ERAC

EQUAL RIGHTS FOR ALL COALITION

# WOMEN'S PARTICIPATION IN DECISION-MAKING IN KOSOVO

Kosovar Gender Studies Center

An EU funded project managed by the
European Union Office in Kosovo

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KGSC has been contributing to gender mainstreaming since 2002 and continuously makes efforts to achieve gender equality in Kosovo. It has been pioneering changes to the discriminatory system, social norms, and double standards, and is very active in monitoring public institutions. KGSC mission is to integrate gender-sensitive analysis, programs, and policies in all sectors of Kosovar society by increasing gender awareness and focus on gender issues, developing gender studies and ensuring the inclusion of gender-sensitive policies through research, policy development, advocacy, and lobbying.

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## LIST OF ABBREVIATIONS

| | |
|---|---|
| **AGE** | Agency for Gender Equality |
| **EC** | European Commission |
| **EU** | European Union |
| **KGSC** | Kosovo Gender Studies Centre |
| **LGE** | Law on Gender Equality |
| **MAFRD** | Ministry of Agriculture, Forestry and Rural Development |
| **MCR** | Ministry for Communities and Return |
| **MCYS** | Ministry of Culture, Youth and Sport |
| **MD** | Ministry of Diaspora |
| **MED** | Ministry of Economic Development |
| **MEI** | Ministry of European Integration |
| **MEST** | Ministry of Education, Science and Technology |
| **MF** | Ministry of Finance |
| **MFA** | Ministry of Foreign Affairs |
| **MH** | Ministry of Health |
| **MI** | Ministry of Infrastructure |
| **MIA** | Ministry of Internal Affairs |
| **MJ** | Ministry of Justice |
| **MKSF** | Ministry of Kosovo Security Force |
| **MLGA** | Ministry of Local Government Administration |
| **MLSW** | Ministry of Labour and Social Welfare |
| **MMPH** | Ministry of Environment and Spatial Planning |
| **MPA** | Ministry of Public Administration |
| **MTI** | Ministry of Trade and Industry |
| **OPM** | Office of Prime Minister |

## EXECUTIVE SUMMARY

The participation of women in decision-making in Kosovo is considered to be low in spite of the legal requirement from the Law No. 05/L -020 on Gender Equality, article 6, point 8, which states that "equal gender representation in all legislative, executive and judiciary bodies and other public institutions is achieved when ensured a minimum representation of fifty percent (50%) for each gender, including their governing and decision-making bodies".

The aim of the research was to assess women's participation in decision-making at the central level (Government, Assembly, and Presidency) and local level (municipalities) in Kosovo. This was carried out through a research based on currently available statistics collected from a number of institutions and analysis of recent reports on this issue.

Neither central nor local institutions in Kosovo enforce the Law on Gender Equality (LGE). The women's representation in 2016 in the Government as a whole, i.e. Ministries and the Office of the Prime Minister, is only 40.6%. On the other hand, Kosovo municipalities had only 28% women among their total number of employees in 2015. Furthermore, leadership positions in both Government and municipalities continue to be male dominated. Women headed only 5.2% of leadership positions in the Government in 2015, while in municipalities this percentage was 10.1% (14 municipalities had no women in leadership positions). Additionally, in the Presidency as well as the Assembly women are severely underrepresented: current statistics show that only 14 out of 32 (senior) leadership positions were headed by women in 2015, while at the Assembly women headed only 19 out of 52 (senior) leadership positions.

Based on data collected on the current state of women's participation in decision-making in Kosovo, the Kosovar Gender Studies Center makes the following recommendations:

- State institutions (especially the poor performers like:Ministry of Infrastructure, Ministry of Kosovo Security Force, and Ministry of Foreign Affairs) are recommended to implement special measures under Article 6 of the Law on Gender Equality to accelerate the realization of gender equality in areas where inequities exist. These specific measures shall be used systematically when there are job vacancies within institutions;
- The Agency for Gender Equality is recommended to draft the Kosovo Programme for Gender Equality and take into consideration the priorities deriving from the European Union's new Gender Action Plan 2016-2020;
- The Ministry of Public Administration is recommended to publish sexdisaggregated statistics and reports on the state of the civil service on its website in order to make them accessible to interested parties; and
- The Ministry of Public Administration is recommended to collect sexdisaggregated data on appointments for positions of political advisors of the heads of state financed by the state of Kosovo's budget.

Kosovar Gender Studies Center will use the data from this report to:

- Advocate for the improvement of the current situation concerning women's representation in decision-making;
- Carry out a litigation case against a public institution which is most severely violating the Law on Gender Equality; and
- Advocate with the Ministry of Public Administration to regularly publish disaggregated data by gender for civil servants.

# INTRODUCTION

Increasing women's participation in public life constitutes a key element to the development and democratization of a country. Involvement of women in all aspects of political life is important not only because women constitute half of the population, but also because the realisation of balanced participation of women and men in political and public decision making is a matter of the full enjoyment of human rights, of social justice, and a necessary condition for the better functioning of a democratic society. The realisation of equal participation of women and men in political and public decision-making leads to better and more efficient policy making through the redefinition of political priorities and the placement of new issues on the political agenda. In addition, this contributes to the improvement of quality of life.[1]

Women's increased participation in decision-making contributes to positive transformative processes for societies, such as changes in laws, policies, services, institutions, and social norms.[2] It is important to make sure women's voices about decisions affecting their lives, the lives of their families and the wider community are heard. These decisions affect women as much as they affect men. Therefore, women must be involved in decision-making in every area and have equal power and number with men.[3] It is the government's responsibility to ensure that women are given the opportunity to participate equally in all decision-making levels and that the institutions represent a variety of people and communities that they represent.

The need of empowering women and increasing their participation in decision-making is foreseen within the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by United Nation's General Assembly in 1979.[4] The Convention has been ratified by 190 of the UN's 195 member states. The purpose of CEDAW is to abolish all forms of discrimination against women and to achieve full human freedoms and rights for women on equal terms with men. The convention also demands to eliminate discrimination against women in the political and public life and places special importance on the participation of women in the public life. The preamble to the Convention states in part:

> "Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity".

In 1990, the demand to eliminate discrimination against women in political and public life became a resolution of the United Nations Economic and Social Council (ECOSOC),[5] which recommended a target of 30% of leadership positions to be held by women by 1995, and 50% by 2000. By 2015, neither of the targets have been reached.[6] For this reason, the Beijing Declaration and Platform for Action[7] aimed at "gender balance" and participation of equal numbers of men and women in governmental bodies, as well as public administration has been adopted on the Fourth World

[1] COUNCIL OF EUROPE, COMMITTEE OF MINISTERS, Recommendation Rec(2003)3
[2] Council of Europe Gender Equality Strategy (2014-2017)
[3] Kofi Anan, UN Secretary General
[4] UN Women (2015) Women in Power & Decision-Making
[5] ECOSOC Resolutions
[6] 11.3% in 1995 and 22% in 2015
[7] Beijing Declaration and Platform for Action

Conference on Women. Five years later (in 2000), taking into account the differential impact of conflict on women, the United Nations Security Council adopted Resolution 1325 on "Women, Peace and Security" [8]. The resolution re-emphasizes the need to strengthen the role of women in decision-making in conflict prevention and conflict resolution.

The participation of women in decision-making in Kosovo, both in terms of numbers and actual influence, faces many obstacles for different reasons. Mentality and illiteracy are considered to be the main reasons in limiting women's role in decision-making. This situation began to change with the introduction of a quota of 30% of the seats in the Assembly of Kosovo and Municipal Assemblies, which began to be reserved for women since 2000. Women's participation in the political life created a friendlier environment for their representation in other decision-making levels, including local level. Although the gender quota is challenged, it has significantly led to an increase of women MPs; there are 39 women MPs in the current legislature.[9] In addition, it is worth mentioning that 20 women MPs out of 39 have been elected through the preferential ballot, which means five more women compared with the previous general elections in 2010.[10]

Taking into account the legal obligation to ensure gender equality in all aspects of life in Kosovo, a greater importance must be paid to the involvement of women in decision-making. The right to equality of women and men requires that local and regional authorities take all the appropriate measures and adopt all appropriate strategies to promote a balanced representation and participation of women and men in all spheres of decision-making.[11]

The aim of this research is to assess the current state of affairs regarding women's participation in decision-making at the central level (Government, Assembly, and Presidency) and local level (municipalities) in Kosovo and provide policy recommendations to respective state bodies. The following measures were taken in order to better understand women's current position as well as to be able to make recommendations on how gender equality in decision-making may be improved:

- To analyse and map participation of women in decision-making at different levels of hierarchy in the central institutions (Government, Assembly, and Presidency);
- To analyse women's participation in the local institutions (municipalities); and
- To analyse the impact of adoption of the human rights law package in 2015 on non-discrimination of women.

The report includes a section on methodology, which explains the methods used to collect data. The report also includes the legal framework and previous research conducted by stakeholders involved in this field of study. The part of the report that addresses the current state is divided into two sections: central and local level. The summary provides the most critical issues found by the Kosovar Gender Studies Center (KGSC). The recommendations for improvement are based on the findings from the report and applicable legal framework in Kosovo, such as CEDAW, Constitution, and Law on Gender Equality. KGSC will implement several steps in order to monitor the implementation of its recommendations.

[8] UN Security Council Resolution 1325
[9] National Democratic Institute (NDI), Kosovo: Overcoming Barriers to Women's Political Participation
[10] National Democratic Institute (NDI), Kosovo: Overcoming Barriers to Women's Political Participation
[11] The European Charter for Equality of women and men in local life

## METHODOLOGY

The team consisting of two KGSC staff worked since June 2016 in collecting information and preparing the report on women's participation in decision-making in Kosovo.

This was a desk-research report of key available sources, including the legal framework, previous research and reports on the topic, as well as informal interviews with the Acting Head of the AGE, the Senior Officer for Gender Equality at the MLGA and the Senior Officer for Human Resources at the MPA.

MPA provided the data on the state institutions involved in this research, i.e. the total number of employed women as well as total number of women in leadership positions.

The data on the representation of women at the local level (municipalities) were provided from the Officer for Gender Equality at the MLGA. These data include information on the number and percentage of Municipal Assemblies' members, civil servants, and decision-making positions (Directors of Directorates).

The data on the number of President's advisors were obtained through official communication with the Office of the Presidency. The data on the number of Prime Minister's advisors were obtained upon submission of the official request for access to public documents.

During the research, the KGSC team found out that the responsible ministry for civil service lacks a proper database, which would contain all the necessary information in terms of disaggregation of civil servants' data based on sex, age, and separation of institutions' data from their independent agencies. The Assembly of Kosovo did not share the required information concerning the political advisors of the Speaker of the Assembly with KGSC even after submitting the official request for access to public documents.

## LEGAL FRAMEWORK

Fundamental human rights are solidly enshrined in the Constitution of Kosovo. The principle of gender equality is regulated by the Constitution[12] of Kosovo and other applicable laws. According to the Constitution[13] both genders have equal rights to participate in political, social, economic and other fields.

Although Kosovo is not a signatory to major international agreements on human rights, the Constitution of Kosovo states that all international human rights instruments are directly applicable.[14] More specifically, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is also enshrined in Article 22 of Kosovo's Constitution.[15] The promotion and enforcement of fundamental rights and freedoms and equal treatment of all citizens of Kosovo is regulated through different civil and criminal legislations including the package of human rights legislation (i.e. the laws on anti-discrimination, the Ombudsperson and gender equality), which entered into force in July 2015. The adoption of the package of human rights legislation was highlighted as a major step forward in 2015 European Commission (EC) Kosovo Country Report. It strengthened the institutional set-up and clarified the roles of various institutions.

The new laws repair former deficiencies in the legal framework regulating the non-judicial human rights protection framework and ensure compliance with European human rights standards as well as international conventions. They are particularly valuable, as they define the competences and interrelations between various bodies with competencies in promoting and protecting fundamental rights and confirm the role of the Institution of the Ombudsperson as the main competent body in the domain of fundamental rights.

Kosovo's legal framework on equality between women and men improved through the adoption of the LGE in accordance with international standards. However, significant structural challenges remain and implementation will require serious effort. Women remain underrepresented in decision-making positions, including at municipal level. At national level, the situation worsened, as only two[16] (2) ministers out of 22 are women and only two (2) out of 14[17] chairs of parliamentary committees.[18] However, even though women remain under-represented in decision-making, the 2016 EC Report on Kosovo doesn't mention such occurrence.

Gender-based discrimination is prohibited under Article 1 of the Law no. 05/L-021 on Protection from Discrimination, which, inter alia, includes the prohibition of direct or indirect discrimination to a person based on gender.

[12] Article 101 [Civil Service] 1. The composition of the civil service shall reflect the diversity of the people of Kosovo and take into account internationally recognized principles of gender equality

[13] 7.2. The Republic of Kosovo ensures gender equality as a fundamental value for the democratic development of society, equal opportunities for participation of women and men in political, economic, social, cultural and other areas of social life.

[14] ERAC:HUMAN RIGHTS STRATEGY FOR KOSOVO 2016-2022: A way forward.

[15] Constitution of the Republic of Kosovo

[16] As of date (Jan 18, 2017), there are three (3) women ministers at Kosovo Government (Minister of Justice, Minister of Trade and Industry, and Minister without Portfolio (http://www.kryeministri-ks.net/?page=2,43)

[17] As of date (Jan 18, 2017) there are six (6) women chairs out of 15 parliamentary committees http://assembly-kosova.org/?cid=1,110

[18] EC Kosovo 2015 Report

Law on Gender Equality (No. 05/L -020) addresses this issue in more details. This Law guarantees, protects, and promotes gender equality as a democratic value and requires the participation and contribution of both genders in political, economic, social, cultural and other spheres of life. This equal participation and representation is achieved when representation of a minimum of fifty percent (50%) in the governing and decision-making bodies of all legislative, executive, judicial and other public institutions is achieved. Article 6 of LGE also provides for temporary special measures that shall be taken by institutions in order to accelerate the gender equality. Furthermore, the Law defines the AGE, as an institutional mechanism for gender equality[19] responsible for coordinating the preparation of the Kosovo Programme on Gender Equality, monitoring its implementation and reporting to the Government on its implementation. Upon review and approval of the Programme, the Government reports to the Assembly and makes the report public. The last programme prepared by AGE covered the period 2007-2013. In the informal interview with the Acting Head of the AGE, it was stated that work is being carried out to finalize the new Programme, which will be finalized during 2017.

It is worth noting that the Law on General Elections does not comply with the LGE,[20] namely it requires a quota of 30% of all candidates on the candidate list of political parties to be from the less represented gender, while the LGE foresees equal participation (50%) at every level of decision making in political and public life.

All materials that have been reviewed on women's participation in decision-making in Kosovo offer evidence on the women's unfavourable situation that requires further attention and improvement. The Working Plan for the implementation of Resolution 1325 of the Security Council of the United Nations "Women, Peace and Security" has been launched in 2014, which aims to increase the participation of women in decision-making. According to the Working Plan (AGE, 2014), the quotas in public administration were good during 2009-2011, however leadership positions were still dominated by men.[21] The first objective of the Working Plan was "Increased participation of women in decision-making and processes of building and maintaining peace". Thus, to achieve this objective, the Working Plan, in its indicator, has stipulated a percentage of 20% women in senior leadership and leadership positions to be achieved by 2015.

According to the powers set out in Annex 11 of Regulation No. 02/2011 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries and Article 6 of Law no. 03 / L-149 on Civil Service of Kosovo, the ministry responsible for public administration reports to the Assembly at least once a year on the state of the civil service. This report, which is prepared by the Department of Civil Service of the MPA, includes the gender representation and leadership positions. However, during our research, we have noticed that the latest report that MPA has published on their website was in 2013.[22]

[19] Article 7- Agency for Gender Equality "Agency for Gender Equality is an executive agency (hereinafter 'Agency'), which operates under the Office of the Prime Minister (OPM)."

[20] Law on Gender Equality https://gzk.rks-gov.net/ActDetail.aspx?ActID=10923

[21] Agency for Gender Equality, Working Plan to implement Resolution 1325, "Women, Peace and Security" 2013-2015 Only 13.10% leadership positions headed by women in 2011 and 25.70% women in managerial positions.

[22] Ministry of Public Administration, Reports http://MPA.rks-gov.net/institucion/Publications/Raportet-Vjetore.aspx

## PRELIMINARY RESEARCH AND REPORTS

The participation of women in decision-making in Kosovo has been discussed many times before. However, very little has changed or improved based on the recommendations of the previous research. According to a report of AGE,[23] the small number of women in decision-making positions is challenged by their peers, who ignore their authority or fail to carry out the tasks delegated to them. The report also presents reasons that respondents have given regarding the factors that prevent women to take on responsibilities and decision-making positions at work. According to this report, providing opportunities and lack of support from management structures constitute about 70% of factors, followed by professional training, family obligations and other circumstances.

According to another research of the AGE,[24] it appears that women's participation in Kosovo ministries has increased over the years (2008-33%, 2009-36%, 2014-42%), while it has decreased in municipalities (2008 - 38%, 2009-39%, 2014-27%). This research includes a survey of women in non-decision-making positions, 78% of whom have a university and postgraduate degree (Bachelor, Master and PhD). Although 73% of them have applied, they still do not have decision-making position and 30% of them see their gender as a reason for having fewer possibilities for promotion. Among the main reasons why women are not offered equal opportunities is the belief that men are better leaders and that women have no political support.[25] The results from the survey of this report also shows that women in non-decision-making positions have shown that more than half of them (54%) think that women are not given the same possibilities as men are given for a promotion, while 46% consider that possibilities are the same regardless from the gender.

Given the recent history of Kosovo, it is important for Kosovo to attain EU association for national stability and progress. Through this focus on further association toward the EU, human rights should be a focal point of the Kosovo's government agenda.[26] Achieving gender equality is central to the protection of human rights, the functioning of democracy, respect for the rule of law, economic growth, and competitiveness.[27]

Gender equality is at the core of European values and enshrined within the European Union (EU) legal and political framework. The EU and its Member States are at the forefront of the protection, fulfilment and the enjoyment of human rights by women and girls and strongly promote them in all external relations, also beyond development cooperation.[28]

2016 EC Report recognizes that Kosovo's legal framework has improved and stresses out that the AGE has not yet assessed the implementation of the programme for gender equality (2008-2013), and that structural challenges remain and implementation will require serious effort. The fact that the vacancy for the Head of the AGE has not been filled is also mentioned in the report, as a factor that has hampered implementation of the action plan to implement UN Security Council Resolution 1325 on women, peace and security. Therefore, the need to further strengthen the role of the AGE in policy-making is highlighted.

[23] Agency for Gender Equality (2011), Report on research "Women in the work process and decision-making in Kosovo"
[24] Agency for Gender Equality (2014), Research report: Participation, the role and position of women in central and local institutions as well political parties in Kosovo, Prishtina 2014
[25] Agency for Gender Equality (2014), Research report: Participation, the role and position of women in central and local institutions as well political parties in Kosovo, Prishtina 2014
[26] ERAC-Human Rights Strategy for Kosovo 2016-2022: A way forward. pg.9
[27] Council of Europe Gender Equality Strategy (2014-2017)
[28] European Council Conclusions on the Gender Action Plan 2016-2020

As regards non-discrimination, the EC Country Report states that the secondary legislation for the implementation of the law on the protection from discrimination has not yet been adopted. Moreover, the need of authorities on addressing discrimination against women, especially during hiring processes in private sector is mentioned. The report states the fact that the performance of institutions in processing and investigating cases related to discrimination remains poor and calls upon taking measures to increase labour market participation of women. The obstacles that maternity leave presents to the hiring of women as well as the limited access to child care and to flexible work arrangements being barriers to women's employment are well described throughout the report, asking for the state to consider a reform of the system of maternity and parental leave.
Progress Reports from previous years have highlighted issues related to women's representation in decision-making positions, describing it as being worsened at the national level comparing with the previous years (EC, 2015); issues concerning the lack of implementation of the LGE (EC, 2014; EC, 2012) and the need for its amendment (EC, 2013).

The EU's new Gender Action Plan (2016-2020) that has been established succeeds the 2010-2015 GAP, which suffered from weak institutional leadership, accountability and capacity.[29] The EU's framework, Gender equality and women's empowerment: transforming the lives of girls and women through EU external relations 2016-2020, outlines an ambitious approach to gender equality and the promotion, protection and fulfilment of women's and girls' human rights. The new Gender Action Plan seeks to concentrate the efforts of all EU actors (EEAS, Delegations, Commission services and Member States) on four pivotal areas: one horizontal on shifting institutional culture, and three thematic areas: girls' and women's physical and psychological integrity, their economic and social rights, and voice and participation.[30]

Other conventions, declarations and international analyses place great importance on the women's participation in public life and have set a framework of international standards of equality. These include the Universal Declaration of Human Rights,[31] the International Covenant on Civil and Political Rights,[32] the Convention on the Political Rights of Women,[33] the Vienna Declaration,[34] paragraph 13 of the Beijing Declaration and Platform for Action,[35] General Recommendations 5 and 8 under the Convention,[36] General Comment 25 adopted by the Human Rights Committee,[37] the recommendation adopted by the Council of the European Union on balanced participation of women and men in the decision-making process[38] and the European Commission's "How to Create a Gender Balance in Political Decision-making".[39]

[29] European Union's new Gender Action Plan 2016-2020
[30] European Union's new Gender Action Plan 2016-2020
[31] General Assembly resolution 217 A (III)
[32] General Assembly resolution 2200 A (XXI), annex.
[33] General Assembly resolution 640 (VII).
[34] Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.
[35] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (A/CONF.177/20 and Add.1), chap. I, resolution 1, annex I.
[36] Official Records of the General Assembly, Forty-third Session, Supplement No. 38 (A/43/38), chap. V.
[37] Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies CCPR/21/21/Rev.1/Add.7, 27 August 1996.
[38] 96/694/EC, Brussels, 2 December 1996
[39] European Commission document V/1206/96-EN (March 1996).

## CURRENT STATE

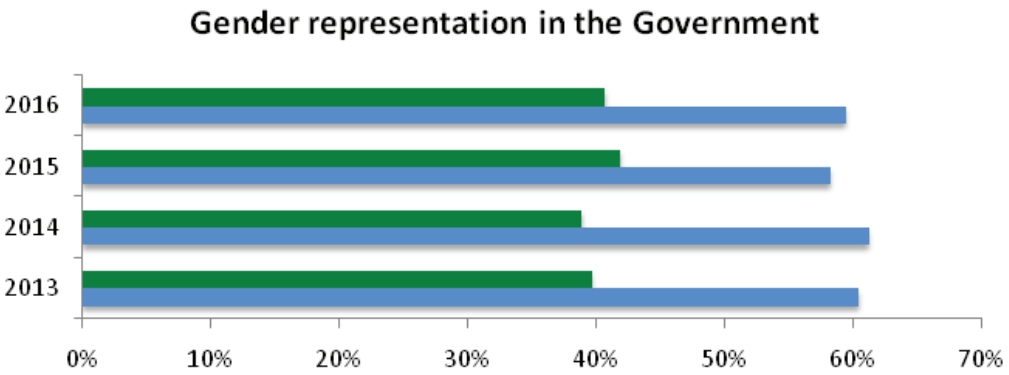
The research aimed to analyse the current situation of women's participation in decision-making at the central and local level in Kosovo. The institutions that have been covered by this research are: Government of Kosovo (ministries and the Office of the Prime Minister), the Assembly, the Presidency, and municipalities.

### Central level

Central level institutions involved in this research are the Government, the Assembly, and the Presidency. The data that the research team of KGSC has managed to collect are those of the civil servants of the Government (Ministries and the OPM) and political advisors of the Prime Minister, civil servants of the Assembly, and civil servants and political advisors of the President.

### Government

Despite repeated demands of both local and international organizations to implement the LGE, whereby demanding equal gender representation, it appears that the Government has not complied with this requirement. At the contrary, the number of women in public administration in the Government decreased; 41.8% of the total number of Government employees in 2015 were women, while this percentage was 40.6% in 2016.




| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| F | 39,6% | 38,8% | 41,8% | 40,6% |
| M | 60,4% | 61,2% | 58,2% | 59,4% |

**Chart 1. Gender representation in the Government**

The equal gender representation continues to remain a concern at ministerial level as well. The Ministry of Kosovo Security Force has consistently small percentage of women (2013 - 24.8%; 2014 - 24.3%; 2015 - 24.8%; 2016 - 26.5%). The Ministry of Infrastructure continues to underrepresent women (25.1% in 2016). Genders are more equally represented in the Ministry of Health (2016 - 54.9%). The Ministry of European Integration (50.8%), Office of Prime Minister (50.9%) and the Ministry of Finance (50.3%) have also shown equal representation of genders during 2016.

The tables below reflect the gender representation in ministries, divided into two groups per each year covered by the research:

1. Ministries that complied with the LGE; and
2. Ministries that did not comply the LGE.

In 2013, the legal requirement deriving from the LGE was to have a 40% of women representation, which as it is shown in the table below was respected from 10 ministries.

| | Group 1 | Group 2 |
|---|---|---|
| 2013 | Ministry of Health (54.4%)<br>Ministry of European Integration (52.2%)<br>Ministry of Diaspora (48.6%)<br>Ministry of Labour and Social Welfare (47.1%)<br>Ministry of Local Government Administration (46.8%)<br>Office of Prime Minister (43.9%)<br>Ministry of Education, Science and Technology (43.6%)<br>Ministry of Culture, Youth and Sport (41.4%)<br>Ministry of Public Administration (41.4%)<br>Ministry of Economic Development (40.8%) | Ministry of Internal Affairs (39.7%)<br>Ministry for Communities and Return (39.2%)<br>Ministry of Environment and Spatial Planning (39.1%)<br>Ministry of Justice (39%)<br>Ministry of Finance (36.3%)<br>Ministry of Trade and Industry (32.4%)<br>Ministry of Agriculture, Forestry and Rural Development (29.1%)<br>Ministry of Foreign Affairs (27.4%)<br>Ministry of Infrastructure (25.2%)<br>Ministry of Kosovo Security Force (24.8%) |

**Table 1. Women representation according to ministries for 2013**

The situation in 2014 concerning women representation in the Government continued to be the same as in the previous year with a slight change of percentages in certain ministries. For example, Ministry of Justice increased the percentage to 40.4%, while the Ministry of Economic Development decreased its percentage to 39.7%.

| | **Group 1** | **Group 2** |
|---|---|---|
| **2014** | Ministry of Health (55%)<br>Ministry of Labour and Social Welfare (46.6%)<br>Ministry of Local Government Administration (46.2%)<br>Ministry of European Integration (45.7%)<br>Office of Prime Minister (44.2%)<br>Ministry of Culture, Youth and Sport (42.4%)<br>Ministry of Public Administration (41.5%)<br>Ministry of Education, Science, and Technology (40.8%)<br>Ministry of Justice (40.4%)<br>Ministry of Diaspora (40.4%) | Ministry of Economic Development (39.7%)<br>Ministry of Environment and Spatial Planning (39.2%)<br>Ministry of Internal Affairs (37.9%)<br>Ministry for Communities and Return (37.5%)<br>Ministry of Finance (36.4%)<br>Ministry of Trade and Industry (34.4%)<br>Ministry of Agriculture, Forestry and Rural Development (29.7%)<br>Ministry of Foreign Affairs (29.3%)<br>Ministry of Infrastructure (25.2%)<br>Ministry of Kosovo Security Force (24.3%) |

**Table 2. Women representation according to ministries for 2014**

2015 marks the entry into force of the new LGE, which requires both men and women to be represented equally. Only three ministries met this requirement: Ministry of Health, Ministry of European Integration, and Ministry of Finance. On the other hand, the ministries with the smaller representation of women in 2015 were: Ministry of Foreign Affairs, Ministry of Infrastructure, and Ministry of Kosovo Security Force. These ministries have been at the bottom of the group during the entire period covered by our research, namely 2013-2016.

| | Group 1 | Group 2 |
|---|---|---|
| 2015 | Ministry of Health (54.9%)<br>Ministry of European Integration (52.2%)<br>Ministry of Finance (50.3%) | Office of Prime Minister (49.5%)<br>Ministry of Education, Science, and Technology (49%)<br>Ministry of Diaspora (48.6%)<br>Ministry of Labour and Social Welfare (47.1%)<br>Ministry of Local Government Administration (46.8%)<br>Ministry of Culture, Youth and Sport (44.9%)<br>Ministry of Environment and Spatial Planning (42.5%)<br>Ministry of Justice (42%)<br>Ministry of Public Administration (41%)<br>Ministry of Economic Development (40.8%)<br>Ministry of Internal Affairs (39.7%)<br>Ministry for Communities and Return (39.2%)<br>Ministry of Agriculture, Forestry and Rural Development (38.4%)<br>Ministry of Trade and Industry (32.4%)<br>Ministry of Foreign Affairs (27.4%)<br>Ministry of Infrastructure (25.2%)<br>Ministry of Kosovo Security Force (24.8%) |

**Table 3. Women representation according to ministries for 2015**

In 2016, Office of Prime Minister increased its percentage of women representation to 50.9%, thus being in line with the requirements of the LGE. The changes in the other ministries remain insignificant.

| | Group 1 | Group 2 |
|---|---|---|
| 2016[40] | Ministry of Health (54.9%)<br>Office of Prime Minister (50.9%)<br>Ministry of European Integration (50.8%)<br>Ministry of Finance (50.3%) | Ministry of Local Government Administration (46.8%)<br>Ministry of Culture, Youth and Sport (46.2%)<br>Ministry of Labour and Social Welfare (44.4%)<br>Ministry of Education, Science and Technology (44.4%)<br>Ministry of Justice (42%)<br>Ministry of Economic Development (40.6%)<br>Ministry of Internal Affairs (39.7%)<br>Ministry of Diaspora (39.6%)<br>Ministry of Environment and Spatial Planning (37.8%)<br>Ministry of Public Administration (37.7%)<br>Ministry of Agriculture, Forestry and Rural Development (37.3%)<br>Ministry for Communities and Return (35.6%)<br>Ministry of Trade and Industry (32.3%)<br>Ministry of Foreign Affairs (30%)<br>Ministry of Kosovo Security Force (26.5%)<br>Ministry of Infrastructure (25.1%) |

**Table 4. Women representation according to ministries for 2016**

[40] 2016 data cover first quarter only are provided from the MPA

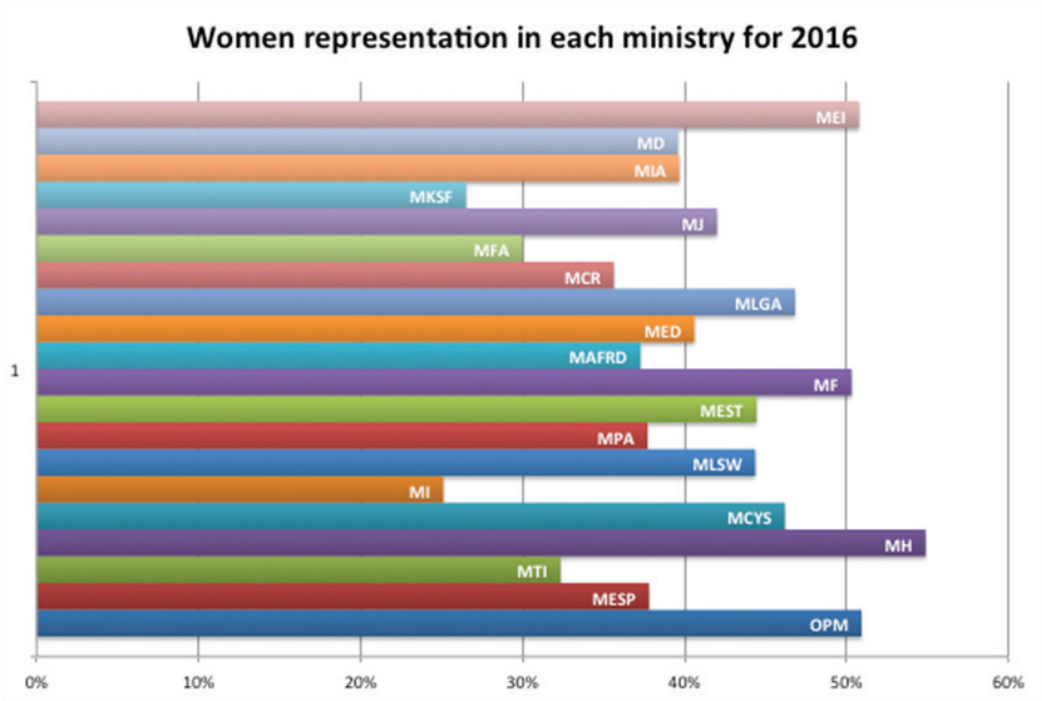
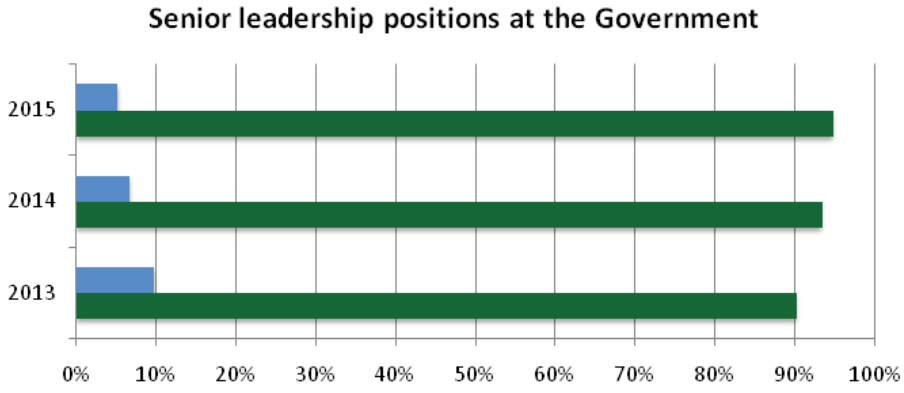



**Chart 2. Women representation in each ministry for 2016**

Concerning the senior leadership positions[41] in the Government, they continue to be male dominated. Women headed only 9.8% of the total number of those positions in 2013, while in 2014 this percentage had fallen for 3.1%, so only 6.7% of senior leadership positions were held by women. In 2015, the proportion of women in senior leadership positions in the Government had been reduced even further, bringing the figure to only 5.2%., namely only 3 positions out of a total of 58.



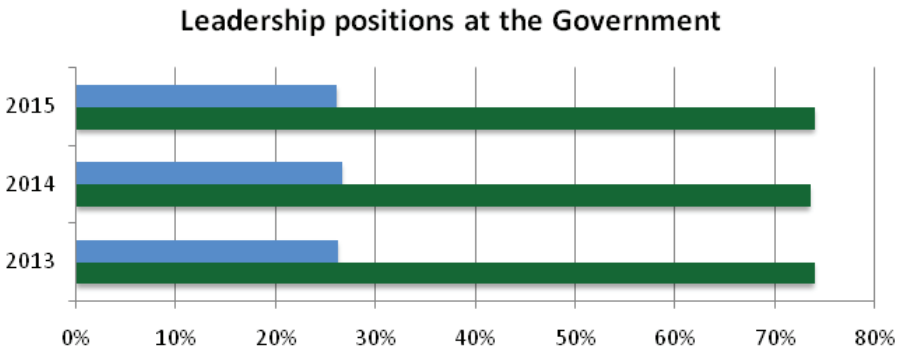

| | 2013 | 2014 | 2015 |
|---|---|---|---|
| F | 9,8% | 6,7% | 5,2% |
| M | 90,2% | 93,3% | 94,8% |

**Chart 3. Senior leadership positions in the Government[42]**

Men headed also the leadership positions[43] during these three years and women headed only slightly more than 26% of positions.

[42] No data were provided for 2016

[43] Head of Department/Directorate, Deputy Director, Head of Office, Head of Division, Head of Sector, Head of Unit, Manager, and Auditor.




| | 2013 | 2014 | 2015 |
|---|---|---|---|
| F | 26,1% | 26,5% | 26,1% |
| M | 73,9% | 73,5% | 73,9% |

**Chart 4. Leadership positions in the Government**[44]

The table below reflects the number of women in senior leadership positions according to ministries. As it can be seen in the first table there have been only 3 (5.2%) women senior leaders in the Government in 2015, which presents a decrease from the previous years covered from our research. In 2014, 6.7% (3) of senior leadership positions were held by women, while this percentage was even higher in 2013, 9.8% (4) respectively.

| Senior leadership positions | 2013 | 2014 | 2015[45] |
|---|---|---|---|
| | Ministry of Trade and Industry (1/6)<br>Ministry of Justice (1/1)<br>Ministry for Communities and Return (1/1)<br>Ministry of Diaspora (1/1) | Ministry of Trade and Industry (2/7)<br>Ministry of Foreign Affairs (1/3) | Ministry of Trade and Industry (1/7)<br>Ministry of Public Administration (1/3)<br>Ministry of Foreign Affairs (1/4) |
| | 4 out of 41 (9.8%) | 3 out of 45 (6.7%) | 3 out of 58 (5.2%) |

**Table 5. Senior leadership positions according to ministries**[46]

Table 6 shows the number of women in leadership positions in each ministry. In 2015, there have been 26.1% women leaders in the Government. The percentages in the three years covered from our research have remained the same, with an insignificant increase in 2014 by 0.4%.

[44] No data were provided for 2016

[45] The ministries that did not have any women in senior leadership positions in 2015 were: MD, MLGA, MLSW, MEST, MCYS, MED, MIA, MCR, MESP, MJ, MF, MAFRD MI, MKSF, MH, MEI, and OPM.

[46] No data were provided for 2016

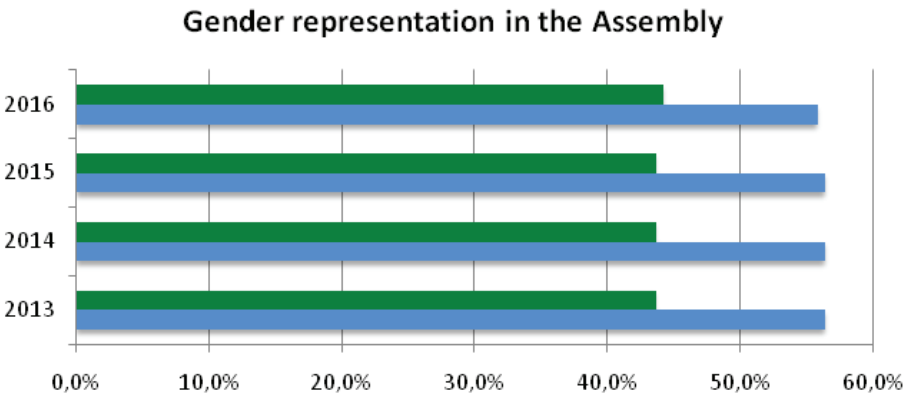
| | 2013 | 2014 | 2015 |
|---|---|---|---|
| Leadership positions | Ministry of Internal Affairs (31/153)<br>Ministry of Labour and Social Welfare (29/112)<br>Ministry of Environment and Spatial Planning (16/59)<br>Ministry of Agriculture, Forestry and Rural Development (13/54)<br>Ministry of Public Administration (19/51)<br>Ministry of Infrastructure (7/47)<br>Ministry of Kosovo Security Force (12/41)<br>Ministry of Education, Science and Technology (13/39)<br>Ministry of Economy and Finance (12/35)<br>Ministry of Trade and Industry (6/34)<br>Ministry of Culture, Youth and Sport (10/34)<br>Ministry of Economic Development (8/31)<br>Office of Prime Minister (4/28)<br>Ministry of Health (10/27)<br>Ministry of Local Government Administration (9/25)<br>Ministry of Foreign Affairs (6/20)<br>Ministry for Communities and Return (3/15)<br>Ministry of European Integration (3/12)<br>Ministry of Diaspora (4/9)<br>Ministry of Justice (1/1) | Ministry of Internal Affairs (29/155)<br>Ministry of Labour and Social Welfare (27/96)<br>Ministry of Environment and Spatial Planning (20/59)<br>Ministry of Public Administration (18/52)<br>Ministry of Culture, Youth and Sport (15/48)<br>Ministry of Trade and Industry (10/41)<br>Ministry of Justice (10/41)<br>Ministry of Agriculture, Forestry and Rural Development (8/41)<br>Ministry of Kosovo Security Force (12/40)<br>Ministry of Economy and Finance (12/35)<br>Ministry of Health (11/34)<br>Ministry of Economic Development (11/34)<br>Ministry of Infrastructure (4/31)<br>Office of Prime Minister (6/30)<br>Ministry of Education, Science and Technology (9/28)<br>Ministry of Local Government Administration (8/24)<br>Ministry of European Integration (6/22)<br>Ministry of Foreign Affairs (5/21)<br>Ministry for Communities and Return (3/14)<br>Ministry of Diaspora (4/13) | Office of Prime Minister (11/32)<br>Ministry of Kosovo Security Force (10/37)<br>Ministry of Trade and Industry (10/32)<br>Ministry of Health (16/48)<br>Ministry of Culture, Youth and Sport (15/55)<br>Ministry of Infrastructure (7/36)<br>Ministry of Labour and Social Welfare (28/95)<br>Ministry of Public Administration (14/42)<br>Ministry of Education, Science and Technology (13/39)<br>Ministry of Economy and Finance (57/214)<br>Ministry of Agriculture, Forestry and Rural Development (10/61)<br>Ministry of Economic Development (5/25)<br>Ministry of Local Government Administration (8/25)<br>Ministry of Environment and Spatial Planning (19/61)<br>Ministry of Justice (33/185)<br>Ministry of Internal Affairs (33/185)<br>Ministry of Foreign Affairs (7/18)<br>Ministry for Communities and Return (3/13)<br>Ministry of European Integration (8/25)<br>Ministry of Diaspora (3/15) |
| | 216 out of 827 (26.1%) | 228 out of 859 (26.5%) | 301 out of 1155 (26.1%) |

**Table 6. Senior leadership positions according to ministries**[47]

### Civil servants of the Assembly

The data provided from the MPA on the civil servants of the Kosovo's Assembly show that even the institution that adopts laws in Kosovo does not respect gender equality. Despite a slight increase in the percentage of representation of women in the administration of Assembly (from 43.6% in 2015 to 44.2% in 2016), women continue to be underrepresented in this central Kosovo's institutions.

[47] No data were provided for 2016

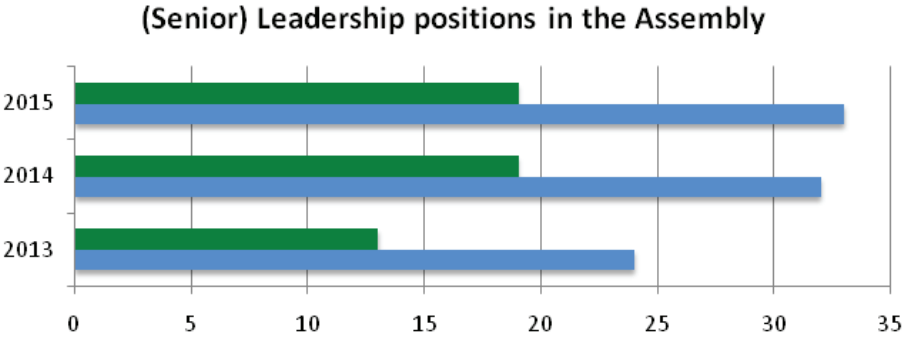



| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| F | 43,6% | 43,6% | 43,6% | 44,2% |
| M | 56,4% | 56,4% | 56,4% | 55,8% |

**Chart 5. Gender representation in the Assembly**

Women remain underrepresented also in leadership positions in the Assembly. Regarding senior leadership positions, there were no women represented during these three years covered by this research. The situation is slightly better in leadership positions, although it is unequal and inconsistent with the LGE.

As seen from the chart below, in 2013, only 13 out of 37 positions were headed by women (including a senior leadership position) or 35.1%. In 2014, there has been an increase of 6 positions led by women, however, it had increased only 2.2% 37.3% respectively, because the positions headed by men had increased to 32 from 24 as they were in 2013. In 2015, the Assembly has employed one more man to (senior) leadership position, thereby reducing the percentage of women to 36.5%.



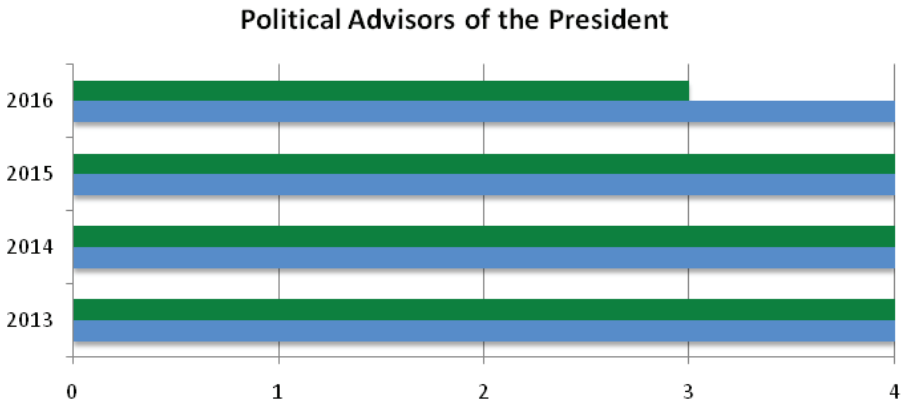

| | 2013 | 2014 | 2015 |
|---|---|---|---|
| F | 13 | 19 | 19 |
| M | 24 | 32 | 33 |

**Chart 6. (Senior) Leadership positions in the Assembly**[48]

[48] No data were provided for 2016

## Presidency

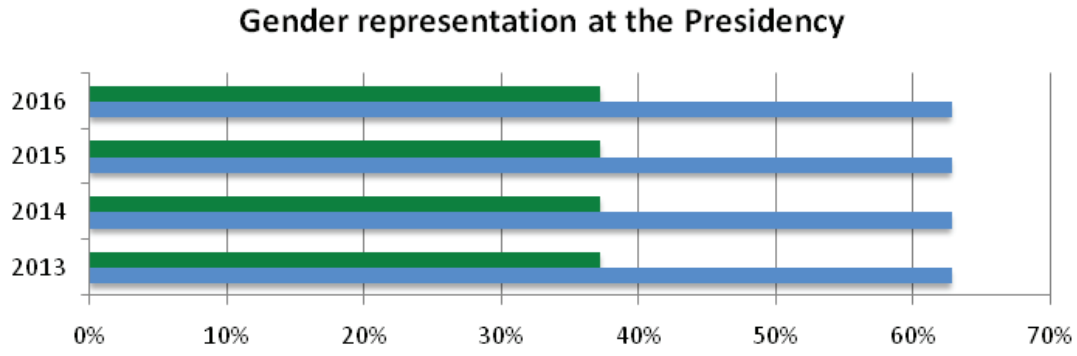
According to data received from the Presidency of Kosovo regarding the political advisors of the President, it appears that gender equality was respected during 2013-2015 (8 members in total - 4 men and 4 women). On the other hand, in 2016 there was one less woman political advisor of the President.[49]




| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| F | 4 | 4 | 4 | 3 |
| M | 4 | 4 | 4 | 4 |

**Chart 7. Political advisors of the President**

Despite the observance of gender equality in respect to political advisors (with exception of 2016), based on the data that we have received on gender representation of civil servants in the Presidency, it appears that it is constantly not respecting the gender equality. The percentage of men in the Presidency is 62.8% while of women is 37.2% and this situation included only the period covered by this research.

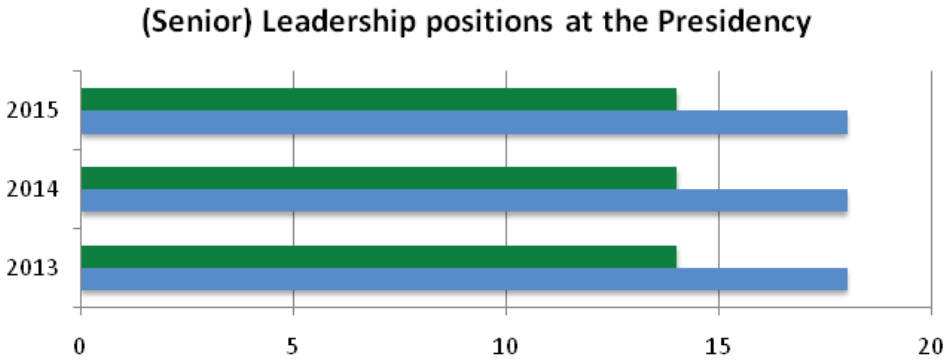



| | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| F | 37,20% | 37,20% | 37,20% | 37,20% |
| M | 62,80% | 62,80% | 62,80% | 62,80% |

**Chart 8. Gender representation in the Presidency**

[49] According to personal communication, the President has not completed yet his Cabinet

The men in the Presidency are favoured even in the leadership positions. Of the 32 leadership positions (senior leadership level and leadership level), 18 positions were led by men and 14 by women. This situation has been same for three years period covered by the research, while for 2016 we do not have any data.




| | 2013 | 2014 | 2015 |
|---|---|---|---|
| F | 14 | 14 | 14 |
| M | 18 | 18 | 18 |

**Chart 9. (Senior) Leadership positions in the Presidency**

## Local level

The data provided by the Officer for Gender Equality of the MLGA show clearly that gender equality in Kosovo's municipalities is not respected. In 2015, only 28% of employees in the civil service were women, while this situation was even worse in 2013-2014[50] with only a quarter (25%) of employees belonging to this category.

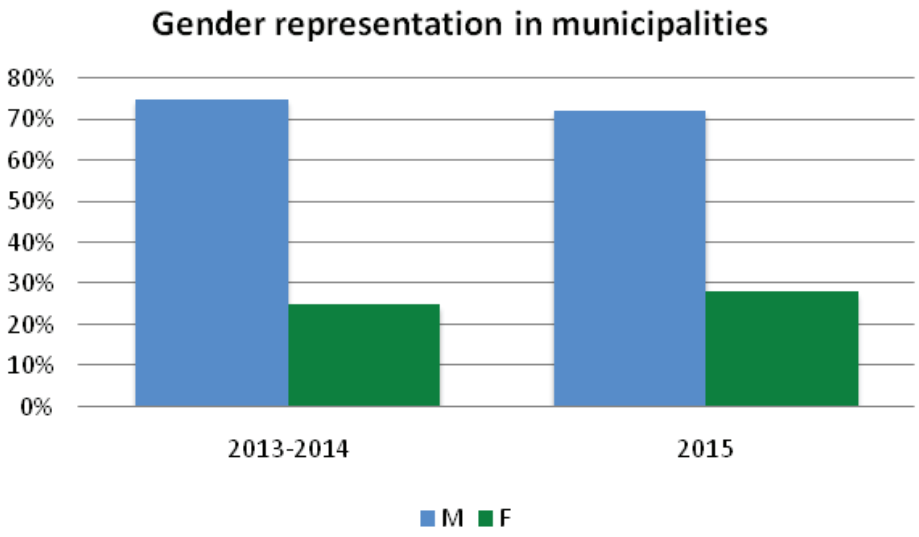



**Chart 10. Gender representation in municipalities**

[50] Data offered by MLGA are organised in this way

It is worrying that no municipality has respected the LGE during the years 2013-2014, while the situation has not improved in 2015 as well. Only the North Mitrovica Administrative Office has respected the gender equality, having employed 37 women out of 71 officials in total, respectively 52.1%, while the municipality of Dragash/Dragaš and Hani i Elezit/Elez Han ranked at the bottom of the table with a percentage of less than 10%, 9.2% and 7.5% respectively.

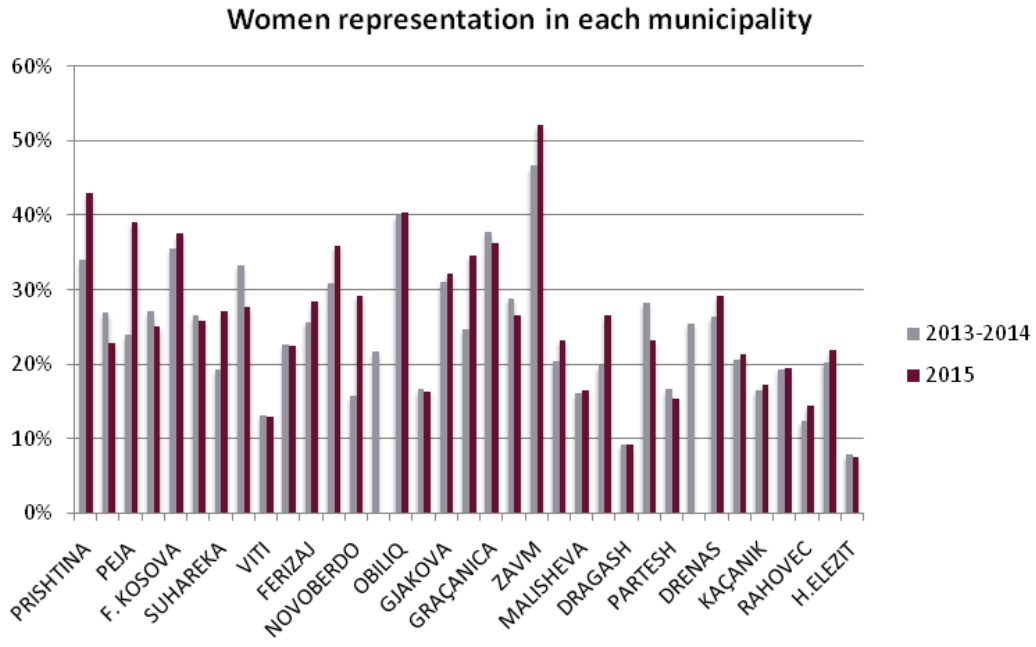



**Chart 11. Women representation in each municipality**

It should be noted that no data were provided for 2016, while the municipality of Shtërpcë/Štrpce and Istog/Istok have no data for 2015 either. Moreover, there are no data for the northern municipalities of Kosovo, Leposaviq/Leposavić, Zubin Potok and Zveçan/Zvečan respectively.

Leadership positions in municipalities, i.e. directors of municipal directorates continue to be headed largely by men. Women held only 4.4% of positions in 2013-2014, whereas this percentage increased to 10.1% for 2015.

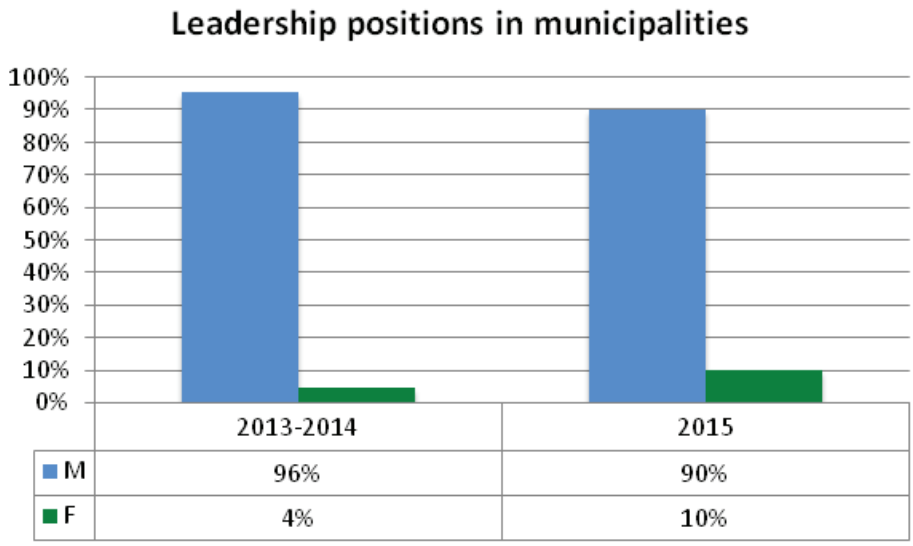



**Chart 12. Leadership positions in municipalities – directors of municipal directorates**[51]

The graphs below present the distribution of leadership positions in Kosovo's municipalities by years. Only 12 municipalities had one or two women directors of directorates during the period 2013-2014, totalling this number to 14 or only 4.4% out of 301 directors positions throughout Kosovo. Municipalities of Gjakova and Fushë Kosova had 2 women directors each during this period.

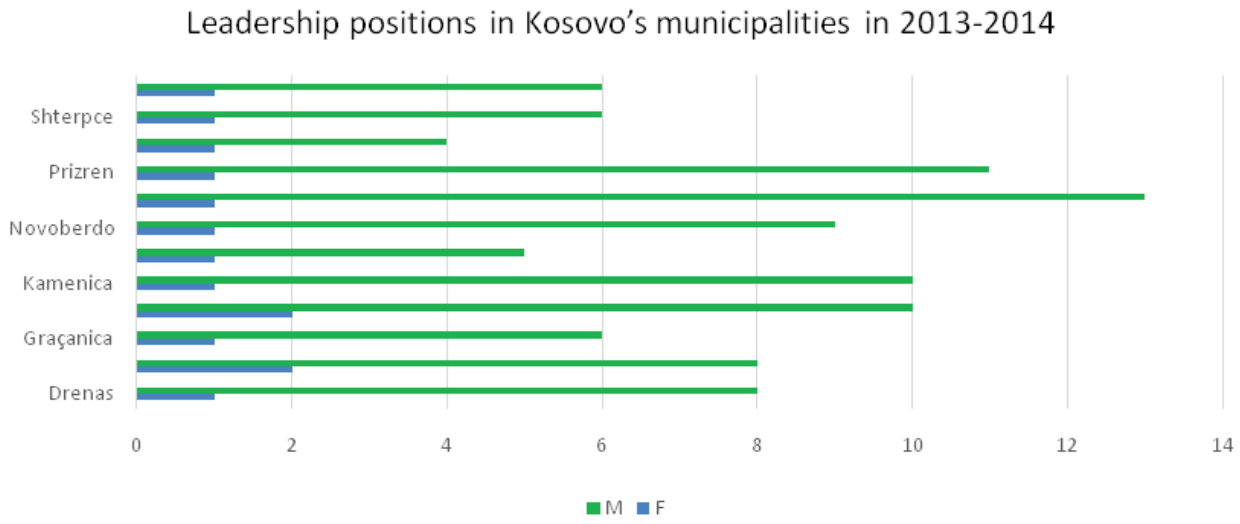



**Table 7. Leadership positions in Kosovo's municipalities in 2013-2014**

In 2015, 19 municipalities had women directors. The municipalities with the highest number of women directors were: Municipality of Fushë Kosovo / Kosovo Polje, Kamenicë/Kamenica, and Vushtrri/Vučitrn with 3 positions each.

[51] No data were provided for 2016

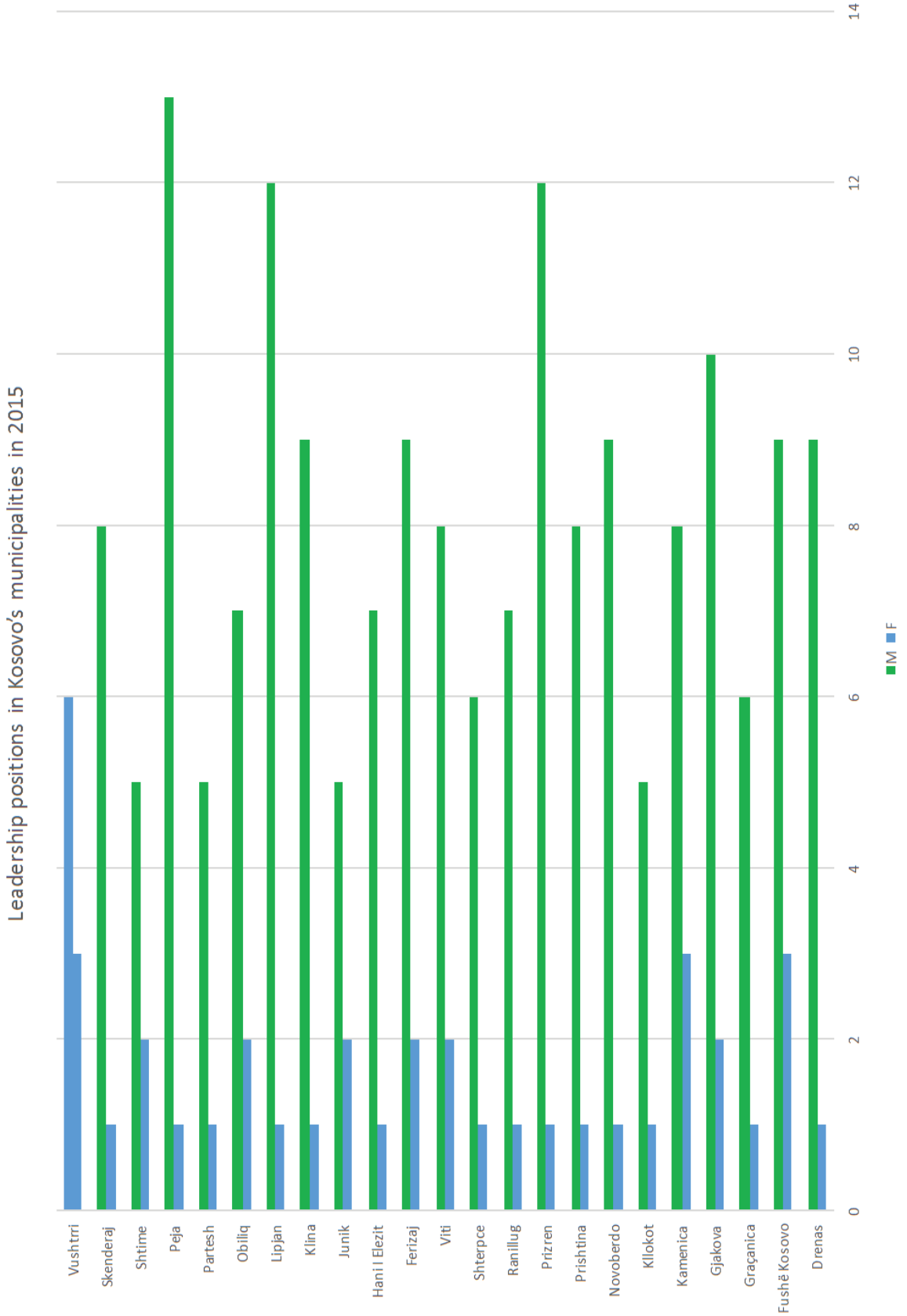



**Table 8. Leadership positions in Kosovo's municipalities in 2015**[52]

[52] Municipalities without women in leadership positions were as follows: Klina, Kaçanik, Podujeva, Rahovec, Deçan, Hani i Elezit, Partesh, AOMN, Mamusha, Malisheva, Skenderaj, Dragash, Lipjan, Istog, Obiliq, Junik, Ferizaj, Mitrovica, Malisheva, Suhareka, Shtime, Gjilani, Peja, Vushtrri

## CONCLUSIONS

Based on data collected during this research, which covers three years' period (2013-2016), it appears that the LGE is still not being implemented, namely the provision requiring representation of fifty percent (50%) for each gender, and as such remains a continuous problem that requires a serious institutional approach.

Both Government of Kosovo as well as municipalities continue to disrespect the LGE. Based on the data collected during this research, it appears that only three ministries and the Office of the Prime Minister respect this law in terms of gender representation, while in municipalities the situation is even worse. Women representation in Kosovo's municipalities in 2015 was only 28%, with only one municipality, namely the North Mitrovica Administrative, which respected gender equality, while there are municipalities with less than 10% of women in their administration.

Two other central institutions, the Assembly and the Presidency, did not comply with the LGE during these years covered by the research. In 2016, the Assembly had only 44.2% women in its administration, while Presidency only 37.2%.

The situation of women's representation in decision-making positions continues to be unfavourable. In 2015, only 5.2% or 3 out of 58 senior leadership positions in the Government were led by women, while as regards to leadership positions 26.1% or 301 out of 1155 were led by women. It is worth mentioning that women held senior leadership positions only in three ministries. The situation in two other central institutions was not better in 2015. Of 52 leadership positions in the Assembly, only 19 were led by women, while the Presidency, out of 32 had only 14 women in leadership positions.

On the other hand, Kosovo's municipalities had only 32 women in leadership positions from a total of 318 positions, or 10.1% in 2015. Kosovo's 14 municipalities had no women in leadership positions. This situation is slightly better than in 2013-2014, when 22 municipalities did not have any women in such positions.

## RECOMMENDATIONS

Based on data collected on the current state of women's participation in decision-making in Kosovo, the Kosovar Gender Studies Center makes the following recommendations:

- State institutions (especially the poor performers like: Ministry of Infrastructure, Ministry of Kosovo Security Force, and Ministry of Foreign Affairs) are recommended to implement special measures under Article 6 of the Law on Gender Equality to accelerate the realization of gender equality in areas where inequities exist. These specific measures shall be used systematically when there are job vacancies within institutions;
- The Agency for Gender Equality is recommended to draft the Kosovo Programme for Gender Equality and take into consideration the priorities deriving from the European Union's new Gender Action Plan 2016-2020;
- The Ministry of Public Administration is recommended to publish gender disaggregated statistics and reports on the state of the civil service on its website in order to make them accessible to interested parties; and
- The Ministry of Public Administration is recommended to collect gender disaggregated data on appointments for positions of political advisors of the heads of state financed by the state of Kosovo's budget.

## NEXT STEPS

Kosovar Gender Studies Center will use the data from this report to advocate for the improvement of the current situation concerning women's representation in decision-making through its projects to be implemented in the following year. Among others, KGSC will complete a litigation case against a public institution, which is most severely violating the Law on Gender Equality. The litigation case will be undertaken during project implementation, hence, paving the path and building the know-how of local organizations to continue further in exercising their role for improved policy implementation.

In addition, KGSC will persuade the Ministry of Public Administration to publish the disaggregated data by gender for civil servants.

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