrations to use the new module will be built. However, there are no formal mechanisms in the education system to prevent violence in schools. There is a National Coordination Mechanism on Domestic Violence and Gender-Based Violence, but it is not effective in the school system. The Ombudsperson has reported that in 2015 many school representatives were not aware of their role and responsibility in prevention and referral of cases of violence in their institutions.

Violence in schools is also problematic in north Kosovo. The barriers to addressing the problem include lack of coordination between schools, Centres for Social Work, police and healthcare professionals in dealing with the issue.

369 Information provided by UNICEF, 24 November 2016
370 Information provided by UNICEF, 25 November 2016
372 Interview, Domovik NGO, Zvecan, 13 October 2016
Key messages:

- **Violence in schools is an endemic problem in Kosovo. This includes violence between students, and physical and gender-based violence, including by teachers against students.**
- **While strategies and action plans have been introduced for violence prevention, and a module has been created in the EMIS, there is a lack of awareness at school level of roles and responsibilities in violence prevention.**

### 4.3.3 Child trafficking and sexual exploitation

Kosovo is a source and destination country for children, women, and men subjected to sex trafficking and forced labour. The US Department of State gave it a Tier 2 rating for trafficking in persons, meaning that the authorities do not fully comply with the US Trafficking Victims Protection Act’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards. Women and girls are subjected to sex trafficking in private homes and apartments, nightclubs, and massage parlours.\(^{373}\)

In 2013, an EU progress report stated that the number of child victims of trafficking for the purpose of sexual exploitation was increasing.\(^{374}\) In 2015, the authorities identified children exploited as dancers and escorts, who are also vulnerable to sex trafficking.\(^{375}\)

Under Kosovo’s legislation, engaging children in prostitution, pornography or unlawful sexual practices is a criminal offence, and the age of consent is 18. Kosovo’s legislation also allows for prosecution of Kosovar nationals for sexual exploitation of children in foreign jurisdictions. However, there are insufficient child-friendly mechanisms available to report cases.\(^{376}\)

Meanwhile, the Council of Europe’s Group of Experts was informed in 2015 that the exploitation of children for forced begging and other forms of forced labour is reportedly a growing trend; however, official statistics of identified victims reportedly do not bear this out.\(^{377}\)

Specialized police units identified 11 child trafficking victims in 2015 compared with 18 in 2014 and 12 in 2013.\(^{378}\) Forty-four per cent of identified trafficking victims in 2013-2014 were children.\(^{379}\)

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377 Group of Experts on Action against Trafficking in Human Beings, Report on the compliance of Kosovo with the standards of the Council of Europe Convention on Action against Trafficking in Human Beings, Council of Europe, April 2016, at https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806E454c
Centres for Social Work manage cases of child trafficking, and contract civil society organizations to provide rehabilitation and recovery for victims. The authorities can place child trafficking victims in one shelter designated solely for child victims of violence (run by the NGO Shpresa & Shtëpitë e Fëmijëve and funded by the Ministry of Labour and Social Welfare with around EUR 50,000 a year), another shelter for victims with low risk is operated by an NGO and funded primarily by international donors but partially by the MLSW, while foster care is available for long-term care.

The law in Kosovo has evolved in recent years with regard to trafficking. The 2012 Criminal Code criminalises trafficking in human beings under Article 171 (trafficking in persons). The comprehensive Law 04/L-2018 on Prevention and Combating Trafficking in Human Begins and Protection of Victims of Trafficking entered into force in September 2013. It includes a standalone chapter on child trafficking. However, it should be noted that while Kosovo provides support, counselling and protection to child witnesses of trafficking, it does not do so for other crimes of sexual exploitation.

High-level corruption creates an environment that enables some trafficking crimes. Several police officers, labour ministry officials, and other public sector officials have been charged or convicted of trafficking crimes.

Key messages:

- Children from Kosovo and neighbouring areas are trafficked for begging, and are vulnerable to trafficking for sexual exploitation.
- Legislation against child trafficking has been strengthened in recent years; nevertheless problems persist with its implementation.
- Corruption enables some trafficking crimes.

4.3.4 Child labour

Child labour in Kosovo has been described in a recent UNICEF study as “widely tolerated and accepted”. There are no consolidated administrative data available on the scale of economic exploitation of children in Kosovo. However, according to MICS 2013-14, 8 per cent of children aged 5-11 years, 14 per cent aged 12-14 years, and 26 per cent aged 15-17 years are engaged...
in economic activities. Seventeen per cent of Roma, Ashkali and Egyptian children are involved in child labour, compared to 11 per cent in total in the general population. Research conducted for the European Union in 2013 indicated that both the police and community members believe that Roma, Ashkali and Egyptian children are disproportionately involved in begging, and that this is largely driven by family poverty. These children normally have little education and limited parental supervision and/or care. However, the 2013 report also referenced research highlighting organized crime benefitting from begging, and Kosovo’s status as a source, destination and transit country for trafficking of children for forced begging. No quantitative data is available on the scale of the problem.

Twelve per cent of children aged 5-17 years who are not attending school are involved in child labour. Male children are far more likely to be involved in child labour based on economic activities. Child labour based on economic activities among those aged 12-14 is more common in rural areas (8%) than urban areas (1%). Both children from general population and those living in Roma, Ashkali and Egyptian communities are more involved in child labour if they live in the poorest households than those living in the richest households.

In general 16 per cent of male children and 5 per cent of female children are involved in child labour that is "visible and widespread, and sometimes in types of work and conditions classified by ILO as the Worst Forms of Child Labour and Hazardous Child Labour." Seven per cent of children aged 5-17 years are working under hazardous conditions.

In 2015 the Ombudsperson reported that the number children collecting cans from litter bins, cleaning car window screens, hawking chewing gum and other items on streets and in cafes, and begging was increasing. Working children face psychological pressure from parents to bring back certain amounts of money, and worry about being caught by the police, particularly if they are doing something illegal. These children normally have little education and limited parental supervision and/or care, and the problem is reportedly particularly common among children from Roma, Ashkali and Egyptian communities.
Pristina, for example, most of the children appear to be from Albania or from Fushe Kosovo. The pattern of cross-border migration from Albania has been confirmed in research conducted in 2015. The Kosovo Agency of Statistics does not have figures about the number of children living and/or working on the streets, though Centres for Social Work and the police reportedly collect data about the children. There are no specific services to address children working on the street, such as day or night shelters; rehabilitation and reintegration services to provide social, educational and psychological support to children and parents; or mobile teams to reach out to children on the street. The children are at risk of trafficking, but Centres for Social Work can provide nothing except for social assistance. In some cases, children have reportedly been accompanied to the Albanian border by CSW staff paying from their own pocket. If children are seen as at medium or high risk, their cases can be taken to case management roundtables.

Other hazardous areas of work for children in Kosovo include agriculture, where they may be exposed to hazardous conditions including long hours of hard physical work in fields or cutting trees, operating agriculture machinery, spraying with pesticides, working on harvesting threshing, or work in slaughterhouses; as well as mining, where they work underground, in tight spaces and without adequate ventilation.

There has been some progress in legislation and policy on combatting child labour in recent years, and Kosovo has aligned legislation with the ILO’s child labour conventions. Administrative Instruction 5/2013 on the Prevention and Prohibition of Hazardous Child Labour in Kosovo was approved in July 2014. It contains an updated Hazardous Child Labour List drawn up with ILO support. A new Action Plan for eliminating the Worst Forms of Child Labour was introduced by the institutions of Kosovo for 2015-2016. A Committee for the Prevention and Elimination of Child Labour chaired by the Ministry of Labour and Social Welfare had its first meeting in June 2016. It brings together the institutions of Kosovo and civil society to monitor policies and programmes; define priorities for the protection of children; provide guidelines and propose legislative amendments.

Nevertheless, capacity in Kosovo to identify and report situations of economic exploitation remains limited. Because Centres for Social Work lack sufficient staff and resources, they are unable to...
identify cases of children involved in hazardous work. Despite its mandate of inspecting workplaces and conditions of employment, the Labour Inspectorate lacks a presence at local level, and is also limited in staff and time. There are also no peer- or self-reporting mechanisms for such exploitation.407

Key messages:

- There has been legislative progress in addressing child labour in recent years.
- Child labour continues to be prevalent in Kosovo, including hazardous forms. Particularly challenging areas of work include begging, agriculture and mining.
- Children from the Roma, Ashkali and Egyptian communities are particularly susceptible to engagement in begging, both to support families living in poverty and as a result of trafficking by organized criminal groups.

4.3.5 Children and the justice system

4.3.5.1 Children in conflict with the law

Under the criminal justice system, detention can only be used as a last resort, and the time served should be proportionate to the severity of the offence.408 However, the total number of children in pre-trial detention in Kosovo rose from 66 in 2007 to 100 in 2015. The total number in detention following conviction rose to 2015 in 28 from a low of nine in 2009. Pre-sentence diversion of children away from custodial sentencing has become more common, and by 2015 accounted for 63 per cent of cases.409 The average length of pre-trial detention for minors in Kosovo fluctuated between one and four months between 2007 and 2012.410

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<tr>
<td>Pre-trial detention</td>
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<td>74</td>
<td>115</td>
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<td>62</td>
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<td>Imprisonment</td>
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<td>Educational measures</td>
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<td>17</td>
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<td>Children entering pre-sentence diversion scheme, as percentage of children convicted</td>
<td>19%</td>
<td>47%</td>
<td>32%</td>
<td>38%</td>
<td>56%</td>
<td>48%</td>
<td>44%</td>
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<td>63%</td>
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<tr>
<td>Average length of pre-trial detention</td>
<td>26</td>
<td>102</td>
<td>87</td>
<td>48</td>
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Tabela 3: Types of measures, punishment and pre-trial detention as per Juvenile Justice Code

408 Juvenile Justice Code, Article 3
409 Data provided to UNICEF by Ministry of Justice- Lipjan Correctional Facility
410 Dr Adam Novak et al, Multi-country evaluation of the impact of Juvenile Justice System Reforms on children in conflict with the law (2006-2012), UNICEF, January 2015
While men and boys are separated in post-trial detention, girls and women are not. The Ministry of Justice attributes this to lack of space at the Lipjan Correctional Centre for juveniles and females, the only prison in the country for these categories of detainees. Mixing adult and child females contravenes the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), and is likely to negatively impact girls’ welfare. Another concern is that pre-trial detainees were being placed in the same institution as those in post-trial detention.

Little recent research is available on the conditions for juveniles at the Lipjan Correctional Centre. However, concern was raised by civil society organizations in September 2016 that the Ministry of Education, Science and Technology was not providing education to the juveniles at the beginning of the school year. In October 2015, when a similar problem arose, the municipal education authority in Lipjan attributed it to teacher shortages. KOMF highlighted that this lack of teaching was a breach of the children’s rights, and would make reintegration into society more difficult on release. Meanwhile, reporting on a 2013 visit, another NGO highlighted the urgent need for a psychologist at the facility, a lack of regular medical visits to both the juvenile and the female facility, and shortages of basic equipment at both facilities, such as chairs (in both facilities), tables and cupboards (in the female facility).

In Kosovo there is currently no open educational and correctional facility for children in conflict with the law. This means that in sentencing children, judges are less able to determine an appropriate and effective sentence in the best interest of the child. In this context the Ministry of Justice, with European Union support, is constructing such a facility and UNICEF has supported development of the training programme for the centre and training of the staff to work in the facility.

Special departments have been established for juveniles under the basic courts and the appeal court. There are a total of 343 judges in Kosovo, some of whom deal with juvenile cases, including one of the 14 judges on the Supreme Court, and others in seven Basic Courts and one Appeal Court. There are no special criteria for the appointment of judges for children: they are selected by the Court President. Until recently, there was a problem of high turnover of judges trained to work with children, as they would change department to higher paid roles working on serious crimes.

417 UNICEF, Support to Juvenile Justice in Kosovo, Application for EU funding, 2013
418 Interview, UNICEF, 12 October 2016
419 Figure as of 13 October 2016, taken from Kosovo Judicial Council website at http://www.gjqesori-rks.org/en/
420 Interview, UNICEF, 12 October 2016
However, now the salaries for judges working with children have been raised to match those in other
departments, and this problem has been resolved.421

In 2011, the Kosovo police introduced eight child-friendly interview rooms, with support from UNICEF,
in seven cities around the country.422 However, the expected replication and scale-up has not taken
place, and the interview rooms are not being used as effectively as they should be.423
There are also special departments for minors at basic prosecutors’ offices.424

Kosovo’s justice system for juveniles is under development. In 2010, the Juvenile Justice Code
was approved. In 2012, the Law on Execution of Penal Sanctions was revised, and it now defines
the services provided for juveniles by the Correctional Service and Probations Service, which will
contribute to their reintegration and re-socialization with society.425

Juvenile justice experts generally agree that legislation in Kosovo is now very strong, but implementation
remains a major concern.426 According to the Ministry of Justice the problems include: i) a lack of services
and prevention initiatives; ii) limited public sector capacity to monitor and report on justice for children
and child protection; and iii) newly-appointed judges and prosecutors facing difficulties implementing
the Juvenile Justice Code. Although, juvenile justice is now seen as a priority, further capacity building is
required to overcome these difficulties.427

A proposed amendment to the Juvenile Justice Code, which is currently being reviewed by the
institutions of Kosovo, reduces the maximum length of pre-trial detention of juveniles from one year
to six months. It also clarifies the situation of children under the age of criminal responsibility as well
as the concepts of child friendly justice, victims and witnesses. There is also improved access to
quality legal aid services by children in conflict with the law thanks to the establishment of pro bono
free legal aid services.428 During the drafting of this report, the Assembly of Kosovo dissolved on 11
May 2017 as a general election was called for 11 June 2017. Pursuant to Article 86 of the Rules and
Procedures of the Assembly, the draft laws that were undergoing revision in the previous Legislature
were considered as not submitted to the upcoming Legislature of the Assembly. Therefore the
Juvenile Justice Code will have to be submitted again by the proposers or the Government in order
to be considered in the sixth Legislature of the Assembly.

Juvenile justice is a particular concern in North Mitrovica. The court is not functional and cases
are not being processed, with over 5,000 cases pending. In addition the probation service is weak,
with no ethnic Serbian probation officers, and coordination mechanisms between institutions do not

421 Interview, UNICEF, 12 October 2016
422 UNICEF, Kosovo Police establishes Child Friendly Interview Rooms across all regions, 31 October 2011, at http://www.unicef.org/
Kosovoprogramme/media_20361.html
423 Interview, UNICEF, 12 October 2016
424 Law 3/L225 “On State Prosecutor” of October 2010
426 UNMIK, Juvenile Justice Children Rights in Kosovo, June 2016, at http://unmik.unmissions.org/juvenile-justice-children-rights-Koso-
ovo-radio-programme-0
427 Ministry of Justice, Rule of Law Assistance Strategy in Kosovo 2016-2019 (Justice and Internal Affairs), May 2014, at http://www.md-
ks.net/repository/docs/Rule_of_Law_Assistance_Strategy_in_Kosovo_2016-2019_(Justice_and_Internal_Affairs).pdf
exist. There is also no implementation of alternative measure available in the north. Even if the court becomes operational the concern will remain that the north lacks a semi-open institution, probation service and acceptance of community rehabilitation.

**Key messages:**

- Legislative reforms are ongoing to improve juvenile justice.
- Kosovo has seen a slight rise in the number of children in pre-trial detention between 2013 and 2015.
- The right of children in detention to education is largely denied.
- Female juvenile offenders are detained with adult women offenders, breaching standards for administration of juvenile justice.

**4.3.5.2 Children at risk of coming into conflict with the law**

The age of criminal responsibility in Kosovo is 14. Despite legal provisions to protect children under this age who have committed criminal offenses, or who are at risk of coming into conflict with the law, there is currently a lack of services defined in law and available for these children, except for those generally provided for various categories that are in need. This means that children may be caught in a cycle of offending, and then be caught up in the criminal justice system from the age of 14.\(^\text{429}\)

At the same time although the Juvenile Justice Code has assigned Centres for Social Work (CSWs) the responsibility for prevention work, the Guardianship Authorities, (which are responsible for child protection within the CSWs) have been unable to fulfil this mandate effectively because of limited capacity and the absence of prevention and protection programmes.\(^\text{430}\)

In practice, social workers at CSWs (where children are referred in some cases by the police) lack the capacity and material resources to work with the children, while schools also suffer from a lack of staff (such as psychologists) to help break the cycle of offending. Finally, there is little coordination between frontline professionals for prevention of recidivism.\(^\text{431}\)

**Key messages:**

- There is a lack of services for children under the age of criminal responsibility to prevent future offending. This is because of lack of financial and human resources.
- There is no effective coordination between social workers, police and judges.
- Social reintegration of young offenders is weak because of a lack of reintegration and resocialization programmes.

\(^95\)


\(^430\) Information provided by UNICEF, 25 November 2016

4.3.5.3 Child witnesses

Currently, there are no regulations in place for the protection of child witnesses.\footnote{Office on Good Governance, Mapping and Assessment of the Child Protection System in [Kosovo], 2012} There appears to be little information easily accessible about this topic. However the proposed amendment of the draft Juvenile Justice Code and the new final draft of Child Protection Law contain clear provisions that protect the rights of child witnesses and regulate procedures in line with international standards.

4.3.5.4 Children and the civil law system

While there have been significant changes to criminal law regarding children, there has been less on civil law. In its 2016-2019 Rule of Law Assistance Strategy, the Ministry of Justice points to issues such as alimony and adoption as areas where Kosovo could benefit from international best practice.\footnote{Ministry of Justice, Rule of Law Assistance Strategy in Kosovo 2016-2019 (Justice and Internal Affairs), May 2014, at http://www.md-ks.net/repository/docs/Rule_of_Law_Assistance_Strategy_in_Kosovo_2016-2019_(Justice_and_Internal_Affairs).pdf}

In Northern Kosovo, a particular challenge for children who come into contact with the justice system is the lack of integration between services. While Centres for Social Work, health and education systems report to the Serbian system, the police report to Pristina. In the current context it can be difficult to get the systems to work together.\footnote{Interview, Caritas Kosova, 13 October 2016}

4.3.6 Children without adequate parental care

Kosovo does not have high rates of children separated from their parents. In addition, unlike several of its neighbours, it does not use large-scale residential institutions for their care, but instead relies on kinship care, foster care and guardianship services to provide alternative family-type accommodation for children. Community-based residential care options are also used, such as shelters and small-group homes for children in vulnerable situations including domestic violence, trafficking and sexual exploitation.\footnote{Child Pact, KOMF and WorldVision, Child Protection Index: Kosovo 2016, September 2016}

4.3.6.1 Prevention of loss of parental care

Kosovo’s legislation stipulates that material, psychological and practical assistance should be provided for families to prevent the separation of parents and children. There are municipal lists of children at risk of neglect, abuse or exploitation. However, prevention and re-integration services are weak because of the overstretching of Centres for Social Work and insufficient resources, which means they focus on crises and largely neglect preventive work.\footnote{Child Pact, KOMF and WorldVision, Child Protection Index: Kosovo 2016, September 2016}

4.3.6.2 Loss of parental care

In September 2015, the Ministry of Labour and Social Welfare reported that there were 1,279 children without parental care in Kosovo. Of these, 505 were in a variety of special circumstances arising
from the 1998-99 war and not under the supervision of the institutions of Kosovo. Of the other 752, 590 were in kinship care, 68 in foster care (through a Ministry of Labour and Social Welfare scheme with the NGO Amici dei Bambini), a further 68 in the care of SOS children’s villages, 20 in the care of other NGOs and 6 in the Shtime residential care home for children with disabilities.437

The number of children newly without parental care has shown a general trend of decline from 90 in 2005 to 42 in 2014:438 This continues a trend from a peak of 150 babies being abandoned per year directly after the war, which reflects the social disruption caused by the conflict. Social stigma against mothers bearing children out of wedlock remains a major factor behind the abandonment of children.439 Other factors include a belief among some mothers living in poverty that their children will receive better support in the care of the state than they can provide themselves, at least temporarily. Counselling is provided to the mothers, often by psychologists employed by international NGOs: if the mothers are under 18, the parents must be involved as well.440

![Figure 17: Number of abandoned children in Kosovo per year, 2004-2014](image)

**4.3.6.3 Alternative care**

In 2013, SOS Children’s Villages reported that despite legislation being up-to-date, the rights of children in alternative care were often violated. They suggested that a greater range of alternative

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440 Interview, Pristina Centre for Social Work, 18 October 2016
care and programmes should be provided to support implementing policies and legislation to directly target the most vulnerable children and families. These policies should provide care, increase capacity, and strengthen social support systems within communities.\textsuperscript{441}

Alternative care in Kosovo comprises both residential and foster care services and there are considerable concerns over the quality of foster care provision. In 2015 SOS Children’s Villages was caring for 68 children without parental care. Other foster families are selected, evaluated and given training by Centres for Social Work with the support of Amici dei Bambini, which took over the role of primary support and development for foster care in Kosovo in 2007. Amici dei Bambini also plays a major role in supporting individual foster families, Centres for Social Work, and the operation of the system.\textsuperscript{442}

In most cases children who need care remain with foster families between six months and a year, but this can continue until their status is resolved. In 2013 Kosovo had a network of 40 well-prepared foster families who received a fee of €150 per child per month (or €250 for children with disabilities) from the national budget.\textsuperscript{443} The Association of Municipalities report that the payment is insufficient, particularly given that families receive no extra support for social costs or healthcare.\textsuperscript{444} Some municipalities reportedly provide additional payments to foster carers from municipal budgets.\textsuperscript{445}

An SOS Children’s Village document states that there is broad consensus in Kosovo that this network is much better than the institutionalisation of children.\textsuperscript{446} Only 22 out of 38 municipalities have foster families however,\textsuperscript{447} and there is a particular shortage of foster families in Pristina: as of October 2016 there was only one family in the city – this is likely to reflect the higher cost of living and more alternative income sources in the capital.\textsuperscript{448} As of 2015, most of the children placed in foster care were children and infants, with a few older siblings also fostered.\textsuperscript{449} Apart from abandoned children, foster care is also used for other categories of children in crisis, including victims of domestic violence and some children involved in divorce cases.\textsuperscript{450} However, in many emergency cases, foster care is reportedly not considered as an option.\textsuperscript{451} Concern has also been addressed by civil society

\begin{footnotesize}
\begin{enumerate}
\item SOS Children’s Villages, A Snapshot of Alternative Care Arrangements in Kosovo, 2013, at http://www.sos-childrensvillages.org/getmedia/539d6848-479b-42de-bf36-508b66b6c3ab/KOSOVO-FINAL-to-upload.pdf
\item Association of Municipalities, Strategy of the work of Collegia of Health and Social Welfare for the year 2014 – 2016, 2014
\item Interview, Pristina Centre for Social Work, 18 October 2016. It should be noted that this is not the case in Pristina.
\item SOS Children’s Villages, A Snapshot of Alternative Care Arrangements in Kosovo, 2013, at http://www.sos-childrensvillages.org/getmedia/539d6848-479b-42de-bf36-508b66b6c3ab/KOSOVO-FINAL-to-upload.pdf
\item Child Pact, KOMF and WorldVision, Child Protection Index: Kosovo 2016, September 2016
\item Interview, Association of Municipalities, 18 October 2016
\item Association of Municipalities, Strategy of the work of Collegia of Health and Social Welfare for the year 2014 – 2016, 2014
\end{enumerate}
\end{footnotesize}
organizations that there is no legal provision discouraging unnecessary changes of placement.\textsuperscript{452} While the direct costs of placement (such as the assessment of foster carers, the approving of carers, the matching of children to placements and monitoring) are borne by the institutions of Kosovo, much of the financing for foster care in Kosovo has been externally funded and come through the NGO sector, and particularly Amici de Bambini (with support from the Government of Italy). There is a lack of specialisation in Centres for Social Work – including in relation to child protection or foster care – and it is widely accepted that the Centres lack adequate professional and financial capacities and resources.\textsuperscript{453} The extent to which the institutions of Kosovo have enough commitment to make alternative care sustainable without international support is unclear.

According to a 2014 Association of Municipalities report, there was a lack of cooperation and coordination of activities after decentralization between institutions mandated on foster care development. According to a 2015 report: “Social workers who are not able to make unannounced visits to fostered children, to prospective adoptive children… are ineffective in their role as protectors of children.”\textsuperscript{454} However, with UNICEF support in later 2014 the Ministry of Labour and Social Welfare (MLSW) developed minimum standards for foster care and kinship care services for children without parental care. In 2015 the MLSW designed, printed out and disseminated the standards to all Centres for Social Work in Kosovo. The Monitoring and Inception Department within the MLSW is responsible for monitoring and inspecting all social service providers, including CSWs, NGOs and other relevant agencies.\textsuperscript{455} However, in 2014 the Association of Municipalities reported that monitoring is ineffective because there is no well-defined monitoring system in place and a shortage of human resources for case management.\textsuperscript{456}

The SOS research found that there are “legal gaps and concerns related to alternative care: most importantly the application of admissions procedures to alternative care; insufficient individual care solutions and plans, particularly for children with disabilities; lack of commitment to keeping siblings together; poor procedures for handling children’s complaints; lack of resources for preventative care; lack of private providers; and inadequate monitoring of alternative care to protect children from abuse.”\textsuperscript{457}

In Northern Kosovo, the situation is quite different for children deprived of parental care. Centres for Social Work in the Serbian-majority municipalities report to both the Pristina and the Belgrade authorities. Decisions are made for children whether it is more suitable for them to be cared for by the Serbian or the Kosovar system. There are some safe houses in the region, where ethnic Albanian and some ethnic Roma children are housed, though only for a maximum of six months: after this

\textsuperscript{454} Peter Evans, Assessment of existing child protection multi-stakeholder coordinated mechanisms in Kosovo, Terre des Hommes, 11 April 2015
\textsuperscript{455} Information provided by UNICEF, 21 December 2016
\textsuperscript{457} SOS Children’s Villages, \textit{A Snapshot of Alternative Care Arrangements in Kosovo}, 2013, at http://www.sos-childrensvillages.org/getmedia/539d6848-479b-42de-bf36-508b66b6c3ab/KOSOVO-FINAL-to-upload.pdf
the children usually have to be returned to their families. Ethnic Serbian children reportedly do not feel secure in these safe houses, and so tend to be placed with the Serbian system as there are no foster families in northern Kosovo, often this means travelling 200 kilometres to stay in institutions or foster families in Serbia. In October 2016 there were 28 children from northern Kosovo in such institutional care. However, training of foster families has begun Zubin Potok and Leposavic municipalities, and it is hoped that they will be registered soon.459

4.3.6.4 Transition out of care

Another concern is the lack of procedures for transition out of care. In 2011 only 14 children were successfully reunited with their parents.460 Domestic adoption rates are low and children with disabilities are not adopted in Kosovo, though sometimes they are adopted internationally.461 In some cases, babies may remain with foster parents for over a year before being placed with adoptive parents. By this time they will very likely have formed deep attachments to the foster carers, making the transfer difficult. This is partly because Centres for Social Work are not clear about how long a mother should be given to fully consider a decision to relinquish a child, partly because judges and Centre staff may differ about the quality of written report required for adoption, and also because it is not clear whether the Child Placements Panel makes a decision or has an advisory capacity (though the Government disputes this statement).462

In this context, children are like to remain in alternative care until they turn 18. SOS and Caritas both have transition programmes from care, but just for those young people in their care. In particular, of 10 residents of a home for children with disabilities in September 2015, four were over the age of 18 but remained in the home because they had nowhere else to go. There are currently no similar services operated by the Institutions of Kosovo - according to a 2015 report, there is a major gap and weakness in the legislation concerning the rights of care-leavers, and there is little sign of any focus on care-leavers in the work of the Ministry or Centres for Social Work.463

Key messages

- Kosovo does not have large residential institutions like many of its neighbours in the Balkans, but rather focuses on alternative childcare provisions, such as kinship care, foster care and guardianship.

458 Interview, Centres for Social Work, Zvecan, 13 October 2016
459 Interview, Caritas Kosovo, 13 October 2016
There is a shortage of professional foster care families in Kosovo, particularly in Pristina where allowances may not be seen as financially viable.

Adoption is also rare, particularly for children with disabilities.

Most young children leaving state care lack access to programmes to support them in their transition to adult life: the exception is young people cared for by SOS Children’s Villages and Caritas.

4.3.7 Child marriage

Under Kosovo's legislation, marriages can only take place with the full and free consent of both parties, and both would-be spouses must be over the age of 18. However, courts may allow a minor over the age of 16 to marry if that person has reached the ‘necessary physical and psychological maturity’ for exercising marital rights and fulfilling marital obligations. In such cases, the courts must seek input from a ‘Custodian Body’, the minor, ‘his’ parents, and the intended future spouse. There are concerns that under the Family Law, a married person under the age of 18 loses the legal status of childhood: while this may be appropriate for some issues, certain rights, such as the right to protection from work that is harmful or dangerous, should be maintained. Meanwhile, adolescents who become mothers or fathers should have the legal capacities needed to take on at least some of the rights and responsibilities inherent in parenthood.

Early marriage, which also tends to disproportionately affect girls, albeit rare, still exists in Kosovo, particularly amid delayed official registration of marriage and weak institutional mechanisms for enforcing existing legislation.

In Kosovo today, child marriage is relatively rare, but it continues to be practised most notably, but not exclusively, among Roma, Ashkali, Egyptians and Gorani. The 2013-2014 MICS found that 12 per cent of Roma, Ashkali and Egyptian women in Kosovo had entered a marital union before their 15th birthdays and 43 per cent before their 18th birthdays. Child marriage was more likely among the poorest quintile and among those with the poorest educational attainment.

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464 In practice, the “Custodian Body” is the Guardianship Authority under the municipal Centre for Social Work [UNICEF, Legal Framework for Child Rights in Kosovo, 2014]
466 UNICEF, Legal Framework for Child Rights in Kosovo, 2014
The proportion of women married or in union by age 15 or 18 has gradually declined over time. According to the 2013-2014 MICS, 1 per cent of women aged 15-49 years among the general population were married before age 15, and a tenth (10%) of women age 20-49 years were married before age 18. About 3 per cent of young women aged 15-19 years are currently married.\textsuperscript{470} In 2014, a total of 27 16-year-old girls and 68 17-year-old girls were officially married in Kosovo: no boys under 18 were married.\textsuperscript{471}

Public records suggest child marriages occur more frequently in Gjakova, Peja, and Prizren, although UNFPA interview respondents in 2012 said child marriages are also common in Mitrovica. Young Roma, Ashkali, and Egyptians living in camps in North Mitrovica may opt for child marriage as a way of leaving the camps ‘for a better life’. Child marriages also occur in rural areas where traditional influences may be stronger.\textsuperscript{472}

According to the 2012 UNFPA research, legal provisions protecting the rights of children from child marriage are not sufficiently implemented. When the authorities investigate suspected cases of child marriage, community leaders may intervene to negotiate between police and parents. Sometimes institutions choose not to become involved, believing it should be up to the family and spouses to decide. While some officials attribute child marriage to tradition, rights activists argue that it is ‘not so much tradition, but the failure of mechanisms and institutions to implement the law’. Instances of police,

prosecutors, and judges justifying inaction on account of ‘tradition’ have been reported. The under-
funding, under-staffing and lack of expertise in Centres of Social Work is also a major problem.473

Despite being prohibited in Kosovar legislation, child marriages are not reported or prevented, and are not punished. Instead they are “accepted” by the authorities and the communities themselves as an “internal matter” for the communities.474

4.3.8 Returnee and repatriated children

4.3.8.1 Background

During the 1990s, as a result of the conflicts in the former Yugoslavia, hundreds of thousands of people fled the violence, many of them to the west.475 In 2001 it was estimated that at least a million people from Kosovo were abroad, particularly in Germany and Switzerland.476 While the numbers are not disaggregated by ethnicity, it appears that more than 150,000 were from the Roma, Ashkali and Egyptian communities, as the total population from the three communities fell from an estimated 200,000 in 1998 to 38,000 in 2010.477 However, in recent years there has been a tendency to revoke their permission to remain in their countries that they had been living in for more than a decade.478

This had led to the repatriation of thousands of people to Kosovo, from Germany and other western European countries. In 2014, a total of 4,610 persons were repatriated, with the top eight repatriating countries being Germany, Hungary, Switzerland, France, Sweden, Austria, Belgium and Norway.479 Between January and August 2017, 4,534 forced returns were reported including 370 Roma, 224 Ashkali, and 46 Egyptians. Among those forcible deported, 1,474 were children. Most from the minority ethnic communities were deported from Germany.480

Repatriated children are in a particularly precarious situation. Foreign-born and minority children experience their repatriation as traumatic. In 2012, it was reported that every third repatriated child suffered from post-traumatic stress syndrome. Many returned children lived in poverty, but the mental health care system in Kosovo was unable to provide adequate treatment for repatriated children and parents.481 This section of the report looks at the system for return and reintegration, and some of the challenges faced by the children.


4.3.8.2 System for return and reintegration

The Ministry of Internal Affairs has made significant advances in the protection of repatriated children and families in recent years through the establishment of a reintegration department and procedures to support them, including a repatriation programme. Assistance is provided from the moment the institutions of Kosovo are informed of the decision to return the family. The sending country is requested to provide birth certificates, educational certificates, health and disability information, and any other relevant information.\textsuperscript{482}

The Ministry of Internal Affairs meets the repatriated families at the airport, and vulnerable groups, such as those with serious medical conditions and unaccompanied children, receive additional assistance from other Ministries. The repatriated families are taken to the municipality they will settle in or a reception centre for up to a week if they have nowhere to stay. A needs assessment takes place in the municipality to determine what support the family requires.\textsuperscript{483} A wide-ranging package of financial, material and social support is provided to the repatriated persons for a year after return: this can be extended if necessary. For example, over the past year, 347 children completed Albanian language classes.\textsuperscript{484}

In 2016, additional guidelines were drawn up with UNICEF support for the treatment of unaccompanied repatriated children. By October 2016, only two such repatriations had occurred, but it is reported that larger numbers are likely to arrive soon, because of children who took part in the 2014-15 exodus returning.\textsuperscript{485} Generally, according to the Guidelines, the families of the children in Kosovo will be identified, and the children will go to live with them, but if deemed necessary by the case manager and if legislation permits, the child may be housed with a foster family.\textsuperscript{486}

4.3.8.3 The challenges faced by returnees

A total of 3,058 individuals were receiving assistance from the Ministry of Internal Affairs’ reintegration department in 2014. It is not known what proportion were children. Between November 2013 and December 2014, the NGO Monitor, with UNICEF support, assisted 767 children.\textsuperscript{487} In practice, very few returnees have serious health problems or disabilities.\textsuperscript{488}

Monitor regularly reviews the situation of repatriated families. The latest report, covering February to June 2016, revealed that improvements had been made to the food package given to repatriated families.

However several challenges remain with the integration of children. A number of children had returned to Kosovo without birth certificates or other records (this has also been identified as a

\textsuperscript{482} Ministry for Internal Affairs, Guidelines for assistance and support of repatriated persons for sustainable reintegration based on reintegration policies, May 2014

\textsuperscript{483} Ministry for Internal Affairs, Guidelines for assistance and support of repatriated persons for sustainable reintegration based on reintegration policies, May 2014

\textsuperscript{484} Interview, Ministry for Internal Affairs, 20 October 2016. See also Ministry for Internal Affairs, Guidelines for assistance and support of repatriated persons for sustainable reintegration based on reintegration policies, May 2014

\textsuperscript{485} Interview, Ministry for Internal Affairs, 20 October 2016

\textsuperscript{486} Ministry for Internal Affairs, Guideline for Readmission and Re-integration of Unaccompanied Children, 2016


\textsuperscript{488} Interview, Ministry for Internal Affairs, 20 October 2016
key concern by the Ministry of Internal Affairs\textsuperscript{489}). Given discriminatory attitudes in Kosovo, this was causing problems registering births or registering for social assistance in Kosovo for Roma, Ashkali and Egyptian families,\textsuperscript{490} despite the fact that policies are in place to ensure birth registration for the three communities (see Section 4.3.1: Birth registration). Because of general challenges accessing employment and social assistance in Kosovo, many families depend on remittances from family members still in Western Europe as their primary source of income. Some families reportedly relocate to Serbia, particularly if their homes in Kosovo have been destroyed or are now lived in by ethnic Albanians.

Many families seek to return to Western Europe, such as during the 2014-15 exodus.\textsuperscript{491}

Another problem is that sending countries repatriate children in the winter or during the school term: this can be harmful for the children’s health and also disrupt their education even more than is already the case.\textsuperscript{492}

Discrimination against Roma, Ashkali and Egyptian repatriated families has also been a concern when there has been a need to find adequate rented accommodation.\textsuperscript{493} The institutions of Kosovo have identified this as a priority issue facing the three communities.\textsuperscript{494} Forty three children were not attending school in the 2015-16 school year: this in part was due to lack of access to language and preparedness classes for children that did not speak Albanian or another language of instruction in Albania. Finally, domestic violence and mental health problems within families were not being addressed in some cases by service providers, who insisted on being provided with documentation which was not available or difficult to obtain.\textsuperscript{495}

Given the reintegration challenges faced by repatriated Roma, Ashkali and Egyptian families in Kosovo, many reportedly seek to leave again for Western Europe.

\textit{Key messages}

- Kosovo has set up an extensive system and relatively well-financed programme to provide support to families, including children, repatriated from elsewhere in Western Europe, from the moment they are notified of the host country’s intention to repatriate until a year after they get back.
- Some children return to Kosovo without birth certificates and other documentation, making integration challenging in the light of municipal government requirements.

\textsuperscript{489} Interview, Ministry for Internal Affairs, 20 October 2016
\textsuperscript{490} NGO Monitor, Project ‘Reintegration Assistance’ Monitoring Report: Reporting Period from February-June 2016
\textsuperscript{491} Society for Threatened Peoples, Lost in Transition: The Forced Migration Circle of Roma, Ashkali and Balkan Egyptians from Kosovo, 2015, at https://assets.gfbv.ch/downloads/Kosovobericht_low_doppelseiten_online.pdf
\textsuperscript{492} Interview, Ministry for Internal Affairs, 20 October 2016
\textsuperscript{493} NGO Monitor, Project ‘Reintegration Assistance’ Monitoring Report: Reporting Period from February-June 2016
\textsuperscript{494} Office of Good Governance, Strategy for Inclusion of Roma, Ashkali and Egyptian Communities in the Kosovo Society 2017-2021, Draft 2, 6 October 2016
\textsuperscript{495} NGO Monitor, Project ‘Reintegration Assistance’ Monitoring Report: Reporting Period from February-June 2016
Discrimination against Roma, Ashkali and Egyptian families in particular makes finding accommodation, entering school and accessing social services particularly challenging.

Families faced with difficulties reintegrating in Kosovo are more likely to look to leave again for Western Europe.

4.3.9 The social protection system

The social protection system in Kosovo consists of social assistance and social and family services, the latter of which includes child protection services. It is overseen by the Department for Social Policy and Family within the Ministry of Labour and Social Welfare (MLSW).

4.3.9.1 Social transfers

There are two main income-based categories of social transfers available to children and their families in Kosovo, depending on whether anyone in the family is considered able to work. In the first category, all household members must be either incapable of work or not of working age. The second category covers families with one member able to work, at least one child under five years old or who are permanent guardians of an orphan under 15 years old. The family member capable of working must obtain a certificate from the Employment Office that confirms their unemployment, and that they are both capable of and seeking work. Amendments to the law on social assistance proposed in 2012 suggest that the age limit should gradually be increased as finances become available\textsuperscript{496} – however as of October 2016, the limit of years remains. Meanwhile, there is a separate benefits system for children with disabilities (see section 4.3.1 below).

Social assistance ends if the beneficiary family receives any income.\textsuperscript{497} In addition, once a child turns 18, the family is immediately ineligible for social assistance, as that person is considered a potential income earner.\textsuperscript{498} Therefore, there are no possibilities for children from the poorest families to continue education or training after that age.

These are the only schemes to alleviate poverty in Kosovo, and the budget is calculated just to meet the cost of the food basket. Despite small increases in benefits since it was introduced in 2003, the amount received is still less than the extreme poverty line.\textsuperscript{499} This means families are extremely vulnerable to any shocks to the household. While recipients do not pay utility bills, such as for electricity, there are some indications that this exemption may be withdrawn in the near future, placing even greater strain on vulnerable families’ budgets.\textsuperscript{500}

\textsuperscript{496} Dr. E. Tahiraj, \textit{A Future for Our Children: mapping social protection in Kosovo}, UNICEF, February 2016
\textsuperscript{498} Dr. E. Tahiraj, \textit{A Future for Our Children: mapping social protection in Kosovo}, UNICEF, February 2016
\textsuperscript{499} UNDP Kosovo, \textit{The Real Value of Social Assistance: an assessment of social benefit inadequacy}, 2014, at http://www.ks.undp.org/content/dam/Kosovo/docs/Communications/Dokumenti\%20The\%20Real\%20Value\%20of\%20Social\%20Assistance\%20ONLINE.pdf
\textsuperscript{500} Interview, UNICEF, 13 October 2016
In addition to the low size of social benefits provided, there also seems to be a very high exclusion error, as most people that are poor do not receive the benefits.\textsuperscript{501} The graph below shows a near halving in the number of recipient families from 51,781 in 2002 to 27,389 in 2014.\textsuperscript{502} A representative of the Ministry of Labour and Social Welfare attributed this to the exclusion of families that did not meet the criteria because of better screening by local officials, and forecast that the number of recipient families will fall further as improved tax records mean that more family members receiving other payments, and thus ineligible for social assistance, will be removed from the beneficiary list.\textsuperscript{503} However, the number of families who do qualify for the benefit is unknown, and there is no way to calculate this.\textsuperscript{504} In the meantime, the restrictions to eligibility to social assistance has been attributed by Terre des Hommes sources as a key reason behind the wave of emigration from Kosovo in 2014 and 2015 as many families, particularly Roma, Ashkali and Egyptian, had relied on the benefits as their primary source of income.\textsuperscript{505}

\textbf{Figure 19:} Number of families receiving social assistance, 2002-2014

The IMF notes that Kosovo’s social transfer programmes are narrower in scope than similar programmes in other European emerging economies. Since Kosovo declared independence in 2008, decisions on social cash transfers have been taken more based on political influence than needs. Thus, a significant proportion of cash assistance is taken up by benefits to war veterans, and only a third of the poorest quintile receive any cash benefits.\textsuperscript{506}

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\begin{enumerate}
\item Dr. E. Tahiraj, \textit{A Future for Our Children: mapping social protection in Kosovo}, UNICEF, February 2016
\item Interview, Ministry of Labour and Social Welfare, 18 October 2016
\item Interview, UNICEF, 12 October 2016
Following decentralization of social services and social assistance in 2009, Centres for Social Work at municipal level handle applications for social assistance and the process of verification and validation. However, financing, payment decisions, and actual transfers remain centralised, primarily under the MLSW.\footnote{Csaba Feher, La-Bhus Fah Jirasavetakul, and Alain Jousten, Kosovo: Enhancing Social Protection Cash Benefits, IMF, March 2016, at https://www.imf.org/external/pubs/ft/scr/2016/cr16123.pdf} Under national legislation, social workers should work with vulnerable families to assess need for social assistance, and also to determine if they should be provided with support in accessing education or healthcare, or referrals to other social services.\footnote{Interview, UNICEF, 12 October 2016} However, as we can see below, capacity to provide social services is also extremely problematic.

**Key messages:**

- **Social assistance to families without incomes provides less income than the extreme poverty rate.**
- **The criteria are very tight.**
- **There have been concerted efforts to reduce the number of beneficiaries who do not meet the criteria (ending inclusion error).**
- **Because of lack of capacity at local level and political will, not enough is done to ensure that families entitled to the benefit actually do receive it (ending exclusion error).**

Specific assistance of €100 per month for families of children aged 0-18 with permanent disabilities was introduced in 2009. However, the Ministry of Labour and Social Welfare has struggled to finance this scheme.\footnote{Dr. E. Tahiraj, A Future for Our Children: mapping social protection in Kosovo, UNICEF, February 2016} The selection criteria appear very tight: “Children with permanent physical, mental and sensory form of disability” are those “who are totally unable to perform daily life activities without the care of other person.”\footnote{Kosovo Agency for Statistics, Publication of Social Welfare Statistics 2015, 2016} Meanwhile, as soon as a child turns 18, the payment is reduced to €65, the standard benefit for adults.\footnote{Interview, UNICEF, 13 October 2016}

The number of families receiving these benefits has been falling in recent years. At the end of 2015, only 2,528 families were eligible. Between quarter three and quarter four 2015 the number of families fell by 217: in Pristina alone it fell from 280 to 95.\footnote{Kosovo Agency for Statistics, Publication of Social Welfare Statistics 2015, 2016} The 2,528 families is less than half of the 6,172 children registered with special needs in the education system at the beginning of the 2015-16 school year.\footnote{Ministry of Education, Science and Technology, Education Statistics 2015-2016, 2016}
In northern Kosovo, Centres for Social Work are able to provide social assistance to more categories of children with disabilities under the Serbian system. A panel assesses the child and recommends a monthly allowance of between €70 and 200, depending on the severity of the condition. This does not fully meet the needs of the child and family but does go some way to assisting them.\textsuperscript{515}

\textbf{4.3.9.2 Social services}

In the social welfare sector, the capacity of policy makers and service providers is limited. The Department of Social Policy and Families (DSPF) of the MLSW is responsible for monitoring the work of social service providers, including CSWs and NGOs. The DSPF also proposes, develops, and monitors the implementation of social service standards and procedures according to EU standards.\textsuperscript{516} However, since 2009, municipalities have been responsible for providing social and family services.\textsuperscript{517}

Decentralization of social services to municipalities in 2009 was not accompanied by a specific budget line to fund social services at local level.\textsuperscript{518} This means that both municipalities and the MLSW are unclear about how social services should be financed, and whose responsibility they are to provide.\textsuperscript{519} Local officials are often unwilling to devote discretionary funds to social spending, and

\textsuperscript{515}Interview, Centres for Social Work, Zvecan, 13 October 2016
\textsuperscript{516}MLSW, Sectorial Strategy, 2014-20
\textsuperscript{517}Memorandum of Understanding (MoU) signed in February 2009 between MLSW, Ministry of Local Government Administration, Ministry of Finance, and Kosovo Municipalities for the transition of social services to municipalities.
few do so. This may partly be because, unlike infrastructure spending, social expenditure does not usually raise the profile of local politicians among the general population and potential voters.

As a result of this gap in financing, children at risk, and children with vulnerabilities are not receiving the services they require. The Ombudsperson has expressed concern that in some cases delays to decisions about children by Centres for Social Work can put their health and welfare at risk.

In this context, there is a need for earmarked grants for social services in municipal budgets to ensure effective decentralisation in the same way as health and education grants are already provided. This should be done through amendments to the 2008 Law on Local Government Finance, which sets out specific budget lines and discretionary spending from central level. As of October 2016, it is anticipated that the Law on Local Government Finance will be revised in 2017, and it is hoped that this will result in a budget line for social services. One proposal is to foresee major pillars within the budget line for social assistance, social services and children’s services, and set out an indicative list of activities for municipalities to conduct under each one. Failure to provide such expenditure is having a long-term impact on development of social services and is causing significant problems for vulnerable children.

At municipal level, under the Law on Social and Family Services (2005) and subsequent amendments (2012), Centres for Social Welfare are obliged to identify families and children in need who lack family or other community support, have difficulty caring for their children, or where children are at risks of neglect, exploitation or abuse. Such families and their children should be visited on a regular basis in order to ensure the safety and wellbeing of the children and to provide the family with necessary services.

Even before decentralization, Centres for Social Work had limited capacity to deliver social services, in particular for monitoring and ensuring access for the rights of marginalized families and their children. There are around 200 social workers at municipal level tasked with individually working with children (case management) in order to ensure their protection and connect them with needed services. On average, there is one social worker for an average of 500 families, a very low ratio, and they are not specialized by area of work but deal with all issues. The Department of Health and Social Welfare at municipal level, which supervises the CSWs, usually signs agreements with civil society organizations to provide services to families in need and attempt to prevent family breakdown

520 Interview, Pristina Centre for Social Work, 18 October 2016
521 Interview, Ministry of Labour and Social Welfare, 18 October 2016
524 Law available (in English) at http://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L049_en.pdf
525 Interview, Association of Municipalities of Kosovo, 18 October 2016
526 Dr. E. Tahiraj, A Future for Our Children: mapping social protection in Kosovo, UNICEF, February 2016
by funding a limited number of family strengthening programmes. However, this is not monitored because of the CSWs’ limited capacity. Social workers generally focus on two groups of children: abandoned children and those affected by domestic violence.  

To some extent CSWs coordinate a multi-disciplinary approach to service delivery for children at municipal level. This includes case management roundtables, intended to be at high or medium risk of protection (see Section 4.1.2: Child’s right to a protective environment above). However, improved coordination between relevant institutions is still required.  

Serious concerns have been expressed about the capacity of CSW social workers. “Municipal social workers in CSWs are not resourced with the tools needed to do the job of protecting children. They do not have access to transport to visit families, or make emergency payments to families.” Social workers often come from the background of the social assistance system rather than having been trained in social work. Many are reportedly getting older: this has implications for future workforce planning, especially in the context of difficulties hiring new staff members (see Section 3.2: Expenditure on Children).  

Decentralization of management of services has reportedly also affected communication and reporting links between the MLSW and CSWs. Under decentralized structures, in the vast majority of cases CSWs report to directorates of health and social welfare at municipal level (Prizren has an independent Directorate of Social Welfare, while in Mitrovica there is a Directorate of European Integration and Social Welfare). In practice, it is common for directorates of health and social welfare to be headed by health specialists, and there is little capacity or desire to oversee the CSWs.  

Currently reporting from the CSWs to the MLSW mainly consists of quantitative figures, such as the number of beneficiaries, the type of service received, and dates individuals starting and ended with a particular programme. There is no analysis either at local level or between local and central levels to understand community dynamics, complex needs and local solutions. Social workers lack time and resources for preventive work in the community. There is also a lack of communication between social assistance staff and social service providers.  

However, reportedly a new monitoring and evaluation unit has been established in the MLSW that should be able to ensure a measure of accountability and quality control for service provision.

531 Office on Good Governance, Mapping and Assessment of the Child Protection System in [Kosovo], 2012  
532 Peter Evans, Assessment of existing child protection multi-stakeholder coordinated mechanisms in Kosovo, Terre des Hommes, 11 April 2015  
533 Interview, Association of Municipalities, 18 October 2016  
534 Interviews, 17-19 October 2016  
Key messages:

- **Despite decentralization, social service provision by public sector bodies at municipal level is minimal because of the lack of required financing lines. This requires changes to the Law on Local Government Financing.**

- **The number of social workers employed by municipalities is low, and they have had few opportunities for professional development: they also largely lack resources for preventive work and field visits, and lack services to refer clients to.**

- **There is a reliance on donors for funding social services for vulnerable groups at municipal level.**

Children with disabilities in Kosovo face the barrier of a lack of daycare centres where they can be treated, assisted or support for equal integration in society. No municipalities provide such support, which is exclusively provided by NGOs, and thus not sustainable.  

Local NGO Handikos runs eight daycare centres for children with disabilities around the country with support from Save the Children. PeMa, an NGO founded in December 2013 set up a further four daycare centres by 2015, which reportedly were “examples of best practice and established strong referral mechanisms with other institutions”. However, the project’s European Union funding came to an end in 2015. Reportedly the centres are now struggling to survive without budgets. Addressing this requires governance structures to provide material and budgetary support for such centres.

Accessing the centres in many cases is difficult because of problems with transportation. This is a particular challenge when the services are in another town or municipality.

Centre for Social Work staff members are mandated to make home visits to ensure families of children with disability are receiving the support they need. However they lack the resources and time to conduct such visits on a regular basis.

Children with disabilities without parental care are rarely adopted in Kosovo, and are likely to be placed in foster care. Foster carers receive a total of €250 a month to look after children with disabilities.

**Key messages**

- **No organization in Kosovo keeps data on the number of children with disabilities.**

- **Only children with the most severe disabilities receive any special financial assistance.**

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537 Interview, Association of Municipalities, 18 October 2016  
538 Interview, Handikos, 19 October 2016  
539 One to One Children’s Fund, Kosovo: how do we do it? 10 May 2015, at https://www.onetoonechildrensfund.org/tag/charity/  
540 Interview, Association of Municipalities, 18 October 2016  
544 Interview, Pristina Central for Social Work, 18 October 2016
While there has been some success at including children with disabilities in schools in recent years, much of this has been in separate classes.

Because of the lack of financing for social services at municipal level, almost all daycare services for children with disabilities are provided by NGOs and are not sustainable because they are dependent on donor financing.

4.4 Adolescent participation and youth empowerment

4.4.1 Adolescent participation (12-17 years)

The majority of young people in Kosovo perceive themselves largely unable to influence the decision-making processes that directly impact their lives.\(^{545}\) In a 2016 survey of 12-16 year olds, 86 per cent stated that they wanted more influence on issues that concern them. Girls and boys reported that they have roughly the same amount of influence.\(^{546}\) There is little information available about participation in decision making within the family, but adult males generally dominate decision making on issues important to the family.\(^{547}\) Some legislation on youth participation and empowerment is in place, but its implementation is still lagging. Low budgetary allocations demonstrate that central and local institutions are not sufficiently prioritizing young people’s development.\(^{548}\)

There are some opportunities for participation, however. According to the 2016 survey, school is the place where children have most influence.\(^{549}\) From the age of 12, children are able to participate in decision-making at school through Student Councils, which should have at least one pupil per class to participate and contribute to the meetings of the Governing Board. By 2011, 90 per cent of upper secondary schools in Kosovo reportedly had School Councils.\(^{550}\) The School Council is the highest decision-making and advisory body in the school, compiling school rules, monitoring the hiring of school staff and school budget expenditures, approving extracurricular activities, deciding on the school dress code, approving school books and literature to be used for each subject, and contributing to compiling the educational development plan.\(^{551}\)

In addition to representing the interests of the students at school level, student councils also have a nationwide role. Student councils from each municipality delegate members to an executive council,

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\(^{546}\) Save the Children, Young Voices, 2016, at https://kosovo.savethechildren.net/sites/kosovo.savethechildren.net/files/library/Young%20Voices%20Report_eng.pdf

\(^{547}\) UNICEF, Qualitative Research on Social Norms around Gender-Based Violence and the Physical Punishment of Children in Kosovo (UNSCR 1244), July 2016


\(^{549}\) Save the Children, Young Voices, 2016, at https://kosovo.savethechildren.net/sites/kosovo.savethechildren.net/files/library/Young%20Voices%20Report_eng.pdf


which then chooses executive staff and a board of directors. The latter is the Student Council of Kosovo, a body tasked with promoting student interests and improving communication between peers, teachers, parents, as well as local and central teaching structures. The Student Council of Kosovo is endorsed by the Ministry of Education, Science and Technology and regularly publishes a short printed leaflet setting out some of the concerns of young people.\textsuperscript{552}

Student councils are now present in most schools. However, challenges continue. In some cases, schools are unwilling to cooperate with the council. Turnover of staff in the Ministry of Education, Science and Technology can mean a loss of institutional capacity and knowledge to work with the student councils. There have also been challenges in communications with donors.\textsuperscript{553}

In addition to the education sector, in some areas students are also involved in decision making at municipal level. By 2015, Child-Led Municipal Assemblies had been established in six municipalities. The CLMAs, consisting of children from Grades 6-9, are intended to provide members with a voice to advocate on the behalf of their peers and present the most pressing issues that affect them. To broaden participation, they all include children from minority ethnic communities and children with disabilities. One outcome was successful advocacy to suspend a teacher who had been using corporal punishment. However, the CLMAs suffer from lack of awareness about children’s right to participation at municipal level, and as of yet they have been appointed by school directors rather than elected, strengthening the impression that their mandate is seen as primarily concerning the education system. The fact that Child Rights Officers at municipal level have up to now been performing the role in addition to other official duties also means that they may not have had the time and resources to support the CLMAs adequately.\textsuperscript{554}

To give children another opportunity to be heard, Save the Children and the Ombudsperson conducted a Kosovo-wide survey in 2016 to get some the views of 12-16 year olds on issues including violence, bullying, costs in schools, their knowledge of rights, and the future, in order to facilitate discussions among decision-makers and to allow children to have some influence at all levels.\textsuperscript{555} Some of the results of this survey have been included in this analysis, to give better voice to the children of Kosovo.

Analysis conducted by Save the Children in Serbian-majority municipalities in Northern Kosovo in 2013 found that younger children were better aware of their right to participation because of civic education classes that they had taken. Students are rarely asked for their opinions or included in decision making in schools. Eighth grade students reportedly stressed that they had not been prepared to participate in school parliaments, and that these were run by a small number of class representatives. In Northern Kosovo, mechanisms introduced to promote participation of children and youth fell away after donor funds were withdrawn, as they were purportedly not seen as important by

local communities.\textsuperscript{556} Nevertheless, in October 2016, young people reported that School Parliaments were still operating in the area, with two representatives per class. While student voices are raised, they are reportedly rarely taken into account.\textsuperscript{557}

\textbf{Key messages:}

- \textit{Space for adolescent participation in decision making remains limited.}
- \textit{Research for this Situation Analysis has found little information about decision making within the family.}
- \textit{School Councils have been set up in most municipalities and also at national level. Participants advocate for children’s rights, but there are concerns about school engagement and about lack of institutional memory to support the Councils in the civil service.}
- \textit{Child-Led Municipal Assemblies have been established in six areas to influence local government. Vulnerable groups are included but participants are selected by school administrations.}

\textbf{4.4.2 Youth empowerment}

\textbf{4.4.2.1 Economic activity}

The unemployment rates for young people in Kosovo is extremely high, at 57.7 per cent. The rate for young men is 54.2 per cent, while for young women it is 67.2 per cent. However, these figures just cover the proportion of the population registered as economically active;\textsuperscript{558} as can be seen from the figure below, this is only a small proportion of Kosovo’s young people:

\textit{Participation in decision making}

Participation for young people in Kosovo appears to be limited both at household and at societal levels, though not enough analysis appears to have been published on these issues. According to a 2016 article, youth in Kosovo “have the desire, talents and potential to make a difference as citizens who actively participate and influence political processes by monitoring local and national government policies, playing a role in their schools and community, and building a safe and prosperous community.” However, they are cynical about a lack of space to influence policy, outside of the party system, and about corruption and nepotism that hinder equitable access to employment and education.\textsuperscript{559}

\begin{itemize}
\item \textsuperscript{556} Marija Petrović, Milena Banić and Milena Golić Ružić, \textit{Analysis of the Child Rights Situation in Kosovo (Northern Mitrovica, Zubin Potok, Leposavic, Zvecan)}, Save the Children, 2014, at https://Kosovo.savethechildren.net/sites/Kosovo.savethechildren.net/files/library/CRSA_Kosovo_northern%20municipalities_%202013.pdf
\item \textsuperscript{557} Focus Group, young people, Zvecan, 12 October 2016
\item \textsuperscript{559} Valon Kurhasani, \textit{Kosovo youth engaged in greater political participation - more still to be done!} 11 October 2016, at https://www.opendemocracy.net/wfd/valon-kurhasani/Kosovo-youth-engaged-in-greater-political-participati
\end{itemize}
In 2009, Kosovo adopted Law 03/L-145 “on empowerment and participation of youth.”\footnote{Available online (in English) at http://www.youthpolicy.org/national/Kosovo_2009_Youth_Law.pdf} Focusing on 15-24 year olds, the Law defines the basic responsibilities for strengthening the youth sector in Kosovo and for supporting the participation of youth in decision-making, clarifies the responsibilities of the institutions of Kosovo and local government and establishes a framework for voluntary work by young people and for youth centres.\footnote{Save the Children, Child Rights Situation Analysis, December 2013, at https://Kosovo.savethechildren.net/sites/Kosovo.savethechildren.net/files/library/CRSA_Kosovo_2013%20December_2.pdf} In this context, a new Administrative Instruction on Volunteerism has been developed by the Ministry of Culture, Youth, and Sports. From 5 December 2016 this document will provide the formal mandate for volunteering among for adolescents and youth.

The participation of youth in decision-making is to be facilitated through Central and Local Youth Action Councils.\footnote{Save the Children, Child Rights Situation Analysis, December 2013, at https://Kosovo.savethechildren.net/sites/Kosovo.savethechildren.net/files/library/CRSA_Kosovo_2013%20December_2.pdf} The Central Youth Action Council of Kosovo (CYAC), exists to advance the rights of young people and to ensure that policy and decision makers at all levels hear a strong collective voice of young people. Its activities include research, making representations to government, participating in youth policy design and implementation, and conducting awareness campaigns, and youth exchanges. In 2013 CYAC received support from the Organization for Security and Co-Operation in Europe (OSCE) to aid its participation in policy- and decision-making locally and nationally.\footnote{Youth Policy, Factsheet: Kosovo, 4 June 2014, at http://www.youthpolicy.org/pdfs/factsheets/kosovo.pdf} Each municipality is also obliged to license and finance at least one public youth organization, by providing sufficient space to carry out its activities, and human and financial resources to fulfil its mandate, but by 2014 only a few municipal administrations were supporting Youth Action Councils, and others were in the process of formulating them.\footnote{Save the Children, Child Rights Situation Analysis, December 2013, at https://Kosovo.savethechildren.net/sites/Kosovo.savethechildren.net/files/library/CRSA_Kosovo_2013%20December_2.pdf}
In Kosovo, some youth activists believe more should be done to facilitate sustainable inclusion of youth in policy processes. A study based on fieldwork conducted in 2011, found that implementation of international projects to promote youth participation in Kosovo had not been successful and that not enough attention had been paid to the concrete concerns of young people. It stated that efforts must be made to improve civil society youth organizations via networks and alliances, and that the role of young people in the political system in general should be strengthened. The Ministry of Culture, Youth and Sport’s Youth Strategy for 2013-17 highlighted the challenges faced ensuring youth participation in decision making on a range of issues affecting them (including education, health and employment), because of capacity gaps on the side of both institutions and the young people themselves. Since 2011, new initiatives have included UNICEF’s Innovations Lab, which is a place for Kosovo youth to turn their ideas for social entrepreneurship and youth-led advocacy into actionable projects for the benefit of Kosovo’s young people and is “building the models that will empower youth to drive change.”

Young people aged 16-27 reportedly depend a lot on their families in making important personal decisions. In a 2012 survey, 71 per cent of Kosovo youth reported that important decisions in their life were made jointly with their parents, with a further 6 per cent stating that they are completely dependent on their parents when such decisions are to be made (the report does not specify whether the young people feel they have a choice whether to include their parents in the decision making). Only 22 per cent of interviewees said they make important decisions alone, though a larger proportion of young men than young women do so (28% and 16% respectively).

One of the bottlenecks to youth participation is the education system, which is reportedly not designed to provide youth with knowledge, skills and self-assurance that would empower and equip them to work towards creating an inclusive and prosperous Kosovo. In addition, the institutions of Kosovo need to generate both the will and the capacity to undertake significant policy reforms that will create and maintain an open space for young women and men.

Key messages:

- Little has been done to ensure that young people’s voices are heard and listened to in decision making.
- Young people rely heavily on elder relatives’ judgment in decision making.
- The education system does not provide youth with knowledge, skills and self-assurance needed for meaningful participation.

565 See Valon Kurhasani, Kosovo youth engaged in greater political participation - more still to be done! 11 October 2016, at https://www.opendemocracy.net/wfd/valon-kurhasani/Kosovo-youth-engaged-in-greater-political-participati
567 Ministry of Culture, Youth and Sport, Kosovo Strategy for Youth 2013-17, 2013, at https://www.mkrs-ks.org/repository/docs/KOSOVO_STRATEGY_FOR_YOUTH.pdf
569 Friedrich Ebert Stiftung, Kosovo Youth Study: Forward Looking, Grounded in Tradition, 2012, at http://pjp-eu.coe.int/documents/1017981/8586048/Kosovo-FES.pdf/f70c4656-4af9-41c4-85a9-d82676c3d9d1
570 Valon Kurhasani, Kosovo youth engaged in greater political participation - more still to be done! 11 October 2016, at https://www.opendemocracy.net/wfd/valon-kurhasani/Kosovo-youth-engaged-in-greater-political-participati
Analysis of the Situation of Children and Women in Kosovo
5. ADDRESSING KEY EQUITY GAPS IN KOSOVO
5.1 Equity gaps in Kosovo

This study has identified a wide range of groups of children in Kosovo who experience particular inequities and challenges. These include, for instance, children affected by or at risk of neglect, abuse and violence; children in contact with the justice system; children without parental care; children living in rural areas; and children from low-income families, out-of-school children engaged in harmful child labour, and children who have been repatriated to Kosovo. Other groups about whom little information was found include children with parents living abroad, and children with chronic health problems.

The study has also identified areas in which girls are particularly disadvantaged (such as participation in decision making, and child marriage). Some of the underlying causes of this disadvantage are discussed in Section 2.6 Gender dynamics above. There are also areas where boys appear to have poorer outcomes (reported violence at school, and school attainment).

This section provides a little more detail about the underlying causes of the challenges facing two groups of children who are particularly vulnerable to exclusion and lack of empowerment across the range of children’s rights: children with disabilities and children from the Roma, Ashkali and Egyptian communities. More information about the inequities faced by these children (as well as others) has been found throughout Chapter 4, when discussing the range of issues affecting children’s rights in Kosovo. However, it should be noted that poverty, deprivation and discrimination affect wider groups of children in Kosovo, and need to be addressed as such.

5.2 Children with disabilities

Children with disabilities are one of the most marginalised groups in Kosovo’s society. However, one of the key constraints to addressing their needs is a lack of knowledge about how many children with disabilities there are in Kosovo, where they live and what their particular needs are.571 In fact, there is no officially-agreed definition of disability that could be used to calculate this number. While information is available from the Ministry of Labour and Social Welfare on the number of children with disabilities receiving social assistance, the criteria for this assistance are extremely strict and not necessarily all children who would be eligible receive it. The Ministry of Education, Science and Technology also has figures on the number of children with special educational needs attending school, but this does not include children with disabilities who are not attending.

Statistics are also missing on what kinds of services are being provided by local institutions, including health, social, and rehabilitation services. Thus no systems are in place that can help determine how to provide the most appropriate services in the most appropriate places.572 There is also insufficient research and analysis of the situation of children with disabilities and the implementation status

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571 Interview, Office of Good Governance, 18 October 2016
572 Interview, Handikos, 20 October 2016
of laws that include provisions related to children with disabilities. In this context, UNICEF is conducting a specific situation analysis of children with disabilities in upcoming months.

There are major gaps in the identification of children with disabilities. For instance there is a significant deficit in the number of professionals that can diagnose autism.

Key bodies (such as the Ministry of Health; the Ministry of Education, Science and Technology; the Ministry of Labour and Social Welfare; and the Ministry of Finance) do not cooperate closely together to advance issues related to children with disabilities. Protection of children with disabilities is not prioritized in budget allocations, meaning that resources are lacking for implementation of policies, laws and strategies in the health, social welfare and education sectors.

There are also significant infrastructure challenges for children with disabilities. Some public institutions, including schools, courts and Centres for Social Work do not have the lifts, ramps and auxiliary equipment (in bathrooms, for example) that would facilitate use by all persons with disabilities.

Anecdotally it appears that children with disabilities are still affected by social norms which lead to stigma and isolation. Families tend to keep children at home and away from school. However, little social research is available on these issues.

5.3 Roma, Ashkali and Egyptian children

The Roma, Ashkali and Egyptian peoples in Kosovo are minority communities inhabiting various parts of the country. According to the 2011 census, there were 35,784 members of the three communities in Kosovo. However, Roma also live in Serbian-majority areas (north of the Ibar River in the four northern municipalities and in Serbian-majority enclaves scattered around Kosovo) and it is likely that a lower proportion are included in population figures because of a 2011 census boycott in these areas. Roma have historically received (and usually – but not always – continue to receive) their education in Serbian, while Ashkali and Egyptians attend Albanian language schools.

Kosovo has made some progress in recent years to end structural discrimination, partly as a result of the institutions of Kosovo’s 2009-15 Strategy for Integration of the Roma, Ashkali and Egyptian Communities, and legislation including the Law against Discrimination, the Law on Protection and Promotion of Community Rights and their Members, the Law on Local Self-Government, and the Law on Use of Languages. However, a lack of political will to provide budgets for implementation of the

573 KOMF Conference on child rights protection of children with disabilities, 3 December 2015
574 Interview, Office of Good Governance, 18 October 2016
575 KOMF Conference on child rights protection of children with disabilities, 3 December 2015
577 Office of Good Governance, Strategy for Inclusion of Roma, Ashkali and Egyptian Communities in the Kosovo Society 2017-2021, Draft 2, 6 October 2016
Strategy and Laws, coupled with limited coordination between municipalities and the institutions of Kosovo, and insufficient monitoring mechanisms has meant that these instruments have had less effect than could have been the case.579 A new strategy was drafted and approved by the Government in April 2017, Government Decision no. 02/141, where its drafting was coordinated by the Office of Good Governance. At the request of the political representatives of the Egyptian community, this community is not included in the new strategy; therefore this strategy applies to Roma and Ashkali communities.580

Most Roma, Ashkali and Egyptians in Kosovo live in extreme poverty and continue to be faced with difficult living conditions. The situation is particularly difficult in rural areas.581 A 2013 study in Fushë Kosova and Obiliq municipalities found that two thirds of Roma community families, nearly half of the Ashkali community and over a third of those Egyptian had difficulties meeting their needs for food and other essential necessities.582 While 2 per cent of Kosovo’s population is Roma, Ashkali and Egyptian, 8 per cent of social assistance recipients come from the communities. However, the number of recipients has been falling in recent years,583 in line with national trends (see Section 4.1.3.1: Social transfers). Roma who have moved recently from North Mitrovica to South Mitrovica continue to receive social assistance from the Serbian system, which is provided until children turn 18 (they also continue to receive education and healthcare in North Mitrovica in a system based on home address).584

In Kosovo, access to public services for the Roma, Ashkali and Egyptian communities varies greatly because of the parallel structures. A 2014 report from the UN Special Rapporteur on the Human Rights of Internally Displaced Persons states that the Roma community often (but not always) relies on Serbian administrative structures for public services in the areas of health, education and social assistance. Conversely, the Ashkali and Egyptian communities rely more on Kosovan institutions.585

Irrespective of the service providers, children from the Roma, Ashkali and Egyptian communities continue to face particular challenges in ensuring access to education and healthcare as a result of historical legacies and ongoing prejudice among some elements of society. MICS studies carried out in 2013-14 for the general population and the Roma, Ashkali and Egyptian communities found that across a wide range of indicators, children and women from these minority ethnic communities had poorer outcomes than the population as a whole.

580 STRATEGY FOR INCLUSION OF ROMA AND ASHKALI COMMUNITIES IN THE KOSOVO SOCIETY 2017
583 Office Of Good Governance, Strategy for Inclusion of Roma, Ashkali and Egyptian Communities in the Kosovo Society 2017-2021, Draft 2, 6 October 2016
584 Interview, UNICEF, 13 October 2016
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6. STRUCTURAL DETERMINANT ANALYSIS
UNICEF has developed a framework of 10 essential conditions that must be achieved at structural, community, individual and interpersonal level so that service delivery systems function effectively, and behaviour patterns that ensure child wellbeing are addressed and promoted, across the wide range of policy and programme areas. These 10 determinants are grouped in four categories: enabling environment, supply, demand and quality. This section briefly looks at some of the barriers and bottlenecks related to each of these 10 determinants that have been considered in this Situation Analysis.

6.1 Enabling environment

6.1.1 Social norms

As indicated above, a number of social groups, such as children with disabilities, children from the Roma, Ashkali and Egyptian communities and children in contact with the law are stigmatized and marginalized in society in Kosovo. The children can be affected by self-stigmatization, and discrimination or stigma from the family, the wider community and from service providers.

Participation for all children and young people is made more challenging because of social norms that limit their participation in decision making, within the family, at school and in the community. Children and young people are cynical about their lack of space to influence policy, outside of the party system, and about corruption and nepotism that hinder equitable access to employment and education. This is particularly true for the groups above, and for girls, who are constrained by traditional gender roles. Meanwhile, traditional understandings of gender roles among parents as well as professionals sustain gender-based violence, domestic violence, and violence against children in Kosovo and are very difficult to change.

Social norms are constraining progress in the education sector, with the education of certain groups, such as children with disabilities and children from the Roma, Ashkali and Egyptian communities particularly affected. Meanwhile, in many cases, parents are not aware of the importance of early learning for their children, this means some do not send children to pre-school if relatives can look after them at home.

6.1.2 Legislation and policy

While legislation affecting children’s rights is broadly in line with international standards, there are significant gaps, both in the legislation and concerning implementation. Endorsement of the new Law on Child Protection, to formalize and advance the enabling environment for protection structures, has repeatedly stalled. The Law that will be adopted will have to ensure that the Institutions of Kosovo become more responsive to and accountable for the issues affecting child protection at central and local levels. Meanwhile, the Law on Local Government Financing should be urgently revised to ensure that municipalities provide the budget lines for social services that vulnerable children need.
The child protection system at both local and central levels, including legislation, is still fragmented. Resolving this requires political will, technical capacity and adequate financial allocations. In many cases all of these are lacking. In some cases secondary legislation, and mechanisms to implement it, may not exist. For instance, the Health Insurance Law was passed in April 2014 but as of November 2016 has not come into force. In other cases, the mechanisms may not be functional, or may not be applied by professionals, or not be allocated the financial resources needed to support implementation. For example, the 2010 Law on Protection against Domestic Violence foresees protection orders for victims of domestic violence. However, very few have been issued and even less enforced. Another example is the Protocol in Schools for Identifying and Addressing Cases of Violence, which has only led to a small number of cases being identified. Professionals are not aware of these mechanisms, do not believe in them or lack the capacity to do so, and so they do not apply them.

6.1.3 Budget and expenditure

The current budgeting system of Kosovo’s institutions does not allow for specific targeting of children and does not disaggregate financial data in a way that could align public spending with children’s rights.

In recent years, public spending in Kosovo has been heavily focused on capital projects. The social sector, in contrast, is in need of significantly higher funding levels. Decentralization of social services to municipalities in 2008 was not accompanied by a specific budget line to fund social services at local level. Local officials are often unwilling to devote discretionary funds to social spending, and few do so. This may partly be because, unlike infrastructure spending, social expenditure does not usually raise the profile of local politicians among the general population and potential voters. Meanwhile, significant reductions have taken place in the national budget for social assistance, which have both reduced the number of recipients and the size of the social transfer received.

6.1.4 Management and coordination

A complex architecture has been put in place in Kosovo to oversee children’s rights. However, certain areas, such as social protection are poorly coordinated, largely because of the lack of capacity in municipal authorities for oversight, in the context of the decentralization of authority. This hampers delivery of, and access to, social services. In addition, coordination in the child protection sector remains problematic, and case management has not yet been formalized.

With regard to information management, there is a particular gap in health information. While the education management information system is stronger, there is a need for improved coordination between the Kosovo Agency for Statistics and the Ministry of Education, Science and Technology concerning data on out-of-school children at all levels.

Effective coordination and management requires strong referral systems. In Kosovo referral mechanisms between social services, teachers, police and healthcare professionals; and also between different levels of the healthcare system; have been identified as in need of improvement.
A key coordination issue is that between services in the Serb-majority areas and those in the rest of Kosovo. While in many cases children will receive all the services they need in one system, particular issues have been identified concerning the medical and school records of Roma children moving from North Mitrovica to Mitrovica; finding alternative care for ethnic Serb children within Kosovo; and communication between the police and other services when children come into contact with the justice system in northern Kosovo.

6.2 Supply

6.2.1 Availability of essential commodities

While some essential commodities for children are relatively accessible in Kosovo challenges remain, particularly for marginalized groups. Some public institutions, including schools, courts and Centres for Social Work are not equipped to facilitate use by all persons with disabilities. Physical infrastructure in hospitals is also in need of improvement. Meanwhile, essential medicines are often not provided on paediatric wards because of communications problems within hospitals: this means that families end up buying the medicines themselves if they can afford to do so. Addressing these commodity gaps requires sufficient funding, better planning, and stronger oversight mechanisms.

6.2.2 Access to adequate services

In Kosovo, school education is broadly available; pre-primary education is now also almost universally available, essential medical services are available free of charge for children, and improvements have been made in recent years in access to birth registration, particularly among the Roma, Ashkali and Egyptian communities. However, Kosovo suffers from insufficient accountability, performance and capacity among central and municipal civil servants and frontline professionals. The number of social workers employed by municipalities is particularly low, and they have had few opportunities for professional development: they also largely lack resources for preventive work and field visits, and lack services to refer clients to. Service areas where particular shortages have been identified also include foster families, services to prevent reoffending among juveniles, shelters for victims of domestic violence, and services for children working on the streets.

In this context, there is a need for greater technical and material capacity, particularly in the social care system. This requires political will at the highest level in order to strengthen legislation, and better implement existing legislation, ensure budgetary resources are made available, and strengthen the capacity and mandate of oversight mechanisms.
6.3 Demand

6.3.1 Financial access

Financial access to services is limited among poor families by the low level and increasing bureaucratic difficulties accessing social assistance. Benefits are only calculated to pay for the food basket, and take no account of needs for services. Social assistance ends if the beneficiary family receives any income. In addition, once a child turns 18, the family is immediately ineligible for social assistance, as that person is considered a potential income earner. The fact that many families without incomes cannot access social assistance is a driver for continuing emigration in search of work.

In Kosovo, it appears that most families can access primary and lower secondary education relatively easily. However, families face high direct and indirect costs and out-of-pocket payments for early childhood education, upper secondary and higher education.

Families can also see primary healthcare providers without paying, though they often have to pay for health services and medical treatment even in cases when by law they should be provided free-of-charge. Even children with disabilities are not always provided with free medicine and other equipment to help improve their health, improve their mobility and offer them a life of dignity. The Ministry of Health is in process of prioritizing health sector reforms to improve financial protection and access to quality health services, including free access to health services for children under 18.

6.3.2 Social and cultural practices and beliefs

Cultural beliefs concerning women’s role in society, and particularly their primary responsibility for care of children, elderly and persons with disabilities act as significant barriers to accessing and developing services. In rural areas and among Roma, Ashkali and Egyptian families in particular, community perceptions of the role of mothers often leads both families and service providers to believe that these women should be providing unpaid childcare. This depresses demand for preschool education, which is seen as primarily childcare, rather than a developmental opportunity.

Meanwhile, the fact that women are seen as the primary care providers, in combination with concerns about social stigma and a cultural belief that problems should remain within the family, may be reasons behind the fact that there is less social pressure for all children with disabilities to attend education.

There are several social and cultural factors behind low demand for social assistance and social services among those who are eligible. Some are worried about stigma if they access these services. There is also a lack of impetus to find out about schemes.
6.3.3 Continued use of services

There are several constraints to continued use of services in Kosovo. The first of these is financial. In some cases children drop out of pre-school because their parents can no longer afford the fees. Similarly, high out-of-pocket expenses for medical care and treatment means that some patients do not complete their courses of treatment.

Continuation of service use can also be affected by social norms. In some Roma, Ashkali and Egyptian communities, there is a residual belief that children should leave school after lower secondary either to get married or to work.

A third factor behind lack of continuity of use of services is migration. When families take the decision to leave Kosovo in search of opportunities elsewhere, this has implications for their children’s education and healthcare. In addition, the specific case of the Roma moving from North Mitrovica to the city south of the river disrupted children’s access to essential services, because of the lack of cooperation between the Serbian and Kosovar systems to facilitate the transition.

6.4 Quality of services

There are serious concerns about the quality of education in Kosovo, which came 70th out of 72 territories in the 2014 PISA assessment. Infrastructure is antiquated in many schools. Hold ups to curricular reform are one of the key barriers to improving the quality of education. According to the Ministry of Education, Science and Technology, the professional training currently provided in vocational schools does not meet the demands of the labour market.

Almost 30 per cent of respondents to a 2013 UNDP survey were not satisfied with the work of all healthcare institutions in the country. Corruption, coupled with poor quality of service provision mean that those who can afford to go to private clinics instead of the state system.

The quality of services provided across all sectors tends to be weaker in rural areas. There is a lack of capacity to provide quality services to vulnerable groups, such as children with special needs. Frontline professionals in all sectors dealing with children suffer from capacity gaps linked to insufficient professional development opportunities, coupled with lack of motivation and lack of professional guidance.

6.5 Summary

In the context of service decentralization and their expanded mandate, municipalities are currently poorly prepared to deliver equity-based services for children. There appears to be limited efforts to understand the wider impact of poverty and discrimination on children, and to take measures to overcome them.
A second shortfall is related to the political instability in Kosovo which is still limiting the responsiveness of central and local institutions to issues affecting the rights of children. Rapid turnover of political and technical personnel, short-term policy making and continuing difficulties with relationships between different groups in society all require more coherent focus on the rights of children.

To address these challenges, the Institutions of Kosovo should strengthen coordination between central and local systems for the realization of children’s health, education, protection and participation rights. In addition, the capacity of civil society organizations should be strengthened to make issues affecting children more visible in the policy debate, and to promote voice and accountability for most vulnerable children in Kosovo. Collaborative partnerships should be encouraged and supported, between the Institutions, civil society and the Office of Ombudsperson to create an innovative system for monitoring the rights and wellbeing of children. This should feed into broader policy decisions that recognize the importance of children to the future of Kosovo.
Analysis of the Situation of Children and Women in Kosovo
7. CONCLUSION
This Situation Analysis has revealed some of the challenges facing children in Kosovo today. Children are of crucial importance for Kosovo’s future. As a landlocked society with little natural resources, the population is its most significant asset. Kosovo’s demographic dividend will be a critical element in its economic growth on the condition that it cares for children today; if it fails, this ‘demographic dividend’ could become a ‘demographic curse’.

Beyond economic arguments, children have the right to grow and develop in the best possible circumstances. While there has been progress regarding health, nutrition and education indicators in recent years, significant disparities persist, particularly for children from poorer households and minority communities. Meanwhile, despite relatively advanced legislation, there are serious gaps in funding provision for social services and child protection services. This final section of the report reiterates a number of the key challenges and provides recommendations for the Institutions of Kosovo to proceed.

**Legislation and policy for children’s rights**

In recent years, political instability has slowed the pace of legislative reform in Kosovo. While legislation affecting children’s rights is broadly in line with international standards, there are significant gaps, both in the legislation and concerning implementation. The endorsement of the new Law on Child Protection, to formalize and advance the enabling environment for protection structures, have repeatedly stalled. The Law that will be adopted will have to ensure that the Institutions of Kosovo become more responsive to and accountable for the issues affecting child protection at central and local levels.

Crucially, legislation must be accompanied by budgetary provision so that services can be provided. The decentralization of public services that took place in 2009 was not accompanied by a specific budget line to ensure provision of social services at municipal level. Revisions to the Law on Local Government Financing, to correct this anomaly, is urgently required. Even implementation of satisfactory legislation also requires political will, technical capacity and adequate financial allocations: in many cases each of these is lacking.

**Health and wellbeing**

There have been advances in the healthcare provided to and health outcomes of mothers and infants in Kosovo in recent years. Infant mortality has fallen sharply over the last 15 years: this is largely a result of better access to facilities and better training for healthcare professionals (most pregnant women receive the recommended four antenatal care visits, and generally births are attended by skilled healthcare personnel). Malnutrition is also low in Kosovo. However, a range of health and healthcare indicators remain poorer among the Roma, Ashkali and Egyptian communities than the general population. Prematurity was the proximate cause of most perinatal deaths in 2015, while poor data collection hinders analysis of maternal mortality. Adolescent health appears to be poorly catered for, with few specially-trained healthcare professionals, only pilot training of family doctors,
and limitations to what is learned about sexual health at school, and high prevalence of violence in this age group.

There is an urgent need for the rolling out an electronically-based health information system for Kosovo. This would both improve tracking of and responsiveness to individual patients, and help better understand the healthcare situation and assist with planning for future provision. A new system is being piloted, but has suffered delays of several years and will take time for full implementation. A sensitively designed health insurance system could reduce out-of-pocket spending, which makes healthcare extremely expensive or unaffordable for the poorest in society. A system is currently under development, and collection of premiums is expected from August 2017. Meanwhile, there is also a need to expand usage of home visiting as a means to reach out and provide inter-sectoral support and guidance for families.

**Education and development**

There have been some improvements in attendance at preschool and pre-primary school in the past five years. However, few parents (particularly fathers) engage in development activities with their infant children, and enrolment of under-fives in pre-school is also low in Kosovo compared to other parts of the Balkans, and particularly low among the Roma, Ashkali and Egyptian communities and in rural areas. While the National Development Strategy (NDS) and the Education Strategic Plan (KESP) 2017-21 suggest that this will be addressed by increasing supply of pre-school infrastructure and staff and developing a curriculum, there is a need to address motivation to learn, widen opportunities for parents to participate in their children’s cognitive development, and increase community-based provision of early learning.

While there have been significant improvements in enrolment of Roma, Ashkali and Egyptian children in recent years, a lack of data makes it difficult to estimate the proportion of children with disabilities who do not attend school. In addition, at the point of transition from compulsory to non-compulsory education at the age of 15, significant proportions of children drop out, particularly from low-income families and the Roma, Ashkali and Egyptian communities. The Education Management Information System is functional, but has significant gaps with regard to children who go to Serbian language schools (which often do not provide data to EMIS) as well as out-of-school children. There is a need for improved coordination between KAS and MEST concerning data on out-of-school children at all levels. In addition, the professional training provided in vocational schools needs to be adjusted to better meet the demands of the labour market.

**The child’s right to a protective environment**

There are serious gaps in the protective environment for children in Kosovo. According to recent UNICEF research, violence against women and children in the home is widespread and considered acceptable by significant proportions of the population. There is a need for more foster families for children without parental care, and better support for reintegration of children with their families.
Children in detention often lack access to education, and there is need for services for children under the age of criminal responsibility to prevent future offending. This is because of lack of human and financial resources and capacity.

Meanwhile, social assistance to families without incomes provides less income than the extreme poverty rate, and the criteria to receive it are very tight. Despite decentralization, social service provision by public sector bodies at municipal level is minimal because of the lack of financing, and there is over-reliance on financial support from donors. The number of social workers employed by municipalities is low, and they have had few opportunities for professional development: they also largely lack resources for preventive work and field visits, and lack services to refer clients to. There is a need for greater technical and material capacity in Centres for Social Work and a lack of authority in the case management roundtable system to meet the needs of vulnerable children.

**Participation and empowerment**

Space for adolescent participation in decision making remains limited in Kosovo. Little has been done to ensure that young people’s and children’s voices are heard and acted upon in decision making. In personal decision making, young people rely heavily on older relatives’ judgment. The education system needs to be strengthened to provide youth and children with the knowledge, skills and self-assurance needed for meaningful participation. While Student Councils have been established in most municipalities and also at national level, there is a need to improve school engagement and ensure institutional memory to support the Councils in the civil service.

Kosovo has very high numbers of young people not in employment, education or training. Young women are less likely to participate in the labour market, largely because of cultural expectations of childcare. More needs to be done to ensure that young women, young people with disabilities and those from the Roma, Ashkali and Egyptian communities are able to overcome the structural barriers they face to employment.

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