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Gender Action Plan III – 2021-2025 Country Level Implementation Plan for Kosovo

CONTEXT FOR EU ACTION ON GENDER EQUALITY AND WOMEN'S EMPOWERMENT IN KOSOVO

Kosovo has made several legal and policy commitments to gender equality. In 2020, Kosovo expanded existing commitments to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and gender equality in its <u>Constitution</u> by including the Istanbul Convention. United Nations Security Council Resolution (UNSCR) 1325 on Women, Peace, and Security is not explicitly mentioned in Kosovo law, but its aims are incorporated in the <u>Kosovo</u> <u>Program for Gender Equality 2020-2024</u>, relating to decision-making, justice, peace, security, and equal participation in the security sector.

The Law on Gender Equality foresees women and men's equal participation (50%), at all levels of decision-making in political and public life. It and the Law on Protection against Discrimination offer protections from discrimination based on gender, sex, sexual orientation, and gender identity. While incongruent with the Law on Gender Equality, electoral laws include quotas for 30% representation of both genders in political parties' lists and municipal and national assemblies. The Law on Protection from Domestic Violence, Law on Social and Family Services, law against trafficking, Strategy and Action Plan and Standard Operating Procedures exist but require updating to ensure adequate response to all forms of gender-based violence as per the Istanbul Convention.

Several laws and policies regulate access to inclusive and non-discriminatory education, including the Law on Pre-School Education, the Law on Education in the Municipalities, the Law on Pre-University Education, and the Law on Higher Education. The Labour Law prohibits discrimination in employment, recruitment, training, promotion, disciplinary measures, and employment conditions, but should be harmonized with the EU *acquis*, particularly related to the EU Work-Life Balance Directive. The Law on Safety and Health at Work obliges employers to ensure equal treatment of all employees, particularly pregnant women, breastfeeding women, and persons with disabilities.

Despite the relatively comprehensive legal framework, implementation remains weak. Gender inequalities persist in all sectors relevant to the Instrument for Pre-Accession Assistance (IPA) III. Rural, disabled, and ethnic minority women (particularly Bosnians, Roma, Ashkali, and Egyptians), as well as LGBTQI persons often face <u>added barriers and inequalities</u>.

Women, especially ethnic minority women, remain underrepresented in the parliament (36.6%), assemblies (35%), government (under 34% of ministers in all elections and only 20% of deputy ministers since 2008), public administration (44% of civil servants at the central level, 33% at the local level, 0 women mayors in 2017-2021), and justice institutions, particularly in decision-making positions. Despite expressions of commitment to UNSCR 1325, women and women's priorities have been underrepresented in the Pristina-Belgrade Dialogue.

Gender-based violence, disproportionately affecting women and girls, remains widespread, aggravated by a global rise in hate speech, divisive rhetoric targeting women and girls, cyber-bullying, inter-ethnic tensions, and discrimination against minorities and marginalised groups. Domestic violence increased during COVID-19. Early marriage still affects some Roma, Ashkali, Egyptian, and rural girls. The institutional response to violence and access to justice have improved, but shortcomings continue. Rehabilitation and reintegration services are lacking. Financing is insufficient.

Teachers seldom provide adequate education related to sexual and reproductive rights. Amid the already fragile healthcare system, access to quality healthcare has been exacerbated amid COVID-19.

Insufficient human resources, poor infrastructure, unprofessionalism among health workers, cultural practices, and weak awareness all present challenges.

While the upper secondary school dropout rate is low, boys comprised 79% of dropouts in 2018/2019. Roma, Ashkali, and Egyptians, <u>especially girls</u>, are more likely to discontinue education between lower and upper secondary school. Girls are underrepresented in vocational schools (42%) and boys in gymnasiums (42%). Traditional gender roles and stereotypes regarding suitable professions for women and men contribute to educational choices and their respective underrepresentation in certain sectors. Women are underrepresented among entrepreneurs and business owners, as they face added challenges: poor access to capital, traditional gender roles, and discrimination. In Kosovo, <u>79% of women</u> are inactive in the labour market (neither working nor seeking employment). Key factors include unpaid care work, insufficient affordable care facilities, and discrimination in hiring amid current maternity leave provisions, whereby employers pay for six months leave. COVID-19 has affected women disproportionately; <u>22% of women</u>, and no men, reported undertaking household care duties instead of seeking work.

Despite slight improvements, women comprise only 18% of all property owners. In 2019, 80% of citizens believed women and men should have equal rights to property ownership, compared to 42% in 2015. Tradition remains one of the main challenges to women's property ownership. Women often forfeit property and inheritance rights, which hinders their access to capital. Limited in-depth gender analysis exists related to climate change, environment, and digitalisation. Evidence suggests women are under-represented in these sectors.

This CLIP has been informed by existing gender conflict analysis (limited), the EU *Kosovo Gender Analysis* (2018), and a brief updated EU gender profile that aligned GAP III objectives with the draft IPA III Programming Framework.¹ The GAP III objectives proposed for implementation in Kosovo align with the <u>Kosovo Program for Gender Equality (KPGE) 2020-2024</u>. The CLIP also draws from consultations with stakeholders, including within the EU Office in Kosovo, the EU Special Representative (EUSR), the European Union Rule of Law Mission (EULEX), EU Member States, the UN, Organisation for Security and Co-operation in Europe (OSCE), North Atlantic Treaty Organization (NATO) Kosovo Force (KFOR), and other donors and international organisations. Consultations also were held with key institutions like the Agency for Gender Equality and the Department on European Integration in the Office of the Prime Minister, as well as with civil society organisations (CSOs), including women's rights organisations, women's human rights defenders, and peacebuilders.

SELECTED THEMATIC AREAS OF ENGAGEMENT AND OBJECTIVES

The following thematic areas of engagement and objectives from GAP III have been selected for Kosovo. They are aligned with the draft IPA III Programming Framework. All references to "diversity" in the objectives mean that the EU will attend to the different positions and needs of women, men, girls, and boys of different geographic areas, ethnicities, abilities, sexual orientations, and gender identities, among others. The EU will achieve these objectives through political dialogue and programmes in several sectors, in close cooperation with the government, line ministries, municipalities, national gender equality mechanisms (Agency for Gender Equality, gender equality officers), and civil society, particularly women's CSOs.

FREEDOM FROM ALL FORMS OF GENDER-BASED VIOLENCE

GAP III Thematic Area 1 objectives relate to IPA III regarding rule of law and good governance and will contribute to the implementation of Kosovo's Constitutional commitments to the Istanbul Convention and to the Kosovo Program for Gender Equality Specific Objective 3.1:

¹ While according to official guidance from the European Commission, the CLIP should be aligned with the Multiannual Indicative Programme (MIP), Kosovo does not have one. At the time of drafting this CLIP, the IPA III regulation had not yet been adopted, so this is based on the funding windows tentatively foreseen within the draft IPA III Programming Framework.

- "1. Women, men, girls and boys, in all their diversity, are better protected from all forms of genderbased violence in the public and private spheres, in the work place and online through legislation and effective enforcement". The EU will achieve this through political dialogue, legislative review, legal implementation monitoring, EU-funded programmes on human rights and rule of law, the IPA Civil Society Facility and Media Programme (CSFMP), and the European Instrument for Democracy and Human Rights (EIDHR). EULEX will continue monitoring and reporting on trends in access to justice for persons suffering gender-based violence, engaging in legislative review, and furthering capacities of institutions. The EU will synergize its efforts with the Council of Europe (CoE), UN Women (with CSOs), USAID, Swedish International Development Agency (Sida), the Austrian Development Agency (ADA), and German Development Cooperation (GIZ).
- "2. Women, men, girls and boys, in all their diversity, are agents of change regarding discriminatory social norms, gender stereotypes, and gender-drivers of conflict" through support to IPA IPA Civil Society Facility and Media Programme-CSFMP and European Instrument for Democracy and Human Rights-EIDHR, in cooperation with EULEX, UNDP, the Netherlands, Slovenia, Sida, and Austrian Development Agency-ADA.
- "3. Women, men, girls and boys, in all their diversity, who experience gender-based violence have increased access to essential services", through EU-supported legal amendments, as well as rule of law and IPA Civil Society Facility and Media Programme-CSFMP programmes. EULEX will monitor and report on institutions' response to gender-based violence and further capacities of service providers. The EU will synergize efforts with the CoE, Austrian Development Agency-ADA, Sida, UN Women (with CSOs), UNDP, and GIZ.
- "5. Women, men, girls and boys in all their diversity trafficked for all forms of exploitation and abuse have improved access to adequate and quality services for socio-economic integration and psychosocial support", through IPA Civil Society Facility and Media Programme-CSFMP, European Instrument for Democracy and Human Rights-EIDHR, and EULEX.
- "7. Women's rights organisations, social movements and other civil society organisations are influential in ending gender-based violence", through political dialogue and the IPA Civil Society Facility and Media Programme-CSFMP. This will be in coordination with UN Women, Austrian Development Agency-ADA, Sida, and GIZ.
- "8. Quality, disaggregated and globally comparable data on different forms of gender-based violence and harmful practices are increasingly collected and used to inform laws, policies and programmes", supported through rule of law and UN Women (with CSOs) actions.

For all, the EU will coordinate closely with women's civil society organisations, other donors, and implementing partners. Regarding the legislative process, the EUSR will coordinate and submit to local authorities EU feedback on legislation addressing non-discrimination and gender-based violence.

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PROMOTING SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

GAP III Thematic Area 2 objectives relate to rule of law, fundamental rights, and democracy under IPA III. They will contribute to the Kosovo Program for Gender Equality Specific Objective 2.3:

- "1. Enabled legal, political and societal environment allowing women and girls to access quality sexual and reproductive health (SRHR) care and services and protecting their sexual and reproductive rights", through political dialogue, as well as EU-supported IPA education, IPA Civil Society Facility and Media Programme-CSFMP and European Instrument for Democracy and Human Rights-EIDHR programmes. The EU will cooperate closely with WHO, UNFPA, UNOPS, Sida, and Austrian Development Agency-ADA.
- "2. Improved access for every individual to sexual and reproductive healthcare and services, including family planning services, information and education on sexual and reproductive rights" through the Civil Society Facility and Media Programme-CSFMP, IPA 2019 social protection Action implemented by Save the Children, cooperating with Austrian Development Agency-ADA and Sida.



PROMOTING ECONOMIC, SOCIAL RIGHTS, EMPOWERING GIRLS, WOMEN

GAP III Thematic Area 3 objectives relate to competitiveness and inclusive growth under IPA III and are aligned with the Kosovo Program for Gender Equality specific objectives 1.1, 1.2, and 2.1:

- "1. Increased access for women, in all their diversity, to decent work, including women's transition to the formal economy and coverage by non-discriminatory and inclusive social protection systems", through support to amending labour legislation, support to IPA employment, social services, communities, and Civil Society Facility and Media Programme-CSFMP actions. This involves close cooperation with USAID, Austrian Development Agency-ADA, Sida, the Netherlands, GIZ, Slovakia, ILO, UNOPS, UNHCR and UNDP.
- "2. Improved policy, legal framework and access to care services enabling equal division of domestic and care work between women and men", through political dialogue and IPA education funding.
- "3. Increased access for women in all their diversity to financial services and products, and productive resources", through IPA competitiveness and communities-related funding in cooperation with USAID, Austrian Development Agency-ADA, UNDP, and Sida.
- "4. Women in all their diversity have improved access to entrepreneurship opportunities, including social entrepreneurship, alternative livelihoods and strengthened participation in the green and circular economy", through IPA competitiveness programming, in cooperation with UNDP, IOM, UNOPS, GIZ, Slovakia, and Sida.
- "5. Improved access for women in all their diversity to managerial and leadership roles in social and economic sectors and fora", through IPA competitiveness programming and EU Support to Start-ups (IPA 2018, IPA 2020).
- "6. Reduction in gender disparities in enrolment, progression and retention at all levels of education and lifelong learning for women, men, girls and boys", through IPA education programmes, together with USAID, Austrian Development Agency-ADA, and UNOPS.
- "7. Improved regulatory framework for ensuring equal access to universal and public quality preventive, curative and rehabilitative physical and mental health care services for women, men, girls and boys, in all their diversity, including in crisis situations", through political dialogue and Civil Society Facility and Media Programme-CSFMP.
- "8. Improved access to safe water and sanitation facilities, disaggregated at least by sex" through IPA.

PROMOTING EQUAL PARTICIPATION AND LEADERSHIP

GAP III Thematic Area 4 objectives relate to IPA III with respect to good governance and will contribute to the Kosovo Program for Gender Equality objective 3.2:

- "1. Enabling conditions created for equal participation of women, men, girls and boys, in all their diversity, in decision-making", through political dialogue and IPA Civil Society Facility and Media Programme-CSFMP.
- "2. Women and girls, in all their diversity, have improved access to justice to safeguard their civil and political rights", through IPA rule of law and IPA Civil Society Facility and Media Programme-CSFMP, and European Instrument for Democracy and Human Rights-EIDHR, collaborating with EULEX monitoring and reporting activity, USAID, Austrian Development Agency, Sida, the Netherlands, UNDP, and UN Women.
- "3. Women's organisations, other CSOs and women human rights defenders working for gender equality and women's and girls' empowerment and rights work more freely and are better protected by law", via political dialogue, IPA Civil Society Facility and Media Programme-CSFMP and European Instrument for Democracy and Human Rights-EIDHR, together with Austrian Development Agency-ADA and Sida.
- "4. Equitable social norms, attitudes and behaviours promoting equal participation and leadership fostered at community and individual levels through civic education, media, education and culture at all levels", via political dialogue, outreach, and IPA Civil Society Facility and Media Programme-CSFMP. This will be in coordination with Sida, Austrian Development Agency-ADA, GIZ, the Netherlands, Slovenia, UN Women, UN Habitat, EULEX, and UNDP.



INTEGRATING THE WOMEN, PEACE AND SECURITY AGENDA

GAP III Thematic Area 5 objectives relate to all of IPA III, particularly good governance, rule of law, fundamental rights, and territorial and cross-border cooperation. In Kosovo, all GAP III objectives are relevant: 1) Participation, 2) Gender Mainstreaming, 3) Lead by Example, 4) Prevention, 5) Protection, and 6) Relief and Recovery. Progress towards implementing these aligns with the <u>EU</u> Action Plan on Women, Peace, and Security 2019-2024 and the Kosovo Program for Gender Equality Specific Objective 3.3, among others.

The EUO and EUSR engage in advancing gender responsive and inclusive political dialogue through financially supporting women's leadership programmes and political dialogue with the government. EULEX will continue promoting women's participation in security institutions, particularly police and corrections. The EU also will cooperate with the United Nations, including the United Nations Development Coordinator, UN Women, UNDP, GIZ, Slovenia, the British Embassy, and women's civil society organisations focused on implementing UNSCR 1325.



GREEN TRANSITION AND DIGITALIZATION

GAP III Thematic Area 6 objectives relate to IPA III's green agenda and sustainable connectivity:

- "1. Increased participation of women and girls in all their diversity in decision-making processes on environment and climate change issues", via all IPA environment-related programming and political dialogue, in cooperation with Sida, UN Habitat and UNDP.
- "2. Strategies and agreements on climate mitigation, adaptation, disaster risk reduction and sustainable management of natural resources and biodiversity are more gender-responsive", via environment programming and political dialogue, closely cooperating with Sida, UN Habitat and UNDP.
- "3. Women, men, girls, and boys, in all their diversity, addressing climate change in their daily lives and preserving the natural environment are recognised and valued", through IPA environment programming and Civil Society Facility and Media Programme-CSFMP.
- "4. Women and men in all their diversity, increasingly participate in and have improved access to jobs, entrepreneurship opportunities and alternative livelihoods in the green economy and the circular economy", via IPA environment and competitiveness programming in cooperation with Sida.
- "5. Women, men, girls, and boys, in all their diversity, participate equally in policy- and decisionmaking for the digital world, on local, national, regional and international levels, and are represented in these policies and decisions", via IPA digital transition and education programming.
- "6. Women, men, girls, and boys in all their diversity have equal access to affordable and secure broadband, technology, and digital tools", through IPA competitiveness programming and support to start-ups.
- "7. Women, men, girls, and boys are equally provided with and using equally public digital literacy", through through IPA competitiveness programming.
- "8. Women, men, girls, and boys in all their diversity participate fully and equally in the digital economy", via circular economy programming, in cooperation with GIZ.

POTENTIAL FOR SYNERGIES

Several synergies and opportunities for cooperation have been identified in relation to each of the aforementioned selected objectives. The EU will continue as an active member of the multi-stakeholder Security and Gender Group (chaired by UN Women), will have regular donor coordination in the context of the MS+ meetings, and will coordinate on gender equality through coordination with international organisations' gender advisers (UN, OSCE, CoE, EULEX and KFOR). It will also seek to identify additional synergies and opportunities for coordination towards gender equality. The EU will support the Agency for Gender Equality to contribute to more systematic, structured, and strategic coordination among institutions, the EU, UN, OSCE, EULEX, other donors, as well as civil society.

CSO INVOLVEMENT

In accordance with the EU "Roadmap for engagement with CSOs", the EU will ensure continuous engagement of diverse CSOs in the design, implementation, monitoring, and evaluation processes related to this CLIP. This will include women's CSOs working with women from diverse backgrounds, including ethnic minority, rural, and differently abled women. CSOs were consulted in designing this CLIP and their input included. Also, during the planning phases, through political dialogue, the EU will strongly encourage the government of Kosovo to use public consultation platforms to consult diverse CSOs regarding the content of both legal and policy changes and that of IPA III Action Documents. The EU will encourage cooperation with women's CSOs via regular consultations. The IPA Civil Society Facility and Media Programme will also support the implementation of GAP III objectives, as detailed. As part of the terms of reference for programme evaluations, the EU will encourage evaluators to meet CSOs to gather their observations on the implementation of gender equality commitments made in programmes.

Related to political dialogue under the aforementioned objectives, and in line with UNSCR 1325, the EU will meet diverse CSOs regularly to discuss priority political issues, gathering their input. The EU will seek to collaborate closely with CSOs in their political advocacy related to furthering gender equality, particularly in relation to relevant legal and policy changes.

TARGETED ACTIONS SUPPORTING GENDER EQUALITY AND WOMEN'S EMPOWERMENT

GAP III aims at increasing the number and effectiveness of actions having gender equality as a principal objective (OECD maker $\underline{G2}$). The following G2 contracts will be implemented between 2021 and 2025:

- Contract 404465 (end date 2022, EU contribution EUR 540,000): "Strengthening Women's Participation in Politics", implemented by the Kosovo Women's Network (KWN). <u>Thematic Area</u>: Promoting Equal Participation and Leadership; <u>Objective</u>: several; <u>Key indicators</u>: Proportion of seats held by women in (a) national parliaments and (b) local governments; number of women's rights organisations, peacebuilding organisations, feminist organisations, and women human rights defenders' organisations who participated in consultations around new policies and draft legislation with the regional, national and local government/state actors.
- Contract 419484 (end date 2022, EU contribution EUR 276,607): "Equipping, Empowering and Employing Youth, Women, and other Disadvantaged groups in five municipalities", implemented by Syri i Vizionit. GAP III <u>Thematic Area</u>: Promoting economic and social rights and empowering girls and women; <u>Objective</u>: "Increased access for women, in all their diversity, to decent work, including women's transition to the formal economy and coverage by non-discriminatory and inclusive social protection systems"; <u>Indicators</u>: Employment rate, disaggregated at least by sex; and level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation, by sex and migrant status (SDG 8.8.2).
- Contract 419479 (end date 2022, EU contribution EUR 99,184): Multi-functional Youth Center "ARKA", implemented by THY UDRUZENJE. <u>Thematic Area</u>: Promoting economic and social rights and empowering girls and women; <u>Objective</u>: "Women in all their diversity have improved access to entrepreneurship opportunities, including social entrepreneurship, alternative livelihoods and strengthened participation in the green and circular economy"; <u>Indicators</u>: Employment rate, disaggregated at least by sex; and number of women beneficiaries of business development services who registered their own business, including social enterprises.
- Contract 419468 (end date 2022, EU contribution EUR 97,450): Charity shop for youth employment
 and environment protection, implemented by YMCA movement in Gjakova. <u>Thematic Area:</u>
 Promoting economic and social rights and empowering girls and women; <u>Objective:</u> Women in all
 their diversity have improved access to entrepreneurship opportunities, including social
 entrepreneurship, alternative livelihoods and strengthened participation in the green and circular
 economy; increased participation of women and girls in all their diversity in decision-making
 processes on environment and climate change issues; <u>Indicators:</u> Employment rate, disaggregated at

least by sex; number of women beneficiaries of business development services who registered their own business, including social enterprises; and number of women, men, girls and boys, in all their diversity, activists and environmental rights defenders acting as agents of change on fighting climate change and pursuing environmental justice, at local, national and regional level, disaggregated at least by sex.

- Contract 415391 (end date 2022, EU contribution EUR 70,000): "Provision of Support on GAP II Implementation and gender mainstreaming", implemented by KWN. Technical facility.
- To be contracted: Gender Equality Facility <u>Thematic Area</u>: gender equality, service delivery, legal drafting, capacity building etc. <u>Objectives</u>: Contribute to legislation and policy drafting and implementation, mainstreaming of gender in laws and policies, strengthening human resources and capacities of Kosovo institutions at local and central level, improving communication, collaboration and coordination among gender equality mechanisms including civil society, awareness-raising, etc.
- To be contracted: Capacity development and financial support to CSOs working for gender equality amidst the COVID-19 pandemic and its aftermath and beyond. The project will strengthen CSOs' capacity to engage in decision-making processes and policy reforms, particularly related to the response to the socio-economic crisis resulting from the coronavirus pandemic, through the provision of small grants, and capacity development for women's CSOs, enabling improved reach, operations and impact amidst the coronavirus pandemic and its aftermath.
- To be contracted: Women CSOs and activists will receive EU support through re-granting mechanisms and action grants awarded after calls for proposals in the framework of the IPA Civil Society Facility and Media Programme-CSFMP 2021-23.

EU regionally - funded G2 programmes also are contributing to several Kosovo CLIP objectives:

- Contract 420117"Ending violence against women in the Western Balkans and Turkey, Phase II. <u>Implementing Norms, Changing Minds</u>" implemented by UN Women;
- Contract 394402 (end date 2022): "Empowering CSOs in Combatting Discrimination and Furthering Women's Labour Rights", implemented by KWN in Kosovo;
- Contract 414-028 (end date 2024): "Furthering Gender Equality through the EU Accession Process", implemented by KWN in Kosovo.

ENGAGE IN DIALOGUE FOR GENDER EQUALITY AND WOMEN EMPOWERMENT

The EU will utilise political dialogue in all thematic areas, towards progress on the aforementioned objectives. This will include through SAA Committee and Sub-committee meetings, periodic and ad hoc dialogue meetings with Kosovo officials, contributing to legislation drafting, providing comments on draft laws and policies, and speaking in public events in general, as well as those organised in collaboration with the government of Kosovo. The EU will seek to ensure that gender equality issues are raised during these political dialogues, as part of agendas, speaking points, and conclusions. The issues to be addressed include the main gender inequalities and objectives towards gender equality identified in this CLIP. The EU will organize regular meetings with women leaders in different sectors, women political representatives and diverse women's CSOs to hear their priorities and discuss how the EU can support raising issues towards gender equality. The EU will continue chairing the EU MS+EULEX gender group and meet at least quarterly.

OUTREACH AND OTHER COMMUNICATION / PUBLIC DIPLOMACY ACTIVITIES

The EU will seek to raise gender equality issues during public events, particularly through inclusion of gender equality issues in speeches and speaking points. Additionally, the EU plans to organize at least one public outreach campaign annually on a theme related to gender equality. This will be consulted with women's CSOs, women political representatives, EULEX, EU MSs in Kosovo, and UN agencies.

TECHNICAL FACILITY AND/OR FINANCIAL RESOURCES ALLOCATED TO SUPPORT GAP III IMPLEMENTATION

The EU has contracted Kosovo Women Network KWN from 2020 to 2022 to support GAP III implementation and other efforts towards mainstreaming a gender perspective in EU activities and

programmes. This includes continued training, mentoring, and capacity-building for EU staff and contractors, provided by KWN experts. The EU is programming a Gender Equality Facility that will continue this work from 2022, under IPA 2021.

A regional EU-funded and Sida co-funded CSF Action will develop three sector-specific gender analyses in thematic areas where gender analysis is lacking, agreed with the EU and the government of Kosovo (tentatively on digitalisation, informal economy, and the environment, as identified as needed areas).