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Towards Evidence-based Policymaking

A Guidebook for Kosovo Institutions

Working Towards a
Stable Multi-Ethnic Kosovo



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ECMI Kosovo is the principal non-governmental organisation engaged with minority issues in Kosovo, with the overarching aim to develop inclusive, representative, community-sensitive institutions that support a stable multi-ethnic Kosovo.

ECMI Kosovo contributes to the developing, strengthening and implementation of relevant legislation, supports the institutionalisation of communities-related governmental bodies, and enhances the capacity of civil society actors and the government to engage with one another in a constructive and sustainable way.

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I INTRODUCTION

This Guidebook advocates for increased commitment by Kosovo institutions to the development, implementation and evaluation of evidence-based policies. Such action requires valid, reliable and objective data, combined with well-developed analytical skills that allow for full understanding of that data, and strong political support and incentives for the effective inclusion of research findings within the decision-making process.

Emphasizing the crucial role played by government bodies in this approach, the Guidebook aims to support them in achieving evidence-informed policymaking and evaluation. Designed as a pragmatic reference tool, it offers valuable background information and a number of operational guidelines and recommendations.

1.1 The Value of Research in Policymaking

Policymaking is a complex process. It is shaped through a great many interrelated factors and forces, all of which influence the space between the statement of a problem and the approval of a decision. In recent years, increasing emphasis has been placed on the role of research. When integrated within decision-making environments, research allows for the formulation of evidence-based policies, contributing to their effectiveness and pragmatism. The incorporation of rigorous research into public policy debates and internal public sector processes thus pursues the primary goal of improving the reliability of the assessments on the basis of which policies are drafted and applied.[1] Accordingly, when endorsing an evidence-based approach, policymakers need to move beyond expediency and ideology, and engage fully with research findings during the decision-making process.

Nevertheless, despite the growing acknowledgement of the desirability of evidence-based decisions and regulations, research often plays an extremely weak role in policymaking. As a result, policies can be inappropriate, poorly targeted or badly timed, as is sometimes the case in Kosovo.

One of the main reasons for this is the persistent absence of available and reliable data in Kosovo. Despite considerable action in this area by the responsible agencies in recent years and increased commitment by national institutions to data collection, the resulting figures remain mostly insufficient and incomplete. Major difficulties are caused by the scarcity of valuable data concerning the ethnic composition of the country[2] and the lack of reports on community rights implementation contracted directly by government institutions.[3] These inevitably hinder informed, evidence-based,

[1] Head Brian, 2010, "Evidence-based policy: principles and requirements", in: Australian Government, Productivity Commission, *Strengthening Evidence-based Policy in the Australian Federation, Volume 1: Proceedings*, Roundtable Proceedings, Canberra, pp. 13-26.

[2] See e.g. European Centre for Minority Issues (ECMI Kosovo), December 2012, *Minority Communities in the 2011 Kosovo Census Results: Analysis and Recommendations*, Policy Brief.

[3] One recent valuable example can be found in: Office of Prime Minister/Office for Community Affairs, May 2013, *Assessment on the Employment of Members of Non-Majority Communities in the Kosovo Civil Service and Publicly Owned Enterprises.* However, the majority of reports in the area are currently produced within the

targeted policymaking, undermine efficient use of limited resources, and raise crucial issues relating to certain groups' constitutional entitlements to representation quotas and other specific provisions as well as targeted budget allocation.[4]

Exacerbated by the shortage of systematic monitoring and evaluation mechanisms[5], the scarcity of reliable data and measurable information unavoidably hampers any assessment of progress as well as the identification of persistent challenges. This in turn creates further obstacles to efficient policy development or adjustment on the one hand, and to adequate assessment of compliance by local and central government institutions with their respective legal obligations and responsibilities on the other.

The above situation is partially due to Kosovo's recent history and the limited expertise and institutional memory of its newly independent institutions. Nevertheless, as highlighted in the 2013 Progress Report issued by the European Commission[6], research needs to be considered an indispensable prerequisite to the formulation of any regulation, strategy or activity.

Within this framework, the role of national institutions is central from multiple and complementary perspectives. In fact, despite not being directly involved in data collection itself, which is carried out by the Kosovo Agency of Statistics, other authorized bodies[7] or external consultants acting in the framework of the Program of Official Statistics[8], the relative responsibilities of national institutions are extremely important. First and foremost, government bodies' demand for knowledge and figures as a basis for their action is the first *sine qua non* condition for the production of evidence-based policies. Secondly, institutional engagement is crucial when sub-contracting external consultancy agencies and investigation companies for the conduction of research, as the institutions are responsible for establishing the related requirements and parameters. Subsequently, the effective value and usefulness of the information gathered is heavily dependent on the extent to which government institutions include it within decision-making processes.

1.2 Aims and Structure of the Guidebook

Emphasizing the crucial responsibility of government bodies in adopting effective and functional policies, the Guidebook aims to contribute to the improvement of research generation and its use in policymaking. Offering concrete operational guidelines, it is intended as a useful reference instrument for all national institutions, and especially for those bodies involved in the protection and

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private sector research institutions (think-thank and non-governmental organizations) and by international organizations (see e.g. OSCE Mission in Kosovo, July 2012, *Community Rights Assessment Report Third Edition*).

[4] E.g. The *Constitution of Kosovo* (Art. 64) assures the representation of non-majority communities in the Assembly through 20 guaranteed seats, specifically 10 for Serb political entities and 10 proportionally divided among the other communities (namely: 3 Bosniaks, 2 Turks, 1 Gorani, 1 Roma, 1 Ashkali, 1 Egyptian, 1 Roma, Ashkali or Egyptian).

[5] For further analysis, see e.g. European Centre for Minority Issues (ECMI Kosovo), May 2013, *Community Rights Monitoring & Evaluation for the Kosovo Context*, Working Paper.

[6] European Commission, October 2013, *Kosovo* 2013 Progress Report*, SWD (2013) 416 final, Brussels, 16.10.2013.

[7] *Law on Official Statistics of the Republic of Kosovo*, Law No. 04/L-036, 2011, Art. 5

[8] Kosovo Agency of Statistics, December 2012, *Programme of Official Statistics 2013-2017*

promotion of communities' rights. The institutions should integrate these tools into their regular activities, and should take them strongly into consideration when acting as Contracting Authorities.[9] This would improve the quality and scope of the research, as well as its suitability to evidence-informed policymaking and strategic policy evaluation.

More specifically, the Guidebook aims to strengthen awareness and understanding of Kosovo institutions with regard to:

- the benefits deriving from evidence-based policymaking and the centrality of policymakers in its development;
- the existing legal procedures regulating the outsourcing of external consultants and experts by national institutions;
- the most common tools and methods used to conduct targeted research in social sciences;
- the desirable techniques for effective integration of findings within decision-making processes;
- the specific challenges inherent in researching community-related issues in Kosovo.

The Guidebook is divided into six sections. Following this Introduction, Part II will lay out the legal procedures regulating Kosovo institutions when contracting companies or engaging external experts to provide data and information.

Part III will outline the most relevant methods embraced internationally for conducting basic research in social sciences. As well as reinforcing institutional awareness of desirable instruments, this section is also designed to support future efforts to draft calls for research applications and relevant Terms of Reference (ToRs).

Part IV will highlight the importance of integrating findings within the policymaking environment, and will reiterate the central responsibility of institutions in successfully linking research and policy. Moreover, it will provide a number of techniques aimed at enhancing effective use of the research.

Part V will focus on the specificities of the field of promotion and protection of the rights of minority communities in Kosovo, highlighting and analysing a number of elements to bear in mind when conducting research in this area.

Finally, Part VI will draw a series of concluding remarks and issue a set of recommendations targeting Kosovo institutions in general, and agencies active in community rights in particular.

[9] According to the *Law on Public Procurement*, Article 4.1.13, Contracting Authorities are the following: "a public authority, public service operator, public undertaking and/or any person, committee, or private company operating on basis of a special or exclusive right, or undertaking carrying out a procurement activity on behalf of or for the benefit of a public authority, public service operator or public undertaking ".

II EXISTING PROCUREMENT PROCEDURES AND PRACTICES

Adopting evidence-based policies first requires the collection of sufficient, reliable data and their in-depth analysis. For this, government institutions act as Contracting Authorities for the engagement of external consultancy services and experts from relevant fields.[10] This chapter will provide an overview of the relevant legal framework and the procedures regulating Kosovo Institutions.

In terms of legal acts, primary legislation does not explicitly provide for the selection of Consultancy Services. However, the "Open and Restricted Procedures" foreseen in the *Law on Public Procurement* (Article 33)[11] can be considered applicable. Moreover, the procedures for procuring Consultancy Services are regulated in detail by secondary legislation and policy, the most relevant of which are the *Public Procurement Regulation* and the *Operational Guidelines for Public Procurement*, adopted by the Public Procurement Regulatory Commission (PPRC) of Kosovo.[12]

"Consultancy Services" are defined in the Operational Guidelines as a service of an intellectual or advisory nature where the intellectual aspect and inputs dominate and exceed the other physical aspects of the contract. This consultancy can be provided by skilled experts from both private and public sectors, qualified in a particular field or profession. According to the same clause, examples of consultancy services include, but are not limited to: advisory, studies, design, institutional, training and other services of an intellectual and professional nature.[13]

The procurement and selection procedures are complex and lengthy, and include several stages. In line with the general aim of the Guidebook, the focus of the following overview will be on the role and functions of Kosovo institutions when acting as Contracting Authorities:

1. *Preparation and publication of a Contract Notice:* The Notice describes the object of the contract and the prequalification criteria. It therefore contains the requirements for participants (ToRs), the selection procedures and the estimated budget. The ToRs include an explanation of the project background, the objectives of the research activities, the tasks to be performed, the required competences, the respective responsibilities of the Contracting Authority and the Consultant, and the anticipated deliverables.

2. *Pre-selection of the received proposals and request of complete proposal:* After an initial selection, the shortlisted applicants are invited to submit a proposal. This should consist of a Technical and a Financial Proposal, drafted in accordance with the Tender Dossier issued by the Contracting Authority. The Tender Dossier generally includes the guidelines needed for

[10] For an overview of the most relevant research institutes active in Kosovo, see e.g. Riinvest Institute for Development Research, December 2009, *The Assessment of Research Capacities in Social Sciences in Kosovo*.
[11] *Law on Public Procurement in the Republic of Kosovo*, Law No. 04/L-042, 2011, Art. 33.
[12] The PPRC was established in accordance with the *Law on Public Procurement* – See: http://krpp.rks-gov.net/Default.aspx?PID=Home&LID=2&PPRCMenu_OpenNode=60.
[13] *Operational Guidelines for Public Procurement*, PPRC, 01.02.2012, Art. 53.1b. For the sake of accuracy, it is important to note that the procurement of individual consultants (physical persons) usually follows simplified procedures, through direct negotiations with the Contracting Authority and the subsequent authorization by the Treasury Department for execution of payment.

the preparation of successful bids, the evaluation criteria and ranking system, the relevant deadlines and any additional information deemed relevant.

3. *Evaluation and selection of the received Technical Proposals:* The assessment will be carried out by an Evaluation Committee on the basis of the responsiveness of the proposals to the ToRs.

4. *Evaluation and selection of the Financial Proposals:* The Financial Proposals of the shortlisted consultants will be opened and assessed publicly. The results of this phase will be integrated into the previous technical evaluation and lead to the final selection.

5. *Final section and awarding of the contract:* The contract is awarded to the Consultancy Company with the highest rating on both quality (evaluation of Technical Proposal) and cost (evaluation of the Financial Proposal).

The choices made by Kosovo institutions during the selection process of external consultants and experts strongly influence the nature and scope of the data that will be collected and analysed, and thus inevitably impact on the extent to which the findings can be included within the eventual policymaking process. The nature and content of the ToRs is especially crucial and their development requires awareness and expertise on the part of the Contracting Authority in terms of the types of tasks required, the necessary competences and resources, as well as the relevant fields of investigation, the desirable methodology, the potential risks and any ethical concerns inherent in the research.

As stated in the Introduction, improved knowledge on the part of the institutions of relevant research methods, instruments and implications is thus of great importance in strengthening the link between targeted research and evidence-based policymaking. These will be addressed in the following chapters.

III RESEARCH AIMS AND METHODS: AN OVERVIEW

Both the conduct of research and its outcomes are inevitably dependent on strategic choices among the wide range of available methods and instruments. The different schools of thought and constant developments and expansion of the field make it impossible to define 'one absolutely right' direction. A better approach for tackling specific issues or investigating particular areas is to adopt the method which is most 'fit for purpose'. Nevertheless, a number of generally desirable elements can be identified and always require extensive consideration.[14]

Drawing upon internationally recognized best practices, a number of commonly adopted methods are currently enjoying widespread recognition in both the academic and operational environments. These are outlined below. As previously stated, this general outlook is primarily aimed at enhancing institutional knowledge of research methodology and instruments. Through this, it seeks to reinforce the government agencies' awareness and mindfulness while contracting external research companies and consultancy services.

3.1 Conceptualizing the Research

"Research is about acquiring knowledge and developing understanding, collecting facts and interpreting them to build up a picture of the world around us, and even within us."[15] This suggests that the term covers any kind of investigation intended to collect relevant figures and uncover unknown facts. Research is commonly used for a large variety of purposes. These include, among others, describing and explaining a given object; categorizing, comparing or correlating a set of cases; evaluating a chosen issue or phenomenon; and predicting and controlling potential future developments.

Research will hereafter be referred to primarily as all action aimed at achieving an extensive understanding of the current situation in a certain area prior to the drafting of targeted policies and/or the evaluation of their impact. The collection of figures, the analysis of the resulting information and the ensuing assessments should therefore be considered as central elements of the decision-making process.

3.2 Structuring the Research

<u>The Research Cycle:</u>

The conduct of research includes several stages, which can be summarized as follows:

1. Identification of the issue to be investigated and objectives of the research,
2. Structuring of the Research Questions and related Working Hypothesis,

[14] For further details on research structuring, approaches and methodology, refer to e.g.:
Denscombe Martyn, 2007, *The Good Research Guide: For small-scale social research projects,* Third Edition, McGraw-Hill Open University Press, Berkshire; Walliman Nicholas, 2011, *Research Methods: The Basics*, Routledge, London and New York.

[15] Walliman Nicholas, 2011, *Research Methods: The Basics*, Routledge, London and New York, p. 15.

3. Selection of the research methods and instruments to be adopted,
4. Collection of primary and secondary data and information,
5. Analysis of the data and collected information,
6. Drawing of conclusions on the basis of the empirical phase,
7. Expression of recommendations for future action or investigation in the field.

The Research Project:

Paving the way for the forthcoming phases, the development of the research project should be considered the most important stage in the research cycle. In this framework, four central elements require extensive attention:

- *The research problem or subject:* The problem will generate the topic and objectives of the planned research, while providing an answer to the basic question, "What are you going to do?". For a problem to be researchable, it requires a number of imperative features, namely clarity, significance and feasibility.
- *The research relevance:* This should address the question, "Why are you going to do it?". The reason underlying the choice of conducting research in a given field needs to be evident and convey the necessity and interest of the selected topic.
- *The research methodology:* "How are you going to do it?" is obviously a crucial question which requires a detailed answer prior to beginning any substantive investigation.
- *The research timeframe:* The programme of the different phases of the research should be outlined according to a realistic evaluation of the feasibility of planned activities. Possible set deadlines and other external conditions should also be taken into consideration.

A complete research design can be drafted on the basis of the answers to these questions. That plan will then guide the researcher through all stages of his or her work.

The Research Design:

The research design provides a methodological framework for both the collection and analysis of data. Despite the various research designs that can be considered appropriate for different research projects, a number of persistent elements can be identified which include:

- *Research Questions:*
  Research questions are used to define and express the chosen topic of investigation. Breaking down the main question into sub-questions allows for a differentiated analysis of the various aspects of the problem and the adoption of multiple perspectives.

- *Working Hypotheses or Arguments:*
  Working hypotheses are supposed to provide an initial answer to the chosen research questions. Based on previous assessments and pre-assertions, their validity will be approved or rejected in the final stages of the research. Indeed, the drawing of conclusions is expressly aimed at evaluating the level of interference of the findings with the originally stated premises.

- *Aims and Relevance of the Research:*
  Defining the aims of the research is essential to identifying both research questions and methodology. Accordingly, a clear and explicit explanation of the importance and necessity of investigating the chosen area is strongly desirable.

- *Research Methods:*
  Research methods are the techniques used to conduct the research, the tools through which information is collected and analysed. The selected approach and instruments (i.e. surveys, questionnaires, interviews, observation, experiments, documents, etc.) and the reasons behind their selection need to be explicitly elaborated in the research report, and their validity demonstrated to the target audience.

- *Framework and Feasibility of the Research:*
  The framework includes a definition of the general context in which the research will be situated, the policy areas and/or ongoing academic debates to which it will contribute and the main sources upon which it will draw. Furthermore, the feasibility of the inquiry needs to be evaluated and proved. This will depend on several variables, including access to sources, timeline, funding, etc.

3.3 Carrying out the Research

Research is primarily shaped by the tools and methods used in the data collection and analysis phases. The most common approaches and related instruments are outlined below, together with their major advantages, potential risks and possible limitations.[16]

- Qualitative Research vs. Quantitative Research:

Qualitative research focuses primarily on individual cases, producing non-numerical concepts and classifications. Providing an in-depth analysis of one specific case, it is commonly considered the most desirable approach for achieving an exhaustive understanding of various interrelated issues, and is therefore better suited to accessing and analysing local specificities.

Major advantages: High degree of depth and sensitivity; creation of empathy towards the complexity and subtlety of the targeted case study; richness and detail of attainable data; wide tolerance for ambiguities and contradictions inherent to social sciences.

Major limitations: Not well suited to achieving broad generalizations and quantitative predictions, regardless of the topic; higher likelihood of the researcher's personal bias influencing the results.

Main instruments: Case studies and focus groups, interviews, discourse analysis, participated observation; deductive approach desirable.

[16] Note that this list is not exhaustive, as a comprehensive review of all available tools and strategies is beyond the scope of this Guidebook.

Conversely, quantitative research uses primarily numerical data and statistical techniques, aimed at explaining a particular phenomenon through observation and measuring of incidence.

Major advantages: Objectivity and precision of collected data; possibility of producing reliable generalizations and standardizations; researcher's detachment and control over personal biases and other external variables; usefulness for comparisons and calculations, including at later stages; effective communication of the findings to others (tables, charts, etc.).

Major limitations: Risk of oversimplification of data and consequent loss of information; implications of selection of participants and data; question of unreachable groups.

Main instruments: Surveys and questionnaires, statistical data analysis, large-scale studies; inductive approach desirable.

- Descriptive and Comparative Analysis:

The descriptive approach is intended to provide a description of the data. This method is commonly used as part of all researches and studies, and is usually integrated with other types of analysis[17].

Involving different case studies, a comparative analysis permits a strengthened understanding of the issues under consideration and, consequently, the delineation of categories and generally applicable patterns.

Major advantages: Contextualization of knowledge, improved classifications and possible formulation of predictions.

Major limitations: Difficult comparison in the case of theoretical concepts and empirical measurements located across different temporal and/or spatial settings; possible bias in selection of cases; interference of 'deviant cases'.

Main instruments: Case studies, case selection instruments, analogy, similarity and variance, statistical data classification and comparison, most similar vs. most different designs.

- Deductive vs. Inductive Approaches:

The deductive approach leads from the formulation of a theory and the related hypothesis to their confirmation or rejection through empirical observation. Conversely, the inductive approach moves in the opposite direction, namely from empirical observation, through the production of tentative hypotheses, to the formulation of a final theory.

The choice between deductive and inductive approaches is implied in all kind of research, independently from the adopted methods and instruments.

[17] For this reason, the sections on advantages, limitations and main instruments of descriptive analysis are excluded from the present overview.

- Selecting a Research Approach:

It is important to underline that research methods and instruments are neither mutually exclusive nor forcibly tied to each other. The combination of mixed methodologies has indeed become common practice, allowing for a multi-perspective understanding and analysis of the issues under consideration.

As stated previously, a large variety of factors inevitably influences the selection of the most desirable methodology. Three of these invariably require careful consideration: the specific characteristics of the research topic; the scope, accuracy and applicability of the chosen tools; and the degree of detachment between the researcher and the object of the research, and thus the anticipated objectivity of the results.

Finally, particular attention should be paid to the ethical weight of the research. It is extremely important to observe basic ethical principles throughout the different phases of data collection, analysis, and dissemination of findings. Indeed, disregarding them would directly invalidate the results of the research and result in many potential consequences for the researcher and contractor. Such principles would include, among others, respect for the rights and dignity of all participants in the research project, regard for intellectual ownership and avoidance of all forms of plagiarism, and honesty and personal integrity. Accordingly, when contracting external consultancy agencies, institutions need to set specific conditions to ensure full respect for these principles, and should monitor compliance by those agencies throughout all phases of the research.

IV FROM RESEARCH TO EVIDENCE-BASED POLICYMAKING

Policymakers and practitioners must always interpret the meaning of any research and its potential implications in accordance with particular problems and circumstances. This chapter will now turn to the integration of research findings into the policymaking process.[18]

Often, the link between research and policy is viewed as a linear one, whereby research findings are automatically translated to the decision-making process and have a clear impact on policymakers' decisions and programmes. In reality, however, the exchange between the 'research sphere' and the 'policy sphere' is extremely complex. The various channels through which research filters down to the policy process are influenced by multiple factors and are subject to disruption by both external pressures and internal dynamics. Political context and momentum, government priorities and electoral promises, prevailing ideological preferences, and power relations, all affect the extent to which research will influence policy- and decision making. Second, the nature and quality of the evidence collected is also crucial, as are the political implications. The operational usefulness of the findings depends on their relevance to current policy problems. Third, existing links and the contractual relationship between the research and policy communities can shape the substance and form of their communication and exchanges. Finally, a number of external forces, such as budget constraints, international politics, donor incentives and cultural influences, can also affect the extent to which research can influence policy development and/or evaluation. The table below, issued by the Overseas Development Institute within the framework of its Research and Policy in Development (RAPID) Programme[19], illustrates the multi-dimensional interaction among the abovementioned factors.

Figure 1. The RAPID framework

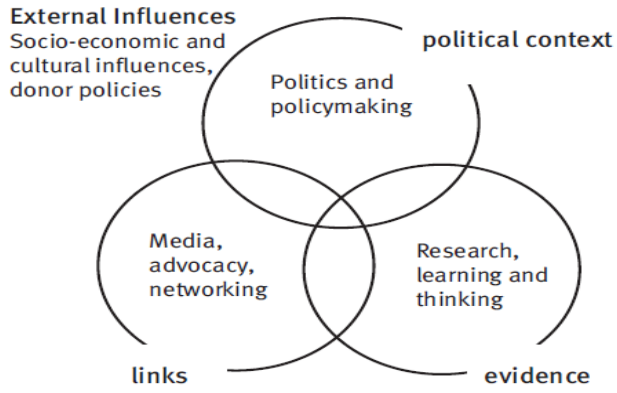


Figure 1

[18] Useful online reference on the role of research within the policymaking process, Politics & Ideas, 2013, *Topic Guide: Research and policy,* available at: http://www.politicsandideas.org/?page_id=146.

[19] The RAPID Programme aims to improve the use of research in evidence-informed policymaking. See e.g. Overseas Development Institute, 2004, *Bridging Research and Policy in International Development: An analytical and practical framework*, Briefing Paper, October 2004, p. 2; for further information on the RAPID Programme, see: http://www.odi.org.uk/programmes/rapid.

How can the link between research entourage and policymaking be strengthened and improved? And, most importantly, what role can institutions play here?

The factors mentioned above exert a major influence over the connection between research and decision-making, and are thus indicative of the key areas in which action can and should be taken to improve cooperation between the two environments and the relevant stakeholders. Within this framework, government institutions have fundamental responsibilities.

First, it is of central importance that institutions take full account of research findings within their daily activities. Indeed, the potential role played by other actors is dependent on the extent to which government bodies are committed to research-based policymaking. To that end, government institutions should draw heavily on research products, draft new policies accordingly, and undertake evidence-based monitoring and evaluation of their implementation and impact. For its part, the Kosovo Agency of Statistics should ensure access to and dissemination of official data.[20] Public authorities thus become accountable for reinforcing the bonds between research centres and consultancy services on the ground. Improved communication and regular and systematic exchange of needs and knowledge are crucial here.

Second, government institutions are accorded primary responsibility when acting as Contracting Authorities for external consultancy companies and individual professional experts. As a result, the requirements they impose and the ToRs they develop, as well as the criteria applied in the selection of proposals, directly impact the research results. Through these instruments, institutions are responsible for ensuring that the research addresses real and pressing policy problems, and is consistent with political needs and institutional dynamics. If the research provides convincing, practical and immediately applicable solutions to those problems, its findings will be more likely to be incorporated during the policymaking process and advocating for their effective inclusion will be easier.

It is important to understand that undertaking research in particular sectors always entails specific challenges. The area of minority communities' rights in Kosovo demands particular attention and cautious handling. The most relevant issues will be addressed in the following chapter.

[20] *Law on Official Statistics of the Republic of Kosovo*, Law No. 04/L-036, 2011, Art. 31

V RESEARCHING COMMUNITIES-RELATED AREAS IN KOSOVO

In Kosovo, conducting research in the field of human rights in general and community rights in particular raises a number of issues regarding terminology, methodology and desirable sources of information, and a degree of caution should be exercised.

5.1 Wording, Definitions and Acronyms

'Minorities' and 'Communities':

In accordance with the Constitution of Kosovo[21] and the relevant legal framework, the use of the term 'community' is strongly preferred to 'minority'. This terminology operates on two levels. First, the term 'community' can be generally applied to a group that shares a distinctive set of characteristics, and can thus refer to all ethnicities living in Kosovo, regardless of their proportion of the population as a whole. Second, 'community' can imply a group in a numerical minority at either the national or the local level. This second meaning is used in the *Law on the Rights of Communities*, which defines 'communities' as "national, ethnic, cultural, linguistic or religious groups traditionally present in the Republic of Kosovo that are not in the majority".[22]

"RAE" as acronym:

Many members of the Roma, Ashkali and Egyptian communities experience similar socio-economic conditions, and are therefore targeted by the same policies and actions.[23] However, they constitute three distinct communities and are recognized as such within Kosovo's legislative framework and by all international organizations. The use of the collective acronym 'RAE' to refer to all three communities is thus highly discouraged.

[21] *Constitution of the Republic of Kosovo*, 2008.
The Constitution of Kosovo was ratified on the 9th April 2008 and came into effect on the 15th June 2008; a large part of the provisions included in the text stemmed from the *Comprehensive Proposal for the Kosovo Status Settlement*, UN Security Council, S/2007/168/Add.1, 26th March 2007.
A detailed overview of the legal and institutional instruments in place will be provided in the Section 2.1.3.
[22] *Law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo,* Law No. 03/L-047, 2008, Article 1.4, as amended through the *Law on Amending and Supplementing the Law on the Protection and Promotion of the Rights of Communities and their Members*, Law No. 04/L-020, 2011.
[23] e.g. *Strategy for the Integration of Roma, Ashkali and Egyptian Communities in the Republic of Kosovo 2009-2015*, December 2008; *The Republic of Kosovo Action Plan on the Implementation of the Strategy for the Integration of Roma, Ashkali and Egyptian Communities 2009-2015*, Office of Good Governance-Office of the Prime Minister (OGG-OPM).

5.2 Numbers and Figures

Use of the 2011 Census Results:

The Kosovo Population and Housing Census[24] was conducted in 2011, marking a historical turning point considering that Kosovo's previous reliable and complete census dated back to 1981.[25] However, despite providing a wealth of relevant information, the results should be treated with care. The exclusion of northern Kosovo and a partial boycott by the Serb and Roma communities in the south negatively affected the comprehensiveness of the data and are very likely to have resulted in an underestimation of those communities at the national level. Accordingly, the official figure of 7% of minority communities among the total population[26] should be treated with caution and balanced against previous higher estimates.[27] In particular, figures for the Roma and Serb communities are subject to major discrepancies.

The unreliability of data concerning the Roma, Ashkali and Egyptians communities is exacerbated by the fact that these communities are generally affected by lower rates of civil registration than others.[28] A number of measures aimed at addressing this problem were adopted in recent years by national institutions, international organizations and non-governmental organizations, including the consolidation of registry books and the declaration of fee-free registration months for members of Roma, Ashkali and Egyptian communities. Yet, despite these efforts, the continued low rates of civil registration among these communities, combined with large numbers of unregistered births, remain a persistent problem. Indeed, access to civil registration is further hindered by barriers of a different nature, including inadequate financial resources, insufficient awareness of procedures and benefits, and inadequate service provision. This in turn has serious implications for the overall living conditions of those communities, as it prevents them from obtaining official documentation and consequently from exercising their basic rights and freedoms.

Accurate population statistics disaggregated by ethnicity are especially important in the Kosovo context, as they directly influence communities' entitlement to various individual and collective rights, budget allocation priorities and representation mechanisms. However, due to the abovementioned inaccuracies, census data should be handled with particular care. It is therefore highly recommended to avoid relying exclusively on these data within the planning and policymaking processes.

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[24] Kosovo Agency of Statistics, September 2012, *Kosovo Population and Housing Census 2011* (preliminary results were published already in June 2012). For the official 2011 Census results see: http://esk.rks-gov.net/rekos2011/?cid=2,1.
For an analysis of the accuracy of the results related to the ethnic composition of the population, see e.g. European Centre for Minority Issues (ECMI Kosovo), December 2012, *Minority Communities in the 2011 Kosovo Census Results: Analysis and Recommendations*, Policy Brief.

[25] The census conducted in 1991 was largely boycotted by the Albanian population.

[26] Kosovo Agency of Statistics, 2012, *Kosovo Population and Housing Census 2011 Final Results: Main Data*, p. 60, Table 3.13.

[27] E.g. The estimates made by the Statistical Office of Kosovo for the year 2006 indicate 8% - Statistical Office of Kosovo, 2008, *Demographic changes of the Kosovo population 1948-2006*, Series 4: Population Statistics.

[28] For further details, see e.g. OSCE Mission in Kosovo, July 2012, *Access to Civil Registration in Kosovo*.

VI CONCLUSIONS AND RECOMMENDATIONS

This Guidebook offers Kosovo institutions a useful reference tool by providing an overview of the key issues inherent in policy-directed social research. Specifically, it is intended to constitute a practical guide for government bodies when contracting external consultancy companies, researchers or experts. Indeed, if the Kosovo Agency of Statistics is the major producer of official statistics[29], national institutions have central responsibilities in supporting the agency and the other authorized bodies, and when acting directly as Contracting Authorities. Accordingly, the Guidebook addressed first the procurement and selection procedures, and then the phases for integrating the research findings into policy drafting, evaluation and amendment; it also provided particular insight into community-related research in Kosovo. In this way, this publication advocates for increased reliance on research within decision-making environments for the production of evidence-based policies and practices.

This closing section will propose a number of concrete actions for consideration by Kosovo institutions, which are especially urgent for the successful development and implementation of evidence-informed programs and initiatives. These are as follows:

- Consider evidence and information produced through research to be an indispensable precondition for the drafting of policies and the subsequent evaluation of their impact and effectiveness.

- Uphold the desirability of evidence-based policymaking for the achievement of efficient action within all responsible offices, at both the central and local levels.

- Ensure mechanisms to allow for the effective transfer of data and findings from the research sphere to the policymaking process, and across the different levels of government.

- Establish efficient monitoring systems grounded in evidence-based practices, allowing for a trustworthy assessment of policy results and the effective monitoring of compliance by central and local institutions with their legal obligations and responsibilities.

- Actively contribute to improving the scope and the quality of research, through capacity building of professional researchers and empowerment of the competent agencies. Prioritize investment in university education.

- Persist in prioritizing research in community-related areas, while remaining cognizant of the risks inherent in research in this field. In particular, treat the 2011 census results and other available data with caution.

- Engage extensively in fostering and supporting the collection of reliable data on the ethnic composition of Kosovo's population, the production of accurate estimates (especially for the Serb and Roma communities) and the development of in-depth knowledge of each group's

[29] *Law on Official Statistics of the Republic of Kosovo*, Law No. 04/L-036, 2011, Art. 5

specific situation, needs and priorities. Central responsibility in this area lies with the Kosovo Agency of Statistics.

- Promote far-reaching dissemination of community-related data. Indeed, these are relevant for all agencies, including those not directly active in the area.

- When acting as Contracting Authorities in the outsourcing of external consultancy services, pay particular attention to the procurement procedure, notably in relation to: the drafting of ToRs and specific requirements; the development of guidelines on the utility of the research, methodology and expected results; the composition of the Evaluation Committee; the selection criteria; and the desirable timeframe.

- Commit to widening and strengthening the background knowledge of the acting Contracting Authorities, which should cover the characteristics of the proposed field of research and the potential implications of conducting research, both general and case-specific.

- Reinforce communication and exchange of information between policymaking environments and research centres, in order to ensure accessibility of the available data and information.

- Develop and support knowledge-sharing networks across a variety of research actors, including academic centres, think tanks, non-governmental organizations, etc.), within Kosovo and internationally. Cross-border cooperation is especially beneficial.

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